

De Facto States and Land-for-Peace Agreements: Territory and Recognition at Odds? by Eiki Berg and Shpend Kursani, Routledge, 2022, 194 pp., \$153 (hardcover), ISBN 9780367485139, \$47.65 (ebook), ISBN 9781003041436.

“De facto state” is a commonly accepted term for a territory that has seceded unilaterally from its “parent state,” usually by having won a war against it. The de facto states are denied membership in the international community of states; and although some legal experts believe that a territory may have a so-called remedial right to secession if its population has been exposed to serious, protracted mistreatment in the parent state, international law is nevertheless heavily weighted in favor of the parent, which may recapture the territory with impunity if and when they are strong enough to do so. This, Sri Lanka has done with Tamil Eelam, and Russia with Chechnya. The immense suffering and loss of human life in these recaptures provide a solid impetus to try and find other, more peaceful solutions to the de facto state problem.

Eiki Berg and Shpend Kursani, two social scientists at the University of Tartu, in their new book *De Facto States and Land-for-Peace Agreements*, explore one such avenue toward negotiated settlements of de facto state conflicts, namely “Land-for-Peace Agreements.” This, as they point out, is an approach that has not been systematically studied earlier, and their book is therefore a welcome addition to the burgeoning literature on these unruly creatures in world politics. The authors examine in great detail four cases in, or in the immediate vicinity, of Europe: Abkhazia, Nagorno-Karabakh, the Turkish Republic of Northern Cyprus, and Kosovo. In all these cases, a part of the territory that the de facto state controls has weak ethnic and historic links to the rest of the de facto states, and also otherwise may be said to have relatively limited value for this state. Therefore, this chunk of land may potentially be handed back to the parent state as part of a peace agreement.

The analysis of these four cases is very rich and provides a wealth of useful information. The many maps are also illuminating. The book is based on broad reading of relevant literature. The richness has been achieved without compromising analytical rigor. The authors have designed a very simple 2x2 model, which distinguishes between four possible outcomes, ranging from very likely to highly unlikely that a land-for-peace settlement can be reached. The same framework is applied systematically to all four cases, giving the book a very clear structure. Admittedly, the model can be criticized for being overly simple, and the placement of the various cases in the four boxes results from coding based on the authors’ subjective evaluations. However, any meaningful comparison among several cases inevitably involves simplification.

At the outset, the authors state that they decided to leave the normative aspects of de facto state conflicts aside but acknowledge that they cannot hide their sympathy toward people who struggle for self-determination and recognition. They are bothered by “the inflexibility of the contemporary international order” (viii–ix) and are clearly in favor of using territorial readjustments as a tool to help unrecognized nations achieve their own statehood. In the Nagorno-Karabakh conflict, they find that both sides have “valid” arguments, and elsewhere, the authors give specific normative assessments. Indeed, it is difficult to see how such assessments could be wholly avoided in a book like this.

In at least one of these cases – the Serbia-Kosovo dyad – there is a territory not only in the de facto state but also in the parent state, which could be transferred as part of a larger bargain – ethnic Albanians in a Serbian district adjacent to Kosovo. However, the authors have decided not to include this possible land swap in their analysis since they doubt that this area “is or would be a subject of exchange” (92). This argument is a bit puzzling, both because this solution has been supported by influential EU politicians (99), but also since the chances that any of the other candidates for land transfer will actually be realized are not much greater. A chapter on “lessons from the past” discusses in great and illuminating detail the role land-for-peace schemes have played in the Arab-Israeli conflicts. In its relations with Egypt, Israel has indeed achieved peace by handing back occupied territories (in the Sinai); but the Oslo Accords with the Palestinians, which likewise included a crucial element of territorial compromises, has gradually been undermined. Successful land-for-peace schemes seem as elusive as ever.

In the opinion of the authors, it is an “insurmountable task” to find a compromise between the territorial integrity of parent states and self-determination claims of the de facto states (179). If this statement is meant to be understood literally, then the search for viable land-for-peace settlements is reduced to a theoretical exercise in the ivory tower, with no possibility to influence political outcomes. But Berg and Kursani are not prepared to accept such a disheartening conclusion. On the contrary, they believe that by broadening the discursive space and allowing fresh and innovative ideas of the kind they propose, “there is a hope that experiments with territorial solutions [can] give additional tools for achieving final and lasting peace” (ibid.). Their own contribution to such an outcome is to remind the stakeholders and the general public about such schemes and to try to convince the parties that they can lead to equitable settlements. Land-for-peace may sometimes be a Columbus’s egg, but it requires some thinking outside the box. Therefore, the book should be of as much interest to practitioners and politicians as to scholars.

Berg and Kursani believe that “If a land-for-peace exchange is not feasible then parties have to be ready for decades-long confrontation and insecurity” (9). In their assessment, the continued existence of de facto states seems to be “the safest prediction” (37). Since the four de facto states they have studied have managed to survive for several decades, this may well be correct, but in 2023 this scenario seems somewhat less likely than a few years ago. In 2020, in a new bloody war over Nagorno-Karabakh, Azerbaijan managed to take back by force the territory around this de facto state slated for inclusion into a land-for-peace settlement, and step by step, the process of eradicating Nagorno-Karabakh completely seems to have started. As Russia’s bungled war in eastern Ukraine has badly damaged both the country’s military might and its reputation as a patron of de facto states, other Eurasian de facto states may be headed toward gradual or sudden extinction.

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Promoting Justice across Borders: The Ethics of Reform Intervention, by Lucia Rafanelli, New York: Oxford University Press, 2021, 280 pp., \$86 (hardback), ISBN 9780197568842, \$39.95 (paperback), ISBN 9780197770566.

Lucia Rafanelli’s new book vigorously defends what she calls “reform intervention” as a way to pursue justice by means of political action overseas and sets out a systematic account of the theory and ethics of doing so.

Rafanelli’s normative framework for thinking about these issues is broadly a liberal one, framed by “rights.” Though she is less interested in interventions that are directed purely at welfare, she doesn’t chiefly focus on *defensive* interventions. Rather, her main concern is with interventions that seek to realize principles of justice as opposed to interventions prompted only by atrocities or large-scale rights violations. Rafanelli’s vision is of a practice through which actors seek to discharge what Rawls called a “natural duty of justice.”

The book is organized around four main themes. First is a typology of reform interventions. The remaining three are the demands, respectively, of toleration, of political legitimacy, and of self-determination. These three are often cited as standard objections to reform intervention: that it is typically intolerant by its very nature, that it necessarily violates the rights of all but the most egregiously illegitimate states, and that it negates the political self-determination of its intended beneficiaries.