

## Putting the Name Issue in a Comparative Perspective

(Or, Some Reflections on Twelve Other Names  
That Did Not Become an Issue)

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### *Abstract*

Throughout history, and as the consequence of a series of mostly tragic events, some countries and several regions of Europe have become fragmented among two or more states. This has been the case of distant and different territories such as Germany, Ireland, Moldova, and Luxembourg, but also of Brabant, Carinthia, Styria, Karelia, Limburg, Pomerania, Silesia, Subcarpathia, Tyrol, Ulster—and, of course, Macedonia. A comparative analysis of all of these cases reveals that the peaceful recognition of the right of all the communities involved to keep identifying themselves with their names and traditional symbols has been the rule, whether in cases in which a name and symbols had become those of two different sovereign states, in which they came to represent two or more sub-national territorial units (Länder, regions, provinces, or districts), or in which they ended up representing a sovereign state and a sub-national territorial entity belonging to a different state. In no case has the claim ever succeeded, not even in receiving the sympathy of the international community, that one of the parties involved should have exclusive use of the name and symbols left by history. This finding has implications for the Name Issue, which should not be ignored.

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Last April 29, 2011 Prince William, grandson of Queen Elizabeth II, eldest son of the Prince of Wales, and, consequently, second in the line of succession to the British Crown and the sixteen countries of the Commonwealth that still recognize the symbolic authority of the Windsors, married Lady Catherine Middleton in Westminster Abbey.

As is usual in these cases, both gossip columns and serious news reports about the event analyzed in extreme detail the dress worn by the bride, pondering in very favorable terms its quality and the bride's choice of a British designer for the occasion. Few, however, devoted more than a couple of lines to explain why the groom had been wearing two silver shamrocks

in the collar of his strikingly red jacket: his decision to wear, on such an important occasion, his uniform of the Honorary Colonel of the Irish Guards was due to an honor that had been bestowed on him just two months earlier.<sup>1</sup> And, of course, no analyst, no media outlet, and no political leader either inside or outside the country dared to criticize the newly appointed Duke of Cambridge for having selected for his wedding the uniform of a military unit whose motto (“*Quis separabit?*”), inscribed on the badge adorning its cap, refers to the indissoluble links between Britain and its former territories across the Irish Sea,<sup>2</sup> nor for the resulting display—in front of more than the 160 million viewers who followed his televised wedding—of a symbol so closely linked to an independent and sovereign country as St. Patrick’s shamrock is to Ireland.<sup>3</sup> In fact, the issue did not even cast the slightest cloud on the historic state visit to this country paid only a few weeks later by Queen Elizabeth II, the first of a British monarch to the island since the visit paid by George V in 1911, and the first in the history of the Republic of Ireland after its independence from Britain in 1921, a visit which incidentally included a moving ceremony in the Garden of Remembrance in which the Queen, wearing a green dress—again, the importance of symbols—paid tribute to the martyrs of Irish Independence, most of whom had been executed by the British themselves.<sup>4</sup>

The story, which is by no means insubstantial, reveals how two well-established and mature democracies willing to sustain a relationship of good neighborliness may be able to assume with normality the fact and the consequences of sharing a common past. In the case of Ireland and the United Kingdom, this relationship has lasted for several centuries, although for the last nine decades both countries have become two independent states whose multiple, intense, and close relationships are governed—it could not be otherwise—on the basis of equality, respect for sovereignty, and non-interference in the internal affairs of the other country. This fact is even more admirable if one takes into consideration that neither in the most distant past nor in more recent times have the relations between Ireland and the United Kingdom been devoid of tensions, as proven first by the Easter Rising of 1916, later on by the 1919–1921 War, then by the Irish decision to stop swearing allegiance to the Crown and become a Republic in 1949, and, until not long ago, by the open differences between both countries regarding the most convenient solution for the troubles in Northern Ireland and regarding the future of the six counties that still live under British sovereignty.

It is plainly evident that the reasons why the governments in London and Dublin could put an end to their excellent relations to engage themselves in a pointless dispute on account of symbols, names, and historic legacies go well beyond the anecdote with which I opened and, in any case, far outweigh those which, on the other extreme of the European continent, may be fueling the dispute between Athens and Skopje regarding the use of the

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<sup>1</sup> “10 February 2011: Prince William appointed as Colonel of the Irish Guards”, *The Official Website of the British Monarchy* ([www.royal.gov.uk](http://www.royal.gov.uk), retrieved 01.06.2011).

<sup>2</sup> “103 years of the Irish Guards”, *Irish Guards* ([www.irishguards.org.uk](http://www.irishguards.org.uk), retrieved 01.06.2011).

<sup>3</sup> “Pride of Britain! The two princes don full military uniforms for the big day”, *Daily Mail* of 29.04.2011 ([www.dailymail.co.uk](http://www.dailymail.co.uk), retrieved 01.06.2011).

<sup>4</sup> “A simple bow of the head, such a symbolic gesture: How the Queen opened a new era after a century of bloodshed, distrust and uneasy coexistence”, *Daily Mail* of 18.05.2011 ([www.dailymail.co.uk](http://www.dailymail.co.uk), retrieved 01.06.2011).

term “Macedonia.”<sup>5</sup> The comparison may seem a forced one, given the differences of all kinds between the two cases. But, if one looks closely at the facts, it will not be difficult to find parallels: like the Republic of Macedonia, the Republic of Ireland has been presenting itself to the international community with a name that, at first glance, might suggest it is the state encompassing the entire Irish people, while—just as it happens to be with the Republic of Macedonia, which is based on a portion and not on the entire territory historically known as Macedonia<sup>6</sup>—the Republic of Ireland has its sovereignty limited to a portion (larger in relative terms, this is true) of the territory historically known as Ireland, which, in this specific case, is clearly determined by the geography of the Emerald Island, while another portion thereof still belongs to the United Kingdom, which constitutes the politically and administratively autonomous territory known as Northern Ireland.<sup>7</sup>

The reasons for the partition of Ireland are well known. Subject to British rule since 1603 and formally incorporated into the United Kingdom under the Union Act of 1801, the Irish did not cease to demand either their right to self-government under the sovereignty of the British Crown (“Home Rule”) or the total independence of the island.<sup>8</sup> But, when in 1921, and after a long battle, it finally arrived, the Irish nationalists were confronted with the *fait accompli* that the Anglo-Irish treaty that allowed for the establishment of the new “Irish Free State” included a clause under which the six counties in the northwest of the island where the British presence and the establishment of Protestantism had been more intense would become an autonomous entity within the new state, additionally retaining the right to leave it and to remain integrated in the UK if they so wished. The immediate implementation of this clause effectively meant a partition of the island,<sup>9</sup> a partition which has not been brought to

<sup>5</sup> For an overview of this conflict, see John Shea, *Macedonia and Greece: The Struggle to Define a New Balkan Nation*, McFarland, 2008.

<sup>6</sup> On the division of historical Macedonia between Greece, Bulgaria, and Serbia, see Hans-Lothar Steppan, *The Macedonian Knot*, Peter Lang, 2009; and Hugh Poulton, *Who Are the Macedonians?*, Indiana University Press, Bloomington, In., 2000, esp. pp. 48-78.

<sup>7</sup> It should be noted that, unlike Northern Ireland and other cases to be addressed in this paper, Greek Macedonia is not an autonomous territory within the Hellenic Republic and, consequently, has neither a Constitution nor a Statute of Autonomy, nor any kind of self-governing institutions of its own. In fact, it is not even an administrative subdivision of Greece. Following the administrative reform of 1987, the region was divided into two “peripheries” named West Macedonia and Central Macedonia, while an additional portion became integrated in a third “periphery” also containing the whole of the easternmost region of Thrace and named “East Macedonia and Thrace”. Since their replacement as first-level administrative units by the new peripheries, Macedonia and the other eight regions of Greece ceased being political or administrative subdivisions of Greece, despite the fact that they are still widely referred to in non-official contexts and in daily discourse. See N. K. Hlepas, “Local Government Reform in Greece, in Norbert Kersting and Angelika Vetter (eds.), *Reforming Local Government in Europe: Closing the Gap between Democracy and Efficiency*, Leske & Budrich, Opladen, 2003, pp. 221 et seq.; and “Local Government”, in E. P. Spilitopoulos, *Public Administration in Greece*, Sakkoulas, Athens, 2001, pp. 61 et seq.

<sup>8</sup> See, among others, Paul Bew, *Conflict and Conciliation in Ireland, 1890-1910*, Oxford University Press, 1987; and Richard English, *Irish Freedom: The History of Nationalism in Ireland*, Macmillan, London, 2008.

<sup>9</sup> Among the abundant historical literature on the partition of Ireland, see Thomas Hennessey, *Dividing Ireland: World War One and Partition*, Routledge, London, 1998; Paul Bew, *Ideology and the Irish Question: Ulster Unionism and Irish Nationalism, 1912-1916*, Oxford University Press, 1998; and T. G. Fraser, *Ireland in Conflict, 1922-1998*, Routledge, London, 1999.

an end by either the evident approximation between the two countries experienced after the so-called Good Friday Peace Agreement of 1998<sup>10</sup> or by the gradual introduction of common institutions and competences jointly exercised by Dublin and Belfast.

During this time, Britain has never failed to make a show of its past and present presence in Ireland: although Northern Ireland's population adds up to no more than 3 percent of the overall population of the UK, the country is still formally called "The United Kingdom of Great Britain and Northern Ireland", and it still shows in its coat of arms the golden harp symbolizing Ireland. However, only a decade ago did the Government in London agree to the reintegration in Northern Ireland of the substantial degree of self-government enjoyed by the territory between 1921 and 1972, which nevertheless has been effectively subordinated to the end of violence and the cooperation between nationalist Catholics and unionist Protestants.

On the other hand, until its amendment in 1999, the Constitution of the Republic of Ireland kept in Article 2 the proclamation that "the national territory [of the Republic] consists of the whole island of Ireland", while proclaiming in Article 3—though only to have its effectiveness suspended—"the right of the Parliament and Government established by this Constitution to exercise jurisdiction over the whole of that territory". Though both clauses were substituted by a new wording making it clear that the incorporation of the Ulster to the Irish Republic may only take place through peaceful and democratic means,<sup>11</sup> the truth is that the reunification of the island under a single Irish government has been, and still is, the most sacred aspiration of the government and the citizens of Ireland.

In either case, neither the effective division of the island nor the recurrent appeals by the government in Dublin to the need for reunification, nor the latest restoration of the institutions of self-government in Northern Ireland has ever been an obstacle for the United Kingdom to accept without hesitation the normal use of the name of Ireland, first by the Irish Free State established since 1921 on the 26 southern counties of the island and since 1949 by the Republic of Ireland. The realization of the desire of most of the Irish people to create and maintain a separate political entity has resulted over the last ninety years in the simultaneous existence of an independent and sovereign state that bears the name of Ireland

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<sup>10</sup> For some perspectives about the Good Friday Agreement and its implementation, and for a comparative perspective of the proposed solutions, see John McGarry (ed.), *Northern Ireland and the Divided World: The Northern Ireland Conflict and the Good Friday Agreement in a Comparative Perspective*, Oxford University Press, Oxford, 2001; and Paul Bew, *The Making and Remaking of the Good Friday Agreement*, Liffey Press, 2008.

<sup>11</sup> The Irish Government, bound by the terms of the 1998 Good Friday Agreement, submitted the reform of Articles 2 and 3 of the 1937 Constitution to referendum. The Nineteenth Amendment of the Constitution was adopted in June of the same year, the new version taking effect on 2 December 1999. The new wording of Article 2 proclaims "the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish Nation", while the new Article 3 states that "It is the firm will of the Irish Nation, in harmony and friendship, to unite all the people who share the territory of the island of Ireland, in all the diversity of their identities and traditions, recognising that a united Ireland shall be brought about only by peaceful means with the consent of a majority of the people, democratically expressed, in both jurisdictions in the island". Albeit by democratic means, and through "harmony and friendship", the goal of a united Ireland is still present in the Irish Constitution. See "The devolution of Ulster: After a long struggle, Ireland's claim to the North passes peacefully away", *The Independent* of 03.12.1999 ([www.independent.co.uk](http://www.independent.co.uk), retrieved 01.06.2011).

and of a territory intermittently and limitedly self-governed under British sovereignty that is called Northern Ireland. This is reasonable and workable solution—which is nevertheless at the antipodes of the position adopted since 1991 by successive Greek governments in relation to the Republic of Macedonia,<sup>12</sup> when sustaining that the authorities of the new post-Yugoslav state have no right to use the name or the symbols associated with Macedonia, since a substantial portion of this historic territory now lies under Greek sovereignty and, hence, the use of its name and symbols by the authorities of Skopje would amount to a misappropriation before the eyes of the entire international community, and even to an implicit questioning of the existing borders between the two states.

Nevertheless, the case of Great Britain and Ireland is far from being the only example in Europe that should be brought to our attention when debating about names, symbols, and historical episodes common to more than one country that should not be susceptible to appropriation by any of them. In a continent where borders have changed so often and in which its determination has relied more often on the outcome of armed conflicts and the strategic interests of the great powers than on historical legacies and the will of the population affected, it is not unusual that territories with distinct cultural identities have ended up being politically divided between two or more states. But, focusing only on those cases resembling in their motivation the current dispute between Greece and Macedonia regarding the name of the latter, there are at least two other cases that deserve analysis.

These cases are Moldova and Luxembourg. Although, from the very beginning, it is possible to note that the similarities between them and the Greek-Macedonian dispute are abundant, in none of them we will find—as we have not found even in the case of Ireland—positions as radical and uncompromising as the ones the government in Athens has been sustaining for nearly two decades, nor consequences so damaging in appearance as those being suffered by Macedonia due to a lack of international inclusion of the state, nor with a risk so obvious to the stability of the region concerned as the one this conflict is producing nowadays in the Balkans.

The Republic of Moldova (*Republica Moldova*, in its own language) declared independence from the Soviet Union on August 27, 1991, just two weeks before Macedonia decided to leave the Yugoslav Federation, turning the territory that, up to that moment, had constituted the Soviet Socialist Republic of Moldova into an independent and sovereign state.

In the times of the Soviet Union, transfers of territories from one republic to another were not uncommon, and they were carried out with party strategies and state interests having absolute precedence over historical and ethnic considerations. Despite this, the

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<sup>12</sup> On the Greek position in the name dispute, see Demetrius Andreas Floudas, “A name for a conflict or a conflict for a name? An analysis of Greece’s dispute with FYROM”, *Journal of Political and Military Sociology* No. 24 (1996), p. 285 et seq.; Nikolaos Zahariadis, “Greek policy toward the Former Yugoslav Republic of Macedonia”, *Journal of Modern Greek Studies* No. 14/2 (1996), pp. 303-328; Jesús Nieto González: “La postura griega ante el problema de Macedonia: Una aproximación a través de la bibliografía traducida a otras lenguas”, *Cuadernos Constitucionales de la Cátedra Fadrique Furió Ceriol* No. 26/27 (1999), pp. 309-318; and Evangelos Kofos, “Greek policy considerations over FYROM independence and recognition”, in James Pettifer (ed.), *The New Macedonian Question*, Palgrave, 2001, pp. 226-263 and “The current Macedonian issue between Athens and Skopje: Is there an option for a breakthrough?”. *ELLAMEP Thesis* No. 3 (2009).



dissolution of the USSR and the subsequent transformation of its fifteen republics into new independent states took place without causing any alterations or transfers of territory between them, and of course without even raising the possibility of returning to other Central European states the territories occupied by the Soviet Union after World War II. For these two reasons, the territory over which the Republic of Moldova has been settled since 1991—which coincides exactly with that of its predecessor, the SSR of Moldova, and basically covers the territory that lies between the rivers Prut and Dniester, plus a narrow strip of land east of this river called Transnistria (*Pridnestrovie*)—is shaped more by the contents of the secret protocol of the Ribbentrop-Molotov Pact of 1939 and the subsequent decision of the Soviet authorities to proceed with the creation of the SSR of Moldova on August 2, 1940, than by the legacy of historical tradition, the will of its citizens, or their ethnic profile.<sup>13</sup> Therefore, the Republic of Moldova sits on the part of historical Moldova located east of the Prut and known as Bessarabia, with its capital in Chisinau, a territory which, since the time of its creation, had both its southernmost part, bordering the Black Sea and known as *Budjaka*, and its northernmost part, the *Chernivtsi Oblast*, amputated and granted to the Ukrainian SSR. On the other hand, it incorporated the aforementioned strip of land located east of the Dniester, Transnistria, with its capital in Tiraspol; the rest, the largest portion of historical Moldova—including its most important cities like Iași, Bacau, and Botosani—remaining an integral part of Romania, while Ukraine kept an additional strip of land in the northernmost boundary of the region called Bucovina.<sup>14</sup>

The most striking aspect of the matter—at least from the perspective that at this point concerns us—has to do with the question of the names. The new state chose to continue to be referred as Moldova, even though the portion of its territory—around 90 percent—situated between the rivers Prut and Dniester is less than half of the historic Principality of Moldavia, despite that fact that it had repeatedly been known throughout history not by this name, but by the name of Bessarabia (*Basarabia* in Romanian, *Bessarabiya* in Russian),<sup>15</sup> and despite the fact that the remaining 10 percent of its territory lay on a narrow strip of land located beyond the Dniester river, which had never be a part of historical Moldavia, and to which this denomination started to apply only in 1924, when, once Bessarabia had

<sup>13</sup> On this issue, see Cristina Petrescu, “Contrasting/conflicting identities: Bessarabians, Romanians, Moldovans” in Balázs Trencsényi, Dragos Petrescu, Cristina Petrescu, Constantin Iordachi and Zoltán Kántor (eds.), *Nation-Building and Contested Identities*, Regio Books, Budapest, and Polirom, Iasi, 2001, pp. 153-179; and William Crowther, “The Construction of Moldovan National Consciousness”, in László Kürti and Juliet Langman (eds.), *Beyond Borders: Remaking Cultural Identities in the New East and Central Europe*, Westview Press, Boulder, Co., 1997, pp. 39-63.

<sup>14</sup> See, for all, Charles King, *The Moldovans: Romania, Russia, and the Politics of Culture*, Hoover Press, 2000; and Marcel Mitrasca, *Moldova: a Romanian Province under Russian Rule*, Algora Publishing, 2003.

<sup>15</sup> “Bessarabia” was the name in use when the Ottoman Empire, of which the Princes of Moldova were vassals, decided to divide the territory and to have it ceded to Tsarist Russia under the terms fixed by the Treaty of Bucharest, and as a compensation for the losses suffered during the recent Russo-Turkish War, 1806-1812; this was also the name by which it was known during the following hundred years of Russian dominion (*Besarabia oblast* between 1812 and 1871, and *Guberniya* of Besarabia, between 1871 and 1917); this was the name adopted on 11 May 1919 by the newly created Soviet Socialist Republic of Bessarabia, constituted as an integral though autonomous part of Soviet Russia.

become integrated into Greater Romania, the Moscow authorities replied with the creation of the so-called Moldovan Autonomous Soviet Socialist Republic comprising a series of eleven districts belonging to Ukraine, inhabited mostly by ethnic Ukrainians, and situated east of the Dniester river.

What this detailed historical *excursus* allows us to conclude is that if back in 1991, when Moldova became independent from the Soviet Union, authorities in Bucharest had wanted to take the position adopted on that same date by Athens on the occasion of the independence of Macedonia from the Yugoslav Federation, they would have found no problem in finding sufficient reasons to do so. Like Macedonia, Moldova chose to retain the name inherited from the previous regime, turning into the name of the new state the one that had identified it as a part of the USSR; and like Macedonia, Moldova also chose to utilize a name applied throughout history to a territory that did not entirely coincide with its actual borders, since a very relevant part of it was under the sovereignty of another state.<sup>16</sup> But, this was not the case: quite on the contrary, Romania was the first country to recognize Moldova, in fact, within hours after its declaration of independence. Moreover, despite the many differences between the two countries, Romania never presented the slightest obstacle to Moldova's fast access to any international organization it wanted to join. This allowed Moldova to become part of the OSCE on January 30, 1992, just five months after independence, to join the United Nations on March 2, 1992, to enter NATO's Partnership for Peace in 1994, and to become the first post-soviet state to join the Council of Europe, on June 29, 1995—using, in all cases, its constitutional name.<sup>17</sup> It is clear that the undisputable parallels between the cases of Moldova and Macedonia have not been matched by an identical approach by the neighboring governments of Romania and Greece.

The third and last case of a European state that has been traditionally, and is officially, identified with the name given to a historical region, despite being seated on a territory that only partially coincides with the latter, and despite the same name being also the name of an administrative region of another state, is Luxembourg.<sup>18</sup>

A founding member of the United Nations, NATO, and the European Union, as well as headquarters of several important institutions of the Union, Luxembourg's origins date back to the tenth century, although it was not until the Treaties of London of 1839 and 1867

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<sup>16</sup> This happened despite the fact that, as argued above, the name of Bessarabia, recurrently used through history, was entirely available. This is just the opposite of what has happened with the Republic of Macedonia, whose citizens consider themselves Macedonian, call the language they speak Macedonian, and inhabit a territory which has never been called—at least in modern times—in any other way, and has certainly never been known by any of the names suggested —“Republic of Skopje”, “Republic of the Vardar”, “Eslavomacedonia”, “Macedonia Vardar”, “Macedonia (Skopje)”, or “New Macedonia”—throughout the ongoing negotiations with Athens.

<sup>17</sup> For a broader vision, see Ann Lewis (ed.), *The EU & Moldova: On a Fault-line of Europe*, Federal Trust for Education and Research, 2004.

In contrast, although Macedonia declared its independence just two weeks later, it was not admitted to the UN until 8 April 1993, while its incorporation into the OSCE and the Council of Europe had to wait till 12 October and 9 November 1995.

<sup>18</sup> See, on this issue, Christian Calmes, *The Making of a Nation from 1815 to the Present Day*, Saint-Paul, Luxembourg City, 1989; and Andrew Reid, *Luxembourg: The Clog-Shaped Duchy: A Chronological History of Luxembourg from the Celts to the Present Day*, Authorhouse, 2005.

that independence was confirmed by the great European powers and until 1890 that the personal union with the Netherlands, by which both countries had been sharing the same sovereigns since the time of the Congress of Vienna, was dissolved, and Luxembourg became unequivocally independent.

However, the actual territory of the Grand Duchy covers less than a third of the historical territory of Luxembourg, since throughout its history, the country had to suffer three partitions. Under the first, agreed between Spain and France in the Treaty of the Pyrenees in 1659, two portions of the Luxembourg territory south and west of the present Grand Duchy were ceded to France; under the second, imposed by the Congress of Vienna in 1815, another portion of land located east of the Grand Duchy was handed over to Prussia and is now part of Germany; and as a result of the third and most decisive of the partitions, another portion of Luxemburgish territory east of the Grand Duchy that is mostly francophone was incorporated to Belgium in 1839 under the terms prescribed eight years earlier by the Treaty of London. Because of this last partition, Luxembourg lost the equivalent to 65 percent of its territory and about half of its population, estimated at that moment to be 350,000 inhabitants.<sup>19</sup> Most of these lands, together with the Duchy of Bouillon, would end shaping what is now the largest and southernmost province of Belgium and the Walloon region, which of course bears the name of Luxembourg.

Clearly, the case of Luxembourg presents profiles very different from those of Moldova and Macedonia. To begin with, here we are not confronted, as in the cases of Macedonia and Moldova, with the sudden emergence of a new sovereign state on part of a historical territory hitherto divided between other states, but with the amputation of a portion of an existing state—Luxembourg—by another state—Belgium—with the consent of a third one—Holland—which in return saw its influence recognized over what was left of Luxembourg. Under these circumstances, and even assuming that the parameters that governed the international community in the early nineteenth century are not those prevalent in first decade of the twenty-first century, it would have been almost grotesque if Belgium had claimed for itself the exclusive use of the name “Luxemburg” or had imposed onto the Grand Duchy the use of an alternative denomination like “Eastern Luxembourg” or “Dutch Luxembourg” in order to prevent any confusion between the Belgian Luxembourg and the Luxembourg under Dutch influence, now the independent Grand Duchy.

What is relevant for our purposes is that the issue currently lacks the slightest relevance to the good relations between these two closely intertwined neighbors: Luxembourg naturally assumes that, across its western border, the political institutions of a Belgian province regularly use the same colors and (in its essential elements) the same coat of arms of the Grand Duchy; with the same normality, Belgium assumes the existence, across its eastern border, of a country that is denominated just as one of its provinces is, and the fact that at the international level it is the Grand Duchy, and not its province, that is the only political entity benefitting from the name recognition associated with Luxembourg and the only one admitted in the relevant multilateral fora. Again, the relative similarity between the cases of

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<sup>19</sup> Christian Calmes, *The Making of a Nation...*, op. cit., p. 316.



Belgium in relation to Luxembourg, and Greece regarding Macedonia, has not resulted in positions of similar nature, but quite the opposite.

So far, the cases in the European continent in which the name matching has concerned, on one hand, a sovereign state and, on the other, a sub-national administrative unit belonging to another state, as a result of being planted on two portions of the same historic region, the general trend has been—as we have seen, with the sole exception of Macedonia—the full acceptance of the right of each of the parties involved to use the term that best identified them as a people, regardless of whether it would name a sovereign state or a territorial unit, autonomous or not, of another state, and regardless of the fact that as a result of this disparity of ranks, greater international prominence was achieved by one over the other.

However, this list could very well be supplemented by a second one, with the cases where the sharing of a name (and quite often of the symbols associated with it as well) has concerned two sub-national territorial units belonging to different states. In doing so, and even without leaving the European scenario, we would be confronted with a remarkably long list of cases, since the occasions have not been rare when a historically defined territory, having been divided between two or more states, has ended up leading to the formation of regions, provinces, or districts bearing the same name on both sides of this new divide. A list of these cases will be revealing:<sup>20</sup>

- Brabant. Already established in the twelfth century and separated into two parts by the Treaty of Westphalia,<sup>21</sup> the former Duchy of Brabant is now divided between the Netherlands and Belgium. North Brabant (*Noord-Brabant*) is a province of the Netherlands, while South Brabant, in Belgium, was further divided in 1995, giving place to the creation of the francophone province of the Walloon Brabant (*Brabant wallon*), the Dutch-speaking province of Flemish Brabant (*Vlaams-Brabant*) and the bilingual region of Brussels. Though not explicit by its denomination, the Belgian province of Antwerp (*Antwerpen*) is also located on territories of the former Duchy of Brabant.
- Carinthia and Styria. As a consequence of the division of the old Duchy of Styria between Austria and the Kingdom of the Serbs, Croats, and Slovenians in 1918, the mostly Germanophone portion of this territory (*Steiermark*, in German), with its capital in Graz, was kept in Austria, where now it is the second largest *Bundesland*; while the southernmost, Slavic-speaking part of the territory (*Štajerska*, in Slovenian), with its capital in Maribor, now belongs to Slovenia, where it does not currently have any administrative status, although it is usually considered one of the historical territories of

<sup>20</sup> For the broadest possible overview of this issue, see James Minahan, *Nations without States: A Historical Dictionary of Contemporary National Movements*, Greenwood Press, Westport, Ct., 1996; *One Europe, Many Nations: A Historical Dictionary of European National Groups*, Greenwood Press, Westport, Ct., 2000; and *Encyclopedia of the Stateless Nations*, Greenwood Publishing Group, Westport, Ct., 2002. Also, Patrick Thornberry & Miranda Bruce-Mitford, *World Directory of Minorities*, St. James Press, 1990; Christoph Pan & Beate Sibylle Pfeil, *Handbuch der europäischen Volksgruppen* (3 vols.), Braumüller, 2000-2002, Springer, 2006; and Carl Skutsch, *Encyclopedia of the World's Minorities*, Routledge, 2005.

<sup>21</sup> See Paul Arblaster, *A History of the Low Countries*, Palgrave Macmillan, London, 2006, pp. 127-132.

the country. Quite similar would be the situation of Carinthia, most of which now makes up the Austrian *Bundesland* bearing this name (*Kärnten*, in German), with its capital city in Klagenfurt, while a tiny enclave (*Koroška*, in Slovenian) belongs to Slovenia.<sup>22</sup>

- Karelia. Almost entirely handed over to the Soviet Union as a consequence of the Moscow Peace Treaty subscribed between this country and Finland in order to put an end to the so-called Winter War, the Republic of Karelia (*Respublika Kareliya*) is, since 1991, one of the subjects of the Russian Federation, though the two small portions of this territory that remained in Finnish hands now make the two regions (*maakunta*) of North Karelia (*Pohjois-Karjala*) and South Karelia (*Etelä-Karjala*).<sup>23</sup>
- Limburg. With its capital in Maastricht, Limburg is the southernmost province of The Netherlands, sandwiched between Germany in the east and Belgium in the west. But, it is also the name of the westernmost province Flanders, in Belgium. The division between Dutch Limburg and Belgian Limburg dates from 1839.<sup>24</sup>
- Pomerania. Divided between Germany and Poland as a consequence of the changes in the borders between these two states following the German defeat in WWII, historic Pomerania is now subdivided into four different regions: Hither Pomerania, between the Recknitz and the Oder-Neisse rivers, is a part of the Federal State (*Land*) of *Mecklenburg-Vorpommern*, in Germany; in Poland, the lands between the Oder-Neisse and the Śłupia rivers constitute the provinces (*województwo*) of Western Pomerania (*Zachodniopomorskie*), and those between the Śłupia and the Vistula are divided between the *voivodeships* of Pomerania (*Pomorskie*) and *Kujawsko-Pomorskie*. In 1995, the Pomerania euro-region was created, even integrating territories in Sweden.<sup>25</sup>
- Silesia. Mostly awarded to Poland as a consequence of Germany's defeat in 1945, a small portion of historic Silesia went to Czechoslovakia, while another one remained in German hands. For this reason, alongside with the Polish provinces of Silesia (*Śląskie*) and Lower Silesia (*Dolnośląskie*), with their capital cities in Wrocław and Katowice, there

<sup>22</sup> See, among other, Christian Stenner, *Slowenische Steiermark: Verdrängte Minderheit in Österreichs Südosten*, Böhlau, 1997; Mirko Bogataj, *Die Kärntner Slowenen: ein Volk am Rand der Mitte*, Kitab, 2008; and Gerhard Hausenblas, *Kärnten: die nationale Frage*, Kärntner Druck- und Verlagsgesellschaft, 2000.

<sup>23</sup> See Ott Kurs and Rein Taagepera, "Karelia: Orthodox Finland", in Rein Taagepera (ed.), *The Finno-Ugric Republics and the Russian State*, C. Hurst & Co, London, 1999, pp. 100-146; and Heikki Eskelinen, Jukka Oksa & Daniel Austin, *Russian Karelia in Search of a New Role*, Karelian Institute, University of Joensuu, 1994.

<sup>24</sup> See Paul Arblaster, *A History of the Low Countries*, cit., pp. 178-181. Also, see Els Witte, Jan Craeybeckx & Alain Meynen, *Political History of Belgium: From 1830 Onwards*, ASB-VUB Press, 2010.

<sup>25</sup> See Jan M Piskorski (ed.), *Pommern im Wandel der Zeit*, Zamek Książat Pomorskich, Szczecin, 1999, esp. pp. 305-423; and Werner Buchholz, *Deutsche Geschichte im Osten Europas: Pommern*, Siedler, 1999. For a broader analysis of the redrawing of the German-Polish-Czech-Ukrainian borders and its consequences, see Philipp Ther and Anna Siljak (eds.), *Redrawing Nations: Ethnic Cleansing in East-Central Europe, 1944-1948*, Rowman & Littlefield, Lanham, Md., 2001.

is in the Czech Republic a Silesian-Moravian Region (*Moravskoslezský kraj*), with its capital in Ostrava.<sup>26</sup>

- Subcarpathia is the name of one of the sixteen provinces (*Województwo Podkarpackie*) in which Poland is territorially divided, with its capital in Rzeszów, while Transcarpathia, with its administrative center in Uzhhorod, is one of the twenty-four provinces (*Zakarpats'ka oblast'*) into which Ukraine is divided. The difference in terminology (due solely to the perspective from which the region is looked at, which is beyond the Carpathians if it is seen from the east, and before them, if viewed from the west), cannot hide the fact that what we have here are two portions—three, if we add the *Lviv Oblast*—of Subcarpathian Ruthenia, which over the last century has been alternatively awarded to or divided among Hungary, Czechoslovakia, Slovakia, Poland, the USSR, and Ukraine, not to mention an aborted declaration of independence in 1939.<sup>27</sup>
- Tyrol. Divided between Austria and Italy following WWI and on the terms dictated by the Treaty of Saint Germain, the northern part of the former County of Tyrol, with its capital in Innsbruck, is now one of the federal states (*Bundesländer*) of Austria, while the southern part was divided between the Italian provinces of South Tyrol (*Südtirol* in German, *Alto Adige* in Italian) and Trentino, which, since 1946, constitute a special autonomous region now called *Trentino-Alto Adige/Südtirol*. Since 1996, there is also the euro-region Tyrol-South Tyrol-Trentino (*Europaregion Tirol-Südtirol-Trentino* in German, *Euregio Tirolo-Alto Adige-Trentino* in Italian).<sup>28</sup>
- Ulster. The six northwestern counties of Ireland which, following the Anglo-Irish Treaty of 1921, saw their right to remain subject to the British Crown recognized, cover most but not all of the Irish province of Ulster. Since the three remaining counties—Cavan, Donegal and Monaghan—joined the new independent Ireland, the Ulster term is now used to refer to these three counties of the Republic of Ireland, but it is also colloquially used as a synonym for Northern Ireland.<sup>29</sup>

Trying to close the list of cases that ought to be brought up in order to put the Greco-Macedonian dispute in its proper European context, a reference should be made to those where the overlap in the use of a name has affected not a sovereign state or a subnational administrative unit belonging to another state, nor two of these units, but two separate sovereign states. The division of the same political community into two states as a result of

<sup>26</sup> See Julian Bartosz & Hannes Hofbauer, *Schlesien: Europäisches Kernland im Schatten von Wien, Berlin und Warschau*, Promedia, 2000; and Joachim Bahlcke & Joachim Rogall, *Schlesien und die Schlesier*, Langen Müller, 2000. For a broader overview, see also Philipp Ther and Anna Siljak (eds.), *Redrawing Nations...*, op cit.

<sup>27</sup> For a broad overview of the issue, see Vincent Shandor, *Carpatho-Ukraine in the Twentieth Century: A Political and Legal History*, Harvard University Press, 1997; and Paul R. Magosci, *The Shaping of a National Identity: Subcarpathian Rus', 1848-1948*, Harvard University Press, 1978.

<sup>28</sup> See Rolf Steininger, *South Tyrol: A Minority Conflict of the Twentieth Century*, Transaction Publishers, New Brunswick, NJ, 2009; and Melissa Magliana, *The Autonomous Province of South Tyrol: A Model of Self-governance?*, Accademia Europea, 2000.

<sup>29</sup> On the case of Ulster, see references quoted *supra*.

the free choice of, or the forceful imposition on, different parts of the same community of governments with conflicting political orientations and opposing international alignments has been one of the most dramatic phenomena of the times of the Cold War, and it is still today one of its saddest legacies.<sup>30</sup> Limiting our analysis (as we have been doing until now) to exclusively European examples, the only case to bring up is that of Germany.

The political circumstances that led to the division of Germany in 1949, and that made possible its reunification in 1990, are well known and need not be made explicit here.<sup>31</sup> What does matter, however, is that neither when the Federal Republic of Germany (*Bundesrepublik Deutschland*, or BRD) was created in May 1949 on the three zones of Germany occupied by French, British, and American troops, nor when some months later the German Democratic Republic (*Deutsche Demokratische Republik*, DDR, or more colloquially, “East Germany”) became established in the Soviet occupation zone, nor at any other time during the half-century-long division of Germany into two states, the German identity of neither of these two states was challenged by the other. Although the unification of Germany dated then less than a century ago, and it would not have been too difficult to resurrect old parochialisms in order to give the partition of Germany the appearance of having an ethnic or historical justification, both sides reiterated their unwavering German identity, clearly sustaining that the reasons for the establishment on German soil of two different states were strictly ideological, resulting from the—supposed—will of the East Germans to build a socialist society in close cooperation with their Soviet allies and the incompatible desire of West Germans to follow the path of liberal democracy, market economy, and integration in the Free World.

On the DDR side, references to its status as “the other German state” and appeals to its support for the socialist cause as the very reason for its existence were constant. While in the case of the Federal Republic, the recognition of the Germanic identity of the territories that made up the DDR was even reflected in its Basic Law, whose Article 23 (the one containing

<sup>30</sup> Leaving aside the numerous cases of state division caused by the exercise of the right to self-determination by one or more of its constituent ethnic groups, the cases in which the partition of a state has obeyed strictly political criteria connected to the Cold War tensions, and, consequently, has led to the emergence of two separate political entities on portions of the same people and sharing between both of them the name by which this people had been traditionally identified, amount to five: Korea, split between the Republic of Korea (or “South Korea”) and the People’s Democratic Republic of Korea (or “North Korea”) since 1947; China, split between the Republic of China (more commonly known as “Taiwan”) and the People’s Republic of China since 1949; Vietnam, divided between the Republic of Vietnam (or “South Vietnam”) and the Socialist Republic of Vietnam (or “North Vietnam”) between 1954 and 1975; Yemen, split between the Democratic Popular Republic of Yemen (or “South Yemen”) and the Arab Republic of Yemen (or “North Yemen”) between 1962 and 1990; and, of course, Germany.

It can be disputed whether this category should include the very recent case of Sudan, which on July 9<sup>th</sup>, 2011 became divided in two different states: the Republic of Sudan, with its capital in Jartum, and the newly created Republic of South Sudan, with its capital in Juba. About the not-at-all-frequent debate on the name to be adopted by this new state, see Josh Kron, “Southern Sudan nears a decision on one matter: Its new name”, *The New York Times* of 23.01.2011 ([www.nytimes.com/2011/01/24/world/africa/24sudan.html?\\_r=1](http://www.nytimes.com/2011/01/24/world/africa/24sudan.html?_r=1), retrieved on 01.06.2011).

<sup>31</sup> Among the abundant literature on the subject, see Feiwel Kupferberg, *The Rise and Fall of the German Democratic Republic*, Transaction Publishers, 2002; and Gareth Pritchard, *The Making of the GDR, 1945-53*, Manchester University Press, 2004.

the formula finally applied to make the unification of Germany happen) specifically recognized the right of East German *Länder* to join the constitutional order of the Federal Republic at the very moment they were free to do so, implicitly recognized its essential *Germaneness*.

As a consequence, it was not at all surprising that both countries chose as their symbol the black-red-yellow tricolor flag hoisted for the first time in 1848 and reinstated by the Weimar Republic in 1919, or that both of them decided to include the term “Germany” in their denomination, adding to it the adjective “federal” in one case, and “democratic” in the other, therefore using for decades symbols and names that were identical in their essential features, and only different in their secondary qualifications. Once again, but this time at the level of sovereign states, it was possible to witness the use of the same name by two distinct political entities, without any sort of opposition by either of them, notwithstanding the recurrent and severe differences at all levels between the two states.

The case of the two Germanys, put on top of the arsenal of cases we have previously brought up, confirms on a different level the conclusions already extracted after analyzing the examples of Ireland, Moldova, and Luxembourg. This conclusion basically sustains that in twentieth century Europe—and in some cases, even at earlier moments of history—when, as the consequence of a series of historical—though not always happy—events, a region has become fragmented among two or more states, these regions have always chosen the peaceful recognition of the right of all the communities involved to keep identifying themselves with the name and the symbols traditionally associated with this region and its inhabitants. Such action took place in cases in which this name and symbols became those of two different sovereign states, when they came to represent two or more subnational territorial units—be they autonomous or not, and being called *Länder*, regions, provinces, districts, or anything else—or when they ended up representing a sovereign state and a subnational territorial entity belonging to a different state. In no case has the claim ever been present—much less has any party prospered or even received the sympathy of the international community for its claim—that one of the parties involved should have an exclusive use of the name and symbols left by history; and much less so has any of the parties involved succeeded in imposing on the other the general use, or a use limited in their bilateral relations, of a name alien to that party, or simply unacceptable for it.

And this has been happening in contexts that, in most cases, have been infinitely more complex and dramatic than the one that since 1991 has been framing the relations between Athens and Skopje. Before tragedies like the partition of Karelia, Pomerania, Silesia, and Transcarpathia, or conflicts so long and complex as the one in Ulster, it is difficult to understand how Athens may still consider the name issue such a relevant component of its foreign policy.

This sort of unanimity is simply a direct consequence of a universally accepted principle: the principle that states—not just as individuals do, but even with a stronger justification—have the right to choose how they want to be called. As Reimer has argued,<sup>32</sup>

*when considering the former Yugoslav Republic of Macedonia's [MIC ed.] ability to name itself Macedonia, one finds oneself questioning that which has always been assumed:*

<sup>32</sup> Larry Reimer, “Macedonia: Cultural Right or Cultural Appropriation?”, *University of Toronto Faculty of Law Review* No. 53 (1995). p. 359 et seq.



*the right of a nation to call itself what it wants. Traditionally, states, as honorary individuals on the international stage, have benefitted from what seems to be a generally understood right to freedom of expression. This ability for a state to do and say what it desires comes not as an expansion of much newer human rights law, but rather from basic notions of state sovereignty and the equality of states.*

Additionally, if the focus of our attention may momentarily shift from the *state* to the *people* of Macedonia a second set of arguments, derived from the right of the peoples to self-determination, may enter the debate, since—again, in Reimer’s words—<sup>33</sup>

*it seems that implicit at least within self-determination lies an acknowledgement that peoples, at the minimum, may freely pursue their own forms of culture and identity. Moreover, it would follow that it is for these peoples to determine the content of their culture or identity, including their collective name.*

In fact, the key issue is precisely this one. The ultimate reason why, in the last two decades, the authorities in Athens have been claiming for themselves the exclusive right to use of the name “Macedonia” has nothing to do with their desire to preserve the never-threatened territorial integrity of Greece, nor with their concern for the international projection of its northern regions and their reluctance to have them overshadowed by the greater recognition that a state (the Republic of Macedonia) ordinarily conceals. As facts clearly show, Greek claims over the name of Macedonia are grounded on a sustained policy of denying the national identity of the Macedonian people, to whom Athens intends to deprive of their collective name, after having already censored their symbols and submitted to constant surveillance the way they tell and they celebrate their history.

This much-needed comparative analysis of the conflict over the name, which has been confronting Greece and the Republic of Macedonia since 1991, clearly shows that the position adopted by Athens not only is contrary to common sense, to the wishes of almost the entire people of the Republic of Macedonia, to good neighborly relations between two sovereign states, and to international law, but also is in contradiction with what several European countries like Germany, Austria, Belgium, the Czech Republic, Finland, Holland, Ireland, Italy, Luxembourg, Moldova, Poland, the United Kingdom, Romania, Russia, and Ukraine have been sustaining for decades in cases more or less similar to this. Additionally, the Greek position entails an obvious contradiction to the principle of respect for diversity, on which the project of European integration is based, despite the paradox that Greece belongs to it, while Macedonia is being kept aside due to its reluctance to accept Greece’s demands on this issue.

Thus, it seems clear that the solution to the problem cannot consist of obtaining from the Macedonians of the Republic of Macedonia a waiver of their name and their identity as a people, nor in their undefined permanence in a situation of international isolation that does nothing to help their economic development or their political stability. On the contrary, the solution to the so-called name issue requires the highest authorities of the European Union,

<sup>33</sup> Larry Reimer, “Macedonia: Cultural Right or Cultural Appropriation?,” *Ibid.*

the most influential EU members, and NATO allies to adopt an unequivocal positioning in favor of the right of every state to choose freely the name by which it wants to be known—a positioning clear enough to reveal the many prejudices that the current Greek attitude is generating for the stability of the region; for the future growth of both supranational entities; and even for the strategic and commercial interests of Athens, which to a large extent depend on the rapid Euro-Atlantic integration of the Balkans; and strong enough to make it unsustainable not just in the long, but even in the short run.