

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

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[Accepted for publication in its current form by *International Political Sociology*, 19<sup>th</sup>  
December 2017]

## **Abstract**

This article examines contested state diplomatic practices 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 vs. non-state diplomacy dichotomy as well as 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 EU

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 hybridisation. Innovation originated in more “transformative” diplomatic practices capitalising on the contested states’ own political inbetweenness, 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.

### **Key words**

Contested states; diplomacy; practice theory; liminality; hybridity; recognition; European Union; Palestine; Western Sahara

## Introduction

December 2016. China lodges a furious diplomatic protest after the 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 organisations such Independent Diplomat (ID), which specialises in advising unrecognised 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; 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 – absent legal recognition – by the international community.

Zooming into what we call *contested state diplomatic practices* helps us challenge structural legal-institutional accounts of the contested states' engagement with international actors in general and the European Union (EU) in particular, which are unsatisfactory in explaining change in some of these relationships as well as in acknowledging agency on the side of contested states. Ontologically, we view contested states as *liminal international actors* going through the particular rite of passage that is their quest for recognition and challenging binary (state vs. non-state) categorisations 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 on *what they do* (hybrid diplomatic practices) rather than *what they are* (liminal actors) illuminates their unsuspected potential for agency, innovation and 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 different, at different times and different settings (ibid.).

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 attention being placed 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 the practitioners’ own accounts of the most factual, performative and material aspects of this interaction combined with some self-interpretation by the latter in terms of their practical sense of the “rules of the game”. Three fundamental empirical questions are addressed: How have the Palestinian and Sahrawi diplomatic practices towards 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, i.e. 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 recognised others (Sending et al. 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 most specifically Constantinou, Cornago and McConnell’s notion of “hybrid diplomacies”, which seeks to overcome the analytical deadlock reached by the dichotomy between “old” (state) and “new” (non-state) 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” (2016, 52). When applied to diplomacy in situations of liminality in which statehood and state recognition, or the lack thereof, are the critical issues at stake for both sides of the relationship, the state vs. non-state distinction emerges as existential for *what the actors are* (liminal actors) yet 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

hybridisation. This has happened in two stages. Firstly, innovation originated in more “transformative” diplomatic practices that enacted – and capitalised on – these contested states’ own political ambiguity by blurring the binary state vs. non-state distinction. This “creative ambivalence” (McConnell 2017, 149), largely driven by associate NGOs and non-profit 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 that mimic traditional state diplomacy have 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 neighbourhood 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 that differ from the wider universe of contested states in that they have not resulted from secessionism, but from deviant/thwarted decolonisation 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. Wrangle and Helaoui 2015). In more scholarly terms, this case selection is intended to help the diplomatic practices literature to move away from its Eurocentric standpoint and to 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 semi-structured interviews with Brussels-based practitioners including Sahrawi and Palestinian representatives to the EU, assistants and advisors who support them, associated civil society activists, as well as several EU officials on the other side. The questions asked sought to capture the description of the most factual and material aspects of the contested state-EU interaction (types of meetings and communication with EU institutions, actors/interlocutors, initiative, preparation, site/setting, ritual, working language, content), the lifecycle of each specific practice (generation, diffusion, institutionalisation), 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 in-built 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, i.e. 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" vs. "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 status 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 vs. non-state 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 mimicking traditional state diplomacy that have later gained prominence, especially in relation to the Council, the European External Action Service (EEAS) and the 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 recognised 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”, “unrecognised states” or “parastates” (Kolstø 2006; Caspersen 2011; Caspersen and Stansfield 2011). However, these 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” (Geldenhuis 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 the 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 Turner’s definition (cited in Thomassen 2009, 16); they defy categorisation in binary sovereignty terms (state vs. non-state) within the Westphalian system and thus “[break] in through the interstices of structure”

(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 inbetweenness 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 decolonisation 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 the Iraqi Kurdistan was held in September 2017.<sup>1</sup> 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 under-researched 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 the EU

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<sup>1</sup> Florea (2017) estimates that there have existed 34 de facto states between 1945 and 2011 with only 4 of them achieving statehood.

institutions. This is the empirical gap that this article seeks to address from the perspective of the practice theory.

Practice theory broke into the discipline of IR in the late 2000s following a broader “practice turn” in social sciences which encouraged scholars to focus on “what practitioners do” and 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 the social reality entails a number of core commitments, such as prioritising 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, recognising 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 operationalisations of international practices that have been labelled 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-fertilisation 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 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 budding literature on diplomatic practices lies in understanding how these have changed in the era of globalisation. Although it is now widely acknowledged that diplomacy has expanded to encompass a number of non-state actors besides 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 the little-explored case of 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 Weberian-Westphalian 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, i.e. their hybridity in transcending the dichotomy of “old” vs. “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 vs. non-state actors) (Sending et al. 2011, 527-535) has become as widespread as analytically unsatisfactory in the context of the pluralisation of the concept of diplomacy witnessed over the last few decades. Compared to the old Westphalian monopolisation 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-” (sub-state), “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 a “democratisation” 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 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 non-state 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 non-state 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) but 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 vs. non-state 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 non-state activism or campaigning vs. 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, as 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 recognised or it is not – fails to account for. In an attempt at categorisation 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 which can both be direct/explicit or indirect/implicit (e.g. a bilateral meeting of diplomatic personnel in the margins of international settings or the admission of an entity to an international organisation 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, 276-278). Our contention is that Ker-Lindsay’s categorisation is insightful but insufficient, as it does not explain *why* indirect/implicit 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 the 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 endeavour helps explain why contested states strive to accumulate it incrementally by

multiplying the quantity and the 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 through the lenses of liminality illuminates the potential structure-generating effects of social (unstructured) forms of international recognition, as liminality is characterised by being “unstructured and highly structuring” (Thomassen 2009, 20), or an “‘unstructured’ origin of structure” (Mälksoo 2012, 488). Likewise, liminality emphasises 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 structure of the diplomatic practices of Palestine and Western Sahara is constituted by their liminality in terms of sovereignty as contested states. Conspicuously, as mentioned above, these are two quite exceptional instances of contested statehood which have resulted from foreign occupation in the context of deviant/thwarted decolonisation 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 decolonisation/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 the Palestinian contested statehood originated in the 1993 Oslo Accords which led to the establishment of the Palestinian Authority (PA) as a proto-state 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 (Geldenhuis, 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, from the Sahrawi refugee camps in Algeria. The SADR also enjoys some level of titular recognition, albeit with a distinct third-world 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 guide them and the underlying degrees of (legal) international recognition in each case. As such, the EU cannot legally recognise states: the Westphalian bottom line in international law remains that only states recognise states. Even so, officials in the 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 emphasised 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 the EU institutions as part of their struggles for recognition. It can even be contended that there is a logical correlation between the level of institutionalisation 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 the Palestinian Liberation Organisation (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 non-recognition whereby it does not officially recognise Moroccan sovereignty

claims over the Western Sahara territory but neither does it “recognise 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 institutionalisation and diplomatic practices of the Palestinian and Sahrawi representatives who interact with the 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). The 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 the Palestinian representation in Brussels is concerned, it was renamed from “Palestinian Delegation” – a label that could be used by any non-state actor – to “Mission of Palestine to the Kingdom of Belgium, the EU and Luxemburg” – which 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 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 the 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 2012-2013 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 the EU institutions, with the official Polisario Front representative/SADR delegate-minister continuous travelling representing “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).

### **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 that blurred the binary state vs. non-state distinction – 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 associate yet distinctly non-state actors. Chief among them were NGOs such as the pro-Palestinian advocacy organisation Mattin Group and the pro-Sahrawi civil society network Western Sahara Resource Watch (WSRW), along with the non-profit consultancy ID in the case of Western Sahara. The main difference between the roles of the NGOs and ID concerns of 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 organisation 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 non-profit aims and a value-based agenda, ID sets itself apart from typical advocacy groups and NGOs by modelling 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; they also physically accompany Sahrawi officials to some of these meetings “because they work for them” (Interview 7; Interview 3).

All of these non-state 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 non-state actors operating in the diplomatic field are “freer to experiment with different practices” and particularly effective when they pursue a “functionally specific engagement with diplomacy” in areas where “they have particular expertise” (Constantinou, Cornago and McConnell 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 prioritised 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 – i.e. legally dubious economic activities and human rights violations in the occupied territories – would help to internationally delegitimise such occupation.

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 involved felt they had to face significant resistance to change from the side of the contested states’ officials and especially from an “older generation” who 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 non-state 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 hybridisation 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 organisation of

formal or informal events to which contested states' representatives can be invited along with EU officials, thus enabling and normalising mutual engagement as “parliamentary diplomacy” while avoiding concerns about recognition. As a result, the EP has for years been the EU institution prioritised “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 the Commission or the Council (Interview 5). The official Sahrawi representative actually “spends most of his time” and is “well-known” (Interview 6) – i.e. socially recognised as competent – there. Interestingly, access to the EP building in this case is facilitated by his wearing a brown badge, i.e. 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 non-state actor, which is a meaningful sign of hybridisation. This confirms that, as a general rule, non-state 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 most factual aspects of their routine activities there – “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 are regularly and almost indispensably involved. These are distinctly hybrid diplomatic practices transcending the state vs. non-state 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 the Council (Voltolini 2016, 104-105). 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 which raised the issue of the improper implementation of the Association Agreement by Israel (Voltolini 2016, 106). Accomplishments like this contributed to drawing the Palestinian

official representatives down the parliamentary route and to what had initially been seen as non-state diplomatic practices outside their remit. A greater success came in 2008 when the EP voted to postpone the upgrade of the EU-Israel Association Agreement, directly contravening the wishes of the European Council. “We realised 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, 153-154; 2017). The campaign was largely based on hybrid diplomatic practices and emphasised 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 non-state 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 institutionalisation 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 which “maintain relations and exchange information with parliaments in non-EU countries”, and therefore are reserved to recognised states, while Intergroups are formed by members of the EP “with a view to holding informal exchanges of views on particular subjects”,<sup>2</sup> 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”.

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<sup>2</sup> See <http://www.europarl.europa.eu/aboutparliament/en/20150201PVL00010/Organisation>.



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 non-state actors. First, the Intergroup is significant in terms of site, since it enables “official meetings” to be organised 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 can be issued on its behalf – which would often be drafted by ID advisors (Interview 5). This is why extraordinary efforts were made to re-establish 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. As

mentioned above, innovation in “transformative” diplomatic practices blurring the state vs. non-state 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 internationalisation spearheaded by the UN statehood bid and subsequent “upgrade” in 2011-2012, 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 prioritised 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 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, 129-130) – 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, Cornago and McConnell 2016, 45). This hybridisation has become apparent in various ways within the context of Palestinian and Sahrawi diplomatic practices towards 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 been refocusing after realising 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 – the “most difficult place to lobby” (Interview 2) and 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. Their respective diplomatic practices in this direction similarly involve a two-step interaction

through the means of contact with the EU 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 in 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 now 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 towards 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 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 hybridisation 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 towards 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 prioritisation 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 minimise 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 favoured the recent return to the forefront of "reproductive" diplomatic practices by contested states such as Palestine and Western Sahara. In 2011-2012, 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 therefore 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 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 one, 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.

Some practices of recognition avoidance from a relational perspective can however be observed on the side of the EEAS, which demonstrate this 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).<sup>3</sup>

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<sup>3</sup> Other than this, the EEAS' most routine instances of recognition avoidance mainly concern document drafting (Interviews 9, 10 and 11), i.e. discursive or textual practices.



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 institutionalised 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, 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 2010-2013, under the mandate of the European Commissioner for Maritime Affairs and Fisheries Maria Damanaki (Interview 5).

Structural differences aside, hybridity is also present in Palestinian and Sahrawi diplomatic practices towards 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 specialised technical knowledge and expert authority, which is highly valued by their interlocutors (Constantinou, Cornago and McConnell 2016, 38). The Mattin Group and WSRW are able to exert influence due to their professionalism and capability to “provide reliable information” on highly technical issues (natural resources, international law, 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 organisations 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 towards the EU, which has entailed increasing hybridisation. “Transformative” diplomatic practices that capitalised on the contested states’ own political inbetweenness, being originally pushed for by associate NGOs and non-profit 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 vs. non-state diplomacy dichotomy is a cross-cutting feature of all 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 the quality of international engagement – providing recognition through “practice upgrade”. This is also

favoured 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 recognised 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 non-structural 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-fertilisation of the study of diplomacy with practice theory (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 non-state agents are venturing in, “democratising” and pushing the boundaries of this formerly reserved domain, whilst however 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.

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## **Interviews**

Interview 1. Sahrawi official/diplomat, Brussels, 7 October 2016.

Interview 2. Palestinian official/diplomat, Brussels, 31 August 2016.

Interview 3. Advisor to Polisario Front Representation to EU, Brussels, 31 August 2016.

Interview 4. Advisor to Polisario Front Representation to EU, phone interview, 26 September 2016.

Interview 5. Former advisor to Polisario Front Representation to EU, Brussels, 30 August 2016.

Interview 6. Former assistant to Polisario Front Representation to EU, Brussels, 29 August 2016.

Interview 7. Pro-Sahrawi civil society activist, Brussels, 30 August 2016.

Interview 8. Pro-Palestinian civil society activist, phone interview, 30 January 2015.

Interview 9. EEAS official, Brussels, 30 August 2016.

Interview 10. EEAS official, Brussels, 30 August 2016.

Interview 11. EEAS official, phone interview, 12 September 2016.

Interview 12. EEAS official, Brussels, 18 June 2015.

Interview 13. Former member of the EP and head of the Alliance of Liberals and Democrats for Europe/ALDE Group, Brussels, 30 August 2016.