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The Politics of State Recognition: Norms, Geopolitics, and the East Pakistan Crisis

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In recent years, International Relations theorists have observed a resurgence in geopolitical rivalry, much of which is coalescing around cases of contested statehood. Yet, while there is a considerable volume of work on state recognition, the field would benefit from incorporating alternate approaches to geopolitics. A common approach entails treating geopolitical interests as independent variables for comparison against other factors. However, in prioritizing the comparison of variables, such work tells us less about *how* particular geopolitical interests arise in connection to cases of contested statehood. This paper therefore instead proposes a discursive approach to geopolitical interests. Following this approach, theorists will be able to treat grand strategies in a similar manner to the way the recognition scholarship already treats norms—as ideas that shape the dynamics of recognition but seldom point directly to specific recognition stances. By enabling theorists to account for the role of choice, contingency, and contestation in mediating grand strategies, this approach yields more comprehensive explanations of geopolitical interest and state recognition. In advancing its discursive approach to geopolitics and state recognition, this paper engages and extends recent constructivist work on grand strategy. The paper then illustrates the approach using the example of US policy toward the 1971 East Pakistan Crisis.

Ces dernières années, les théoriciens de RI ont observé une recrudescence de la rivalité géopolitique, dont une grande partie se concentre autour de cas de statut d'État contesté. Pourtant, bien qu'il existe un volume considérable de travaux sur la reconnaissance des États, la discipline pourrait bénéficier de l'incorporation d'autres approches en géopolitique. Une approche couramment utilisée suppose de considérer les intérêts géopolitiques comme des variables indépendantes pour les comparer à d'autres facteurs. Cependant, en priorisant la comparaison de variables, de tels travaux nous en disent moins sur l'avènement d'intérêts géopolitiques spécifiques relativement à des cas de statut d'État contesté. Cet article propose donc plutôt une approche discursive pour traiter des intérêts géopolitiques. En suivant cette approche, les théoriciens pourront traiter les stratégies globales d'une manière similaire à celle déjà employée par les chercheurs en reconnaissance pour traiter les normes—comme des idées qui façonnent la dynamique de reconnaissance, mais qui indiquent rarement des positions spécifiques par rapport à la reconnaissance. En permettant aux théoriciens de prendre en compte le rôle du choix, de la contingence et de la contestation dans la médiation des stratégies globales, cette approche produit des explications plus exhaustives de l'intérêt géopolitique et de la reconnaissance des États. Pour enrichir son approche discursive par rapport à la géopolitique et la reconnaissance des États, cet article utilise et approfondit de récents travaux constructivistes quant à la stratégie globale. L'article illustre ensuite l'approche à l'aide de l'exemple de la politique américaine à l'égard de la crise du Pakistan oriental de 1971.

En los últimos años, los teóricos en el campo de las RRII han observado un resurgimiento de la rivalidad geopolítica, gran parte de la cual se está agrupando en torno a casos de estadidad disputada. Sin embargo, si bien hay un volumen considerable de trabajo en materia de reconocimiento estatal, este campo podría beneficiarse de la incorporación de enfoques alternativos a la geopolítica. Uno de los enfoques más comunes implica tratar los intereses geopolíticos como si fueran variables independientes para la comparación con otros factores. Sin embargo, al priorizar la comparación entre variables, ese trabajo nos proporcionaría una menor información acerca de cómo surgen intereses geopolíticos particulares en relación con los casos de estadidad impugnada. Por lo tanto, este artículo propone un enfoque discursivo de los intereses geopolíticos. Siguiendo este enfoque, los teóricos podrán tratar las grandes estrategias de una manera similar a la forma en que los académicos en el campo del reconocimiento ya tratan a las normas, es decir, como ideas que dan forma a la dinámica del reconocimiento, pero que rara vez apuntan directamente a posturas específicas de reconocimiento. Este enfoque produce explicaciones más completas del interés geopolítico y el reconocimiento estatal ya que permite a los teóricos tener en cuenta el papel de la elección, la contingencia y la contestación en la mediación de grandes estrategias. Este artículo, además, involucra y extiende el trabajo constructivista reciente sobre la gran estrategia ya que avanza en su enfoque discursivo de la geopolítica y el reconocimiento estatal. A continuación, el artículo, ilustra el enfoque utilizando el ejemplo de la política estadounidense con relación a la crisis de Pakistán Oriental de 1971.

Introduction

The field of IR had long neglected the politics of state recognition out of a preference for explaining dynamics between sovereign entities and a sense that recognition was the domain of international lawyers. The deficiencies of this neglect were manifold. For instance, many state-like entities exist in conditions of "liminality" (Bouris and Fernández-Molina 2018) or "contested statehood" (Geldenhuys 2009; Kursani 2021), challenging the traditional categorization of Westphalian order. Practices of recognition matter not least to the entities seeking membership. Currently, the club of full sovereign statehood entails the legal right to non-intervention, membership of international organizations, and access to financial aid (Griffiths 2021, 18). Considered in relation to international order, practices of recognition impinge on themes such as violent conflict, fragmenta-

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tion, liberation, and changes in the meaning of sovereignty (Mayall 1999; Fabry 2010; Reus-Smit 2013; Getachew 2019).

While there is now a considerable volume of work on the politics of recognition, there is no shared consensus as to how states decide their recognition policies. Existing scholarship places different degrees of emphasis on geopolitical considerations on the one hand, and on the so-termed *international recognition regime* on the other. Comprised of evolving rules and norms such as self-determination and *uti possedetis*, the regime establishes variously accepted pathways to the club of sovereign statehood (Fabry 2010, 9).[1] This paper does not attempt to definitively establish the extent of each factor's relative influence upon state recognition practices. Instead, it takes issue with the manner in which geopolitical interests have often been operationalized.

In accounts that stress the centrality of geopolitical interests, those interests are often treated as independent variables for comparison against other factors (Paquin 2010; Coggins 2014). Yet in focusing on a comparison of variables, such work tells us less about how particular recognition policies come to stand as shorthand for more general geopolitical aims. In place of such an approach, this paper draws from and extends recent constructivist work on grand strategy by adopting a discursive view of geopolitics (Goddard and Krebs 2015; Goddard 2021; Kornprobst and Traistaru 2021). When making sense of their geopolitical interests in cases of contested statehood, actors invariably navigate broader discourses or frameworks of meaning such as grand strategies. For the analyst, the task is to examine how actors engage with the discursive materials of salient grand strategies to construct a more specific understanding of their geopolitical interests. The advantage of this approach is that it allows analysts to examine the influence of geopolitics while affording due attention to the role of choice, contingency, and contestation.

Counterintuitively, adopting this approach means treating grand strategies in a similar manner to the way that constructivists already treat norms. Grand strategies are socially constructed ideational features that do not determine policies but as with norms, must be interpreted to establish a "meaning in use" (Wiener 2009; Kornprobst and Traistaru 2021, 73). In the case of the 1971 East Pakistan Crisis, the actors in question sought recognition stances they could relate to prominent norms and their grand strategy. This suggests they saw norms and grand strategy as resources and constraints to navigate rather than clear-cut rationales to choose between.

To illustrate its discursive approach to unpacking state recognition policies, this paper examines how the US government engaged with the politics of state recognition during the 1971 East Pakistan Crisis. The illustrative example is informed by a documentary analysis of material from the UN archives as well as the US Department of State archives. The 1971 East Pakistan Crisis occurred when the Pakistani government launched an extremely violent, but ultimately unsuccessful military operation to crush the pro-independence movement in East Pakistan (now Bangladesh). In the case of US policy on the crisis, we can examine deliberations in UN forums *and* the White House itself. As such, the archival material provides an opportunity to show the value of treating grand strategies and norms in a broadly similar manner.

[1]For examples of the former perspective, see Coggins (2014), Sterio (2021), and Paquin (2010). For the latter, see Fabry (2010), Laoutides (2021), and Griffiths (2021).

This paper is broadly divided into two sections. The first section establishes how scholars of recognition have typically explained state policy and made sense of rules, norms, and geopolitical contestation. Using insights from constructivist work on grand strategy, the paper then sketches out a means of examining geopolitical interests and state recognition policies. This section draws attention to overlooked similarities between rules and norms on the one hand, and grand strategies on the other. The second half of the paper provides an illustrative example of this approach by examining how US policymakers made sense of the recognition regime and the prevailing grand strategy of détente.

Rules, Norms, and Geopolitical Interests

Because recognition is the prerogative of individual sovereign states, it is not immediately clear how and to what extent the practice is socially regulated at the level of international politics. The declaratory and constitutive legal theories have partly shaped efforts to grapple with these questions. The declaratory theory holds that a state exists when it meets the criteria of effectiveness (Crawford 2007, 4–5). The 1933 Montevideo Convention provides a commonly cited formulation: permanent population; defined territory; government; and the capacity to enter relations with other states (The Convention on Rights and Duties of States 1933). When states recognize, they acknowledge the existence of a legal fact. By contrast, the constitutive theory views states as products *of* recognition. A state cannot exist if others do not relate to it as such (Crawford 2007, 4–5).

While international lawyers tend to lean in favor of the declaratory theory (Crawford 2007), for IR scholars, the difficulty is that the theory does not appear to consistently guide state practice (Fabry 2010, 4; Coggins 2014; Sterio 2021, 89). To some IR theorists, state interests provide a better explanation of recognition dynamics. For instance, Coggins (2014, 8) argues that great powers are more likely to be animated by their "parochial concerns" than the criteria of effectiveness. These parochial concerns fall into the categories of international security, domestic politics and security, and system stability (Coggins 2014, 9). Sterio (2021, 89) similarly argues that strong states "usually base their decisions on their geopolitical interests and not an analysis of the legal criteria of statehood." An emphasis on state interests is also evident in Paquin's (2010) work on US practices. According to Paquin, the United States seeks to preserve regional stability and thereby control risks and challenges to its superpower status. Consequently, it tends to oppose secession except in the rarely occurring circumstances where support could increase stability (Paquin 2010, 1–29). In accounting for recognition practices, these theorists foreground state interests and in the case of Sterio and Paquin especially, they stress the importance of geopolitical considerations.

Elsewhere, IR theorists place greater emphasis on the role of a broad regime of rules and norms (Fabry 2010; Griffiths 2021; Laoutides 2021). This modern regime encompasses the criteria of effectiveness but also takes in the norms of self-determination, non-intervention, human rights, and the principle of *uti possedetis*. Fabry (2010, 8) argues that state recognition is fundamentally shaped by this system of rules and norms:

> Although their actual decisions have been commonly affected by political factors such as national interests, pressures from domestic constituencies, or shared interstate interests, members of international society

> have nevertheless generally understood recognition of a new state to be an activity regulated by binding norms that are independent from, and logically precede, those factors.

In his work on secessionist tactics, Griffiths (2021, 3) broadly concurs in that he describes the recognition regime as the "strategic playing field" within which all actors contest the legitimacy of secessionism (Griffiths 2021, 142). Where Sterio and Coggins emphasize state interests in place of the criteria of effectiveness, Fabry and Griffiths center an evolving regime of rules and norms. To be sure, this regime does not determine state recognition but instead broadly structures it.

The differences outlined above have a parallel in studies on the international aspects of the East Pakistan Crisis. Many focus on the role of state interests. There is a longstanding debate on whether India sought to weaken Pakistan, stem the tide of refugees, or halt a genocide (Sisson and Rose 1990; Bass 2013; Raghavan 2013; Cordera 2015). Some accounts draw on declassified documents to uncover the Cold War dynamics in US (Bass 2013; Raghavan 2013) and UK policy (Musson 2008). These accounts look for causes in the private deliberations of state leaders and often emphasize geopolitical factors.

Others have been preoccupied with how the crisis intersected with international rules and norms. Some have adjudicated the legality of India's intervention and/or Bangladesh's independence claim (Nanda 1972; Berkowitz 1973; Franck and Rodley 1973; Tesón 2005, 219–78; Crawford 2007, 140–3). Elsewhere, norms-oriented work is more sociological (Mayall 1990; Wheeler 2002; Finnemore 2003, 73; Glanville 2014, 164; Dunne and Staunton 2016, 38–55; O'Mahoney 2017, 2018, 55–75). For instance, O'Mahoney (2018, 147; 2017, 317) examines why other states ultimately did not regard Bangladesh's independence as contrary to the Stimson Doctrine—the prohibition on recognizing the outcome of aggression. He shows that many states saw India's withdrawal from Bangladesh as evidence that the Stimson Doctrine remained in-tact. Though differing in focus and intent, these accounts share an interest in rules and norms.

In this paper, I concur with the view that geopolitical interests significantly influence recognition. However, I posit that recognition scholarship can account for geopolitical interests more comprehensively by changing the way interests are operationalized. In other accounts, interests are operationalized as independent variables for comparison (Paquin 2010, 31; Coggins 2014, 46). For instance, Coggins (2014) compares the criteria of effectiveness with parochial considerations like relations between the parent state and the great power. To be clear, Coggins does not assume that great powers have *fixed* interests. In qualitative case studies on Yugoslavia and Russia, she describes changes in great power interest during the respective dissolution processes (Coggins 2014, 83–214). However, because her core focus is comparing the influence of variables against one another, she tells us less about *how* particular geopolitical interests came to the fore.

This paper approaches geopolitical interests by following constructivists and placing them on a discursive footing. A discursive view of geopolitical interest is a comprehensive one in that it focuses attention on the question of how actors come to view their recognition policies as expressions of broader, more indeterminate strategic objectives. As the following section discusses, the approach also bridges existing recognition literature in the sense that it calls on scholars to treat geopolitical interests in a similar manner to the way theorists such as Fabry and Griffiths already theorize the norms of the recognition regime.

A Constructivist Approach to the Politics of State Recognition: Grand Strategy as Normative Context

This section posits that we should treat grand strategies and norms in *similar* ways. To that end, it is useful to start by explaining how constructivists understand norms. Five ontological assumptions are common. First and most generally, norms are viewed as "standards of appropriate behaviour for actors with a given identity" (Katzenstein 1996, 5). Second, they differ from rules in that the latter concern practices enshrined in or prohibited by law. Rules are not necessarily more robust than norms and in cases such as the norm against women in combat, legally enshrining a norm can even reduce its standing (Percy 2019, 123). Third, norms are not fixed in character but evolve along dimensions like content, strength, clarity, and specificity (Sandholtz 2008, 109). For instance, the meaning of self-determination varies across temporal and geographic settings. Fourth, norms derive meaning from their broader normative context (Rhoads and Welsh 2019, 598). Self-determination is central to the recognition regime, but it is difficult to make sense of its nature and effects without reference to other norms. During the 1960s, the decolonization movement grafted the principle of self-determination onto the emerging human rights regime. This strategy enabled them to delegitimize empire, and it drew human rights norms further into the ambit of the recognition regime (Reus-Smit 2013, 188). Fifth and finally, norms and normative structures contain an element of indeterminacy. Actors interpret them to produce particular policies and thereby establish the norm's meaning-in-use (Wiener 2009). Norms cannot *cause* policy in the traditional sense of the word.

In keeping with a broadly Skinnerian view of political possibility, norms influence political life through the social requirement of reason-giving. When we do something that concerns others, we offer reasons. For Quentin Skinner (2002, 156), even when changing things is the goal, our normative surrounds limit our capacity to legitimize action:

> [T]he range of terms that innovating ideologists can hope to apply to legitimise their behaviour can never be set by themselves. The availability of such terms is a question about the prevailing morality of their society.

When actors want their behavior to be regarded as legitimate, they are compelled to draw on the system's primary norms in their justifications. There is a corollary to this point:

> [E]ven if the agent is not in fact motivated by any of the principles he professes, he will nevertheless be obliged to behave in such a way that his actions remain compatible with the claim that these principles genuinely motivated him (….) [T]he course of action open to any rational agent in this type of situation must in part be determined by the range of principles that he can profess with plausibility. (Skinner 2002, 156)

If a political leader cannot plausibly link their desired course of action to their normative context, they have an incentive to choose another course. In this way, commonly held intersubjective ideas constrain actors. When they can show their policies to be legitimate, they are empowered.

For the purposes of *explaining* political action, we benefit from examining how actors establish the meaning of legitimate action in processes of reason-giving. Stated reasons might differ from a person's motivations. Yet, people often do not even know their own motivations. Further, because people can rarely invoke their personal motivations to mobilize support for shared action, such reasons do not underpin political action *at all*. For constructivists, analysis is better directed to revealing how particular policies come to be viewed as commensurate with the prevailing normative context and how the prevailing normative context is in turn reconstituted (Krebs and Lobasz 2007, 410).

In theorizing grand strategy, recent constructivist work directs our attention to the similarities between rules and norms on the one hand, and geopolitical interests on the other. Kornprobst and Traistaru (2021, 168–9) describe grand strategy as a set of taken-for-granted intersubjective ideas about a group's *environment*, *identity*, *purpose*, and *means*. Grand strategies help orient actors by making some measures seem more logical than others. However, grand strategies rarely point to specific policy responses (Kornprobst and Traistaru 2021, 173). Much like norms, actors adapt grand strategy to their circumstances by forming judgments and offering justifications (Kornprobst and Traistaru 2021, 72).

Of course, grand strategies and norms do have important differences. Grand strategies typically proceed on the basis that state interests are the central end of foreign policy. International norms, by contrast, are standards of behavior that are more likely to express the collectively held values of an imagined international community. A related difference concerns their likely "constituencies of legitimation." Borrowed from Reus-Smit (2007), constituencies of legitimation are the individuals or groups from whom actors seek support for their preferred measures (Reus-Smit 2007, 164). The UN Security Council is a prominent constituency of legitimation for political leaders interested in the support of the community of states. Here, state representatives often invoke the rules of the UN Charter because unlike their grand strategies, those rules theoretically apply to all members. Yet grand strategies have constituencies of legitimation too. Recent constructivist work explores how political leaders have legitimized grand strategies to the public.[2] Goddard and Krebs (2015, 7) argue political leaders articulate grand strategies to the public when they must mobilize societal support for action and the policy issue has already attracted publicity.

Where existing constructivist work is preoccupied with legitimation and public audiences, I argue that the practice of reason-giving permeates all levels of policy. In the case of grand strategies, constituencies of legitimation can expand out to the public, but they can also contract to senior political elites. During the most controversial moments of the Nixon and Kissinger era, the State Department was effectively shut out of the policy process (Schulzinger 2010, 379). Here, we have an example of an extremely narrow constituency of legitimation. The processes of explanation and persuasion were undoubtedly less demanding than that of a wider constituency. Yet even then, Nixon's and Kissinger's institutional positions (president and national security advisor) supplied them with an imperative to relate their decisions to national security objectives.

Whether the constituency consists of the public, the UN Security Council, or just the National Security Advisor, actors provide rationales for their preferred measures. In this paper, these rationales are treated as "the reasons" for action. The implication is that there is never a single "true" reason underpinning policy but potentially any number of reasons that correspond to key constituencies of legitimation.

While certain logics are more likely to resonate with an audience than others, none of the preceding discussion is intended to imply that constituencies of legitimation have hard or fixed boundaries. We might associate elite foreign policy discussions with grand strategy, but those discussions feature international rules and norms too. Constituencies of legitimation can change, and new ones can arise. Contemporary foreign policy bureaucracies dedicate considerable resources to public diplomacy meaning that foreign publics are constituencies of legitimation too.

In this paper, I treat White House meetings between President Nixon and his highly influential National Security Advisor, Henry Kissinger, as a constituency of legitimation in which we are more likely to find appeals to grand strategy. I treat UN debates as realms in which we are more likely to find appeals to rules and norms. This paper examines two constituencies of legitimation for illustrative purposes. A further study could examine how the Nixon administration represented its chosen policies to the US public. The following analysis shows how the process of reason-giving among constituencies of legitimation substantially shaped the US's recognition policies.

The 1971 East Pakistan Crisis

Background

The 1971 East Pakistan Crisis was the culmination of an unequal and fractious relationship between Pakistan's territorially separate wings. Following the partition of India in 1947, the new state of Pakistan was comprised of an Eastern and Western wing separated by nearly 2000 kilometers of Indian territory. The Eastern wing contained just over half of Pakistan's total population, but its position was one of relative inequality. Urdu was the language of government when most people in East Pakistan spoke Bengali; Bengalis were not well represented in the civil bureaucracy or military, and economic redistributive policies favored the Western wing (Bose and Jalal 2004, 180).

The East's fortunes appeared to improve in 1969 when Pakistani military ruler, General Yahya Khan declared the first national election based on universal adult franchise (Bose and Jalal 2004, 180). In the Eastern wing, the Awami League campaigned on a platform of regional autonomy and gained a comfortable majority in the National Assembly (Raghavan 2013, 39). However, the National Assembly would never convene. Few in the military anticipated the scale of the Awami League's electoral success and were unsettled by prospects of a significant reduction in their authority (Raghavan 2013, 34). Following a period of protracted and contentious constitutional negotiations, Yahya Khan abandoned talks and ordered "Operation Searchlight." Commencing with the arrest of Awami League leader Mujibur Rahman, this military campaign targeted the Awami League, students, and the Hindu population of East Pakistan itself (Moses 2010, 267).

By November of the same year, almost 10 million primarily Hindu refugees had poured into neighboring India (Cordera 2015, 48). Estimates of the death toll vary between 300,000 and 3 million (Moses 2010, 267). The International Commission of Jurists (1972, 57) concluded that in target-

[2]See especially the 2015 Security Studies Special Issue *Rhetoric, Legitimation and Grand Strategy*.

ing Hindus with the intention of destroying them, the operation met the strict legal definition of genocide.

Indian action was decisive in Bangladesh's path to independence. At the beginning of the crackdown, it funded Bangladesh's guerrilla resistance movement—the Mukti Bahini—and prepared for a full-scale military confrontation with Pakistan (Bass 2013, 92). When Pakistan launched an attack on eight Indian airfields in December 1971, they drew an immediate Indian intervention (Bass 2013, 274). India then recognized Bangladesh and prosecuted the war until Pakistan surrendered in mid-December 1971 (Raghavan 2013, 262). According to Ahsan Butt (2017, 44), for many in the Pakistani military, India's involvement confirmed suspicions that the Awami League was an extension of New Delhi's powerbase. These suspicions fueled the genocidal nature of the military operation.

When Operation Searchlight commenced, Bengali officer Major Ziaur Rahman declared Bangladesh's independence on behalf of the then-imprisoned Awami League leader Mujib Rahman (Raghavan 2013, 62). There are two striking features to the US government's response to the declaration and approach to the conflict as a whole. The first was the extent to which it initially supported the territorial status quo. The United States went above and beyond simply withholding recognition. Despite reports of genocide from the United States's Dacca consulate (1971), Nixon and Kissinger rejected calls to "squeeze" Pakistan's access to military and economic aid (Kissinger 1971g), and they supported Pakistan's efforts to attain emergency assistance from the World Bank and the IMF (Raghavan 2013, 80). These initiatives were part of what historians refer to as a "tilt" in Pakistan's favor.[3] The second striking feature of the conflict is how quickly the United States reversed much of its opposition to Bangladesh. It opposed Bangladesh's plans to hold a war crimes tribunal and voted in favor of a UN Security Council resolution to delay the question of membership until Bangladesh returned the Pakistani soldiers. Yet US officials stressed they had no substantive objections to the membership bid, noted they had already recognized Bangladesh the previous year, and supported a separate resolution for admission (U.N. SCOR 1972, 10). This transition in policy can be contrasted with the case of Northern Cyprus. The product of another military intervention in the 1970s, it remains largely unrecognized.

The following sections make sense of the US approach by examining the influence of two major normative contexts: the détente strategy (1) and the recognition regime (2). These normative contexts provided US political leaders with the language to frame their preferred policies. Importantly, neither the recognition regime nor the détente framework pointed in the direction of any one measure. Political leaders needed to interpret their meaning within the relevant constituencies of legitimation. For the recognition regime, an important constituency could be found in UN organs such as the Security Council. For the détente strategy, an important constituency consisted of a select group of White House officials and often just the President and the National Security Advisor himself. After sketching out the contours of the détente strategy and the recognition regime, I examine how these normative contexts were then interpreted.

[3]The Kissinger-orchestrated brinksmanship of December 1971 was the most dramatic instantiation of the tilt (Scott 2011, 99). The United States illegally transferred arms from Jordan to Pakistan, maneuvred US naval forces into the Bay of Bengal, threatened the Soviets with a cancellation of SALT talks if they did not place more pressure on India, and encouraged the PRC to mobilize its forces on the Indian border (Burr 1999, 51; Bass 2013, 311). It should be noted, however, that this phase of the tilt was aimed at preserving *West* Pakistan amid misplaced fears that India would route Pakistan's forces there (Goh 2005, 482).

Normative Context One: The Détente Strategy

When the 1971 East Pakistan Crisis erupted, the United States and the Soviet Union were entering the era of détente (1969–1979). This period is distinguished partly for the flurry of US–Soviet joint initiatives. In the decade of the 1970s, détente historian Raymond L. Gartoff (1994, 24) counts 4 summit meetings, 11 bilateral commissions, and 150 agreements on topics such as arms limitation, crisis management, trade, health, and technology. While we could view détente as the sum of these agreements, it is commonly acknowledged that from the White House's perspective, détente was also a strategy (Garthoff 1994, 32; Gaddis 2010, 14; Lind and Wohlforth 2019, 6). This section of the paper sketches out key features of détente at the time, drawing primarily from secondary historical literature. Following Kornprobst's and Traistaru's (2021, 69) constructivist approach to understanding grand strategy, I structure this discussion around the categories of *environment, self, overall purpose, and means*. Before proceeding, it should be acknowledged that, by the standards of grand strategy-making, détente was relatively contested and in flux. As such, this section touches on disagreements, contradictions, and change.

Environment

Grand strategies invariably contain assumptions about the nature of the environment and the self. Without them, actors struggle to articulate their purpose (Kornprobst and Traistaru 2021, 3). The Cold War rivalry forms the overall backdrop to the détente strategy, and Nixon and Kissinger continued to regard their relationship with the Soviets as competitive in nature. However, they perceived that the nuclear dimension of the rivalry was too perilous. As Burr (1999, 31) puts it, they were cognizant that they conducted foreign policy with a "nuclear cloud" over their heads.

The détente strategy was also informed by recognition of shifts in the nature of the Cold War. By the early 1970s, there was a widespread perception that the Soviets had closed the nuclear weapons gap (Savranskaya and Taubman 2010, 142). In Europe, West Germany had paused its reunification efforts under the policy of *Ostpolitik* (Gaddis 2010, 14). In *Ostpolitik*, Nixon and Kissinger observed the merits of freezing sources of East–West contention. Finally, there was a perception that the communist world was becoming increasingly fractious. The Soviets violently suppressed the Prague Spring in 1968, while their relationship with China had deteriorated to the point of armed conflict in 1969 (Gaddis 2007, 148).

Self

A couple of key elements stand out in how Nixon and Kissinger understood the US polity at the time. First, they observed that America's anti-war movement had all but paralyzed the Johnson administration (Gaddis 2007, 153). For Kissinger especially, this youthful movement complicated foreign policy: "from Kissinger's point of view, Americans paid too little attention to power relations in international affairs, and they stressed too often unworkable moral maxims or legalistic formulations" (Schulzinger 2010, 377). There was an important implication to the tension between the White House and America's youth. To thrive in the international system, the United States needed realist statecraft,

but to thrive at home, the administration needed political capital with the peace movement.

Overall Purpose

Following Kornprobst and Traistaru (2021, 70), rather than assuming concepts like *power*, *security*, or *stability* animate grand strategy, this paper "follows the actors." In his public statements, Nixon alluded to détente with terms like "structure of peace" (1969b) or "framework for a durable peace" (1970). In his deliberations with Kissinger, by contrast, détente's original animating objective was simply an "honorable exit" from Vietnam. As the war dragged on, the administration formed the view that détente enabled them to compete with the Soviet Union on relatively favorable terms (Garthoff 1994, 40; Gaddis 2010, 14).

Means

Borrowing from Ostpolitik, the White House set out to freeze sources of contention. Nixon (1969a) vowed to be "less polemical" in his approach to dealing with Moscow. Schulzinger (2010, 376) explains the different dimensions to this more conciliatory position:

> Nixon and Kissinger resolved to treat the Soviet Union as an ordinary state with reasonable national goals and interests. This meant that the United States would no longer highlight its objections to Communism as a social or political system inside the Soviet Union. It would avoid condemnations of the soviet government's abuse of its citizens' human rights. It would expect the Soviet Union to show similar restraint in avoiding bombastic criticism of the American political and social system.

Essentially, Nixon envisaged mutually ceasing disagreements over social systems.

Changes in tone were accompanied by a shift in the US approach to nuclear rivalry. At the outset of his presidency, Nixon publicly abandoned a policy of maintaining nuclear weapons superiority and committed the United States to "sufficiency." The United States would settle for the capacity to strike civilian and military targets in the Soviet Union (Grynaviski 2014, 57). This public position laid the groundwork for the SALT talks.

To exit Vietnam and then later tie the Soviets into the détente framework, Nixon and Kissinger relied upon the strategic tools of linkage and trilateralism. Linkage entailed using negotiations with the Soviets to advance American interests on separate matters. Writing to the Secretary of Defense Melvin Laird, Nixon (1969a) set out an early example of linkage when he stressed that the decision on "when and how to proceed" with nuclear weapons negotiations was to be made contingent on progress in the Paris Peace talks. If the Soviets did not pressure Hanoi, the United States would consider postponing weapons talks (Schulzinger 2010, 377). Linkage had the perceived value of allowing the United States to enhance its own position *while* ensuring mutual gains (Grynaviski 2014, 63).

Trilateralism entailed leveraging Soviet concerns about China. Nixon and Kissinger calculated that they could deepen the Soviet's sense of insecurity by establishing ties with Beijing. The new Washington–Beijing relationship would create a so-called "China card." Goh (2005, 476) explains its intended function:

> By playing the "China card" – exercising its option potentially to complicate matters for Moscow at its eastern front – the United States could exert pressure on the Soviets for greater responsiveness in the superpower détente process and in trying to find a negotiated settlement in Vietnam.

As with the foreign policy tool of linkage, playing the "China card" would provide the United States with more leverage over the Soviet Union. In turn, the United States could pursue a range of foreign policy goals.

The détente grand strategy provided a set of broad assumptions through which Nixon and Kissinger would interpret US interests in the 1971 East Pakistan Crisis. In the legitimacy constituency of the sovereign states system, they had an obligation to adhere to the rules and norms of the international recognition regime.

Normative Context Two: The International Recognition Regime

The 1971 East Pakistan Crisis came on the heels of landmark developments in the norm of self-determination. Notably, the 1960 UN General Assembly Resolution 1514 "Declaration on the Granting of Independence to Colonial Countries and Peoples" delegitimized the institution of empire. However, as this section will illustrate, these developments also created a new form of ambiguity in the recognition regime. On the one hand, Resolution 1514 linked self-determination and non-intervention. In doing so, it appeared to place the borders of post-colonial entities beyond reproach. This view of self-determination was reinforced by developments in Africa. On the other hand, the 1970 UN General Assembly Resolution "Declaration on the Principles of Law" raised the prospect that self-determination could entitle groups to independence outside the standard decolonial setting. In other words, the normative context of the recognition regime could plausibly sanction opposing stances toward Bangladesh.

The 1960 UN General Assembly Resolution 1514 facilitated a wave of decolonization in the European maritime empires (Kartsonaki 2024, 8). Before the declaration, the so-called "incapacity" for self-rule had become a common justification for delaying independence within and outside the Trusteeships (Getachew 2019, 90). The 1960 resolution established a right to self-determination that was anti-imperial, universal, and eschewed of a gradualist logic (Getachew 2019, 79). While the declaration did not delimit which groups were entitled to independence, it is noteworthy that the text insists on the importance of territorial integrity:

> Any attempt at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations. (UNGA 1960, 67)

In linking self-determination and non-intervention, the declaration appeared to affirm the "saltwater thesis"—sovereign statehood could only be attained by entities who were spatially separated (usually by sea) from their colonial masters. Newly decolonized sovereign entities were further protected by the consolidation of the Stimson Doctrine in the 1969 Vienna Convention on the Law of Treaties. Recall, the doctrine obliges states to refuse recognition in circumstances of aggression (O'Mahoney 2017, 4–6). In practice, the preceding conceptualization of self-determination was ill-suited to the demands of indigenous peoples in cases of settler colonialism, and it closed the door on secessionist movements in post-colonial states (Getachew 2019, 86).

Events in Africa further entrenched the perception of an exclusive link between the "saltwater" standard and external self-determination. In 1963, the Organization for African Unity (OAU) implicitly enshrined the *uti possedetis* princi-

ple in its Charter. OAU members agreed that they would not seek to alter their inherited borders but focus on liberating Africans in the remaining European colonies and apartheid states (Mayall 1990, 56). The following year, the OAU passed a resolution requiring members to pledge respect to "the borders existing on their achievement of national independence" (Organization of African Unity 1964, 17). This commitment to *uti possedetis* was tested during the 1968 Biafran Civil War. Tanzanian President Julius Nyerere called on the OAU to relax its position on inherited borders, arguing that states were instruments for protecting their inhabitants (Mayall 1990, 56). The overwhelming majority of African states rejected Nyerere's argument and supported the central government in its fight against the secessionist Igbo forces (Crawford 2007, 406). After effectively enshrining the principle of *uti possedetis*, the OAU reaffirmed its place. State practice ran in favor of restricting external self-determination to cases of "saltwater" colonialism.

UN General Assembly Resolution 1970 "Declaration on Principles of International Law" casts a measure of doubt on the connection between self-determination and the "saltwater standard." The 1970 declaration stated that all peoples, and not just colonized peoples had the right to self-determination and that "alien subjugation, domination, and exploitation" constituted violations of that right (UNGA 1970, 3). While the declaration reaffirmed the importance of the non-intervention principle, this statement was more qualified than the 1960 declaration:

> Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to their territory without distinction as to race, creed or colour. (UNGA 1970, 10)

The 1970 declaration reaffirmed the notion that colonized people were entitled to external independence. Yet crucially, it raised the prospect that self-determination could be an instrument for attaining independence in cases where the surrounding state was failing to represent the "whole people. . .without distinction as to race, creed or colour" (UNGA 1970, 10; MacKlem 2016, 10). In this account of the recognition regime, Bangladesh's case for external self-determination becomes instantly more plausible. The people of East Pakistan were denied the political representatives of their choosing, and with the genocide, they experienced discrimination in its most extreme form.

When Yahya Khan ordered Operation Searchlight, the international institutional arrangements of state creation were clear with respect to the rights of colonized peoples in the remaining "saltwater" empires. Self-determination entitled them to sovereign statehood. However, when it came to the rights of peoples beyond and across these settings, there was an important tension. International practice and the landmark UN General Assembly Resolution 1514 appeared to cement the place of *uti possedetis* in the international order. Yet the 1970 "Declaration on the Principles of International Law" raised the possibility that a state might lose the privilege of governing a group if it failed to fairly represent them. Together with the détente grand strategy, this indeterminate and evolving recognition regime provided a normative context for US policymakers.

The East Pakistan Crisis and the Grand Strategy of Détente

In the legitimacy constituency of senior White House staff, the détente grand strategy informed the policy process throughout the East Pakistan Crisis. In mid-1969, Nixon and Kissinger approached Pakistani military General Yahya Khan to request his assistance in establishing a private channel of communication with Beijing. With no such channel to hand, they perceived that using an intermediary would lessen the risks of public failure should Mao reject a US overture (Bass 2013, 102). Yahya Khan proved to be an effective mediator. By July 1971, Kissinger had conducted his secret trip to Beijing. Later that month, Nixon publicly announced his own upcoming trip (Bass 2013, 175). Nixon and Kissinger saw Pakistan's breakup as inevitable (Kissinger 1971f). However, they expressed concern with how the optics of the breakup could affect their relationship with Pakistan and by extension, Beijing (Nixon 1971). They sought to avoid the appearance of condoning or supporting the secession. This concern licensed their uncritical support for Pakistan during the Crisis. It also licensed recognition in a scenario where China and Pakistan gave their assent (Kissinger 1972c). Importantly, while it is tempting to view Nixon's and Kissinger's stance as a natural reflection of their ambitions under detente, their approach to the crisis was the product of important choices and contingencies.

During the first months of the crisis, Nixon and Kissinger resisted calls to pressure Yahya Kahn on the basis that he was facilitating the opening. In a meeting of the Senior Review Group in March 1971, Kissinger (1971a) noted that the President was "very reluctant to do anything that Yahya could interpret as a personal affront." Kissinger's assertion had confused some members of the review group because they were not briefed on the opening (Raghavan 2013, 88). Yet the opening rationale was articulated elsewhere. Speaking to the US Ambassador to Pakistan, Kissinger explained that the Pakistani economy had to be kept economically afloat until the United States had established channels with Beijing (Kissinger 1971d). He repeated this assertion in a subsequent conversation with Nixon. Discussing calls for a tougher stance on Islamabad, Kissinger insisted Yahya Khan was to be buoyed until the opening was established. Nixon concurred adding "[e]ven apart from the Chinese thing, I wouldn't do that to help the Indians, the Indians are no damn good" (Kissinger and Nixon 1971). In the first half of the conflict, Nixon and Kissinger viewed the China consideration as grounds for keeping the pressure off the Pakistani government.

Even after Kissinger's largely successful visit to Beijing in July 1971, Pakistan retained a position of unusual importance to the administration. Nixon and Kissinger became preoccupied with the question of how the Chinese would interpret the United States's policies on East Pakistan. From his conversations with Zhou Enlai, Kissinger surmised that the Chinese would spring to Pakistan's aid in any potential conflict between India and Pakistan. If the United States watched on while Pakistan was humiliated, then China would see no value in its own potential partnership with the United States (Bass 2013, 175; Raghavan 2013, 106).[4] According to the memorandum of a White House meeting later that month, Kissinger stated that "if there is an international war and China does get involved, everything we have [with China] will go down the drain" (Kissinger 1971f). At the outset of the crisis, Pakistan provided a means of engaging Beijing. Then after Kissinger's July talks, they

[4]Zhou Enlai had told Kissinger that if India continued undermining Pakistan's control over the East, then China could not "sit idly by" (Zhou 1971).

became a test-case of American loyalty. The one consistent was that Nixon and Kissinger saw the US relationship with Pakistan as the key to the strategic instrument of trilateralism.

In the legitimacy constituency of the White House, the imperative of the opening shaped views on recognition. While Nixon and Kissinger expressed doubts about the likely performance of Bangladesh, they accepted that the conflict was trending toward independence.[5] The most significant risk was not the prospect of Bangladesh itself but the optics of its creation. Kissinger (1971b) outlined this fear to staff in a Washington Special Actions Group Meeting when he said, "He [the President] doesn't want to be in the position where he can be accused of having encouraged the split-up of Pakistan." Similarly, following India's intervention, Nixon (1971) insisted "[w]e must never recognize Bangladesh. . .until West Pakistan gives us the go ahead." To Nixon and Kissinger, preserving the opening meant explicitly opposing Bangladesh for as long as Pakistan and China required it. Nixon and Kissinger had constructed Islamabad's assent and Beijing's approval as a pre-requisite to recognizing Bangladesh.

In the immediate aftermath of the conflict, Pakistan's and China's views animated the government's approach to the timing of recognition. In January 1972, Pakistan's newly installed President, Zulfikar Ali Bhutto, still hoped to keep a loose confederal tie between East and West. Mujib, freshly released from prison, dismissed the idea, and Bhutto focused on negotiations with India regarding the Western border as well as Bangladesh's plans to hold war crimes tribunals. By February, Bhutto encouraged the United States to recognize Bangladesh, noting that Pakistan's negotiations would ultimately benefit from the United States's capacity to influence Dacca (U.S. Embassy in Pakistan 1972). By this time, the US consulate in Dacca had relayed news of growing resentment over the United States's refusal to engage the question of recognition as well as "[o]bvious even blatant wooing of BD [Bangladesh] by Soviets" (U.S. Consulate Dacca 1972). With a "go-ahead" from Pakistan, the White House now looked to China.

Nixon was due to make his historic visit to Beijing in March 1972. There, he and Kissinger sought to establish a "general understanding" with Beijing on any plan to recognize Bangladesh (Kissinger 1972c). During his meeting with Nixon and Kissinger, Chinese Prime Minister Zhou Enlai (1972, 6) indicated that he would prefer the United States to wait until India had withdrawn troops from both the East and West. However, he did not explicitly request that the United States delay recognition beyond Washington's proposed date of late March. Soon after the visit, Nixon and Kissinger inferred they had reached an appropriate balance between deferring to Beijing's sensibilities on recognition and salvaging relations with the new Bangladeshi government (Kissinger 1972b). The opening underpinned Nixon's and Kissinger's resolve to side unequivocally with Pakistan. Now, it licensed their decision to recognize Bangladesh.

While the imperative of securing an opening to Beijing informed their stance on recognition, there was nothing inevitable about how they interpreted the détente strategy. Consider the choice of Pakistan as opening facilitator. In his memoirs, Kissinger claims that the crisis ignited when Pakistan was the *only* link to Beijing (Kissinger 1979, 913). As Bass (2013, 104) points out, the government crackdown commenced, while Nixon and Kissinger were still considering a Romanian-facilitated channel. The Romanians had even passed the test of delivering a message from Beijing to the White House (Bass 2013, 104). Raghavan (2013, 86) suggests Pakistan was slightly favored because there was less risk the Soviets would spy on proceedings. Yet Pakistan could have been ruled out *because* of its military crackdown. There was always the danger that Yahya Khan would regard US acquiescence to Operation Searchlight as the quid pro quo for the opening.

Another key assumption concerned Beijing's position. Based on his conversation with Zhou Enlai, Kissinger decided the East Pakistan Crisis was a test of US loyalty. Yet as former State Department official Christopher Van Hollen (1980, 363) points out, Beijing had raised clear objections to US policies on Vietnam. In contrast to his assessment of the East Pakistan Crisis, Kissinger did not view Beijing's concerns about Vietnam as a risk to the upcoming talks. He could well have reached the inverse conclusion.

Even if Islamabad was the only available link to Beijing at the time, we are still left with questions about the United States's overall position in South Asia. Recall, the détente strategy was not intended to alter the fundamentally competitive nature of the Cold War. US policy on the East Pakistan Crisis could have been more significantly guided by the imperative of maintaining good relations with India. India's importance was underlined at the time in a report by the NSC Interdepartmental Group for Near East and South Asia (1971, 8):

> [d]evelopments in East Pakistan have reinforced the relative priority of our interests in India which was already apparent by virtue of India's greater size, resources, and political, strategic, and economic potential. In contrast to the deteriorating situation in Pakistan, India seems to be moving into a period of new political stability with enhanced prospects for economic development and with a renewed willingness to develop a cooperative relationship with the United States.

British foreign policy makers similarly formed the view that resisting India's will on East Pakistan would drive the Soviets and the Indians further together, leading to an increase in Soviet influence in South Asia (Robb 2018, 93). The argument is not that the United States made a geopolitical blunder in pursuing a rapid opening. The point is that we should question the assumed link between the US geopolitical interests and their stance on the Crisis.

At a broader level still, there was the question of the United States's standing vis-à-vis the Soviets in the court of global opinion. On this front, other US officials saw White House policy as a strategic error. In their dissent cable, US staff in the Dacca consulate pointed out that while the United States was noticeably unmoved by the violence, the Soviets were publicly calling on Yahya Khan to respect East Pakistan's democratic will (U.S. Consulate of Dacca 1971). Kenneth Keating, then US Ambassador to India, made a similar argument. The United States had made itself vulnerable to "damaging allegations of association with a reign of military terror" when this was a time when "principles make the best politics" (Keating 1971). These officials accepted the logic of Cold War rivalry but argued that the humanitarian position afforded a more effective means of competing with the Soviets.

Raising these alternatives might cause some readers to speculate upon Nixon's and Kissinger's motivations. Perhaps the US approach was not a function of grand strategy

[5] In late March, Kissinger (1971c) told the President that Yahya Khan had control of East Pakistan. By July, Kissinger had reversed this position (Kissinger 1971f; Bass 2013, 177).

but just Nixon's noted bigotry toward Indians, his affinity for strongman Yahya Khan, and his distrust of the State Department. All these factors have been featured in the literature with varying degrees of emphasis. Yet showing that they caused the US policy response is methodologically fraught and unnecessary for the analysis here. Rather than linking Nixon's policy approach to an estimation of his motivations or those of Kissinger, in this section, I sought to show how they framed the logic of their action in their policy discussions. While interpreting their détente ambitions, Nixon and Kissinger tied the question of recognition to Pakistan's and China's assent. Once they perceived they had secured such assent, recognition was no longer seen as contrary to the détente strategy.

The East Pakistan Crisis and the International Recognition Regime

While Nixon and Kissinger viewed the East Pakistan Crisis in terms of the Beijing opening, in the legitimacy constituency of the sovereign states system, they drew upon the language of the UN Charter. They did so by articulating a conservative view of the international order and its functions. In the US account, the purpose of the international system was to prevent wars between member states and to abstain from interfering in domestic affairs. Their approach to recognition flowed from this conservatism. If the principle of territorial integrity was paramount, the plausible number of candidates for external self-determination could not include remedial cases. Following the conclusion of fighting in Bangladesh, and as O'Mahoney (2017, 336) has discussed, the United States retained its emphasis on non-intervention. However, Nixon and Kissinger accepted the view that an Indian withdrawal from Bangladesh would provide evidence of Bangladesh's existence while preserving the Stimson doctrine (Kissinger 1972a). While the United States's emphasis on non-intervention was not significantly challenged by most member states, alternate readings of the international order and the politics of recognition were articulated at the time.

Prior to the interstate conflict, the US government kept the military crackdown away from the auspices of the UN. They made it a policy to respond negatively to Indian efforts to bring the issue to the UN Security Council (NSC 1971, 15). This action was duplicated in other UN organs. In late July 1971, a group of twenty-two international NGOs called for ECOSOC's Sub-Commission on the Prevention of Discrimination of Minorities to place the East Pakistan matter on their agenda. Here, the United States supported Pakistan as it invoked the non-intervention principle (Moses 2010, 270). While the issue of discrimination was central to the East Pakistan case, the United States took the view that the UN had no competence to deal with the matter.

When addressing the mounting refugee crisis, the US also leant on the conservative features of the international order. Kissinger advised Pakistan to politically "separate" the issue of refugee flows from the crackdown by inviting international observers to border areas (Raghavan 2013, 104). As Kissinger explained to Pakistani officials during a meeting in Rawalpindi, "The world must see that Pakistan is trying to solve the [refugee] problem." India might argue that the refugee crisis was a cause for intervention, but "what kind of political arrangement Pakistan makes in East Pakistan cannot be presented as a justifiable cause" (Kissinger 1971e). If Pakistan appeared willing to resolve the issue of refugee flows, it would deny India recourse to the most plausible ground for military action. As Moses (2010, 267) points out, the separation strategy cast Pakistan into the role of a good and cooperative international citizen. By contrast, the Indian government was mobilizing for an invasion and helping the Mukti Bahini launch raids across the border. They had little option but to reject the proposal for border inspections (Bass 2013, 193). Importantly, the strategy of "separation" was just that it *separated* the issue of state violence in East Pakistan from the remit of legitimate international concern.

The emergency sessions of the UN Security Council provided the United States with another forum in which to invoke the non-intervention principle. The US Ambassador to the UN, George H.W. Bush, portrayed the interstate conflict as the primary cause for international concern. As Bush put it shortly before the Council voted on a US draft resolution:

> At our meeting last night, I noted that the Council had been convened because it was faced with a clear and present threat to the peace of the world, because the area and the scope of the fighting had broadened and had intensified and because the Council had a responsibility under the Charter to stop the fighting and to preserve the territorial integrity of Member States. (U.N. SCOR 1971c, 22)

Here, Bush articulated a traditional interpretation of the UN Security Council's function—to prevent hostilities *between* states. To the extent that Bush engaged with the question of political violence in East Pakistan, he framed the issue as a separate matter:

> This is not the time to solve once and for all, in one neat package, this whole complex question. It cannot be done at this sitting. What can be done is to put on that tourniquet, to stop shooting, to withdraw troops. (U.N. SCOR 1971b, 20)

If there was a ceasefire and Indian troops went home, the domestic causes of the crisis could be seen to eventually. Of course, Bush did not admit that the US had enabled the very "complex question" it insisted on deprioritizing.

In emphasizing the non-intervention principle, the United States was articulating a conception of the recognition regime in which *uti possidetis* prevailed. Bangladesh was not entitled to independence and to the extent that the issue of self-determination mattered, Pakistan's self-determination was jeopardized by Indian aggression. The US position can be contrasted with that of the Soviet Union and India. They used UN Security Council proceedings to explicitly situate the conflict within a colonial framing (U.N. SCOR 1971a). In Indian and Soviet arguments about East Pakistan, the difference between a colonial occupation and legitimately held territory was partly one of governance.

While the Soviet and Indian view of recognition found little support among other sovereign states, it was not beyond the pale for jurists writing at the time. For instance, Ved Nanda (1972, 336) outlined Bangladesh's self-determination case by reference to six considerations: the physical separation of East and West (1); the cultural and ethnic differences (2); the disparity of economic growth as a result of Islamabad's governance (3); the presence of a mandate for Awami-led autonomy (4); the genocidal actions of the Pakistani military (5); and the relative likelihood that Bangladesh would function as a viable entity and integrate into the international order (6). For Nanda (1972, 336), these considerations took precedence over the non-intervention principle and entitled Bangladesh to external self-determination. Berkowitz (1973, 571) similarly argued that the military regime in Pakistan had denied Bangladesh's self-determination. While India's full-scale in-

vasion transgressed international law, they had grounds for supporting the Mukti Bahini. Even in Franck and Rodley's (1973, 294) critical assessment of Indian action, they did not dispute India's characterization of Bangladesh as a colonial entity, but argued such claims were post-rationalizations for aggression. Each of these accounts cuts against an assumed connection between self-determination, non-intervention, and *uti possedetis*. In doing so, they show us how the US view of the crisis was not a self-evident treatment of the recognition regime but a particular interpretation.

Given its emphasis on the non-intervention principle, the United States's decision to recognize Bangladesh in April 1972 appeared somewhat incongruent. Yet US officials did demonstrate an interest in reconciling recognition with their prior appeals to the non-aggression principle. As O'Mahoney (2017, 336) discusses, following the conflict, the United Kingdom, India, and Bangladesh argued that an Indian withdrawal from Bangladesh would make recognition acceptable. By their logic, withdrawal would differentiate the case from that of territorial aggrandizement and provide evidence of Bangladesh's effectiveness. In a Kissinger-authored memorandum that the President approved (1972a), we find evidence of this same logic. He acknowledged the concern that recognition entailed "blessing the fruits of India's action." However, he intimated that India's impending withdrawal would mitigate this concern. The U.S. Department of State (1972, 10) similarly recommended advising India that recognition would depend on their withdrawal and Bangladesh's capacity to act as a state. In these deliberations, US policymakers sought a means to recognize Bangladesh without setting a precedent for other interventions.

If Nixon and Kissinger emphasized the urgency of the opening in their deliberations on grand strategy, in the legitimacy constituency of the UN system, they centered the non-intervention principle. This preoccupation with Indian involvement was later reflected in the United States's rationale for accepting Bangladesh's independence. As with the realm of grand strategy, the recognition regime provided for these interpretations but did not pre-ordain them.

Geopolitics and the Recognition Regime: The Role of Interpretation

Geopolitics and the recognition regime have more in common than appears. In the realm of geopolitics, actors articulate their preferred policies by relating their arguments to broader strategic frameworks. Nixon and Kissinger advanced the view that the United States needed to support Pakistan to harness the strategic tool of triangulation. In the realm of the recognition regime, actors promote particular representations of key norms to make their policy appear consistent with the values of an imagined international community. During the East Pakistan Crisis, the United States viewed the recognition regime in distinctly conservative terms—the non-interference principle was the most important rule, and to the extent that self-determination was involved, Pakistan's self-determination was violated by an act of aggression. Geopolitics and the recognition regime provide the language through which actors relate their preferred measures to different constituencies.

In treating grand strategy in a similar manner to norms, we gained additional analytical purchase on the role of geopolitics in the United States's apparent reversal on recognition. Nixon and Kissinger never objected to the prospect of Bangladeshi independence per say. Rather, they became preoccupied with how China and Pakistan would perceive US involvement in the case. They constructed Chinese and Pakistani assent as a necessary condition for recognition. Such a position was a product of important choices and contingencies. For instance, Kissinger insisted that Pakistan was the only possible opening to Beijing. We now know that other possible go-betweens were being considered. Similarly, throughout the Crisis and aftermath, Nixon and Kissinger shut out foreign policy officials who stressed the overriding importance of relations with India. Without these choices, Nixon and Kissinger arguably would not have been as significantly opposed to Bangladesh's independence nor as willing to reverse this stance.

Geopolitics and the Recognition Regime: Aligning the Normative Contexts

Proponents of a solely geopolitical explanation for the US policy in this case might be inclined to view the US emphasis on non-aggression as window dressing—Kissinger and Nixon prioritized the opening and adjusted their rhetoric for international audiences. Yet it remains true that they pursued a policy they could articulate in the terminology of the détente strategy, *and* that of the recognition regime. The United States would keep Yahya "buoyed" to preserve the gateway with Beijing (Kissinger and Nixon 1971). This approach had an affinity with what Harold Saunders described as a "principle in their minds" that "we're not going to tell someone else how to run his country" (cited in Bass 2013, 31). After the period of hostilities, these affinities were again apparent. In keeping with their opening policy, the White House waited on Pakistani and Chinese assent before recognizing Bangladesh (Nixon 1971). By this time, they could still relate their position to the non-intervention principle by pointing to India's withdrawal as well as Bangladesh's effective existence (Kissinger 1972a). The international recognition regime and the détente framework *co-constituted* the US policy by providing the grounds on which it could be legitimated.

While this paper only explores a single case, we can arguably find prima facie evidence of alignment in other major cases of recognition too. The United States's decision to recognize Kosovo undoubtedly reflected its preoccupation with stability in the Balkans (Newman 2021, 115). A year prior, Special Envoy Martti Ahtisaari (2007, 2) concluded that recognition was the only viable path through the conflict. Yet in explicitly invoking the logic of *sui generis* (in a category of its own), US officials were careful to relate their stance to the recognition regime (Rice 2008). As with the logic of the exception, to invoke *sui generis* is to say; the normal legal frameworks should apply in all other circumstances (Summers 2021, 312). Of course, there is no guarantee others will accept that the recognition regime is unchanged (Sanjaume-Calvet and Daniels 2024, 19). The point is that the US approach to Kosovo was broadly in alignment with both the recognition regime *and* its geopolitical interests.

In the current Russia–Ukraine war, Putin has espoused a grand vision for the restoration of "historical Russia" (Sanjaume-Calvet and Daniels 2024, 18). This ambition undoubtedly informed Russia's decision to recognize and then annex the territories of Donetsk and Luhansk alongside Kherson and Zaporizhzhia. Recognition was a stepping stone for Russian expansion. Yet as other contributions to the special issue discuss, Russia's process for expansion—recognition, referendum, and

then annexation—only makes sense in conjunction with norms such as self-determination and non-intervention (Grzybowski 2024; Sanjaume-Calvet and Daniels 2024). The Russian government acted to mitigate perceptions that it had flouted the prohibition on aggression and positioned itself as the defender of self-determination. Recognition was a function of both Russia's geopolitical ambitions *and* the norms of the recognition regime.

Conclusion

In recent years, the international order has become subject to a host of pressures, including intensified geopolitical rivalry coalescing around cases of contested statehood such as Taiwan and the Russian-incorporated territories. While these developments are afoot, we need effective ways of grappling with recognition and geopolitics. This paper has argued that theorists would benefit from treating geopolitics in an approximately similar manner to the way constructivists account for the influence of norms. Analysts should aim to explain how broad discourses of grand strategy are translated to specific policies on recognition. In the East Pakistan Crisis, the task was made easier by the availability of declassified material. Yet in examining more recent cases or cases that remain subject to secrecy, we are not without clues. We can consider how grand strategies are interpreted among public constituencies of legitimation. Such statements establish political costs for leaders who "back down" or challenge popular claims. We can consider which political actors or agencies are sidelined from the political process. Where we have access to policy documents, we can examine how officials interpret events and establish government priorities. Crucially, without accounting for the politics between the space of grand strategy and policy, the analyst risks altogether overdetermining the role of geopolitical interest.

A second implication concerns the interaction of geopolitics and norms. Existing scholarship has at times been preoccupied with finding which considerations determine recognition policies. Yet during the East Pakistan Crisis, Nixon and Kissinger displayed a keen awareness of how they might keep US policy in alignment with both detente and the recognition regime. Moreover, there is evidence of a similar "alignment" dynamic in other contemporary cases. These findings suggest that actors have a different and more nuanced view of their normative surrounds than is often assumed. They do not treat grand strategies and norms as clear-cut rationales to choose between, but as constraints and resources to navigate.

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