Conflicts over Sovereignty in Europe in the so-called Post-Sovereignty Era

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CONFLICTS OVER SOVEREIGNTY IN EUROPE IN THE
SO-CALLED POST-SOVEREIGNTY ERA

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While aiming to shake some of the dominant narratives and conceptions concerning sovereignty and territoriality in the European Union, this chapter intends to contest the so called post-sovereignty approach that deems territorial and sovereignty related problématiques as epiphenomena, or at least as phenomena belonging to a different era. Such disputes are often labelled, with a clearly negative and démodé connotation, as Westphalian. One of the core arguments is that trends such as interdependence, increasing international trade, mobility, migration, cross-border cooperation, European integration, and the development an incipient form of global identity, leads to an inevitable demise of sovereignty. The current chapter does not intend to undermine such developments but to challenge the causal relationship established between these phenomena and the post-sovereignty, post-territorial argument. In other words, sovereignty or at least some forms of sovereignty seem to be fully compatible with mobility and globalization.

The chapter is divided in four parts. Firstly, some reflections about territorial and sovereignty conflicts will be critically discussed. Subsequently, it will be argued that the EU represents a fertile ground for these sorts of disputes. To illustrate this argument, the chapter will explain and scrutinize the impact of supranational, interstate and sub-national clashes in the European Union.

I. They do not know it, but they are doing it

As O'Dowd argues, one of the problems of the narratives that advocate the post-national new world order is that they undermine the complexity and flexibility of a "state's infrastructural power and its territorializing thrust." More worryingly, they fail to grasp that "we continue to live in a world of diverse states."\(^1\) For the sake of this chapter's argument, it is necessary to state one of its core assumptions: far from disappearing, borders enjoy enviable health, and partly due to this, they are susceptible to causing friction between neighbours or between state actors and sub-state entities. As Stephen Krasner puts it, national borders, despite their alleged erosion, "still represent the fault lines of conflict."\(^2\) As for states, despite their critical transformation over the past decades, they still repre-

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\(^1\) O'Dowd, L. "From a 'borderless world' to a 'world of borders': Bringing history back in", *Environment and Planning D: Society and Space*, vol. 28, 2010, p. 1032-1034.

sent the ideal form of organisation of nations, or at least the most popular, globally spread and with the greatest material power at their disposal.  

Brunet-Jailly, in his global encyclopaedia of border disputes, divides border conflicts in three different groupings: territorial, positional, and functional. The French scholar warns us that territorial disputes are the “most complex, most encompassing and most historically charged of all border disputes.” Bearing that in mind, it is not surprising that these disputes will be my primary focus. Regardless of whether they are of a violent nature or not, a great deal of border conflicts could be considered intractable. Sovereignty, I argue, is not just one more factor of such disputes. It seems reasonable to claim that sovereignty is at the very core of territorial disputes, or as the Arabic metaphor goes: “the mother of all factors.”

Needless to say, as Brunet-Jailly suggests, we may have other significant factors contributing to territorial disputes – such as a sense of belonging, culture, religion, language, etc. – which underpin such territorial conflicts. However, they all seem to be related, and perhaps even subordinated to, sovereignty. In his renowned book Organized Hypocrisy, Krasner distinguishes between four different types of sovereignty: domestic, Westphalian, interdependence, and international legal sovereignty. Some of these typologies are associated with control (interdependence sovereignty), others with authority (Westphalian and international legal sovereignty) and finally domestic sovereignty, which is defined as the, “formal organization of political authority within the state [and] ability to exercise effective control within the borders of their own polity,” and which encompasses both. The usefulness of this categorisation lies in the fact that it prevents scholars from using the concept in a unidirectional manner. In other words, losing interdependent sovereignty does not necessarily lead to losing international legal sovereignty, a dimension connected to recognition that is universally sought by states and aspiring states alike.

For the sake of clarity it should be noted that my understanding of sovereignty is both straightforward and flexible. Straightforward in the sense of Krasner’s categorization, wherein sovereignty is ultimately connected to control, authority, and power over a particular territory; while also flexible, since the phenomenon does not merely characterise lines in the sand or agreements and disagreements between two or more states. The term sovereignty can also (and should also) be applied to conflicts between subnational polities, often referred to as national communities or encompassing groups and the state they aim to challenge, as well as between the state and supranational entities, as will be shown below.

In order to develop my argument, it is imperative to scrutinise two initial considerations that are both inescapable and controversial. The famous quote,

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5 Ibid.
7 Ibid., p. 4.
"Sie wissen das nicht, aber sie tun es," from the first volume Karl Marx's Das Kapital, has been translated into English by the Slovenian philosopher Slavoj Žižek as, "They do not know it, but they are doing it."" According to Žižek, this Marxist sentence represents the most rudimentary conceptualisation of this illusion that structures our social reality -that of ideology. Arguably this same formula, (they do not know it, but they are doing it) can be applied to illustrate the territorial and sovereignty ethos that underlies some conflicts that are not generally associated with sovereignty and territorial matters.

Let's consider, for instance, the religious decoration and paraphernalia that the Islamic State (IS) is recurrently using to embellish and foster its narrative and its ideological aims. While some elements such as their religious zeal or their macabre modus operandi are well reported, the sovereignty dimension of the IS is often neglected in most analyses of the terrorist group. However, a closer look of their discourses reveals objectives of an eminently territorial nature. For instance, in the first edition of their propaganda magazine Dabiq, the group boasts about demolishing the Sykes-Picot Agreement and announces the, "further construction of the Islamic State and expansion of its territory." These territorially driven semantics can further be seen in a video recorded in 2014, while the group was on a conquering rampage on the Syria-Iraq border. As one of the IS militants stated: "This is not the first border we will break, we will break other borders."

Hence what this group is implementing is perhaps not so much connected to the transnational idea of the supranational Muslim community or ummah (although they appeal to it), but rather to a territorially bounded project, which is therefore inevitably engaged in territorial frictions with its neighbours - that is those that have been disempowered and whose borders have been violated. The main point of this digression is that territorial and sovereignty conflicts transcend what we perceive as territorial disputes and as a result 'non-territorial' conflicts may in fact be rather territorial after all. In other words: they do not know it, but they are doing it.

The second controversial assertion, briefly introduced above, consists of a critique of some of the globalist postulations according to which national borders are or are becoming irrelevant and sovereignty itself is waning and dissipating. I argue that, if this is our point of departure, we will probably find it impossible to explicate the existence, persistence and in some cases multiplication of conflicts linked to territoriality and sovereignty. For instance, the growing phenomenon of secessionism, which I claim is essentially driven by sovereignty, can hardly be explained if we remove the sovereignty dimension out of the equation. Therefore, to argue that sovereignty is becoming less relevant, as fashionable as it

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10 Ibid.
11 This 1916 agreement, also known as Asia Minor Agreement, between the United Kingdom, France and the Russian Empire was determinant in shaping the borders of what would later become the future states of Syria and Iraq.
may be, has direct detrimental consequences for our understanding of contemporary [territorial] conflicts.

II. The EU fertile ground

After setting the scene, it is now necessary to turn to the core of the chapter’s argument and put into question the image of Europe as the post-sovereignty ‘poster boy’. Indeed, Europe, and more specifically the European Union, has been used as the textbook example for the post-sovereignty, post-national order. However on closer inspection, as shocking as this may be to some, the EU appears to be fertile ground for conflicts of a territorial and sovereign nature. In brief, it seems as though we were dealing with a medical paradoxical reaction. European integration has created its own principles of disintegration and it may be prompting sovereignty related conundrums. To illustrate this point, this section will concentrate on sovereignty conflicts between member states and the European Union and on territorial disputes between member states.

The EU has indeed gradually consolidated its own myth of post-territorality, according to which this organization has successfully been able to become a post-Westphalian polity, whereby ridding itself of territorial conflicts. This is not only incongruous, but also appears to be untrue. This incongruity is the best justification to focus an analysis of the importance of sovereignty in the 21st century in the EU; or more specifically on the territorial and sovereignty conflicts affecting the supranational organization.

If we consider recent academic literature on the topic, we will soon notice that the EU has been used as a paradigmatic example and has served as some sort of dialectical ammunition to undermine the significance of borders and territoriality. For instance, the famous constructivist John Gerard Ruggie, claimed that in the EU, “the process of unbundling territoriality has gone further than anywhere else,” because it represents the first “multiperspectival polity”. The gloomy reality is however that borders and territoriality have not disappeared nor become unbundled from the EU. To put it poetically, the main problem of this post-sovereignty narrative is that by focusing on a bee, it has forgotten about the forest, and this forest is nowadays made up of several trees.

III. Euroscepticism: a matter of sovereignty

One of these trees is Euroscepticism. This concept epitomises the opposition to European integration (and the EU in general) and has gained ground and mo-
mentum in several member states. Taggart distinguishes between two kinds of Euroscepticism: a contingent or qualified opposition, which is reluctant to accept further integration but that does not contemplate EU withdrawal, and an unqualified outright objection to the EU, which does. The term and the ideas behind it, though born and bred in Britain, have now spread to other parts of Western Europe and to Central and Eastern Europe. As a British construct, it could be argued that the idea is deeply embedded in British history and British political culture. Churchill’s famous quote, “we are with Europe, but not of it. We are linked, but not comprised. We are interested and associated, but not absorbed,” is often used as evidence of such linkage.

The prominence of the Eurosceptic ideology in the United Kingdom, and its influence amongst British conservatives, bear a great deal of responsibility for the celebration of June 2016 United Kingdom referendum on European Union membership — popularly known as the Brexit referendum. The results of the EU Parliament election on May 2014 represented a turning point, as they catapulted a genuinely Eurosceptic party, the United Kingdom’s Independence Party (UKIP), to the most voted party in the UK with over 26% of the votes and 24 MEP’s. This party’s success may be seen as one of the contributing factor to David’s Cameron call for an in or out referendum, due to take place in June 2016. While a detailed analysis of this plebiscite is not possible due to space constraints, it is worth noting that its celebration demonstrates that sovereignty disputes between member states and the EU are no longer at a latent stage but they are now an essential part of the political debate in Europe. Sovereignty and territoriality are indeed at the very core of the matter. As Glencross points out: Euroscepticism is connected to the need of asserting national distinctiveness through (re)establishing self-government. This inevitably establishes a parallelism between this phenomenon and secessionism though with a scale difference: instead of aiming to secede from a nation-state, Eurosceptics aim to withdraw the membership of their nation-state from a supranational organisation. As a result, in the particular case of Brexit, this re-establishment of sovereignty and self-government would have to be conducted through a repudiation of an international treaty.

The Brexit referendum deserves a great deal of thinking and reflection that should go well beyond political quarrelling about the subject. It is overly simplistic to reduce the issue to mere political opportunism by certain individuals. Perhaps it would be semantically more accurate to refer to the term as ‘EU-scepticism’, however, provided that ‘Euroscepticism’ is widely used in academia, and in order not to deviate the attention from the main argument, I have decided to stick to the latter.

22 It is, therefore, not surprising that the paradigmatic Eurosceptic party in the UK, the UKIP, uses the very word ‘independence’ on its name.
roots are much deeper than that and deserve close examination by EU policymakers; not least because there is direct link between European integration and this sovereignty dispute. This problématique shows that not only has the EU been unable to create a cohesive European identity amongst its citizens, but it has, through a paradoxical reaction, awakened and even exacerbated territorially bounded tensions in the United Kingdom and elsewhere.

IV. Interstate conflicts in the EU

In addition to Eurosceptic related tensions, there are additional problems related to sovereignty in the European Union. According to the data gathered by the Conflict Barometer, there are nine conflicts of an inter-state/territorial nature in Europe. Four of them include at least a member of the European Union as well as other non-member state: the conflict over the Arctic, which includes Denmark, Estonia and Russia over the demarcation of the common border, Turkey and Cyprus, and several conflicts between Greece and Turkey. Interestingly, in the case of Turkey these disputes occur between a member state and a candidate country. Decades of a (mostly) constructive bilateral relationship between the EU and Turkey has done little to tame territorial disputes between Ankara and two EU member states (for example Greece which has been in the EC/EU since 1981). Moreover, the Conflict Barometer highlights two cases where the territorial dispute is between two members of the EU: the conflict over Gibraltar between Spain and the UK and the maritime dispute between Slovenia and Croatia over the Gulf of Piran. These two rifts between EU member states demonstrate that far from being eroded by political integration, sovereignty disputes continue to exist and in some occasions they have the potential to poison bilateral relationships between partners. The dispute over Gibraltar’s sovereignty provides a useful illustration of the lack of entente between two states who are otherwise friends and members of the same political, economic, and military organizations.

This territory, which covers an area of less than 7 km² and with just over 30,000 inhabitants, has been under British rule since 1713, when the territory was ceded in perpetuity to Great Britain. Spain has unsuccessfully attempted to re-take the territory by force (1779-1883), by blockade (1969-1982) and by diplomatic means, in particular through favourable UN resolutions. Far from disappearing or becoming eroded, this sovereignty conflict has persisted and it continues to create serious diplomatic frictions between Spain and the UK, as well as land-border and sea incidents. For instance, the disagreement over its territorial

25 Ibid.
26 "Peace and Friendship Treaty of Utrecht between Spain and Great Britain", https://en.wikisource.org/wiki/Peace_and_Friendship_Treaty_of_Utrecht_between_Spain_and_Great_Britain (1.3.2016). Article X of such Treaty leaves no room for interpretation in terms of the ownership and sovereignty of Gibraltar: "The Catholic [Spanish] King does hereby (...) yield to the Crown of Great Britain the full and entire propriety of the town and castle of Gibraltar, together with the port, fortifications, and forts thereunto belonging; and he gives up the said propriety to be held and enjoyed absolutely with all manner of right for ever, without any exception or impediment whatsoever."
waters has provoked very serious maritime incidents in the past years, the last of which occurred in August 2015.

The most fundamental aspect of this conflict for our argument is that the Spanish claim over Gibraltar, which continues unabated despite decades of European integration, and the fact that both states are considered close allies and belong to the same supranational organisation (EU) and the same defence alliance (NATO), the inter-state dispute per se.

Evidence that the conflict is, diplomatically speaking, in very good health is provided to us by the Spanish Foreign Minister José Manuel García Margallo, who in September 2016 stressed at the UN General Assembly his wish to, "reinitiate a bilateral dialogue with the UK about the decolonisation of Gibraltar." He added a rather straightforward and unambiguous comment that Gibraltar constituted the last colony in European territory. If we use journalistic parlance, we may consider these comments as sovereignty at its very best and probably at its lowest. Such semantics, with regard to the Gibraltar dispute, are not exceptional but rather common practice by Spanish policymakers, in particular in international fora such as the UN General Assembly.

European integration has therefore failed to dissipate or even relax the Spanish sovereignty claim over Gibraltar; neither has it lessened the determination of the British government to relinquish its sovereignty over this small piece of land in the Mediterranean. In fact, when it seemed that the British position was becoming more flexible in the early 2000s, the Gibraltar administration and its citizens sent a strong message to the Blair administration by refusing a potential (and ill-defined) shared sovereignty plan that was rejected by 99% of the local voters in a referendum. Despite the fact that the 2002 plebiscite was not legally binding, it had direct consequences in terms of forcing the British government to abandon its accommodating policy towards Spain with regards to Gibraltar. Rhetorically speaking, the gap that appeared unbridgeable remained unbridgeable.

Gibraltar is not the only sovereignty dispute between two EU member states that remains unsolved. Since their independence in the early 1990s, the young republics of Croatia and Slovenia have been involved in a three-sided conflict that involves the ownership of a small strip (Dragorija), the integrity of the Piran Bay, and most importantly the delimitation of their maritime sea borders. The dispute, which dates back to the early years of the Socialist Federal Republic of Yugoslavia (SFRY), has been categorised as an "unresolved issue of an interstate boundary." The fact that it was suppressed during the SFRY period did not lead to its extinction or even diminishment. Similarly, to other territorial disagreements, sweeping sovereignty conflicts under the carpet does not make them di-

31 Ibid., p. 564.
sappear, but rather ensures that that they may remain a latent force that can potentially re-emerge at a later stage.37

To put the matter into perspective, it is worth noting that Croatia has been an EU member since 2013 and Slovenia since 2004. It has been argued that in this particular case, the EU norms and values were pivotal in terms of overcoming nationalist sentiments and fostering mutual adjustments: "Powerful nationalist sentiments in Croatia and Slovenia had threatened disruption but were neutralised by the dominance of European integration."38 However, this deterministic vision of territorial conflict being inevitably overcome by integration, European or otherwise, does not always work in a logical and undevaugmenting manner, as the Croatian-Slovenian dispute illustrates. Far from being resolved as a result of their EU membership, the dispute has still not found a diplomatic solution. As supranational entity, The Permanent Court of Arbitration had been in charge of reaching a solution since 2016 – when the two states ratified an agreement to submit their territorial and maritime disagreements to arbitration – which was being brokered by the European Commission. Nevertheless, this fact does not epitomise the end of the story and therefore should not lead to an excess of optimism driven by a naive faith on the 'healing power' of integration. Indeed, in July 2015 Croatia withdrew from the Permanent Court of Arbitration over allegations of the court favouritism towards Ljubljana. As of 2016 the issue remains in an impasse since Croatia has, "ceased to apply the Arbitration Agreement."39 This case shows that territorial disputes are tremendously delicate and any minor bump, irrespective of successful integration and arbitration from supranational institutions, has the potential to jeopardise agreements and render them futile.

V. Secessionism, the highest stage of sub-national conflicts

With the aim of making the picture of sovereignty-related conflicts in the EU more complete, in addition to inter-state disputes and supranational frictions, we should also add the disputes of a separatist nature. As the title above indicates, secessionist conflicts represent the highest and most challenging stage of sub-national quarrelling between a regional entity and its respective host government. If we approach the matter from a quantitative perspective, using data from Conflict Barometer completed by the Heidelberg Institute for Conflict Research in 2016, we can reach two preliminary conclusions with regards to the impact of such conflicts in EU member states.40

Firstly, there is certainly a positive achievement. Unlike in other world regions, there are currently no territorial, autonomy, or separatist disputes of a violent nature amongst the 28 member states. The picture was rather different some
years ago with the existence of several secessionist groups who were engaged in political violence against their respective host states. The most important in military terms was undoubtedly the (provisional) Irish Republican Army (IRA), whose main objective was the political reunification of the island of Ireland and therefore the termination of British rule in Northern Ireland/Ulster. In 2005, in an act that would be one of the most significant steps of the (Northern) Irish peace process, this armed group declared the end of its armed campaign. Causally or perhaps simply just correlatively, a similar effect followed amongst other secessionist groups in Europe. In 2011 the Basque group Euskadi Ta Askatasuna (ETA), which had been violently fighting for Basque statehood for several decades, declared a permanent ceasefire in 2011. A similar step was taken by the Front de Libération Nationale Corse (FLNC) in 2014. With the ceasefire of the latter, it is possible to claim that no EU member state is challenged by violent means by secessionist sub-national groups.36

On the other hand, the ratio of secessionist conflicts (12.5%) does not contain significant differences with other world regions. Indeed, the 28 states of the EU represent 15% of the total UN members and its inhabitants represent approximately 7% of the world's total population.37 Consequently, this 12.5% is not abnormal in any way. The reflection that is worth considering is that far from disappearing, secessionist problems persist and persist at an average ratio in the EU despite (or perhaps because of) decades of European integration. In spite of decades of integration and post-sovereignty myths that have undervalued, undermined, denied, and swept under the carpet territorial conflicts, these problems persist in both latent and manifest form in the EU and elsewhere.

It is interesting to note that for decades, if we think in European terms, the phenomena of separatism and territorial disintegration had only affected the EU's eastern neighbours with a socialist past: namely Czechoslovakia, the Soviet Union, and Yugoslavia. In that regard, there is an astonishing inconsistency that is worth highlighting. While the EU was promoting the myth of undermining borders, territoriality, and national identities at an internal level, most of its members (23 out of 28) enthusiastically supported, encouraged, and lobbied (and continue lobbying) for Kosovo's independence. As Ker-Lindsay points out, the international community solution for Kosovo shifted in the mid-2000s from a self-government plan for Kosovo, which would enjoy a high degree of autonomy within Yugoslavia/Serbia, to unilateral independence from Belgrade.38 The core EU member states embraced that idea enthusiastically as proven by the fact that it only took them from one (the UK and France) to three days (Germany) to recognise their unilaterally declared independence on February 2008. Bearing in mind such diplomatic endorsement as well as the institutional support on the ground,

36 At least not in a significant manner. For example, there are several dissident Republican groups operating in Northern Ireland but they represent a very low level of threat and certainly no threat in terms of territoriality.
37 Heidelberg Institute for International Conflict Research, Conflict Barometer 2015, op.cit., p. 43-58. The Conflict Barometer identifies the following secessionist conflicts affecting EU member states: Cyprus, Corsica, Catalonia, the Basque Country, Scotland and Northern Ireland.
it is therefore possible to argue that the birth of Kosovo as a (para)state is partly due to the legitimizing actions carried out by EU member states.

It is sometimes neglected that the Kosovo conflict was triggered by a secessionist armed uprising by the Kosovo Liberation Army (KLA). As seen above, the same phenomenon took place in EU member states in previous decades. However, there is a fundamental difference. While it is true that armed groups with secessionist aims had a considerable importance in Western Europe in the 70s, 80s, and 90s in Northern Ireland, the Basque Country, and Corsica, these actors never challenged the border status quo. For Western European states, these groups represented at most, "an acceptable level of violence," a term coined in 1971 by the British Home secretary Reginald Maudling to characterise the IRA armed campaign. In other words, the violence of groups such as the IRA or the ETA posed a security threat, albeit never shook the pillars of the state. Currently, however, the secessionist challenge in EU member states is much more serious than in previous decades though fascinatingly it does not come from the 'atavistic' but from the 'ballot box.'

Table 1. Independence support in EU regions in regional elections

<table>
<thead>
<tr>
<th>Region</th>
<th>Independence Support</th>
<th>Population</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basque Country</td>
<td>58.5%</td>
<td>2.75m (53%)</td>
<td>2012</td>
</tr>
<tr>
<td>Catalonia</td>
<td>48%</td>
<td>7.5m (56%)</td>
<td>2015</td>
</tr>
<tr>
<td>Scotland</td>
<td>48%</td>
<td>5.3m (8%)</td>
<td>2011</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>41%</td>
<td>1.8m (3%)</td>
<td>2012</td>
</tr>
<tr>
<td>Madeira</td>
<td>38%</td>
<td>6.5m (57%)</td>
<td>2014</td>
</tr>
<tr>
<td>Navarre</td>
<td>31%</td>
<td>0.4m (1%)</td>
<td>2015</td>
</tr>
<tr>
<td>South Tyrol</td>
<td>27%</td>
<td>0.4m (1%)</td>
<td>2013</td>
</tr>
<tr>
<td>Sardinia</td>
<td>22%</td>
<td>1.6m (2.9%)</td>
<td>2013</td>
</tr>
<tr>
<td>Wales</td>
<td>18%</td>
<td>3m (5%)</td>
<td>2014</td>
</tr>
<tr>
<td>Corsica</td>
<td>15%</td>
<td>0.3m (-2%)</td>
<td>2015</td>
</tr>
</tbody>
</table>

With the aim of shedding some light on the impact of secessionism in Europe, I have compiled the regions and territories with the highest support for secession according to the latest regional elections. The procedure was methodologically simple. If a particular party had secession as a goal in its political programme or

39 The 'atavistic' and the ballot box is an expression used by the Irish Republican movement in order to describe their dual strategy, pursued in the 1980s and 1990s, which included electoral participation where the political wing, Sinn Féin, contested elections (ballot box), as well as armed struggle carried out by the Provisional IRA (atavistic).

40 Source: elaborated by author based on data from "Parties and Elections in Europe", 2016. http://www.parties-and-elections.eu (2.6.2015). It should be noted that Greenland (with a 67% support for independence) and the Faroe Islands (47% support for secession) have not been included in the list due to the fact that the former has the status of an Overseas Counties and Territories (OCT), whereas the latter is explicitly excluded from the EU. As a result, neither of the two territories can be considered an "EU region".

41 Those are Basque secessionist parties, who support the independence of the Basque and Navarrese autonomous regions from Spain as well as the Northern Basque Country from France. The secession of these territories, according to the Basque secessionist narrative, should lead to a federation of Basque territories which is popularly referred as "Euskal Herria", that is, the land of the Basques.
party manifesto, it was included. It must be noted that only parties with an explicit mention of political independence or secession as a goal were included, and therefore autonomist or regionalist parties have been omitted. The list shows the usual suspects such as Catalonia, the Basque Country or Scotland ranking the highest and consequently it could be argued that the line-up is rather unsurprising, at least to those acquainted with secessionism in Europe.

Despite the fact that the table represents a useful illustration of support for secession in European regions, it is important to note that it is also marred with inescapable quantitative limitations. Namely, not all secessionist parties aim to realise their goals at the same speed or at the same pace. While for some it is an imperative matter that requires immediacy and immediate, for others, independence is a long-term goal, some sort of liminal that the nation has to aim for but lacking any time plan or concrete strategy.

The former is exemplified by the cases of Scotland and Catalonia. Indeed, Scottish secessionists, led by the Scottish National Party (SNP), were successful in their push for a referendum in 2014 that they failed to win. After such defeat, the party’s leadership continues being committed to organizing a new referendum. In the Catalan case, the current President, Carles Puigdemont, elected in January 2016, has promised to stick to an 18-month road map that should lead to the secession of this territory. In a recent interview (conducted simultaneously by five major European newspapers), Puigdemont stressed the aims of his government in a completely unambiguous light:

“Our roadmap is clear. Over the next sixteen months, we will write the laws that will pave the way to a new independent state. Then we will call for the election of a constituent Parliament and it will be up to those MPs, thus fully legitimated, to carry out the unilateral declaration of independence from Spain.”

Conversely, the hegemonic pro-sovereignty party in the Basque country, Partido Nacionalista Vasco (PNV), has rejected the Catalan method arguing in favour of a bilateral approach, rather than unilateral solutions and warning about the repercussions of secession in terms of being expelled from the European Union.

Therefore, despite the fact that the PNV affirms in its party statutes that the Basque nation must “regain its national sovereignty,” in practice, their actions are not aimed at reaching that goal. Likewise, it can be argued that the Corsican

secessionist party, Corsica Libera, views independence as a long term 'romantic' goal. While in their policy document published in 2015 Corsica 21, they unequivocally assert that, "we have never stopped working for the goal of independence, which remains the only possible outcome of our struggle." Its political actions are aimed at collaborating with other autonomist parties to increase the island's autonomic powers, consolidate the role of the Corsican language, as well as secure the amnesty for FLNC militants.

This last section leads us to some pertinent reflections regarding the two central subjects of this chapter: secessionism and the European Union. It appears evident that over the past decades there has been a transition from regionalism to separatism in several European regions. Perhaps Catalonia and Scotland are the territories that best epitomise this shift. It is relevant to focus on this transition to understand that in most cases, secessionism has deep roots and it rarely emerges from 'out of the blue'. In the Catalan case, mainstream nationalism had traditionally favoured, "an accommodation [...] within the framework of a pluri-national, highly decentralized Spanish state." Until recently, support for independence oscillated between 10-15% of the population. This is no longer the case since today, a consistent majority of former pro-autonomists or pro-federalists support independence in Catalonia. As a result, the picture is that of a symmetrically polarised society.

Beyond the quantitative analysis, the most puzzling aspect of the transition from regionalism to secessionism, experienced particularly by Catalonia and Scotland, is that it occurred in parallel to the most successful period of European integration. This fact suggests that, contrary to the popularly held opinion that European integration erodes sovereignty driven conflicts, both phenomena (secessionism and integration) are perfectly compatible. It therefore appears obvious that such unlikely simultaneity and compatibility offers a window of opportunities for further research, especially bearing in mind the lack of previous studies on the subject. The present chapter should be considered as a humble contribution to this largely neglected connection.

Conclusion

The arguments of this chapter do not contradict the fact that European integration has had a crucial positive effect in easing territorial tensions, particularly when considering the historically contested, volatile, and bloody Franco-German borders. Other disputed borders around Europe have also benefited from the positive territorial externalities of European integration and the 'Europeanisation' of border practices and territorial values and attitudes. However, as this

49 Centre d'estudis d'opinió, Political Opinion Barometer, no. 37, 2016, p. 9.
50 This concept is used without any negative connotation and without denoting a social conflict between the supporters of the two options.
51 Centre d'estudis d'opinió, Political Opinion Barometer, op.cit., p. 11.
chapter has shown, the power of territorial unbundling is neither limitless nor omnipresent, nor insusceptible to being redressed. To put it simply, in some occasions frozen conflicts have become defrosted, as the Piran Bay dispute illustrates, and in others territoriality plays the role of a saboteur between allies, such as in the case of Gibraltar. Last but not least, in other cases secessionism or indeed Euroscepticism provides elites, as well as grassroots movements, with a territorially grounded political legitimacy which can be of a precious value.

At any rate, the European Union, like most areas of the globe, is not immune to sovereignty and territorial conflicts. Whether these disputes are of a sub-national, national, or supranational nature, territorially driven enjeux continue to shape and challenge a club that has constructed a narrative which very often claims to have overcome these very disputes in order to boast its legitimacy. The problem of undermining, or even negating the significance of such phenomena, is that the act of denial does not make them vanish. What it does, as this chapter has argued, is to act as a burden towards the understanding of such conflicts. In seems obvious that Euroscepticism, secessionism, or nation-state sovereignty conflicts cannot be comprehended if our initial premise is to claim that these phenomena are irrelevant, anachronistic, and products of a different area. These phenomena are (arguably) inherent to politics and indeed to the EU. Provided that this seems to be the case, they deserve to be analysed and understood, ideally avoiding normative points of departure.

LES CONFLITS DE SOUVERAINETÉ EN EUROPE DANS LA PÉRIODE DE POST-SOUVERAINETÉ

Les conflits de souveraineté et de territoire semblent avoir une étonnante capacité à persévérer et survivre les contextes qui leurs sont défavorables. Ce chapitre analyse la persistance des conflits liés à la souveraineté dans l’Union européenne. En effet, tandis que l’intégration européenne a eu un effet positif crucial sur l’apaisement des tensions territoriales à travers « l’europeanisation » des pratiques frontalières, des attitudes et des valeurs territoriales, une grande partie des conflits liés à la souveraineté continuent de mettre à l’épreuve le continent européen. Il est intéressant de noter que de tels conflits se produisent dans une période dite de post-souveraineté et dans un territoire (l’Europe) qui est considéré comme la référence de l’ordre post-territorial. L’un des arguments principaux de ce chapitre est que le pouvoir de ce découpage territorial n’est ni sans limite, ni omniprésent, ni impossible à corriger par des réactions paradoxaux par exemple.

Pour illustrer ces différents points, ce chapitre analyse des exemples de trois types de conflits liés à la souveraineté affectant l’Europe : les conflits entre les Etats-membres et l’Union européenne (parfaitement illustrés par le Brexit), les conflits territoriaux entre Etats-membres (tel que Gibraltar et la baie de Piran) et les conflits territoriaux de nature infranationale (le sécessionnisme étant le cas le plus problématique dans cette catégorie). L’analyse de ces cas suggère que l’Union européenne, comme n’importe quelle région du monde, n’est pas à l’abri de conflits territoriaux de souveraineté. Que ces conflits soient de nature
infranationale, nationale, ou supranationale, les enjeux de territoires continuent à remettre en cause le statu quo en Europe et ailleurs.

**SOVERÄNITÄTSKONFLIKT IN EUROPA IN DER SOGENANNTEN POST-SÖVERÄNITÄTSÄRA**
