Editorial

Articles

Book Reviews

Words and Images

Mirjana Maleska - Editor in Chief

Editorial Board

Advisory Board

Related Links

HOME | SEND TO A FRIEND | PRINT



LAW, POLITICS AND HISTORY IN INTERNATIONAL RELATIONS



Denko Maleski, Law School Ss. Cyril and Methodius University, Skopje

LAW, POLITICS AND HISTORY IN INTERNATIONAL RELATIONS: MACEDONIA AND GREECE

After the violent desintegration of the Yugoslav federation in the ninetees, Greek nationalism would not accept the fact of the existance of an independent Macedonian state on its border, the existance of a distinct Macedonian national identity, much less that such an identity exists on its own territory. Believing that the Macedonian name is part of their historic heretage and that it can not be used for the identification of another nation, the new Macedonian identity was experienced as threatening to the feelings of Greekness, but also to the cohesion of the new Greek-Macedonian national identity. Memories of the Cold War and the attempts by the world Communist movement, during the Greek civil war, to alter the borders of 1913/1919, gave these feelings such intensity that the new Slav-Macedonian identiry was looked upon as a threat to Greek national security. So, we were dealt with accordingly.

The end of the Cold War was a time of great expectations: a new world order where the rule of law governs the conduct of nations was proclaimed. Force has no place in today's Europe, we were told at the conference on Yugoslavia by European lawyers, diplomats and politicians, and law means not only peaceful solutions, but also just solutions. New on the European continent, the argument went, is that imperialist forces do not impose solutions, because for the first time in our history we live in a Europe where all the countries support the principles of democracy, rights of man and freedom...

Of course, we all know that things did not turn out exactly that way: the bloody ethnic wars seem to prove the realist's argument that it is still force not law that counts. But, many of those today who are right to be critical of this global outbreak of euphoric optimism in the nineties, are wrong to dismiss the whole idea of a new Europe. The Macedonian case demonstrates that important changes have occurred in the international system of states generally and in our part of the

CONTENTS

LAW, POLITICS AND HISTORY IN INTERNATIONAL RELATIONS LEFT AND RIGHT IN THE POST COMMUNIST COUNTRIES CIVILIAN OR MILITARY POWER EUROPE? INTER-ETHNIC RELATIONS IN MACEDONIA THE SECOND RUSSIAN CONSTITUTIONAL COURT

THE AUTHORS:

Denko Maleski Lidija Hristova Scott Nicholas Romaniuk Mirjana Maleska Sabrina L. Pinnell world – the Balkans. One should not easily dismiss the fact that in 1991, there was a choice to be made by politicians in each of the six units of the federation. Some chose force. We in Macedonia chose law, and in the shadow of the ethnic wars in Yugoslavia, very much unnoticed by the world, achieved independence through a policy of peaceful self-determination. In the process, we had to learn, the hard way, that law does not exist in a vacuum but is part of a wider political context of sovereign states driven primarily by their interests.

When the Arbitration Commission of the EC decided that Macedonia and Slovenia are the only two republics that fulfil the criteria for independence, it was a triumph of law. But when Germany decided to recognize Slovenia and Croatia and Greece blocked Macedonia's recognition, it was politics all over again. Yet, with law on our side we demanded recognition of the new Macedonian state. To the embarrassment of many of our western counterparts who personally had sympathies and supported our policy of peaceful self-determination, their states would not extend recognition of Macedonia's independence because of Greek opposition. The reasons we were given had nothing to do with law, but everything with politics: elections, state interest, lack of state interest, priorities on the domestic political agenda, alliance solidarity etc, etc. Yet, before we praise the law and put all the blame on politics I have to admit that politics helped us achieve independence. Namely, the constructive behaviour of Macedonia was rewarded by politicians in the US and Europe who were critical of the destructive behaviour of their ally Greece. They could not break the alliance and they could not disregard the interests of their respective states vis-a-vis their partner, but they all found ways to help us, usualy, from a safe distance and behind the curtain of international politics.

Sympathising with my agony over lack of international support for Macedonia, an American envoy spoke truth: "Macedonia, he wispered, is the tar-baby of the Balkans". "Tar-baby"? I had to look this up in the dictionary. It had several meanings: the one directed at us was that no state will involve itself fearing that it will get stuck in our problems, but there was another meaning which was directed at other states, that they will regret if they intervene, and will regret if they do not intervene. The message, as I undestod it, was not to expect too much from international law, to adapt to new situations, to look for compromises and to try to survive. And, yes, not to rely on the false belief that, regardles of what we do, the American cavalry would inevitably come to our rescue at the end of the film. So we stoped idealizing international law, we adapted to new situations, we made all the difficult compromises and we survived. But help also came, in the form of a very small contingent of American soldiers under the flag of the UN, stationed, maybe by chance, at the airport. It was a clear sign that America supported our independence and its symbolic presence was primarily directed toward Greece and its regional ally Serbia. Help in the form of financial and other support also came from European states. The United Nations supported our idea to send the first preventive monitoring mission on our undefended borders. Nobody was immune to the fact that a fledgling state was bullied by the stronger neighbour. Greece,

at that time, like Serbia, was ill with the fever of nationalism. The manifestation of 1.5 million people in the streets of Athens and Thessalonica chanting "Macedonia is Greek", blockades of the borders, economic embargoes, and a diplomatic war on Macedonia with instructions to Greek diplomats: "What they do, you undo", resembled a preparation for war. Meeting Greek politicians was an impossible mission. Terrified of the effect that such meetings could have on their political cariers, they would simply run.

In the meantime, the recognition of Macedonia began, but we knew that recognition from the Western powers was of utmost importance, since we had already defined our strategic foreign policy aims - membership in NATO and the EC. So, regardless of how many times they refused, we kept coming back, asking for new meetings and arguing our case. Our case respected the declared European principles and our behaviour was sincere and honest: we were the most constructive participant on the Conference on Yugoslavia whose final document was drafted according to our proposals; we amended our constitution with a clause stating that we will not interfere in the affairs of our neighbour; we recognised the border between Greece and Macedonia as permanent; and we were ready to search for a compromise solution on the name. What did we achieve? With our Greek neighbors we achieved little, but with the international community we independence through law. In 1993, not much later than the other Yugoslav republics whose politicians pushed their nations into bloody ethnic conflicts, we became members of the United Nations in a peaceful way.

One would say, a great achievement, especially in view of the fact that nationalistic politicians in the Balkans who kept repeating that independence was not possible trough law but only through force, and that one had spill blood for the independence of his country, were proven wrong. Alas, we did not get everything that our state was entitled according to the law. Due to Greek opposition and the interests of the big powers vis-a-vis their awkward partner, we were admitted to the UN not with our constitutional name but under a temporary reference: the Former Yugoslav Republic of Macedonia. Finally Macedonian nationalism, distributed throughout the specter of party politics, had a case: the case of yet another historic humiliation of the Macedonian people. At a moment of the country's greatest victory the name issue became the new symbol of our nations defeat. On top of that, the feeling that this was the result of a policy of appeasement has gained in proportion as the fears of war were removed and the country continued to live in peace. The story behind the story is that the moment Macedonia was established as a sovereign state in international relations, politicians learned very quickly that if you appeal to people's emotions, politics is easy and that if you appeal to their reason it becomes very difficult. So the very emotional issue of the name became a source of political power, and meant, and still means, electoral victories for parties and personal political promotion for leaders and partymembers. Everybody in politics became a defender of the dignity of the nation, by defending the constitutional name of Macedonia and all interest to pursue the problem to its final resolution ceased. Since nationalism was a commodity in demand on the political market, this national exaltation was followed by a nationalistic revision of Macedonian history, with an accent on the previously neglected period of Ancient Macedonia, and loss of interest for objective histotical truth. In that sense, Macedonian politics became a mirror image of Greek politics. "Yes, our behaviour was wrong at the beginning of the ninetees, and we are sorry and we appologize", I am told by a Greek diplomat these days, "but why are you now where we were then?". Well, nationalisms fead on each other.

After the violent desintegration of the Yugoslav federation in the ninetees, Greek nationalism would not accept the fact of the existance of an independent Macedonian state on its border, the existance of a distinct Macedonian national identity, much less that such an identity exists on its own territory. Believing that the Macedonian name is part of their historic heretage and that it can not be used for the identification of another nation, the new Macedonian identity was experienced as threatening to the feelings of Greekness, but also to the cohesion of the new Greek-Macedonian national identity. Memories of the Cold War and the attempts by the world Communist movement, during the Greek civil war, to alter the borders of 1913/1919, gave these feelings such intensity that the new Slav-Macedonian identity was looked upon as a threat to Greek national security. So, we were dealt with accordingly. At home, Greek nationalistic emotions were stirred, a crippling economic embargo was imposed and a diplomatic war was declared on the new state. This had international and domestic consequences for the Republic of Macedonia. Because of the opposition of the Greek state, we were taken off the potentially fast track towards European integration, while domestically Greek nationalism opened wide the doors to nationalistic interpretation of Macedonian history and identity.

Fear and insecurity is a possible explanation for Greek behaviour at the beginning of the ninetees."Police would knock on our door to ingire why we have not posted the Greek flag on our balkony during a national feast. Surely, this is a manifestation of insecurity and fear for our national identity", recalls a Greek professor from Thessalonika. Since there is an abundance of fear on our side of the border, the crucial question is how do we conquer fear? Truth can help us because devoid of objective historical truth, people's judgements are at the mercy of their fears and their desires, especially that the injustices done to their nation in the past will somehow be undone in the present. So, lack of objective historical truth, ignored by historians who see themselves in our Balkan societies primarely as fighters for the national cause, traps domestic politics and the psyche of the peoples in the vicious circle of the region's collective historic traumas.

Most of our misunderstandings can be found in an oversimplified version of Balkan history that has produced the follies that are characteristic of fanatical attachment to identity. These historical simplifications are the products of competing national projects of the Balkan states. The nationalisms of the Balkans demonstrate a mental habit characteristic of all European nationalisms: the mythology of belonging to a group

of very distinct people marching from the down of history to the present, fighting battles, suffering and celebrating defeats and victories and above all, never forgetting humiliations. Nations are looked upon as ethnically pure human rockets that travel through history from time immemorial to the present. But there is a major difference in the historical processes between our part and the Western part of the continent. In Western Europe, from the time of the Middle Ages, we witness a process of constant political divisions, the rise and fall of different centres of power and finally by the sixteenth century, as a consequence of the increase of the feeling of loyalty to broader political units, the emergence of a number of recognizable nation states. Balkan historic processes are quite different. Namely, in this region, which, had not been behind Western Europe in its political development during the earlier Middle Ages, five hundred years of Ottoman rule had arrested trends towards the creation of nation states.

The decline of the Ottoman Empire during the nineteenth century resulted in the creation of the independent states on its periphery, among them Serbia, Greece and Bulgaria. Ottoman power over Macedonia with its central geopolitical position in the empire was still strong. The story of our present troubles dates back to the turn of the twentieth century when the European modern nation-state concept based on the formula: "one nation, one state, one territory and one history" was suddenly projected into the last Ottoman province in Europe - Macedonia. Each of the neighbours laid a claim to the territory and the people of this multiethnic Ottoman province. The defeat of the Ilinden uprising in 1903 had two effects: it ment an end to the pan-Bulgarian project which could not be realized because of the opposition of the neighbouring states and the confrontation among the great powers, but also the beginning of, as Misirkov has called it, Macedonian "national separatism" from the Bulgarian nation. That year, Krste Misirkov, born in Pella, the town of Alexander the Great, called for the creation of a Slav Macedonian nation with its own language and a distinct national identity. It was, he thought, the only way to prevent the partitioning of Macedonia and the assimilation of its peoples by the neighbouring states. Alas, partition could not be prevented, nor could assimilation.

When, during the Balkan wars of 1912 and 1913, Macedonia was divided between the neighbours, these latecomers had to catch up with the new phase that opened in the history of the European nation-state: the construction of a strong connection between the state as a political unit and the nation as a cultural one. So, the new Balkan states began a process of assimilation, often very brutal towards "the others". The spread of national ideologies was done through powerful agencies of national propaganda, mainly through the system of education supported by the coercive mechanisms of the state. Exchange of population between Greece and Bulgaria and Turkey altered the ethnic composition of Greek's part of Macedonia. In the process, population of diverse ethnic background was assimilated into a new Greek identity built around it's language and culture. On the other side of the border, in what was Serb Macedonia where the same process of Sebianization took place, the idea of Misirkov of a separate

(Slavic) Macedonian nationhood was realized during the Second World War by the Communist movement as part of the solution of the Yugoslav national question. A new native Macedonian blend that existed as a tendency for overcoming Greek, Serbian and Bulgar influences, finally came to the surface. The new Macedonian nation was born. But, the existance of a Macedonian state with its own language and culture, also kept alive the memory of a divided fatherland, an idea that was reaffirmed in the documents of the new unit of the Yugoslav federation. As in other national cases, common suffering, regardless of imposed borders, became one of the symbols of the new nation.

Today, Macedonia faces a challenge: how to respond to Greek demands to change the name of the state, its nation and its language and make in order to make a distinction with the Greek state as a political unit and of Slav-Macedonian identity from Greek-Macedonian identity as a cultural one. And just like the "tar-baby" definition in the dictionary, Macedonia, will regret if the problem remains unsoved too long, and she will regret if it is solved without the necessary preparations. If the name issue is not resolved and the country does not join NATO and the EU, it will have negative repercussions on the economy with a rate of unemployment of over 30%. In addition to unresolved social issues that are the product of a weak economy, interethnic relations between Macedonians and Albanians are also at risk. Since parties on both sides of the ethnic divide are united by a common strategic goal, membership in NATO and the EU, the loss of this perpective spells bad for the stability of the state. The glue that holds together these two communities will be lost. The expansion of university education for the Albanian minority that is not accompanied by economic progress and integration of a population of 2 million in the EU, where both Albania and Kosovo, the two neighbouring Albanian states are heading, is almost certain to translate into a new interethnic conflict. It is a matter of time before the dangerous blame-game begins between Macedonians and Albanians, the one that is now played among parties of the same ethnic group who are more interested in what keeps them in power and destroying each other, than the wellfare of the state and its citizens. If, on the other hand, a solution is imposed without a serious dialogue that would result in an agreement of the political parties to shoulder the common burden of an extremely unpopular compromise, an intraethnic conflict between the Macedonians themselves is a likely outcome.

Unpopular desicions must be taken by our politicians if they want to save the country. The lesson that we should have learned by now is that alliances, including NATO and the EU, are created to defend the interests of their own members and not to distribute justice. We should have also learned that, just as, at the beginning of the ninetees, it was useless to try to force on other states the choice between law and politics, it is useless to try to make the EU and the US chose between Macedonia and Greece today, since its interests point at both, but especially at Greece. The lesson we should have learned during the struggle for international recognition of Macedonian as a sovreign state, is that our foreign policy must not end with

appeals to international law but should begin there, continue with diplomacy and end with a compromise. But, first we must do our homework. This extremelly emotional question can not be resolved through majorization, neither should it be used to topple the ruling nationalists today, because if a party which has popular support decides to kidnap the issue and take it to the streets it could have grave consequences for the stability of the state. In order for the government to make the unpopular but vital decision, a consensus must be reached by all major players in Macedonian politics on the nature of the compromise. It will not be easy since Ancient history of Macedonia, the contested question in our relations with Greece, is not the only divisive issue we face today. The lack of a common interpretation of the nation's contemporary history is also a problem. Today, the "right", meaning the government in power, downplays the historic role of the "left", that is the Communist movement, in the creation of the modern Macedonian state in its present borders, and emphasizes the role of those who dreamt of a United Macedonia in the borders of geographic Macedonia, who consider themselves the decendants of Alexander the Great and who were persecuted for their ideas by the Comminists. These two debates, the Ancient and the contemporary, keeps on the margins of political life yet another interpretation of our past, the Bulgarian, that patiently awaits for the outcome of the present debate in the hope that, since it is not moving forwards, the wheel of Macedonian history might start rolling backwards.

What, in fact, Greece demands of us is that we rid ourselves of our Ancient Macedonian mythology and face the objective historical truth of our Macedonia, probably along the lines of thought that I have followed in my presentation. But what about Greek mythologies? Does not the other side have to face the same objective historical truth about the creation of the modern Greek-Macedonian identity through the Greek national idea projected into Macedonia among a population of different ethnic origin? The hardest part of the bargain is that we have to renounce our mythology in order to make place for Greek nationalism to incorporate the newly created Greek-Macedonian identity into Ancient Greek mythology. It is only then that they will wrap up the their national project, end a war that started one hundred years ago and declare peace. The popular feeling among Macedonians is that Greek behaviour in the past, resembles an attempt to destroy our existence ("they took our land"), while today it resembles an attempt, as Kant would say, "to destroy our existance as a moral person" ("they now want to take our name"). Our neighbour is in the process of learning that however small and however new, a state must be treated with respect, just as a person should be. "A state, Kant continues his thought, is not the same as the land..., a piece of property. (A state) is a society of people that no one has the right to command or to dispose of except the state itself. (A state) is a tree with its own roots". The command by Greece, Macedonia to change the name of the state, the name of the nation and the name of the language is a sign of grave disrespect of a whole nation. It is a command that can not be comprehended by liberal minds on both sides of the border who, Orwell would say, do not have the nationalistic "habit of assuming that human beings can be

classified like insects". But realities of power politics and realities of our conflicting nationalisms, force Macedonia and its people to classify themselves, to find a way to overcome the deficit of respect by Greece and to reach a compromise that will not compromise us out of existence.

Thank you.

Columbia University New York 15.10.2010

copyright@2007
designed & developed by ToopixCreative