

Cyprus: The Post-Imperial Constitution

VASSILIS K. FOUSKAS AND ALEX O. TACKIE

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This book is a polemic. Its primary objective is 'to criticise the imperial arrangements that have governed Cyprus from 1958-60 to date ...'. However, an ancillary objective is to 'propose some sensible steps as to what the Cypriot Left, both Turkish and Greek, can do to reach a post-imperial constitutional understanding' (p.1).

The authors are two respected academics who have produced a distinctive contribution to the academic literature on what they depict as 'the Cyprus issue' (p.2). One of the authors, Vassilis K. Fouskas, hails from the field of international relations, while the other, Alex O. Tackie, has a background in economics. Not surprisingly, the authors have adopted a refreshing cross-disciplinary approach aimed at a wide readership within and beyond academia.

With the aim of fulfilling their primary objective, the authors fire a metaphorical scattergun. At the same time, they do little to disguise their ideological starting point which is ostensibly located on the anti-imperialist 'left' of the political spectrum. An inevitably mixed picture thereby emerges.

On the one hand, the authors do not appear to have drawn upon the wealth of primary source material available in various archives, not to mention published collections of declassified documents. No less seriously, the polemicism of the authors has prompted them to make some sweeping assertions and simplistic generalisations. To take one example: 'Imperial powers have always used proxies in history in order to achieve their aims, disregarding human suffering and international law' (p.28). The reality is much more nuanced than that.

On the other hand, the polemicism of the authors has enabled them to transmit an unequivocally clear set of messages. Of these, a number stand out as being particularly significant and, indeed, relevant to the present when 'the two leaders' of 'the two communities' are immersed in a secret 'leader-led process' (as the United Nations describes it) with the underlying aim of implementing the long-standing objective of Turkey. This is the transformation of the Republic of Cyprus ('the Republic') into 'a bi-communal, bi-zonal federation'.

Firstly, the authors make a shrewd point about the birth of the Republic on 16 August 1960: 'geo-strategic imperial interests' were 'encoded' in 'the Cypriot Constitution' which the authors define as 'an immense body of treaties, laws, agreements and other arrangements' (p.2). In turn, 'the Cypriot Constitution' forms the core of a bigger bundle

of texts which the authors brand as an ‘illegal Cypriot *acquis*’ (p.6). What they seem to mean by this is that the ‘*acquis*’ is morally repugnant, legally dubious and tainted with neo-imperialism.

Not without reason, the authors insinuate that the aforementioned ‘*acquis*’ was conceived in 1958, the year in which the ill-fated Macmillan Plan was published. The authors rightly highlight the critical role of Harold Macmillan, the prime minister of the United Kingdom from 1957 until 1963. When he presented the Macmillan Plan to the House of Commons on 19 June 1958, Macmillan envisaged ‘an adventure in partnership – partnership between the communities on the island and also between the Governments of the United Kingdom, Greece and Turkey.’ As events were to transpire, the Macmillan Plan bit the dust, but the ‘partnership’ concept did not. Indeed, it formed the foundation of the Zurich-London Agreements of February 1959, together with the instruments introduced in August 1960 and the ill-fated Annan Plan of 2004. Even today, the word ‘partnership’ continues to spew out of the mouths of politicians who wish to renew the neo-imperial ‘partnership’ framework articulated by Macmillan in 1958.

Secondly, the authors remind us that the Republic was established as an endemically divided ‘bi-communal’ state. Interestingly enough, the authors prefer to use the noun ‘vivisection’ (e.g. at p. 3) to portray the ethno-religious division initiated in August 1960. This ‘vivisection’ was achieved by various means, including a new quasi-Ottoman ‘bi-communal’ constitution, the preservation of pre-existing structures of division, such as the segregated school system, and the envisaged introduction of new forms of division, such as segregated municipalities. All of which was inimical to effective governance, an integrated society and any sense of inter-ethnic or inter-faith solidarity.

The divisions built into the newly-born Republic were no accident. They were firmly in line with the policies of Turkey and the United Kingdom. Both wanted to frustrate the principle of majoritarian democracy and replace it with the crude concept of ‘bi-communalism’. The upshot was all but inevitable. During the turbulent period from 1963 until 1964, the Republic was afflicted with a constitutional crisis ignited by communalism, inter-communal upheaval polluted by communalism and acts of external interference which exacerbated communalism.

According to the authors, ‘the Cypriot Constitution’, as defined above, was ‘invariably imposed by outside imperial interference’. Worse still, this ‘Cypriot Constitution’ has ‘been regulating not only the governance of the island from 1960 to date, but also the solution to the Cyprus question as such.’ In this respect, the authors make a telling point: ‘From the partition plan envisaged by Macmillan’s government in 1958 to the Ghali ‘Set of Ideas’ (1992) and the Annan plan(s) of 2002-04, the solution to the Cyprus issue has in great part been built on constitutional and other arrangements that go against the

spirit of international and European law.’ (p.2) Indeed, the secret ‘leader-led process’ of today not only seeks to perpetuate and adapt the divisive ‘bi-communalism’ enshrined in 1960. By means of ‘bi-zonality’, the ‘process’ also envisages the metamorphosis of the Republic into a peculiar entity out of kilter with mainstream European norms and democratic values.

Thirdly, the authors contend that the ‘garrison-prison state’ theory is useful in terms of understanding the extraordinary state of affairs prevailing since August 1960. This theory was advanced by Harold Lasswell (1902-78), a political scientist and professor of law at Yale University. According to Lasswell, a ‘garrison-prison state’ is one where power is wielded by ‘experts on violence’ (p.40). With this in mind, it is arguable that the Republic effectively became a ‘garrison-prison state’ when veterans of EOKA and TMT respectively came to assume positions of power in August 1960. However, as the authors indicate, the Republic became a ‘garrison-prison state’ upon its establishment for other reasons associated with neo-imperialism: because it was militarised by Turkey, the imperial ruler of Cyprus from 1571 until 1878, the United Kingdom, the imperial ruler from 1878 until 1960, and Greece, a pliant state branded by the authors as ‘a protectorate of the USA’ since 1947 (p.92).

Thus, from the moment it was born, the Republic played permanent host to foreign military forces from Greece, Turkey and the United Kingdom. The latter three likewise became ‘guarantor powers’. To this end, they undertook to ‘recognise and guarantee the independence, territorial integrity and security of the Republic, and also the state of affairs established by the Basic Articles of its Constitution’. They likewise reserved for themselves the unprecedented ‘right to take action with the sole aim of re-establishing the state of affairs created by the present Treaty [of Guarantee].’ To cap it all, the Republic was established subject to two British Sovereign Base Areas and the reservation by the United Kingdom of numerous neo-imperial treaty rights. These included the right to retain several sites, installations and training areas situated on the nominally sovereign territory of the Republic. Seen in this light, the Republic was indeed established as a ‘garrison-prison state’, although not quite in the sense described by Lasswell.

Today, all these years later, the veterans of EOKA and TMT have all but left the political stage. Yet the three guarantor powers have not. Indeed, not only is the Turkish military presence far larger than the one inaugurated in 1960; Turkish forces are illegally occupying an area governed by Turkey’s *de facto* subordinate administration, an illegal entity which evokes chilling comparisons with a Lasswell-type ‘garrison-prison state’.

One is therefore obliged to ask an inevitable question. Will the ‘leader-led process’ in Nicosia do anything, in substance, to undermine the neo-imperial arrangements introduced in 1960? Time will tell. Nevertheless, if the ill-fated Annan Plan of 2004 is any guide to what is being negotiated amid the secrecy engulfing the process, the answer

is an unmistakable 'no'. This seems to be the view of the authors. They conclude that the Republic has been condemned to remaining as a 'garrison-state endorsed by the UN' (p.39). This vivid phrase speaks volumes and, thanks to this book, it has rightly entered the lexicon of 'the Cyprus issue'.

Fourthly, the authors draw attention to an interesting juxtaposition. The Republic is a member of the 'European family', yet 'at the same time, by location, default and design' it is 'a pawn in the strategic calculations of the West's Middle Eastern and Central Asian policies' (p.11). This has enhanced the vulnerability of the Republic, as dramatically demonstrated during the fateful summer of 1974. On the back of an unconstitutional coup engineered in Nicosia by the American-backed *junta* governing Greece at the time, Turkey launched an unlawful invasion of the Republic and the United Kingdom failed to prevent or reverse these naked acts of aggression. Put another way, the three guarantors forming part of 'the West' failed miserably to honour their duties.

Instead of clamping down on egregious violations of law at odds with the post-1945 legal order and the cherished values of liberal democracy, 'the West' turned a collective blind eye. Turkey was effectively granted impunity to infringe international law by occupying, ethnically cleansing and colonising the northern areas of the Republic. In consequence, 'Greek Cypriots, Turkish Cypriots, Christians and Muslims, were unmingled totally, for the first time in their modern history' (p.27). Worse still, the United Nations responded to the invasion by lending its authority to a protracted diplomatic initiative with the unspoken aims of preserving 'bi-communal' division, legalising illegality and regularising segregation. The current 'leader-led process' is a product of this deeply unethical initiative, yet it is firmly in line with the wishes of Turkey.

Finally, the authors put their finger on another regrettable development: the widespread deployment of 'humbug'. What is 'humbug'? To quote the authors: 'Humbug is not a lie. It is far more serious and dangerous. It is the conscientious attempt of the dominant ideology to produce such forms of mass subjecthood which will reflect the scope of the humbug: indifference to, and/or distortion of the truth and subservience to imperial rule as the only rule.' The authors illustrate their contention with reference to the misleading phrases which have crept into day-to-day 'humbug discourse' thanks to 'humbuggers'. According to the authors, these 'humbuggers' include 'all sorts of intellectuals, journalists and activists' (pp. 81-82), as well as diplomats, politicians, the European Union and the United Nations.

The authors have a point. To take one example, it is an Orwellian abuse of the English language for anybody to summon the mantra of 're-unification' in the same breath as the proposed transformation of the Republic into an inherently disunited 'bi-communal, bi-zonal federation'. Besides, the Republic was never unified in the

first place. Indeed, it is impossible to ‘re-unify’ the Republic by perpetuating the ‘bi-communal’ division introduced in 1960, by legalising the illegal ‘bi-zonality’ effected in 1974 and by preserving so many existing structures of separation, segregation and supremacism. Put another way, the misuse of the word ‘re-unification’ is the height of ‘humbug’. Even so, the word ‘re-unification’ regularly trips off the tongues of academics, diplomats and others who ought to know better than to engage in ‘humbug’ of this nature.

The authors end their book by expressing hope that ‘the Cypriot Left’, including AKEL, should strive to compose ‘a Cypriot post-imperial constitution’ which results in ‘the liberation of Cyprus’ (pp. 88 & 89). Be that as it may, AKEL has come to form part of the vanguard in support of the divisive ‘partnership’ identified by Macmillan in 1958, the retention of the Republic as a ‘garrison-prison state’ and its proposed transformation into a ‘bi-communal, bi-zonal federation’. In other words, in tandem with some other parties and institutions in the Republic of Cyprus, AKEL has aligned itself with neo-imperialism. That is not humbug. It is the unvarnished truth.

KLEARCHOS A. KYRIAKIDES

