

# **NAME DISPUTE BETWEEN GREECE AND MACEDONIA**

**(STUDENT PROJECT)**

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*I had the chance to see works of Macedonian art,  
beautiful icons and ceramics from Ohrid and other places.  
I am especially touched by the survival of Macedonia,  
which has been surrounded by stronger neighbors  
for centuries...*

***Martin Bernal***  
*April 2009*



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## EPILOGUE

*Nostra autem res publica non unius esset ingenio sed multurum  
nec una honinis vita sed aliquot constituta saeculis et aetatibus!*

*“The constitution of our republic was not the work of the genious  
of one, but of many; and not for only one generation, but for many  
years and many lives!”*

*Cicero, De re publica (II, 1.2)*

### On (Re)Cognitions

*Memoria est thesaurus omnium rerum et custos  
Memory is treasury and guardian of all things.*

*Euphanthus*

During our studies at the Faculty of Law Justinianus Primus at Ss. Cyril and Methodius University, we got acquainted with a subject matter that somehow invisibly covers all pores of the human existence – the law. At our joint amaze, we have noticed that precisely this layer of the subtle and old science has been frequently vulgarized. And that injustice in particular was the initial stimulus for us to scrutinize some of the essential parts of the iursprudentia, as exceedingly noble discipline. However, we always had in consideration the fact that what was written in the textbooks was merely the tip of the iceberg, merely one piece of the puzzle, and that practice and reality were by far unlike and more complex than we could ever imagine... We were immediately being faced with the dilemma: *Is the power dominant over the law or is the law dominant over the power in the international relations?* At that point we discovered the ingenuity of the Roman Cicero, who argues that “power of law”, not “law of power”, is fundament upon which ever healthy society should be based.

It is amazing how history as a process somehow strangely repeats itself. Irrespective of the fact that throughout history (ours or world's, it does not matter) different people ruled over same states and regions, it appears that the same mistakes are made over and over again. More precisely, and in light of our project, there is the prevailing question; How come the name “Macedonia”, regardless whether it refers to

state, geographic region, people abiding on that piece of land, their language, culture, etc., has been turned into a political banality in this Balkans region? And, where are we in this Circus Europea, which has lost its compass?

While collecting materials, re-reading and putting forward opinions about “one’s own”, or “someone else’s problem”, there was the looming answer that the name, in the full sense of the word, was actually not the real hindrance here. This has also been proven with our broad-mindedness regarding this “dispute”. Given the fact that we have offered several viewpoints of scrutiny to the name issue itself, we have clearly noticed that this issue of force is shoved in all segments of our lives. At our surprise, we have noticed that even the law is deeply entangled in the settlement of this complicated “name issue”. We have learned that culture and tradition are not mere momentary expressions of identification, but one long-lasting, historical process that has evolved in what represents today. To make matters more paradoxical, exactly the involvement in an irrational dispute resulted into entanglement of law, culture and history – so, the passage of time showed that the law vis-à-vis the position of strength and power was becoming inert. *When might enters in a grand manner, the right jumps through the window...*

### On Burden

*Our work is unscrupulous critique of all existent –  
unscrupulous in sense that the critique will not be afraid of its  
results  
and even less afraid of clashing with the existing forces*  
**Karl Marx**

We did not know how to address this issue, but we secretly felt that the involvement in such an extensive scientific project required efforts still unknown to us as young peoples. It was not due to the complexity of the aspects ranging over the dispute, nor due to the volume of materials we have collected, but it emerged from the very dynamics of the dispute itself. Chronologically speaking, the intensity of the Nimetz proposals, which he had been offering to both of the parties, their content and double rhetoric, at times caused both bitterness and justified revolt: *So, what’s the deal here?* – we often wonder.

This insecurity among us has been arising from many different sides. Primarily, there were the everyday statements of politicians, states-

men, academics, “experts” and public people here in view of the development of events. They change(d) their positions as often as their bank accounts may require. On the other hand, there were the statements of certain foreign “career diplomats”, and at our surprise, even petitions by Greek intellectuals.

The second involved party, the Hellenic Republic (although in all official documents it is referred to as the “Party of the First Part”, perhaps because it is primus, and we secundus in the dispute) played the same double game as our position – it seemed to us as we had complied with them, and to them as they had complied with us. Is it even likely that we will see the end of this intrigue with such pretending?

Our idea-impotent “academic community” seemed to have shown certain degradation: from intellectual down to vulgar political level. Their abortive position resulted in their complete diminishment as a factor for shedding a different light on the Macedonian people and the essence of the issue. It is due to this flaw that the politics is in its full swing, and the power of the word and the pen seems to have lost itself in someone else’s hallways and drawers. All of this brought us to the conclusion that we, as students, and as part of the youth of the Republic of Macedonia, are in the middle of this crossroad without any guidepost pointing at somewhat of a certainty that tomorrow we will not wake up with the idea that someone else had made the choice for us, and we were living through the consequences. Hence, this is what we say to the official policy: Not in My Name!

From the burden we have felt emerged our obligation to scrutinize this problem, as we believed it was only up to us to mark the black stigmas being constantly increased, and at the same time neglected by both parties.

### On Truth

*Truth stands, even if there be no public support.  
It is self-sustained!  
Mahatma Gandhi*

With the very start of the project we have commenced a quest... This quest was no need for self-assertion, moreover a need for accounting for the question: *Why was this entire dispute raised to a level of identity authentication?*

The quest for identity somehow imposed by itself, also being *facta naturalia*, since in no case there was doubt over the historical truths. Hence, the identity quest itself is superficial, talking in terms there was increased desire for getting to the truth behind this dispute. Speaking from constitutional law viewpoint, the identity is guaranteed with the Constitution as the highest state act (*lex fundamentalis*). On one hand, it contains all cultural, political, economical, social and legal aspirations of certain people, their tradition, present and future. On the other hand, it emerges from ...*the citizens of the Republic of Macedonia*, since it is primarily a reflection of their will, their joint efforts and determination. Thus, a distortion between the identity and the truth that we are looking for is impossible! The “truth” that we have come across is political, vulgar, devaluated, populist – deeply penetrated into the consciousness of the common citizens of both countries, and presumptuously manipulated to defocus us from the true social problems weighing down on us in the reality.

It is long believed that conflict/dispute/issue/difference or discord are negative experiences and should be avoided at any cost. However, the conflict is actually a complex phenomenon; it is product of the human interaction, result of differences. When the conflict is being addressed bona fide, openly and with harmless curiosity, it may serve as motivation for achieving mutual growth, provided we are treated as equal partners.<sup>802</sup>

The chronic social conflicts, that is, “deeply enrooted conflicts” like this one have long history and are carried from generation to generation. They are practically unsolvable, but transformative – they can be transfigured! It is in this ground where we see our chance, and base our optimism upon. The transformation differs from the “settlement” by the following:

- a) Transformation includes ongoing process at all levels of social structures through thousands of dialogues (*dia* – through + *logos* – word = “through word”), without exclusivity to the political elite infected with nationalism and rating;
- b) Transformation does not require short-term effects (“right here, and right now”), but works on the transfiguration of the accumulated hatred, which is toxic to the future relations, starting from deep analy-

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<sup>802</sup> Olga Murdzheva Shkaric, “Non-Violent Transformation of Conflicts”, The Center for Peace in the Balkans (Faculty of Philosophy); Skopje, 2007; p. 40.

ses and sustained critiques of the applicable system – it seeks new system, new structure, new spaces; it abandons the winner-loser logic;

c) Since conflict reasons are cultural and running deeper, the solution is not arriving at compromise or compensation – transformation is control over the variability of the conflict, not over its source; which presupposes reinvigoration of positive tendencies, and does not imply that we have simply eliminated the conflict, but that we have comprehended its dialectical essence;

d) Transformation includes no capitulation, incrimination and rigid alternatives but bravery, consistency, virtuousness, responsibility and “creative tension”; it increases the moral development of the dispute protagonists accompanied by empathy – recognition and taking account of the other’s problems;

e) The key to all transformations lies in the truth, justice, charity and need for inevitable mutual cooperation – they lead to qualitative system changes and changes in the mindset of the indoctrinated rhetoric. The result is tranquility, for the process is more important than the outcome, since “*joy is to seek, not to find something.*”

### **On Future**

*Happiness is reward to labour  
Par est fortuna labori  
(Latin saying)*

On 8 April 1993, the Republic of Macedonia became the 181<sup>st</sup> UN Member State. It was admitted under the provisional “reference”: the former Yugoslav Republic of Macedonia. It was not admitted under its “constitutional name”, as other Member State denied its accession due to the name of the State (which, on the other hand, is not one of the terms for UN entry). Long story short, this was the beginning of the new, modern phase of the “name dispute” that has lasted to this very date...

Moreover, the dispute is going to be here tomorrow, the day after tomorrow... For it has become a test of patriotism for both squabbled peoples and went so deep that simply cannot be settled “without winners and losers” – it can be only transformed i.e. to transfigure persons, protagonists, structures and relations between the “parties”! Moreover, the transformation is reformulation, expression in a wider and different context, with different approach and from different viewpoint. The trans-

formation requires the participation of many social strata (state functionaries, intellectuals, students, civil sector, etc.). Deep conflicts cannot be settled completely and at once, they should be dismantled into a number of smaller conflicts – so, the so-called *instant formula* should be converted into the so-called *salami technique!* In the field of psychology, on the other hand, the hatred management needs to be converted from *culture of revenge* into *culture of reconciliation*.<sup>803</sup>

We believe that the most appropriate transformation would be the one from political into legal dispute, since the law (should be) is the last social, civilized resort for protecting the weaker. Thus, the dispute would gain another dimension. We even regard this book project as an appeal to the academic circles and intelligence in the Republic of Macedonia and the Hellenic Republic for a full-scale awakening and bringing minds nearer. Precisely these academic circles should take a joint stand upon the reason for common good, not upon reason for power, for the politicians are part of the elite, which is always in background of the conflict and are not direct victims!

As a conclusion, we are not aiming at idealizing or intellectualizing this issue – it is not in the nature of the problem to be indoctrinated, but to be felt, approached and transformed. We do not imply that what we are proposing here is fast and easy, but we do imply that gathering strength and making decisive attempt are worthwhile... Whether we will endure – it is up to us. So: *Let's get realistic... Let's seek the "impossible"!*

### **On Conflict-Management Methods**

*Conflict is both destroyer and creator,  
as well as golden opportunity to create something new*  
**Johan Galtung**

There are two ways of dealing with conflicts, including the dispute between the Hellenic Republic and the Republic of Macedonia on the name.

The choice depends on the mindset of the parties, and the balance of forces involved in the conflict.

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<sup>803</sup> Ibid, pp. 60- 0.

**Method 1:** Once upon a time a Mullah was on his way on camel to Mecca.

Coming to an oasis he saw three men standing there, crying. So he stopped the camel, and asked: "*My children, what is the matter?*" And they answered: "*our father just passed away, and we loved him so much... he left behind camels. And in his will it is stated one-half of the camels to the eldest, one-third to the second and one-ninth to the youngest. We agree with the parts to each. But, there is a problem: he left behind 17 camels and we have been to school, we know that 17 is a prime number – so we cannot divide them.*

Mullah thought for a while, and then said: "*I give you my camel, then you have 18 and you can divide them.*" And they cried: *Oh no, no, you cannot do that, you are on your way to something important*". The Mullah interrupted them and said: "*Nonetheless, take it my children.*"

So they divided 18 by 2 and the eldest son got 9 camels, 18 by 3 and the second son got 6 camels, 18 by 9 and the youngest son got 2 camels. A total of  $9+6+2=17$  camels. One camel was standing there, alone – the Mullah's camel. The Mullah said: "*Are you happy now? Can I have my camel back?*"

And the three men, full of gratitude allowed the Mullah to take his camel back, not quite understanding what had happened. The Mullah blessed them, mounted his camel, and the last they saw was a tiny cloud of dust, quickly settling in the glowing desert sun...

**Method 2:** Once upon a time a lawyer was on his way in a luxurious car through the desert.

Passing an oasis he saw three men standing there, crying. So he stopped the car, and asked "*what's the matter gentlemen?*" And they answered: "*Our father just passed away, and we loved him so much.*" "*But surely he has made a will*" – said the lawyer. "*Maybe I can help you, for a fee of course.*"

The three men answered: "*Yes, he did indeed, he left behind camels. In his will it is stated one-half to the eldest, one-third to the second and one-sixth to the youngest. We agree with the parts to each, but there is a problem: he left behind 17 camels and we have been to school, we know that 17 is a prime number – so we cannot divide them.*<sup>804</sup>

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<sup>804</sup> Johan Galtung, *Conflict Transformation by Peaceful Means* (transcend metod), Center for Peace in the Balkans, Skopje, 2000; p.144.

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The lawyer thought for a while and then said: “*Very simple. You give me 5 camels, then you have 12. You divide by 2, 3 and 6 and you get 6, 4 and 2 camels respectively*”. And so they did!

The lawyer<sup>805</sup> tied the five unhappy camels to the car, and the last they saw was a vast cloud of dust, covering the evening sun.<sup>806</sup>

If the weaker party in the name dispute (the Macedonian) is pressed by the more powerful force (Greece, NATO and EU), the transformation of the conflict should also engage the citizens of the Republic of Macedonia (state referendum at national level).

The transformation should be conducted in a democratic manner, not through violence, as it was the case with the dispute between the Melians and the Athenians during the Peloponnesian War.<sup>807</sup>

*Skopje, April 2009*

***Editors' Note***

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<sup>805</sup> Whether it is our fate or not, but the leading “mediator” in the name dispute – Mr. Matthew Nimetz is a lawyer by profession!?

<sup>806</sup> Johan Galtung, *Conflict Transformation by Peaceful Means* (transcend metod), Center for Peace in the Balkans, Skopje, 2000; p.144.

<sup>807</sup> Svetomir Shkaric and Gjorgje Ivanov: *Political Theories - Antiquity*; Faculty of Law Iustinianus Primus; Skopje, 2006; pp. 246-248.