

FROM MACEDONIA TO NORTHERN MACEDONIA: HOW (NOT) TO SOLVE THE MACEDONIAN NAME DISPUTE

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Abstract

In the early 1990's Greece blocked the international recognition of the Republic of Macedonia under that name and is currently blocking accession of this country to NATO and EU demanding name changes which the government of Skopje refuses to adopt. The Macedonia name dispute is a clash over historical narratives and the right to claim origins of the Macedonian ethnic group and nation today and in the ancient past. For Greece, the key element is winning the argument over the legitimacy of ancient Macedon as a Greek state and not having the name Macedonia used by its northern neighbour. For the Republic, the intricacies of the ancient history are only instrumental to the recognition of the country under its constitutional name and the unblocking of the Euro-Atlantic integration. An Agreement between the governments of the two countries has been reached to "solve" the dispute. In the agreement Macedonia gives up on the name Macedonia and leaves ancient history of Macedon as a Greek patrimony. A political solution was reached with the Macedonian government essentially giving up its position in the dispute for the Euro-Atlantic integration. EU conditionality has worked in the case of Macedonia although the internal stability might have been endangered for a long period as a result.

Keywords:

Macedonia, nation building, clashing historical narratives, name dispute solution.

Introduction

Since independence Macedonia's relations with Greece have been tense due to the so-called name issue. Due to Greek objections, the admission of Macedonia to membership in the United Nations in April 1993 required the new member to be "provisionally referred to for all purposes within the United Nations as 'the former Yugoslav Republic of Macedonia' pending settlement of the difference that has arisen over the name of the state." Although the reference was to be used within the United Nations, other international institutions have also begun referring to Macedonia as a "former Yugoslav republic." Despite reaching an UN-backed interim agreement in 1995 normalizing relations between the countries, Greece has since 2008 deliberately blocked Macedonia's admission to NATO and the beginning of negotiations for EU membership. In November 2008, Macedonia instituted proceedings before the International Court of Justice (ICJ), alleging that Greece's objection to its application to join NATO breaches the 1995 Interim Accord between these two States. The ruling of the Court in Macedonia's favour has not resolved the blockage of the Euro-Atlantic integration of the country- neither has it attributed to the resolution of the naming dispute in the UN.

Following the regime change in the Republic of Macedonia in 2017, this country has been actively seeking a compromise with Greece on the so-called name dispute. In the early 2018 the two sides were narrowing in on a UN-mediated solution to the issue. Despite the political will this paper argues that the dispute is impossible to solve amicably because in essence it is an argument over cultural and historical identities and the right of self-identification of all the peoples in the regions of Macedonia, which is the right of the majority population of Macedonia to identify itself as 'Macedonian' by ethno-national belonging, as well as the right of the Greeks and Bulgarians in the Macedonian regions of these countries also to be identified as 'Macedonian.' This element of the dispute also relates to the right to label the Macedonian language as such. It is impossible to solve the dispute due to the mutually exclusive historical narratives. One could solve it by simply giving up its own position. Such a step for Macedonia would unblock the Euro-Atlantic integration but would jeopardise the stability of the country and the nation.

Short Overview of the Issue

On 17th November 1991 Macedonia declared its independence and asked for international recognition. On 4th December 1991, Greece declared that recognition of the new state depended on its constitutional guarantees against claims to Greek territory, cessation of hostile propaganda against Greece, and exclusion of the term ‘Macedonia’ or its derivatives from the new state’s name. To ameliorate the Greek concerns that the name of the country implies territorial claims against Greece, Macedonia adopted two amendments to its Constitution affirming that it “has no territorial claims against any neighbouring states”; that its borders can be changed only in accordance with the Constitution and “generally accepted international norms”; and that, in exercising care for the status and rights of its citizens and minorities in neighbouring countries, it “shall not interfere in the sovereign rights of other States and their internal affairs.” The changes were not enough for Greece who continued to insist that the new state relinquish the name ‘Macedonia’. Greece blocked the EU recognition of the country despite the fact that in January 1992, Macedonia met all the conditions for recognition imposed by the European Community confirmed through the opinion of the European Arbitrage Commission.

Denied recognition by the EU, Macedonia turned to the United Nations filling an application for membership. Again Greece opposed to this application. After prolonged process, the admission of Macedonia to UN membership in April 1993 by the General Assembly Resolution 47/225 (1993), was associated with the provision that it be “provisionally referred to for all purposes within the United Nations as the former Yugoslav Republic of Macedonia, pending settlement of the difference that has arisen over the name of the State.” When the United States recognized Macedonia on 17th February 1994, Greece replied by severing diplomatic ties with Skopje, blocking EU aid and imposing a blockade on Macedonian goods moving to and from the port of Thessaloniki with the exception of humanitarian aid. Greece and Macedonia normalized bilateral relations in an *Interim Accord* signed in New York on 13rd September 1995. Both countries committed to continuing talking under UN auspices while Greece agreed not to obstruct the Republic’s applications for membership in international bodies as long as it did so under its provisional UN appellation. This opened the door for the Republic to join a variety of international organizations and initiatives, including the Council of Europe, OSCE and Partnership for Peace. However,

in 2008 Greece effectively blocked Macedonia's integration to NATO at the Bucharest Summit. Consequently, on November 17th, 2008, Macedonia instituted proceedings before the International Court of Justice, alleging that Greece's objection to its application to join NATO breached the 1995 Interim Accord between these two States. Despite decisively winning the proceedings Macedonia's integration to NATO and EU has remained blocked by Greece.

The Greek Position on the 'Naming Dispute'

The official Greek position regarding the name has not changed much since the early 1990's (Kofos, 2001; 2009; Floudas, 1996; Zahariadis, 1996). Calling upon the exclusiveness of its own interpretation of history, the Greek government claims that the Republic of Macedonia does not have a historical right to use the names Macedonia and Macedonians. For Athens, Macedonia either must completely avoid using that name, or in the more moderate variant of the request, it should add an adjective to the name in order to clearly differentiate and delimit itself geographically and historically from the Northern province in Greece. On the eve of the 2008 Bucharest NATO Summit, the Greek Foreign Minister Dora Bakoyannis argued that the name "Republic of Macedonia is linked with the deliberate plan to take over a part of Greek territory that has had a Greek identity for more than three millennia and is associated with immense pain and suffering by the Greek people" (Bakoyannis, 2008). The Ministry of Foreign Affairs claims that "historically, the Greek name Macedonia refers to the state and civilisation of the ancient Macedonians, which beyond doubt is part of Greece's national and historical heritage and bears no relation whatsoever with the residents of the former Yugoslav Republic of Macedonia, who are Slavs by descent and arrived in the region of the ancient Kingdom of Macedonia at a much later stage."

For Greece: "there is no chance of FYROM acceding to the EU and NATO under the name Republic of Macedonia" and that "FYROM Slavo-Macedonians insistence in standing by their intransigent and negative stance towards efforts to resolve the issue" (Ibid). Greece's key demands in the negotiations, contained in the official document of the Greek Ministry of Foreign Affairs, are that the Republic of Macedonia accept: "a definitive composite name with geographical qualification so as to avoid confusion with Greek Macedonia and to put an end to the irredentist policy and territorial aspirations of the former Yugoslav Republic of Macedonia and for all uses (*erga omnes*)."¹⁰ The Greek government has been careful with the

various ideas for resolution of the dispute put forward by the UN negotiator, warning that it could exercise a right to hold a referendum (equivalent to a veto) on the ideas it deemed not acceptable (Tziampiris, 2012, p. 158).

The Greek position is articulated in the writings of Evangelos Kofos, one of the most distinguished authors on the 'Macedonian issue'. The main concern is that using the name Macedonia by 'Slavo-Macedonians' ultimately questions the validity of the Greek national narrative in the region of Macedonia and the close relationship of Greek Macedonians with their past and their tradition. The use of the name 'Macedonia' and the ancient symbols would amount to a misappropriation of the cultural heritage of Greece, and an implicit questioning of the existing borders between the two states (Kofos, 2001). Kofos claims that different historical, cultural, regional, ethnic and legal references are identified with one and the same name, Macedonia, and that whoever succeeds to impose on foreign languages its own version of 'Macedonian', acquires international monopoly for its use. Moreover, in an indirect way, it lays claim to anything identified as 'Macedonian', including different peoples or communities identified as 'Macedonian', diverse 'Macedonian' historical and cultural values, even commodities from different Macedonian regions or countries (Kofos, 2005, p. 132). The problem is that the current constitutional name, 'Macedonia', is identical with the name of the wider geographic region 'Macedonia' (Kofos, 2010). According to Kofos, in the early 1990s, the emergence of an internationally recognized Macedonian state stimulated and, to a certain degree, popularized the monopolization of the ethnic variant of the adjective 'Macedonian' at the expense of the regional/cultural one.

Kofos explains that the Greek government, as well as all major parties, favour a compound geographical name for their neighbour country, provided its state name clearly defines Macedonian regions within its own jurisdiction. Therefore, Kofos suggest a new constitutional name for the Republic of Macedonia, which would replace the current one, as well as the temporary international appellation. This name would be a name with a prefix which would describe or identify clearly the region over which this country exercises legal jurisdiction (North, Gorna, Vardarska) (Ibid). Moreover, the new state name would apply to all uses (internal, bilateral, international) while the citizenship, would follow the state name. The name for the majority ethnic group in Macedonia internationally would be 'makedonci' and the products of that country would also not be transliterated

so that for example the wine produced in Kavadarci region of the Republic of Macedonia would be known as ‘makedonsko vino.’

The Greek position is that over time the Republic of Macedonian side has not limited itself to claiming the name of Macedonia but also a) included numerous clearly anti-Greek paragraphs in Macedonian school textbooks, which reflect a strong irredentism on the part of the government of Skopje, and in terms of discourse clearly deviate from the principle of good neighbourhood relations with Greece; b) after 2008 NATO summit of Bucharest, the Macedonian side proceeded to name a major highway crossing the country as “Alexander the Great” highway. The country's major airport at the city of Skopje is also named “Alexander the Great”. For Greeks, these are especially provocative and hostile moves as for the over one million Greeks who live in the Greek Macedonia and call themselves Macedonians, the above two issues (a - b) are worth resolving, too. The Greek side considers that beyond the name issue there are two aspects closely linked to the name issue which should be addressed as a package. The first is the identity aspect and the second, the language aspect. Greeks would not easily accept that – at least in English language – there is a Macedonian national identity and a Macedonian national language. Bulgarians also have objections on the latter point (the language question). Again, for the over one million Greeks who live in the Greek Macedonia and call themselves Macedonians, the two issues (name of nation, name of language) are worth resolving, too.

The Macedonian Position on the ‘Naming Dispute’

The ‘dispute’ over the name is a euphemism to the Greek objections, in some cases direct and open and in others indirect and concealed, to the very existence of the Macedonian state and nation. The Greek foreign policy towards Macedonia is the result of the ideology of ethnic nationalism that has dominated Greek society since its inception. Greece denies the existence of a Macedonian nation and Macedonian minority on its territory because such recognition would run counter to the templates of ethnic homogeneity and purity that define Greek ethnic nationalism. (Michas, 2002). Macedonia has a legitimate right to its name and identity based on various arguments, be that legal, moral, historical, or grounded on liberal-democratic ideas. In fact, historically Greece had no objections to the name of its northern neighbour during Yugoslav times (Mircev, 2001).

The simplest Macedonian argument is that there are no two states claiming the same nationality and the same name. There cannot be confusion between a name of a country [the Republic of Macedonia] and a region [Greek Macedonia]. Moreover, a regional Macedonian identity [in Greece] should not be mixed with the ethno-national identity of the majority population in the Republic. People who have a regional identity as ‘Macedonians’ can also be found in Bulgaria, the majority of whom have a Bulgarian ethno-national consciousness. ‘Macedonians’ by citizenship, on the other hand, are all those living, in the Republic of Macedonia regardless of their choice of (ethno) national belongings.

Another argument in defence of the right of Macedonia to use its name is the right to self-determination. Self-determination is a principle, often seen as a moral and legal right, that “all peoples have the right [to] freely determine their political status and freely pursue their economic, social and cultural development” (ICCPR). As Reimer writes, “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... it would follow that it is for these peoples to determine the content of their culture or identity, including their collective name” (Reimer 1993: 359). Macedonians have decided on their self-determination on September 8th, 1991, when at a referendum more than 95 % voted for a sovereign and independent state with a turnout of 76% (Klimovski, 1994, pp. 376, 380). In that regard, it is surely fundamental to the notion of sovereignty and self-determination that “a State should have the right to establish its own constitutional system in conformity with obligations imposed by international law (for example, with respect to human rights treaties), and to choose its own national symbols including both its name and its flag... the subject of the dispute between Greece and Macedonia clearly relates to an issue which, as a matter of sovereignty, should fall exclusively within the discretion of Macedonia itself” (Craven, 1999, p. 238).

Furthermore, it should be pointed out that traditionally from the point of view of public international law, states may “call themselves whatever they wish because a state’s name is fundamentally a purely domestic matter, and it is a bedrock principle that every state has the right freely to choose and develop its political, social, economic and cultural systems” (Froomkin 2004: 840-1). The inherent right of a state to have a name can be derived from the necessity for a juridical personality to have a legal identity. The name of a state “appears to be an essential element of its juridical personality

and its statehood, the principles of the sovereign equality of states and the inviolability of their juridical personality lead to the conclusion that the choice of a name is an inalienable right of the state" (Janev, 1999, p. 159).

Therefore, the inability to use the name of Macedonia is interference of the UN in matters of a state – such as the choice of its constitutional name – which are essentially within the domestic jurisdiction of that state, contrary to Article 2(7) of the Charter. Macedonia is unequal with other UN Member States due to the obligation to discuss its own name with Greece and has derogated juridical personality in the field of representation contrary to the principle of "sovereign equality of the Members", Article 2(1) of the Charter. It is inconsistent with the principles of juridical equality of states (General Assembly Resolution, 1970) and non-discrimination in representation and membership (UN, 1975). From the viewpoint of representation in international organizations, the condition imposed on Macedonia to use a 'provisional name' is contrary to Article 83 of the Vienna Convention on representation of states, which provides that "in the application of the present Convention no discrimination shall be made as between states" (Vienna Convention, 1975). Most apparent from the Macedonian case is that its right to determine its own external forms of representation was violated since it has to be negotiated with Greece (Janev, 1999, p. 159).

Contemporary Developments – an Agreement made for a name change

Following intense diplomatic activities on both sides, including meetings of the foreign ministers in the fall of 2017, in January 2018, at the World Economic Forum in Davos, Greek Prime Minister Alexi Tsipras met his counterpart Zoran Zaev for three hours. A round of talks were held since, culminating with an agreement signed on the Lake Prespa on the 17th June 2018. Under Zaev, Macedonia agreed to change its name to the Republic of North Macedonia *erga omnes*, i.e. internally, in bilateral relations with other countries and within international organisations. The agreement recognizes that the language of the country to be named "North Macedonia" is "Macedonian" – but that it is a language of Slavic origin with no relation to the Greek language – while the citizens of this country will be "Macedonian/ citizen of the Republic of North Macedonia, again with a clear reference in the text of the agreement that the people of this country are unrelated to the

people of the Ancient Greek civilization of Macedonia. Significantly, this deal unlocks “North Macedonia’s” NATO and European Union candidacy.

While the agreement could potentially end the decades-old dispute, there is a possibility that it will fail and cause further tensions in the region. In Macedonia there are a number of institutional hurdles. For one, the Agreement to change its own name appears unconstitutional and the Constitutional Court might strike it down. Furthermore, President Gjorge Ivanov might use his veto power to stop the Ratification of the agreement in the parliament by not signing it even if there is a second vote with an absolute majority of the parliamentarians. It is also very questionable whether the Agreement would be accepted by the citizens of Macedonia in a referendum. Finally, at the moment Zaev’s government has no two-thirds parliamentary majority to ratify all constitutional amendments stipulated by the Agreement. Even if everything is settled in Macedonia, there is the issue of the ratification of the Agreement in the Greek parliament where Tsipras has a very flimsy majority.

Conclusion

Although Macedonia has a number of outstanding issues with its neighbours, relations with Greece are crucial for the long term stability and development of the country. Despite the provisions of an UN-backed Agreement from 1995 Greece blocks Macedonia’s admission to NATO and the beginning of negotiations for EU membership. Failure to integrate in these organizations risks bringing economic hardships to the country, democratic backsliding, and interethnic tensions with the Albanian minority which have in 2001 produced a war like conflict. Given the fragility of the region and the delicate relations with the neighbours, the solution of the naming dispute is important for the stability of Macedonia and the Balkans.

Presenting an overview of the conflict in the 1990s we have shown that the Macedonian name dispute is a clash over historical narratives and the right to claim origins of the Macedonian ethnic group and nation *today* and *in the ancient past*. This element of the dispute pertains to the ‘right’ to project the ancient Macedon history as being integral part of the ethno-genesis of the Greek and/or the Macedonian nation. An Agreement between the governments of the two countries has been reached to “solve” the dispute. In the agreement Macedonia gives up on the name Macedonia and leaves the ancient history of Macedon as a Greek patrimony. A political solution was reached with the Macedonian government essentially giving up its position in

the dispute for the Euro-Atlantic integration. EU conditionality has worked in the case of Macedonia although the internal stability might have been endangered for a long period as a result. Macedonians as a nation can hardly accept the denomination and the Zaev government will have a difficult time to implement the agreement. Such a failure would cause further friction with Greece and complicate political realities in the region.

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