

The Independence of the States of Texas and California

**How to Gain Independence of the States of Texas and California in peaceful way
and in accordance with the International Law adopted by the UN**

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Preface

This paper is one of the fruits of a highly disciplined academic and intellectual research conducted by the author; it is not for the stiff, fanatic, or unbalanced members of some extremist separatist groups in the States of Texas and California, rather it is for those with high intellect and depth of sight who really want to gain the independence of the States of Texas and California in 100% legal and peaceful manner: consistent with the International Law adopted by the United Nations and recognized by the Administration of the United States of America as binding. A detailed and careful consultation with legal experts in the field of interest, along the concepts presented in this paper, is highly recommended.

Introduction

The concept of State as it is known nowadays is a fruit of certain efforts that took place on the international front in the 20th century. Many political scientists have spent a lot of effort to define what a State is. Although the author has his own definition of the State, but it will not help the States of Texas and California to gain independence; after all, that is the target. Yet, and for the sake of completeness, the definitions presented by some political scientists are outlined below.

The State Definition

State has been defined in different manners. Tilly (1985:170) argues that national States are:

Relatively centralized, differentiated organizations the officials of which more or less successfully claim control over the chief concentrated means of violence within a population inhabiting a large, contiguous territory.

Whaites (2008:4) suggests that organizing a society within a defined territory has been dominated by the model of State, and that the visible embodiment of this model is nothing but the structures: ministries, agencies and forces that have been 'created to act on the instructions of the individuals who have gained political decision making power (governments)'. On the other hand, Migdal (1994:16) defines the State by applying anthropology to it; breaking it down into four levels: trenches, dispersed field offices, agency's central offices, and commanding heights. An-Nabhani (1963:6) follows a different path by defining the State as an 'executive entity of the collection of concepts, measures and convictions that is accepted by a group of people'. Rueschemeyer & Evans (1985:46-47) define the State as:

A set of organizations invested with the authority to make binding decisions for people and organizations juridically located in a particular territory and to implement these decisions using, if necessary, force.

Mann (1986:26) suggests that the State is nothing but the power organization that is involved in 'centralized, institutionalized, territorialized regulation of many aspects of social relations'. King (1986:30), on the other hand, regards the State as:

A more impersonal and public system of rule over territorially circumscribed societies, exercised through a complex set of institutional arrangements and offices, which is distinguished from the largely localised and particularistic forms of power which preceded it.

Article 1 of Montevideo Convention signed at the International Conference of American States (1933), which says:

The state as a person of International Law should possess the following qualifications:

- a) a permanent population;
- b) a defined territory;
- c) government; and
- d) capacity to enter into relations with the other states.

Critically analyzing these arguments and statements, it is noticed that some of them tend to describe the State rather than defining it; by giving too much emphasis to the structures that symbolize the State (i.e. Migdal and Whaites). While another approach gives too much emphasis to the authority to use power (i.e. Tilly and Rueschemeyer & Evans), a third approach totally disregards the territorial dimension of the State in contrast to everyone else (i.e. An-Nabhani) and gives all its emphasis to the intellectual dimension, which actually makes the definition rather for an ideological State not a national one. King, on the other hand, has been the only one to consider having more than one society within a single State, while Mann founded his whole definition on social relations.

The UN Definition of the State

The United Nations (1996:522) states that:

Under international law, a state is an entity that has a defined territory and a permanent population, under the control of its own government, and that engages in, or has the capacity to engage in, formal relations with other such entities.

As a matter of fact, and as can be easily seen, this definition of the UN is an adaptation from aforementioned definition in Article 1 of Montevideo Convention.

The UN definition is the one accepted to have legal legitimacy in the international arena nowadays. As such, more attention is paid to it as it is the one that can construct the underlying plank for the independence of the States of Texas and California. Ironically, this definition uses an attribute that can only be a consequence of the very existence of the State to define it with, and at the same time it keeps it very loose. In other words, it regards the capacity to engage in formal relations with other such entities a characteristic needed to qualify an entity as a State; if this is true then what legitimizes that entity's engagement in such relations to begin with? Presumably being a State. So, how can it become a State using an attribute that it would only be labeled with if it were State to begin with?! Furthermore, the definition lacks any disciplined standardization of the meaning of the term "capacity"; hence it is left to the discretion of other entities that would like to engage in such formal relations. Strangely enough, those other entities will be regarded as States using the same definition; hence this State definition under International Law sets a biased foundation of the recognition of States. Despite this staggering flaw in this definition, it is binding in the international arena nowadays. Hence, the independence of the States of Texas and California emerges as a very feasible and realistic thing in accordance with that.

The Independence of the States of Texas and California

According to the UN definition of the State, if the permanent residents of the State of Texas in the US decide to gain independence, then all they need to do is to get other States engaging in formal relations with them, as their independent State of Texas already has permanent population, defined territory, and a government. So, if the same goes for the permanent residents of the State of California, and the independent State of California decides that the independent State of Texas has the capacity to engage with it in formal relations and vice versa, then the US Federal Administration will be regarded a foreign occupational State that must withdraw its forces from the territories of these two independent States of Texas and California according to international law. The fact that the US Federal Administration would regard both States with no capacity to engage in formal relations is only relevant to that Administration.

In order to achieve that, the governments of both States must be pro-independence. Hence, groups that target independence must work hard to win the hearts and minds of the majority of the electoral force in order to gain control of the governments in both States. In order to be on the safe side, solid coordination must take place with other pro-independence groups in other States in order to make sure that pro-independence politicians will gain control of at least 2 governments at the initial stage, since that is the minimal requirement per the International Law. Later on, any State that failed to gain independence due to failure to control its own government by pro-independence politicians will most certainly follow. Needless to say: subtle tactics need to be used to achieve this.

Since the Washington DC-based Administration holds the right of Veto in the Security Council in the UN, then it is useless to go to the UN to ask for recognition. As

such, the independent States of Texas and California should follow two tactics to be recognized globally:

- They must cement their relationships with other independent States around the globe to gain their recognition; with the very solid resources and financial powers the independent States of Texas and California will have under their disposal, sooner or later, convincing tens of foreign States should not be a problem; and
- They must try to grab the seat of the US in the UN: take it from the hands of the Washington DC-based Administration, in order to control the Veto right in the Security Council. For this purpose, they must learn from the mistakes of the ex-Soviet States that allowed Russia to grab the seat of the ex-Soviet Union without any questioning.

These two tactics shall have butterfly effects on the international scene. For example, the independent States of Texas and California, once declare independence, must declare that all international contracts relevant to their States should be made with them and any contract made with the Washington DC-based Administration will be regarded void. With very solid peaceful movements by the pro-independence population of the two States of Texas and California, or other ones, the Washington DC-based Administration will have two options:

- Obey the International Law and recognize the independent States of Texas and California peacefully; or
- Disregard the International Law and keep claiming that the States of Texas and California are part of the United States of America, and maybe go the extra mile to oppress the people of the two States as Assad regime has been doing in Syria since 15 March 2011 and up to the moment of writing these lines.

The first option shall end with great jublations in both States. The second option shall lead to State-wide massive peaceful demonstrations that demand the withdrawal of the occupational forces of Washington DC-based Administration.

Conclusion

Gaining independence is a huge dream for many people, and huge dreams require a lot of effort and dedication. The UN-adopted International Law paves the way for the States of Texas and California to gain independence; will pro-independence groups in these two States live up to their dream?

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