

THE EASTWARD EXPANSION OF THE WEST: From the Berlin Wall to the Yugoslav Wall

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ORDER OF PRECEDENCE AT THE WESTERN GATE

The eastern border of the West is slowly and cautiously moving eastward. Many nations are still waiting outside the »open door«. What has been the progress in the past 10 years? Where will it stop? During the Cold War, the European West was restricted to the »Charlemagne Europe«. The initial eastward expansion aiming at the »Petrine Europe« has included (into NATO) three countries (Czech Republic, Hungary and Poland). The second »wave« may add (to the EU) two more (Estonia, Slovenia). The next five candidates (Bulgaria, Latvia, Lithuania, Romania and Slovakia) are getting very impatient. But what happens after all the magnificent ten have managed to join EU and/or NATO?

It is common knowledge that, in the past 10 years, since the fall of the Berlin Wall, the eastern borders of the West have moved eastward. The West grew larger. But, except for Eastern Germany (i.e. German Democratic Republic, once a very serious, if not reputable state) which became part of *EU* and *NATO* without any negotiations or ratifications; and except for the relatively easy membership of everybody in the *Council of Europe*, the process of enlargement has been rather cautious. Other former Socialist countries, which liberated themselves with considerable difficulty and courage, were – and still are – rather impatient and disappointed when they were invited by their Idols – in whose name they fought for changes – into various provisional memberships and half-way organizations like *Partnership for Peace*, *Membership Action Plan*, and the *Europe Agreement*, i.e. Associate Membership in the EU. A new such (provisional, half-way) organization – for South Eastern Europeans – is called *Stability Pact*. The Czechs, Hungarians and Poles were the lucky ones, but even they waited for nine years, before they were – not without hesitation on the American side – accepted into *NATO*. These

nations plus Estonia and Slovenia should also consider themselves as lucky, because they have been included into the first round of applicant countries which – in March 1998 - started the full EU-membership negotiations on the basis of the *Accession Partnership* documents – even if no clear calendars for inclusion have been revealed so far. Some have hoped for the year 2002 (when, for example, Slovenia plans to be ready for full membership), while others have been mentioning more distant dates like 2005 or 2006. Many candidates and applicants – the inclusion of which would indeed radically extend the Western space towards the East, are waiting more or less outside *an open door*.¹

NATO which at the moment has 19 members, could grow to 30; and the EU which has 15 members could reach the figure 26; while in 2010, the NATO and EU memberships could be overlapping.² In this crowd, there are 10 candidates from the »East«: Slovenia, Estonia, Czech Republic, Hungary, Poland, Romania, Bulgaria, Slovakia, Latvia and Lithuania. At the moment, no one can predict entries of Croatia, Bosnia and Herzegovina, Macedonia, Albania, Yugoslavia, Ukraine or Russia...

In his recent book *The Grand Chessboard* Zbigniew Brzezinski has written:

*Europe's expansion eastward would consolidate the democratic victory of the 1990s. It would match on the political and economic plane the essential civilizational scope of Europe – what has been called the Petrine Europe – as defined by Europe's ancient and common religious heritage, derived from Western-rite Christianity.*³

¹ »The open door policy« was proposed by the American Administration and NATO before the Washington NATO Summit in April 1999.

² Cf. Simon Serfaty, *Memories of Europe's Future*, p.71.

³ Z. Brzezinski, *The Grand Chessboard*, New York (BasicBooks) 1997, p. 57-59.

Let us hope that, from a more distant perspective, in ten years time, we shall be able to say that »at the beginning of the new Millennium, all former Eastern and Socialist countries have become a part of the West." All former Eastern and Socialist countries?

All of us who, in the late eighties and in the beginning of nineties, started political campaigns, engaged in dissident activities, established new parties and – eventually – landed in the new democratic governments, wanted, planned and promised to join Western institutions. ⁴ Slovenia did not leave Yugoslavia – as has been argued by some Belgrade-leaning or Yugo-nostalgic commentators – because of its (Slovenian) Nationalist fever or egoism, but because Yugoslavia represented the main obstacle for political and economic normalization. While – in the year 1990 – Slovenes and Croats were already afraid of lagging behind the other Central European nations that raced towards Western organizations, the Yugoslav People's Army and the Serbian Communist leadership (Milo_evi@) demonstrated, practically with all their actions, that they were not prepared for democracy and market economy. So, in a way, *Yugoslavia split into its Western and Eastern part*. On the Western side of this divide which not only cut through the territory of former Yugoslavia, but also distinguished the Vi_egrad countries (Poland, Czech Republic, Slovakia, Hungary) from the rest of Eastern Europe, political and economic reforms were faster and more successful than anywhere east of it.

⁴ The first serious democratic programs in Slovenia were written and published in 1987 and 1988. At that time, the author of this article was the »responsible editor« of the dissident journal *Nova revija*. In 1989, he became chairman of the illegal *Democratic Party* which happened to be the first non-Communist Party in Slovenia. As a part of the *DEMOS* coalition which won the 1990 elections, this Party was the most prominent in the new democratic Government of Slovenia. The author served as its Minister of Foreign affairs during the critical time of the Yugoslav crisis and the crucial period of the drive for international recognition of the new country (1990-1993).

Brzezinski believes that

the more advanced and politically stable Central European states, all part of the Western Petrine tradition, notably the Czech Republic, Poland, Hungary, and perhaps also Slovenia, are clearly qualified and eager for membership in »Europe« and its transatlantic security connection. 5

The Petrine Europe refers to Europe of Western Christianity which is larger than »the Charlemagne (Western) Europe« which – for Brzezinski – »made sense during the Cold War«. For Samuel Huntington, Europe ends where Eastern Orthodoxy and Islam begin, and he points out that such border (of the Western-, or Holy Roman Empire) has existed since 4th, or, respectively, 10th century. Huntington points out that this border cut across former Yugoslavia in such a way that it divided Slovenia and Croatia from other republics. In one of his earlier works, Brzezinski classified Europe into three sections: *Europe I* (EU+EFTA), *Europe II* (the Vi_egrad countries + Slovenia) and *Europe III* (other Eastern European countries). The maps of *The Frankish Kingdom* (AD 800) or of the *Holy Roman Empire* (in the 16th century) indicate that their eastern borders more or less coincided with the eastern borders of *Europe II* or *The Petrine Europe*.⁶ These are, of course, the borders between *Europe II* and *Europe III*.

This divide happens to play an important role in many political deliberations. So, according to *The Washington Post*, an American diplomat, already in 1994 warned against America's »evangelical attempt«

to remold Russian society in its own image. He argued that such efforts would almost certainly fail because Russia – unlike Eastern European

⁵ Op. Cit., p. 81.

⁶ Cf. »Holy Roman Empire«, *The New Encyclopaedia Britannica*, 1993, Vol. 20 – *Macropaedia* – p.631. The map of the Frankish Kingdom indicates that its eastern border was, in fact, a belt of »Slavic peoples tributary to Charlemagne«: Wiltzes, Sorbs, Bohemians, Moravians, Avars, Slovenes and Croats.

countries such as Poland and the Czech Republic – had little tradition of free markets or the rule of law. ⁷

A few years back, I attended a meeting of European and Slovene parliamentarians in Strasbourg. During that meeting, a prominent German Conservative deputy, after having expressed strong support for the policy of EU enlargement and, consequently, for the accession of Slovenia, asked a very interesting question: *But where will the enlargement end? Where should be the eastern border of the future EU?* And then he added: *You do not think that Ukraine or Russia should become members of the EU?* This was also the time of relatively lively debates – primarily within the EU – on the so called *Schauble paper*, a political statement coming from the German CDU, which advocated a classification of the existing EU members into the »core« and an outer circle, while the Eastern European newcomers would join the latter.

In the past two years, I have participated in quite a few similar discussions in Washington, DC, this time concerning the eastward enlargement of NATO. This has been – to quote from a most recent study – »inevitable«. ⁸ Similar, because the countries concerned were almost the same – with one important difference: compared to EU, NATO has no reservations about Turkey. ⁹ As it is well known, some American

⁷ Cf. Michael Dobbs and Paul Blustein, »Lost Illusions About Russia«, *The Washington Post*, September 12, 1999.

⁸ *The process of enlargement cannot be limited to the entry of Poland, Hungary, and the Czech Republic. The enlargement of NATO eastward has been inevitable since the Alliance adopted its new strategic doctrine in 1990... The security of all of Europe now passes through NATO, and the Eastern democracies cannot be excluded...*, »National Committee on American Foreign Policy's Project on Reinventing NATO: Report«, *American Foreign Policy Interests Volume 21, Number 4 – August 1999*.

⁹ This is a general and theoretical assumption which did not prevent a couple of members of the Washington political establishment to speak publicly in favor of the inclusion of Poland, Czech Republic and Hungary, but »under no circumstances, should we bring to NATO countries like Turkey!«

Conservatives have opposed the enlargement of NATO («the new NATO») with the argument that this might embarrass and even humiliate Russia. Russia is on everybody's mind. The key questions throughout these discussions have been: *can wrong policies of the West push Russia to follow the path of the Weimar Germany (meaning that it would develop into an aggressive Fascist dictatorship), or can the West help Russia to become its ally??*

RUSSIA ON EVERYBODY'S MIND

So far, the European Union has not seriously considered Russia to become its member. As far as the EU is concerned, Russia may, for some time, remain beyond its eastern borders. NATO has not included Russia, either, but it has concluded, in 1997, a sort of a pact with it. It is called »Russia-NATO Founding Act«. It is evident that – regardless of everything (e.g. regardless of the recent economic difficulties and the widespread corruption in Russia) – the West is continuing to spread its influence towards the East. On the other hand, some limitation and even separatism might be under way regarding the U.S. – EU relations.

Of course, Russia has moved closer to the West with the *Russia-NATO Founding Act* of 1997. It has worked in various NATO and PfP programs, while NATO and the U.S. constantly urge Russia to remain a partner in European security politics. One could speculate how much importance must be attributed to the (American, Conservative...) fears regarding the European quest for autonomy from NATO. ¹⁰ Ambassador Robert Hunter has rejected such fears, but on the other hand, he could not eliminate or calm them by saying:

But the alliance's broader roles are to ensure America's necessary strategic engagement on the continent; to modernize NATO's military

¹⁰ Cf. Henry Kissinger, »The End of NATO As We Know it«, *The Washington Post*, August 15, 1999.

capabilities to meet tomorrow's challenges; and to design a place for Russia in an encompassing European security system. 11

The fears regarding a separate European military force vary from the fear that NATO could be subordinated to the U.N. (where Russia has a veto), to the fear of Europe regressing towards some historical authoritarian pattern or, maybe, to the fear of a sudden European (French or German sponsored) rapprochement with Russia. As NCAFP has put it:

The domination of all Europe by one hostile power like Nazi Germany or Stalinist Russia of the past would be a mortal threat to American interests. If Europe were to fall prey to totalitarian regimes again or to sink into intercine warfare, the United States inevitably would be endangered. 12

Henry Kissinger has described the present arrangement within NATO (commendable also for the future) in the following way:

NATO has given Britain the framework for its »special relationship« with America; to Germany a safe haven from European suspicions and Eastern dangers; to France, a safety net against changes in the geopolitical balance it cannot handle by itself; and to Italy, an anchor for the emotional Atlantic commitments of its population. 13

So far, the European Union has avoided answering the most far reaching and profound questions by establishing a complex system of qualification and selection criteria for membership, e.g. *the Acquis*. At the moment, only the countries which have the capacity to comprehend, accept and apply these criteria, can become full members of the EU; and so, the enlargement has become a sophisticated political, intellectual,

¹¹ Robert E. Hunter, »Nato: Not Behind the Times«, *The Washington Post*, September 5, 1999.

¹² See the aforementioned report of NCAFP Study Group in *American Foreign Policy Interests*, August 1999, p. 9.

¹³ H. Kissinger, »The End of NATO as we know it?«, *The Washington Post*, August 15, 1999.

economic and legal enterprise that almost automatically and without great political problems excludes the less qualified. Nobody can easily complain about discrimination.

NO NEED FOR NO MAN'S LAND

In the Balkans, the West bordered on the Ottoman Empire. This was an uneasy border where wars and fighting (bloodshed, persecution, ethnic cleansing...) would be a way of life; and where pacification (of cultural passions, or rather, ethnic and religious hatreds) would be a constant concern. Later, Yugoslavia with its combination of Western and Eastern components, and with its ambivalent middle position between East and West (in the end, between the Warsaw Pact and NATO) created the illusion that stability of the Balkans could be considered as a third-rate problem of the international community. »Kosovos and Bosnias« were supposed to be on the »C list« of risks to U.S. (or EU) security¹⁴. The Yugoslav crisis and the new Balkan wars can be explained with the end of the East-West tension and with the clear way to an eastward expansion of the West. There was no longer any urgent need for a separate (and profitable) middle or neutral position between Russia and the West.

Maybe, the Southeastern Europeans could choose between East and West, between Russia and NATO. This was the region where the real divide between East and West could reappear. Some people hoped for a rebirth of the spirit of Yalta. In Belgrade of 1990 and 1991, the policies of the West were compared to those of *The Fourth Reich*. And in the moment when I write this, Serbia may be the only »Eastern-bloc« (communist, backward, xenophobic...) country in Europe. But then, most nations in the region wanted to join the West, Russia included. This was the final blow to the idea of a Serbian dominated Yugoslavia. It is paradoxical that Russia acted in a more modern and conciliatory fashion than Serbia. Russian leaders understood globalization – also because Soviet Union had been its victim. In 1997, Russia signed the *Russia-NATO Founding Act*.

¹⁴ Cf. Ashton B. Carter, William J. Perry, *Preventive Defense*, Washington, D.C. 1999; and Joseph S. Nye, Jr., »Redefining the National Interest«, *Foreign Affairs*, July/August 1999.

Maybe, the Serbs have not understood the new situation; maybe, they thought the region would remain a third rate concern for the West; or they thought that, due to the military arsenals of the Yugoslav People's Army, they could establish and control an independent Balkan mini-empire. Milo_evi@ certainly counted (and worked) on a conflict between Russia and the West. Serbia (or FRY) could become the Westernmost Russian outlet. He played with the idea of an unification with Russia. In this case, Serbia would represent a unique case of eastern expansion towards the West.

But the eastward drive of the West was not to be restrained by Milo_evi@. Instead of keeping independence or becoming the westernmost region of the East, the South Eastern Europe got –in some way –attached to the EU. This attachment is called Stability Pact for South Eastern Europe (June-July 1999). *To South Eastern Europe, the Stability Pact is what the Russia-Nato Founding Act is to Russia.*

The Russia-NATO Act and the Stability Pact are not conventional institutions of the same kind as NATO or the EU, even if they have been established by them and share certain elements with them. Consequently, to be a participant in these projects is not at all the same thing as being a member of NATO or EU. Such assessment may be completely unnecessary, but I am not making it without a reason. I am referring to certain high expectations from the participants and from the general public. Let me, briefly, discuss the *Stability Pact* which is the most recent international security enterprise.

It may be useful to inspect the »philosophy« and the »structure« of the Stability Pact (SP).

1. The first chapter of SP 15 contains a list of »*participants in the Conference on South Eastern Europe*«. The *participants* (rather, their representatives) are of various categories and are listed in an interesting order:

- -first, there are the *fifteen EU members*;
- -second, there are *eleven non-EU states*: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Hungary, Romania, the Russian Federation, Slovenia, Macedonia, Turkey and U.S.A. Four of these countries are associate members of the EU, three are NATO members; two countries are members of »G8«;
- -third, there are organizations such as OSCE and of the Council of Europe.

2. After these participants, there come *the facilitating States, Organizations and Institutions of the Conference*: the ministers of Canada and Japan (so the »G8« is complete) and various international organizations like the UN, UNHCR, NATO, OECD, various banks and initiatives.

3. All these people representing very impressive institutions have met »in response to the European Union's call« to adopt a Stability Pact *for South Eastern Europe*. All these people and all these organizations have met at the (Cologne) conference to launch a *Pact for an European region*. This is not a proper *pact (agreement, contract) between* some actors or partners, but looks like *a political statement and a document (initiated by the EU and supported by most prestigious and strongest states and organizations) intended for somebody outside these bodies*. Who is the SP for?

¹⁵ The document *Stability Pact for South Eastern Europe* bears the date »Cologne, 10 June 1999« and consists of 13 pages, the last two of which are an »Annex«. The document has 7 chapters which are divided into 43 paragraphs.

4. It would seem that the real target (object, recipient...) of this EU initiated Pact are the *nine (11 minus 2) non-EU states*, since U.S. and Russia are singled out as the countries which support the SP or make it a priority.
5. Among the *Objectives* we find *integration into Euro-Atlantic structures* and a long list of modern political and economic values. SP implies cooperation towards free elections, preserving multinational diversity, expanding foreign trade, combatting crime etc. Since Turkey and Hungary do not need additional boost to integrate into Euro-Atlantic structures, and since countries like Slovenia (or Bulgaria or Romania...) do not need special assistance regarding the listed modern political values, it seems that the *true target of PS are: Albania, Bosnia and Herzegovina, Croatia and Macedonia*. In paragraph 11, there is a special recommendation for *Yugoslavia* which might become a participant in SP »following the political settlement of the Kosovo crisis«, and in the end, *Montenegro* is promised to become an »early beneficiary of the Pact«.
6. A closer reading reveals that SP is intended for the *territory of former Yugoslavia minus Slovenia plus Albania*, while its *true objective is to address two nations: Serbs and Albanians* and involve other nations/states which may have some unsettled accounts with either Serbs or Albanians.
7. We may question some of the elements of SP, especially the lack of proper mechanisms to implement the goals. Among institutions of SP we do not find a committee, a board, a commission, a President, a Secretary General... but a »Regional Table«, the »Working Tables« and a »Special Coordinator« who will report to the OSCE.
8. The system and the structures of SP may be still incoherent, impractical and abstract, but the intention is evident in Paragraph No. 20: *The EU will draw the region closer to*

the perspective of full integration of these countries into its structures. The value of this recommendation may again be doubtful, since it is contradicted by another formulation which says that *the individual situations of each country will be taken into account...*

9. SP does not articulate very clearly the economic advantages that might be originating from it. It recommends or mentions economic reforms, economic stabilisation, regional cooperation, solidarity, assistance in the process of economic reconstruction, promotion of sound macro-economic and structural policies... SP calls upon the *international donor community to participate generously*. A donor coordination process *will interact with the relevant Working Table...*

10. The Sarajevo declaration (30 July, 1999) is a little clearer: the participating countries *will work together with the international financial institutions to develop appropriate vehicles to mobilise private finance and mitigate risk*. On the other hand, SP will encourage active participation of firms from South Eastern Europe in procurement for reconstruction and development in the region.

The SP and later the *Sarajevo Summit Declaration 16* have produced one important message: *the eastward expansion of the West must continue!* The following language sounds promising:

We reaffirm our shared responsibility to build a Europe that is at long last undivided, democratic and at peace. We will work together to promote the integration of South Eastern Europe into a continent where borders remain inviolable but no longer denote division and offer the opportunity of contact and cooperation.

¹⁶ *Sarajevo Summit Declaration* of the Heads of State and Government of the participating and facilitating countries of the Stability Pact and the Principals of participating and facilitating international Organisations and Agencies and regional initiatives, 30 July 1999. The Declaration has 4 pages and 15 paragraphs.

Generally speaking, the long term prospects for an European integration are good. But between our immediate present and that (long term) future, there may hide many problems, even traps, a lot of risk and insecurity. In his recent (September 13, 1999) interview for the German magazine *Der Spiegel*, the new EU commissioner Guenther Verheugen has been quite specific, especially in relation to the Stability Pact. First, Verheugen admitted that an enlarged EU could only function without consensus, i.e. the institution of veto – so far at the disposal of any member state – which means that the enlarged EU will have to introduce the majoritarian type of decision making. Second, he revealed the intention of the EU to pause after the enlargement with the countries which are now a part of the enlargement process (Poland, Czech Republic, Hungary, Slovenia, Estonia and Cyprus). »For all others, different association strategies will be necessary«. This was the answer to the question where lies the limit of Europe, and what to do with the countries like Ukraine, Croatia, Bosnia, Serbia etc. »First,« says Verheugen, »we should have an acceleration of regional political and economic integration which will be institutionally linked to the EU. Association would follow, nothing more and nothing less. Only after that, full membership could be set as a goal.«

A STATE OF NATIONS VS. THE NATION STATES

While the process of the eastward expansion is slow and while many concerned countries (among them, also Slovenia) try to accelerate it, it is also clear that the integration will bring a lot of problems. Europeans are not like Americans who regard their states as a rational instrument of an efficient national Government, and who identify much more with it than with the states. In comparison to European states, American states almost resemble local administration. European states, as we know them today, are embodiments of the national spirit, vessels of a particular culture and language.

Let me dwell very shortly on the issue of modern **multi-state, multi-national, supra-national and inter-national organizations**. We know nations made of states (such as the U.S.A.), and we know states made of nations (Belgium, Bosnia and Herzegovina, Canada, Russia, Spain, Switzerland, Yugoslavia...).

While states have often disintegrated in history, the opposite seems to be true of nations. So, I was quite surprised when, in his *State of the Union Address* (January 27, 1998), the American President asked this dramatic question:

Do you believe we can become one nation?

The cases from within the EU seem to support the claim that stability and longevity of nations exceed those of states. An existing German state (GDR) was not allowed to continue its life separately from the German nation; while in Italy a new Italian state independent from the rest of the Italian nation (Padania) could not be created.

Some important statesmen and writers, particularly in the U.S. (e.g. former American Ambassador to Yugoslavia Warren Zimmermann¹⁷), have argued that the EU should not have recognized the new states Slovenia and Croatia. In fact, in its recognition of these and other nations, the EU acted logically and consequently; it respected the national/ethnic principle – as in the cases of Germany and Italy.

When I taught a course at Cleveland State University – this was in autumn of 1989, just before I participated in the activities leading to democratic elections and the vote on independence – my students asked me some questions that struck me as totally out of order. What were their questions? For example, why the peoples like the Slovenes (or the Croats, Slovaks, Czechs, Estonians...) wanted independence? What does national

¹⁷ Warren Zimmermann has written a controversial book, *Origins of a Catastrophe*, New York 1996.

independence mean? Why did these people (Hungarians, Slovenes, Czechs...) protest against Austria in 1848, and why should sovereignty of a nation be such a good thing???

At that time I “invented” the formula which I am still using today, and which I offer as an explanation not just for the problems of Slovenia and of other “new democracies”, but also for the problems in other European countries.

You all agree, I said, that the people of the U.S. are a nation. One of the characteristics of a nation is common language. For various reasons, the American nation has been divided into states. So, the U.S. is in fact a nation of states. Austria, Yugoslavia, Czechoslovakia or Soviet Union were not nations, but were states of nations. They were multinational, not just multicultural countries. The fact that these countries do no longer exist in the same form they used to exist in does not mean that multinational countries do not, or cannot exist today. Those countries were just badly run, so they fell apart. Switzerland and Belgium are rather well administered multinational states, Great Britain and Spain also, regardless of the problems they have with the Irish, the Catalans, the Basques etc.

But it would be very risky to confuse the terms *multinational* and *multicultural*. It is obvious that Bosnia and Herzegovina is a multinational state – which, unfortunately, has inherited some of the problems of former Yugoslavia.

The European Union will – let us hope – one day become a *state of nations*. But there is very little chance that the *State of the European Union* would become very similar to the *State of the American Union*. The state called the United States of America is one nation, and it may also be called a multicultural society. The members of this society have, generations ago, or maybe recently, abandoned their original nationhood.

By moving from some European or some other country to America as individuals, they have in fact rejected their previous national identities and espoused the American one. While doing so they could, of course, not reject the color of their skin and various particularities. Some could not even get rid of the accent originating from the language they used to speak while members of a different nation. These particularities account for multiculturalism.

Many multinational states organized as empires (or ruled in an authoritarian manner) have fallen apart. An integration of the “ fragments” of former empires and a new construction of multinational organizations are under way. Most European nations are aware of the new global political and technological realities. Under these circumstances, it has become obvious that the size of a nation or of a group of nations determines their economic or other achievements. Certain sizes are not viable. On the other hand, the size of a state must not be confused with the size of a nation. National – homogeneous – societies are usually more viable and successful. Soviet Union was hardly more viable than Russia or – for that matter – Estonia. Czechoslovakia or Yugoslavia was hardly more productive than The Czech Republic or Slovenia. Integration means much more than bringing more land or more people under one central command. One could say that, in principle, a multinational state would be weaker than a nation of equal size. The (physical) inferiority of a nation cannot be easily compensated.

This brings us to the question, how the European – relatively small - nations (and particularly the simply small nations like Slovenia) will be able to compete with the bigger nations. Can the Europeans unite and lead a conversation with the Americans or the Japanese “with one voice”? Could a new, modern, democratic “state of nations”

become as effective as a “nation of states”? Or could the future European Union succumb to the same problems which brought down Austria, Czechoslovakia, Yugoslavia and the Soviet Union?!

Slovenia has not become an independent country (in 1991) for the sake of independence, but to be able to introduce democracy and to participate more actively in Western cultural and economic life. A previous disintegration of various blocs and pacts (Warsaw Pact, Soviet Union, Czechoslovakia, Yugoslavia...) was necessary for a new kind of Western and European integration. What we are experiencing is a *disintegration for integration; an integration through disintegration!* My impression is that – regardless of all our idiosyncrasies that are regularly reported – Slovenia has well understood this development and its recent messages. We have particularly appreciated the Luxembourg invitation to start the negotiations for the membership in the EU (even if we have not yet recovered from the Madrid - American-initiated - decision to invite only three Central European countries - but not Slovenia - to join NATO.

General American public knows little about Slovenia. During the first year of my tenure in Washington, my correspondents and I have been living witnesses of deplorable ignorance. The postcards I wrote from Seattle to my friends in Ljubljana have once been sent to Slovakia. My Slovene friends called it a scandal. I opposed them with the question, which always works with the Europeans: please, name all American states, if You can! If they can do it, I ask them the names of their capitals. In such cases, my friends usually calm down, but ignorance persists.

SLOVENIA AND YUGOSLAVIA

Slovenia and Slovenians have been, to a certain degree determined by their past in Yugoslavia. This has inhibited our development. But Slovenia has, in the past, and should, in the future, contribute to the stability of the region. Unfortunately, Slovenia has not succeeded in its Yugoslav mission.

The Latins used to say, *Quod non est in actis, non est in mundo!* Something that is not in the documents does not exist. Today, *acta*, the documents that guarantee an event or a group of people their worldly existence are usually newspaper or electronic media reports, and it is up to the media people to decide what is and what is not. On many occasions, political and even military accomplishments depend on the media, on documents, on *acta*.

I am referring to speeches, public statements, briefings, reports and resolutions of various bodies, e.g. the resolutions of the U. N. Security Council. In our time, wealth and poverty, life and death, war and peace... more and more depend on documents of political and/or legal nature. In the case of Slovenia, from its beginning, a lot depended on documents, even on the literary ones. For example: the first draft of the post-Communist Constitution of the independent Republic of Slovenia (*Gradivo za slovensko ustavo – Materials for the Slovene Constitution*, Ljubljana, April 1988) has been sponsored by the Writers' Association and to a large extent written by its members, otherwise and usually committed to write fiction. 18

Slovenia owes its independence to the constitutional (and other) work of its “founding fathers” in 1988, but also to the Yugoslav constitution of 1974. On one hand, this constitution implied the constituent nations' right to self-determination and

¹⁸ See my article »Slovenia's Shift from the Balkans to Central Europe«, in *Independent Slovenia*, edited by Jill Benderly and Evan Kraft, New York (St. Martin's Press), 1994, pp.183-200.

secession, while on the other, it ruled out an implementation of such right by elevating the Communist Party – the watchdog of “brotherhood and unity” – to the supreme and unquestionable constitutional authority.

The Communist Yugoslavia changed its constitutions a lot. Every few years, a package of amendments or an entirely new constitution was prepared and ceremonially proclaimed as a new achievement in the development of Yugoslav Socialism. At the time, the constant writing and rewriting of constitutions in Yugoslavia seemed a rather extravagant and futile enterprise of the Communist ideologues. Most of the critical observers believed that the constitutional changes were empty rituals, and that nothing really changed in substance. Of course, most of these changes were ideological reconstruction that served the “modernizing and liberalizing” image of the ruling class.

Most of the critics of the regime were, on the other hand, more interested in political democracy than in the balancing acts between the Republics. So, one relatively important component of the permanent rewriting of constitutions remained almost invisible to these critics. The rewriting of constitutions served the adaptation of the legal system to the developing tensions and pressures of the component parts of the Federation. In the end – in 1974 – the Constitution of Yugoslavia grew into a legal framework of a *confederation*.

The constitution of 1974 was the last product of the permanent adaptation philosophy so typical of Josip Broz - Tito (+1980) and Edvard Kardelj (+1979). They believed in, and worked continuously towards a system of reconciliation of state and local, federal and republican, Party- and national interests. No adaptation or reconciliation was practiced after the death of the two leaders, while the Serbian

leadership – in its ambition to reverse the process – tried to “reintegrate” and “centralize” Yugoslavia under its own command. The well-known explosion followed, but in the end, as we have seen, the local interests prevailed. Instead of one state, we have five.

Regardless of our present relatively low opinion about the Socialist Yugoslavia (1945-1991) – not to mention the newly established and predominantly Serbian Federal Republic of Yugoslavia – the constitutional transformations of Tito’s era provide an interesting lesson.

The ideas of cultural and/or ethnic nations, of their freedom to self-expression, self-determination and sovereignty ... that have dominated the (Central) European political and cultural scene in the last 150 years, have produced wars and conflicts, but also some impressive legal and constitutional work codifying the relations between nations. Such work – which was basically multiplication and regulation of autonomies (in Austria: *Ausgleich*) - very often followed physical confrontation, but in some cases, it prevented it. Prolonged absence or lack of such an *Ausgleich* or equalization between national-ethnic units; when local (national, regional, ethnic, provincial...) interests were not properly legally (constitutionally) addressed, almost always and everywhere produced serious problems. Such are the problems of the units within the so-called FR Yugoslavia. The most pressing problem is, of course, Kosovo, although one should not underestimate Vojvodina (northern part of Serbia that contains a sizeable Hungarian minority) –to name the two units that enjoyed extensive autonomy before Milo_evi@.

It looks as if ours was “A Time to Redraw Maps”:

Territorial integrity maintained by brute force is not only unjust in the modern world. It is also inefficient and ultimately untenable. 19

¹⁹ Jim Hoagland in *The Washington Post*, Sunday, March 15, 1998.

“Map-redrawing” means changing and moving the existing borders between the established countries. The majority of political practitioners – and, perhaps, also theoreticians – have their doubts regarding the business of “map-redrawing”, because, in most cases, this has been a messy business. It is a fact, however, that all history and all peace conferences (all »stability pacts«) are about “map-redrawing”, and that “map-redrawing” should not be regarded as typical of our time. Our time should be the time of growing irrelevance of the “map-redrawing” business. The practical model for such irrelevance are the borders between the signatories of the EU Schengen Agreement. The borders may still be there, but they do not hurt. In fact, this is the language of SP: *»...where borders remain inviolable but no longer denote division and offer an opportunity of contact and cooperation.«*

Ours is the time of constitutional lawyers and legal experts. A lot may depend on good legal work. Such good work and successful ethnic regulation we can find in Switzerland and in Belgium. Today, lively discussions accompany the constitutional projects for such different and various cases as the European Union, Bosnia and Herzegovina, Cyprus, Ireland and Yugoslavia.

Maybe, a timely legal transformation of Yugoslavia into a proper confederation could have prevented the horror stories of Croatia, Bosnia and Herzegovina. Maybe, a new constitution for FRY with a restoration of the autonomous provinces or an introduction of new republics could prevent complications and more bloodshed in Kosovo. After the dramatic experiences of the last 150 years in Central Europe, and especially of the last 10 years in South Eastern Europe, violent nationalist and ethnic

confrontation should be interpreted as a failure of political imagination, legal sophistication and moral perseverance. *With the modern law-making concepts, decision-making designs, counseling, negotiation, mediation and arbitration techniques we should be able to find solutions to most problems*, even the most difficult and complex ethnic, social and human situations. The Swiss case, which may be one of the most complex ones in Europe, seems to prove this point. The Swiss ensured equal rights to all, even the least numerous national and ethnic groups, established the consensus type of democracy, and conditioned even small changes of social rules with popular referenda. Such a sophisticated system of government (which, in fact, is not an expression of classical political majority and does not know the usual opposition – because all the major parties are in the government as they are in the parliament) may be less practical in a backward society hungry of social change, but it should be considered in all multinational and/or multicultural societies. And no legal-constitutional effort should be spared in the management of their relations. Sophisticated constitutions and complex solutions are introduced sooner or later – before or after civil war.

The problems of Bosnia and Kosovo have been handled in a more or less hesitant and conservative manner. In the end, political and military pressures from the United Nations and particularly from NATO stopped the crudest forms of hostility, but a *comprehensive solution* – including new constitutional rules and international agreements between the regional players – has not yet been sought or found. The South East Europe Action Plan proposed by the U.S. government at the beginning of 1998 – perhaps enhanced by a multilateral conference which should include the concerned countries and all the neighbors - may be an opportunity for such a comprehensive solution.

Ours is the time of constitutional lawyers. Ours is also the time of the painful culmination of the contradiction between *autonomy and integration*. In this time, new constitutional solutions will have to be found not just for the South East Europe, but also for the European Union itself. Its constitutional problems have in the past years revolved around the issues of *widening* and *deepening*. Deepening is another word for integration and resignation of national sovereignty, while – at least in the past - widening has been understood as a complication which would make the integration (e.g. CFSP, EMU) either impossible or restricted to a core group of nations.

Slovenia that has been invited to start negotiations to become a full member of the EU will have some problems with giving up its sovereignty. Its problems will be similar to the problems of other newcomers that have enjoyed sovereignty for a very short period, or have had a more or less unhappy experience with being integrated into transnational alliances against their will. But I do not believe that the problems of these countries will create the greatest obstacles to integration. The dilemma between integration and autonomy, the problem of the reconciliation of the common interest with the national one, will hit the hardest the great nations like France, Germany, Great Britain and Italy. A new constitution of the EU, probably based on the principle of subsidiarity, will have to resolve the problems in such a way that it will not harm the cultural substance of the constituent nations. The European formation, which will arise at the beginning of the new millennium, will most probably contain more asymmetry and less uniformity than originally expected. Maybe, it will introduce Swiss solutions, which will give some hard time to those who will deal with the problems of economic efficiency. It

was economic efficiency that has motivated the European nations to grow closer together in the first place.

THE EU AND SLOVENIA

The dynamics of accession affect the Governments of the applicant countries.

In 1991, almost immediately after independence, when I was Minister of Foreign Affairs, I told the representatives of the EU when I met them at various conferences, or when they visited Ljubljana, that Slovenia was prepared to be put on the »fast track« regarding the membership in the EU. I remember my meeting with the then Czech Prime Minister Klaus. We agreed that neither the Czechs nor the Slovenes should be knocking too politely on the European door, but we should demand an early and equal entry. Our economies, we said, are doing better than the economies of Greece or Portugal that are already members.

Then came the delays. EU and also the US demonstrated very clearly that they were not prepared for the fall of the Berlin wall, and that their invitations to the Reformers and Dissidents in the East (meaning Central and East Central Europe) to join the Western Free World had been more or less rhetorical. Slovenia had an additional problem: it was – in the minds of many politicians and also analysts – somehow connected with the Yugoslav crisis.

The idea of an early membership in the EU was an idea of the Slovene new democratic government, and it was not necessarily very clear or welcome in the general population. We believed and even said that we did not want to become an island in Europe; that we had to abandon Yugoslavia, because Yugoslavia as a whole was not

prepared for democracy and market economy (not to mention the Serbian Nationalism); that we were aware of the small size and rather small economy of the country (U.S. territory = 470 Slovenias; U.S. population = 127 Slovene populations), and that our membership in the EU made sense for economic and political reasons.

In 1994, some conservative parties, a strong group of intelligentsia, the rather politicized Constitutional Court and the media of unlimited freedom – started a campaign against »the irresponsible drive to the EU.« The delicate issue was the menacing right of foreigners to own Slovene land. This conflict has been overcome only in 1996, but the opposition against the EU, which is primarily an opposition against the Government Parties²⁰

The most effective instrument of the Pro-European group of Slovene Parties (not necessarily participating in the Government) in its advocacy for the EU has been another threat. It has been argued that – if we do not join the EU – we shall be returned back to the Balkans which would mean a cancellation of all the efforts of the last decade. Many South Eastern Initiatives and projects have contributed to these threats: SECI, The Royaumont Process, Multinational Peace Force for South Eastern Europe (MPFSEE: Ankara-Bucurest initiative); the Stability Pact etc. The Government defended itself in the following way:

In the past eight years, Slovenia has been a stable democracy and a rather successful economy. Our economic, political and cultural sympathies and ties are with the West, and this cannot change. We can and should participate in the initiatives concerning the Balkans, because we know the region quite well; because we must, as a

²⁰ Today, in 1999, the Government coalition consists of three Parties: Liberal Democracy (LDS), (Conservative) People's Party (SLS) and Pensioners' Party (DESUS).

responsible factor of international life, act in a responsible way in accord with other nations in the region; and because we demonstrate with such activities that we are, in fact, detached from the traditional Balkan mentality (most prominently displayed in the policies of the Milo_evi@regime in Belgrade).

Slovenia is burdened with internal political conflicts stemming from three historical and present problems: *a) relatively short experience with independent statehood, b) traditional Slovene divisions between Church and Conservative Nationalism on one side, and Left-leaning or Liberal Internationalism, on the other; and c) extensive and slow processes of Privatization and De-Nationalization – which may have been designed in a fashion that was the most Radical in all Central Europe (restitution in natura and financial compensation).*

The situation is ideologically overheated by recurrent controversies regarding the past – which cannot be changed and which should not concern the younger generation. The traditional historical divisions (Clericals – Liberals) have, in WW II, transformed themselves into pro-Fascist and pro-Communist affiliations which, to a certain extent, still live in the new political Parties. Such burdens and dis-orientations have slowed down the decision-making processes.

In its Foreign Policy, Slovenia is basically oriented towards EU and NATO. In Slovenia, the membership in NATO is less controversial than membership in the EU. The discussions in the Parliament and the Opinion Polls show very high support for NATO, and it is unfortunate that the first round of expansion has not included Slovenia. Slovenia was not big and famous enough, and we must have underestimated the key role of the U.S. Senate. The »discrimination« of Slovenia has produced a lack of physical

connection between Italy and Hungary, and it has overlooked the possibilities of the assistance of Slovenia in Balkan affairs. Slovenes could serve as mediators and interpreters of these affairs, and they have traditionally enjoyed the trust of Bosnian Muslims and Kosovars.

Kosovo has been the origin of Mr. Milo_evi's rise to power, and it will, in the end, be the origin of his demise. The territory of Western and Modern culture in the region is expanding. In a relatively short time, if no great mistakes are made, Serbia will remain the only underdeveloped, non-reformed part of the region, almost an island that the waves of modernization have avoided. So, it is vital to strengthen and encourage the countries around this island of backwardness. In the end, of course, all this region will be part of the E.U. It cannot function properly with an island of crisis between Slovenia, Hungary and Greece; as NATO cannot function properly with a discontinuity between Italy and Hungary.

THE IDENTITY PROBLEM

Forced integration brings disintegration. The dilemma between the consensus- and majoritarian democracy is also an issue for the EU.

Some people believed that the EU could one day become like the USA, which is a *nation made of states*. I am not sure that this would be an attractive option for the Europeans. Europe may, one day, become a *state made of nations*. The real problem of such a state would be connected with the security of full and uninhibited *national life*. By national life I mean free expression of national culture; cultivation of national language, preservation of the vital national institutions – from national film and TV and other media industries, national theatre, national museums and galleries to all kinds of schools,

education facilities and their curricula. By national life, I also mean national politics, national protection and security services. National life usually prospers in national states, but it can also thrive in multinational organizations such as Switzerland, Belgium, Great Britain or... the future European Union.

It is a shame that the right to national life (which is the substance and consequence of the right to self-determination) has not been recognized to, or rather withdrawn from, the Albanians in Kosovo. The Kosovars are enveloped within the nationalist Serbia which – at the moment – is the dominating – factor of the FR Yugoslavia. FRY is the residue of former multinational SFRY. Former Yugoslavia did not fall apart for being a multinational state, but because it was a badly run multinational state with the tendency to stay Communist and develop into a Serbian dominated dictatorship. *Actually, it was not the disintegration that brought the demise of Yugoslavia – or, for that matter, Soviet Union. The reason for the disintegration was – forced integration.* It was Serbia that blamed Yugoslavia for its multinational structure and culture (or rather for not recognizing the Serbs the right to total domination), and it is the same people in FRY (i.e. its current President Mr. Milo_evi@) who claim the same thing today. One of their most dangerous claims is that - by falling apart and by getting rid of the troublesome nations – Yugoslavia has finally recovered and established itself as a proper (if not »pure«) Serbian national state. They may not consider FRY as the ultimate fulfillment of the process, but the reason for such consideration is not due to an anticipation of further disintegration, but rather to the expectation that, in some future, *Republika Srpska* might join FRY and thereby provide for the missing part of *Greater Serbia*. FRY as it is now is still very much a multinational state, and it should be run like

other multinational countries which means that it should be thoroughly reformed or, maybe, reorganized into new units.

Multinational composition of a state certainly does not make matters easier. Such composition calls for a lot of *diversity management*. The models of such management we have seen applied in Switzerland, in Belgium, in Great Britain... Now, we see one in action in Bosnia (*Dayton Agreement*), and we may see another one applied to Kosovo (*Rambouillet Agreement, Stability Pact*). But the real challenges will be within the EU and NATO. As Strobe Talbott has proposed in his speech at Aspen Institute:

This means pooling sovereignty in certain areas of governance and, in other areas, granting greater autonomy to regions. It means simultaneously relinquishing some powers upward and devolving others downward. On those matters where borders have become an obstacle to efficiency and prosperity, such as commercial activity and monetary policy, much of Europe is investing authority in supranational bodies. The euro is only the most dramatic example.

On other matters, where communal identities and sensitivities are at stake, such as language and education, central governments are transferring power to local authorities... In Britain, the Blair government has sanctioned the establishment of parliaments in Scotland and Wales, thereby, however paradoxical it may seem, actually making the United Kingdom more united, because the institutions of governance are more accommodating of the national communities that make up the state... 21

We are discussing these problems at a particularly interesting moment in history: 150 years after the 1848 revolution which has – with certain difficulty – *opened the door* to the spirit of *national self-determination*.²² While we consider that “*open door policy*”

²¹ Strobe Talbott, »The Balkan Question and the European Answer«, The Aspen Institute, Aspen, Colorado, August 24, 1999.

²² Henry Kissinger has contributed many interesting insights into the problems of state-sovereignty and self-determination. Recently he has discussed the issue in »The End of NATO as We Know it?«, *The Washington Post*, August 15, 1999.

we should remember that that particular door has been “opened” by European domestic, home-grown (Democratic, Liberal, Bourgeois...) forces. It took seventy years to test this »spring time« spirit of 1848 with the practical establishment of the new states like Czechoslovakia, Hungary, Poland and Yugoslavia; and it happened with the help of the Americans who – for the first time – established themselves as an essential European power, while Europe was invited into some sort of Atlantic cooperation. At this time – 80 years ago – an American President (W. Wilson) came to the rescue of the oppressed Central and Eastern European nations. This »rescue operation« is being concluded while we speak. At the beginning, it was burdened with some misunderstanding, and it may generally be regarded as controversial. But it was nevertheless a rather successful conclusion of the process of national liberation. This is one side of the medal.

The interesting coincidence is that we can, at the same time, acknowledge the 50th anniversary of major American involvement in the post-World-War-II-Europe which meant the beginning of the Trans-Atlantic solidarity. At the same time, we are almost at the end of the decade which brought freedom and self government to most previously repressed nations of Central and Eastern Europe.

Europeans are not facing just the expansion of the European Union itself (so that it would consist of 20 or even 25 states), but also its integration into a new *Transatlantic structure* that different documents and different leaders have named and interpreted in different ways, but it is mostly a new stage of development of NATO. Some have called it “The Transatlantic Community” or “Euro-Atlantic Partnership”, others “an economic NATO”...

Under the circumstances of such ambitious plans of globalization, management of diversity is vital. This is the problem of Kosovo, Israel, Ireland and many other states of the former Soviet Union. Their wars and conflicts are in many ways consequences of ill understanding and disrespect of differences. Here, we can most easily observe the limitations of conventional democratic recipes and concepts. The majoritarian democracy that the Serbs wanted to introduce in Yugoslavia after the demise of Communism, produces Civil War. Democracy must create conditions in which a minority has the possibility one day to become a majority. Formation of states must be adapted to the form in which a minority can become a majority; multinational states (for example, the future EU) must organize themselves in such electoral units in which individual national groups could not be outvoted. This is the difference between a state of nations (EU) and a nation of states (U.S.A.).

It will be necessary to develop new democratic concepts and mechanisms which will suit the new multinational situations arising from new integrations within Europe and especially between Europe and America. For this purpose, a new political imagination will be needed. Unfortunately, from 1992 to 1995 in Bosnia political imagination was missing, or it failed, and it has not yet recovered in Kosovo. It is awake in Great Britain and in Ireland, let us hope, also in Israel and with the Palestinians.

The problem of the Transatlantic community may be a coexistence of two completely different integration principles. On one hand, Europe is founded on national identities, while on the other hand, United States is founded on the identity of a nationless state. Americans do use the expression “*multiculturalism*”, but *American culture* is again entirely different from the European *cultures*. A lot of political imagination will be

necessary to reconcile such differences; but presumably, one should start out from the differences themselves, and from the autonomies of the European and the American “pillar” of any Transatlantic community.

Strobe Talbott has a good reason to argue that “the old system of nation-states – each sovereign in its exercise of supreme, absolute and permanent authority – is giving way to a new system in which nations, feel secure enough in their identities and in their neighborhoods to make a virtue out of their dependence on one another.” The problem is, of course, political. In democracies, political leaders are, by definition, most reluctant to indulge in converting their “subjects”. They would rather go along with, and pick up the persuasion of the majority. In Europe, national sovereignty is still quite high on the list of the prevailing values. So it would seem, that many people – ordinary people and national elites – will have to be persuaded what Talbott, most of the American establishment, the American and partly European academia plus this author, are already persuaded about.