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Europe's Political Divorces Are Often Messy

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Divorce among couples rarely ends without scandal, and all the more so with divorce between states. Those splits inevitably involve political and economic hardships, mutual recriminations and a complex and painful division of property. And even once this nightmare is over, the very presence of the other party causes interminable irritation and anger.

The only example that I can recall of a civilized "state divorce" in Europe was the peaceful division of Czechoslovakia into two parts — accomplished thanks to the efforts of former Czechoslovakian President Vaclav Havel. To this day, the two "former spouses" maintain normal inter-state relations.

Divorce and separation remains a very real problem for Europe. Scotland's agitation to leave the U.K., Catalonia's attempts to escape the custody of Madrid and Novorossia's bloody fight to break away from Ukraine are all ongoing issues.

And although each case is very different, they share one aspect in common: London, Madrid

and Kiev are exerting great efforts to prevent those disunions. However, a strict interpretation of international law indicates that, in all three cases, those advocating separatism have every right to at least advocate their cause.

In 1945, the right to self-determination was included in the United Nations Charter. Then, in 1966, this right was enshrined in the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

Still later, this right was confirmed in documents of the Organization for Security and Cooperation in Europe. What's more, the concept of self-determination covers a wide range of possibilities and is defined as "The establishment of a sovereign and independent state, the free association with an independent state or the emergence into any other political status freely determined by a people."

In theory, the people living in the area affected should resolve these disputes, without any outside interference. The UN Charter states that "all states shall, in accordance with the provisions of the UN Charter, encourage the right to self-determination, and shall respect that right." The only problem is that nobody "respects" that right, much less "encourages" it.

There are several reasons for political leaders' inability to honor their obligations, to greater or lesser degrees.

First, the UN Charter also contains the contradictory principle of "the inviolability of borders" because after World War II the leading powers wanted to ensure stability by any means. Consequently, for every argument for self-determination, a persuasive counter-argument is available.

The second reason is that the clause on self-determination was introduced during the collapse of the colonial system when the authors had the African states in mind. At that time, few colonial powers wanted to keep their states, and so their passage into freedom was relatively uncomplicated. Nobody could have guessed that Scotland and Catalonia would one day invoke the same principle. There are many more examples besides those: the Ukrainian Donbass, Spain's Basque region, Russia's Chechnya and so on.

The underlying problem with the current world order is that it has long outworn its original set of clothing and just plods on wearing the same old, uncomfortable and increasingly tattered rags. A prime example of this is the fact that the victors in World War II continue to control the UN Security Council, a completely inappropriate situation given the wealth and power of the world's developing nations.

But unfortunately, the fear of making desperately needed repairs to the structure of the UN has already led to numerous squabbles, and threatens to undermine the very foundation of the organization. Perhaps humanity will simply have to wait for another world war, after which the winners will spell out the new rules of the game for the few remaining survivors.

No matter the international body, though, the world's issues are not just about rules written on paper. The problem is the egoism that drives the world today. If not for this egoism, the Catalonians and Basques would create their own states and live in peace alongside Madrid and as a part of the European Union. Scotland would settle down.

And if Kiev and Moscow had enough sense, it would avoid all this bloodshed by letting Novorossia go in whichever direction it wanted. Thus freed from that heavy burden, Kiev could finally pursue meaningful integration with Europe.

However, Madrid will continue desperately clinging to Barcelona, London to Scotland and both Kiev and Moscow to the Donbass. Despite considering itself the leader of civilization, Europe has yet to learn how to formulate reasonable and sound policies.

If only someone would follow the example set by Vaclav Havel.

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