One Cyprus to build on a societal basis

With reference to mrs. Lot van Hooijdonk, master in history of international relations, University of Utrecht, "Cyprus: a modern Trojan horse in the enlarged EU?", in: "Internationale Spectator", periodical of the Institute "Clingendael", The Hague, January 2004, 39-43.

In this short contribution, I will try to amplify the column of Lot van Hooijdonk with the description of an approach to achieve a durable reunification of Cyprus. In her particularly interesting story about the Cypriot split and the efforts to undo it, author Van Hooijdonk does not take a position on how the reunification can be made sustainable. She does repeatedly express her scepticism about the issue: "However, it is to be doubted whether *leadership and population* are willing to adopt a constructive attitude towards the other party. *This seems to be the actual problem*. (...) So, it is still possible that *under the pressure of the Cypriot public opinion ...* a favourable climate of negotiation would arise that would lead to results. (...) A successful, central authority would therefore be a novelty. It is doubtful whether both *communities* are ready for reconciliation." In her conclusion below the title 'A Trojan horse', mrs. Van Hooijdonk repeats her observation that there is little or no social basis for the political reunification: "The bottom line is that the structural distrust and the lack of willingness have always been to be blamed for the breakdown of all negotiations." With those words (my italics), she also points out the importance of the support of both communities as such for a political and juridical agreement that should lead to a reunification.

Those passages of the column touch the basis of what I want to explain here. Those who talk about a political agreement, are talking of making arrangements, approving juridical and other standards and establishing public institutions. Therefore, arrangements, behaviour, standards and institutions must, in order to be sustainable, result from societal convictions and situations, and not the other way round – if not, they yet will lead to inertia, instability or even violent conflicts. States and their internal organisation exist in a stable manner, just like other associations, thanks to a minimum of *societal support*. If that is not (longer) available, the state disappears or is thoroughly reformed. Examples hereof are legion in Europe, f.i. Yugoslavia, Czechoslovakia, Belgium and Spain – out of Europe, f.i. Sri Lanka and the Solomon islands. In other words, a more or less *bottom up* approach is always needed to make arrangements, standards and institutions work.

If one's objective is a sustainable reunification of Cyprus[i], such a social support is therefore a compelling requisite. Hence, that support comes first, afterwards the political process. Without the former, the latter is senseless – at least not effective.

The division of Cyprus is a fact for thirty years now; this period spans more than one generation. Time is in favour of this situation – every separation leads to the growing apart of the communities in question; just look at the social and political consequences of the fast but at the same time purely politically prepared annexation of East Germany to the Federal Republic (an example of a *top down* approach). Mrs. Van Hooijdonk pointed out that the stalemate dominates the Cyprus case until today. In my opinion this stalemate can only be broken down in a sustainable way by a *bottom up* approach of the problem.

Hence, in this reply it is not my aim to propose another political model for Cyprus, but to draw the attention to the societal support, say the social base, for a political arrangement that cannot be more fundamental in relation to a state organisation. Many propositions for the

political organisation of a reunited Cyprus have already been made, which rarely contain a societal aspect[ii]. The same is true for the current UN plan.

That is why I plead for an approach through the mapping of the societal opinion and situation, the analysing of the problem and the causes thereof, and finally the stimulating of the social support through the undertaking of carefully selected actions[iii].

More than ever, a process of societal development has to be brought about and completed, before a decision about a comprehensive structural and institutional reform should be made. The goal should be to raise the current deadlock via a process-minded approach that acts inwards and bottom-up and to which all the relevant parties are committed. A juridical and institutional reform of Cyprus would be the result of that process, not the start of it.

In doing so, it is superfluous, even pernicious, to have a text of negotiation or a political agreement between the parties that wants to settle everything right away. Such a process has to start modestly to increase the chances for an optimal result, namely a reform that leads to a juridical and institutional framework that is compatible with the EU. The limited agreement should only concern the process-minded approach in stead of an institutional and juridical one.

The process has to be directed towards the confining of the negotiations to the urgent problems which are connected to the action of a reunited Cyprus as a member state of the EU and as a member of the international community, such as the accession to the EU, the establishment of a Cypriot common system of government for EU matters and other external relations and the approval of a new treaty between Cyprus and some other states, which guarantees the existence of the Cypriot state[iv]. Consequently, the representatives of the two communities would sign an agreement that only minimally arranges this external aspect of the case. That's all it takes to start or to continue the societal process, when a bicultural Cyprus joins the EU.

The imperative feature of this agreement is however its perfect reciprocity; this means that the modification of or the withdrawal from the agreement should be approved by both communities. That is a precondition to maintain the Cypriot union. This condition is at the same time the core of federalism: nor a unilateral termination, nor a unilateral modification of the relation between the communities is allowed[v]. Contrary to a confederation, a federation contains that the *sovereignty* is permanently *shared* between the federation as a whole and the parts thereof, in this case the two communities, because the autonomy of any of those governments cannot be legally abolished without its permission. This definition of federalism leaves the rest of the question entirely open, for instance the division of competence, solidarity, instruments of co-operation – for there exist as much forms of federal systems as there are federations[vi].

The societal process on the contrary, should determine a definition of the Cypriot problem, should justify this definition verifiably (facts, figures and opinions), define and justify the goal and analyse the problem with causes, such as religious, cultural, linguistic, emotional or economic obstacles. Consequently, it has to analyse the costs and benefits of the addressing of the obstacles and to formulate actions in consideration of an effective and efficient solution of the problem, on the short and on the long term.

A societal action recently started, however top-down and without a process-minded framework. In April 2003, the Turkish Cypriot leader, Rauf Denktash, finally agreed with the crossing of the truce line (the "green line"); since then, more than 400.000 people crossed the UN guarded border in both directions. This way, the communities can come into contact with each other again, of which those who had to leave their homes in 1974, can visit that place and the remaining relatives on the other side. All this can contribute to the gradual proceeding of the much needed assimilation process.

I expect more of such actions if they are undertaken in a structural and goal dedicated way, than from a new institutional plan with a road map and a time schedule[vii]. Of course, also the political evolution on the Turkish-Cypriot side increases the chances for a reunification[viii]. The Trojan horse can indeed be beheaded, but that is not enough: the pulling down of mourning, fear, revenge, envy, prejudice and so forth should continue up to the societal wheels, in order to build in fact a bicultural Cypriot society. In other words, the two communities as such should get the opportunity to express through a structural process their emotions and opinions about the coming to terms with the past and about the reunification in the future; not earlier comes the test on sustainability.

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[i] According to specialist literature, the reunification would be open to discussion for both communities long ago: "The fact that Turkey was military stronger than Greece led to the abandonment of *enosis* as a practical goal. Moreover, by the early 1970s, both Greek and Turkish Cypriots had come to see themselves as Cypriots first and no longer sought union with either of the two neighbouring countries." (in: Federal Systems of the World: a Handbook of federal, confederal and autonomy arrangements, comp. & ed. By Daniel J. Elazar, publ. by Longman Group Ltd., Harlow, 1994). During a study visit to Belgium in 2002, organised by the Free University of Brussels, Turkish Cypriot university graduates, researchers and managers confirmed to me the specific identity of their community, even towards Turkey: they explained f.i. that their language among them is sometimes so transformed, that Turks from the mainland to not understand them at all. The foreign press mentioned this specific identity of the Turkish Cypriots, f.i. recently the Belgian newspaper De Tijd, "The trichotomy of Cyprus", January 29, 2004.

[ii] A creditable example of the institutional approach is the book of the Centre for European Policy Studies (CEPS): Emerson, Michael & Tocci, Nathalie, "Cyprus as Lighthouse of the East Mediterranean – Shaping Re-unification and EU Accession Together", CEPS, Brussels, 2002.

[iii] The approach is based on the methodology of interactive and integrated policy making, designed by Klinkers Public Policy Consultants, the so-called "Klinkers method" (www.klinkers.info).

[iv] The Treaty of Guarantee between Cyprus, Greece, Great Britain and Turkey is still constitutionally binding and it has a federal basis: it determines that the two communities accept the power is shared and that the Cypriot constitution can only be changed by consensus of all the treaty parties.

[v] Tombeur, Herbert, Definition and value of federalism, to be consulted at http://users.pandora.be/tombeur.

[vi] Watts, Ronald L., Comparing federal systems, MacGill-Queen's University Press, Montreal & Kingston, 1999.

[vii] At the end of February, 2004, when this contribution was written, the UN, the Guarantee States and the two communities agreed upon the following: *1* negotiations start over, on the basis of the UN plan of November 2002 (the 'Annan plan'); *2* until March 22, 2004, the communities will negotiate about modifications of this plan, under the auspices of the UN; *3* if they do not reach an agreement, Greece and Turkey, will negotiate under the guidance of the UN secretary general; *4* when still no full agreement is reached, the parties may make an appeal to the UN secretary general to make a common text, which will be subjected to a referendum in both communities on April 21, 2004.

[viii] In December 2003, the political parties that are *in favour of the reunification and EU*, scored a victory during the Turkish-Cypriot parliament elections. They got as strong as the opponents. Because of this, president Denktash has to tolerate Mehmet Ali Talat as prime minister on his side; mr. Talat is also the leader of the biggest party that is in favour of the reunification and EU.