The nexus between sovereignty, globalization and minority rights

How are these concepts interconnected in the context of territorial conflicts of sovereignty?

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Alex Salmond i Nicola Sturgeon ensenyen el llibre blanc "Scotland's Future" (2013), que parla de l'encaix d'Escòcia en un món globalitzat i també de la posició envers altres minories com la gaèlica. Il·lustració: César Cromit

As the title of the present article suggests, the main intention of the author is to look at the nexus between the three main analytical categories: sovereignty, globalization, and minority rights. These connections (or lack thereof) are addressed in a wider context of territorial conflicts of sovereignty, usually involving regions and communities residing in them, trying to broaden the scope of their autonomy or to achieve the outright sovereignty on the one hand; and central governments of the states they are a part of, who are usually reluctant to positively respond to the aforementioned aspirations, on the other. The central research question is addressed through a set of secondary ones, focusing on the following issues: the relevance of sovereignty in the 21st century; reasons behind the persistence of the territorial conflicts of sovereignty; perceptions of globalization among pro-independence political parties; minority rights in the context of territorial conflicts of sovereignty.

In terms of empirical material, the text is almost exclusively referring to the example of Scotland and the Scottish National Party as the foremost political movement trying to achieve sovereignty in that context. For obvious reasons, to a certain degree that limited pool of examples relativizes the explanatory power of the present reflections and findings. At the same time, the author remains hopeful that the text offers enough of interesting material not only to contribute to the intense discussions concerning the Scottish case, but also to inspire comparative approaches, focusing on other pro-independence movements active in Europe and beyond.

In terms of key findings, the author argues that sovereignty has not lost its relevance in the 21st century, while the possibilities offered by it (e.g. different socio-economic models) contribute to the attractiveness of the pro-sovereignty political initiatives. Consequently, globalization contributes to the strengthening of the message arguing for independence, whilst at the same time –and somewhat surprisingly– does not lead to the creation of very strong international pro-independence networks. Last but not least, minority rights tend not to be overlooked in the wider context of debates concerning sovereignty. Finally, it is important to mention that to some degree the author is using in the present text his earlier research concerning Scotland [1].

Sovereignty: is it a relevant concept in the contemporary world and why territorial conflicts of sovereignty still take place?

The shortest answer to these two complex questions is: such disputes are still in force, because sovereignty –also in its practical sense– most certainly matters today, even if we accept (and it is rather difficult to do otherwise) that we are living in the age of the so-called dense globalization [2] which brings with itself a number of factors limiting state power (e.g. international legal frameworks, economic interdependency), and therefore relativising sovereignty itself.

Before I proceed to offer a handful of concise remarks placing that answer in the context of current territorial conflicts of sovereignty it is important to propose a working definition of the central analytical concept considered here [3]. When reduced to its most basic meaning (also in a philological sense), sovereignty refers to a supreme authority on a given territory. That supremacy entails an important consequence: if it is the highest authority, then an aspect of totality comes to the fore: only one sovereign can function at a given point in time, and on a given territory. In liberal democracies, such supreme authority usually belongs to the political nation (sovereign) and is safeguarded in a constitution (popular sovereignty). Sovereignty can be also understood as a sum of various competences at the disposal of a sovereign. This opens a possibility of distributing them in different ways within a given polity, thus creating ways for different degrees of decentralization, federal political systems, etc.

Importantly, sovereignty involves two aspects, and both are of the foremost importance for

the following considerations. The internal dimension has been already briefly discussed. In the external sphere, sovereign is able to act without interference of other actors. As it was already mentioned, this is at least to a certain degree relativized by different factors: for example, in some circumstances it is important to take into account external context (geopolitical situation, strategic alliances etc.), in others legal frameworks to which a given sovereign state adheres. With regard to the latter –and crucially– even those of the most advanced complexity can be renounced, with Brexit amounting to Great Britain leaving the European Union being one of the most spectacular examples. Consequently, it is possible for a sovereign state to entrust the enactment of certain competences to, for instance, an international organization, but such a transfer of competences remains revokable throughout [4]. Finally, it needs to be borne in mind that legal equality of sovereign states on which the system of formal international relations is based, does not mean their position and capacity to act on the international stage is the same (it is further relativized by their international standing, level of economic development, military might, geopolitical trends and the like).

> Sovereignty still matters nowadays, even if all sovereign states need to accept that their freedom to act is not total, although to a differing degree

Returning to the question of sovereignty in the contemporary world and the reasons explaining the fact that certain regions, peoples etc. aspire to achieve it. As it was claimed in the opening paragraph, sovereignty still matters nowadays, even if all sovereign states –although to a differing degree– need to accept that their freedom to act is not total. At the same time, that assumption can be challenged by the question pointing to those limitations: how far-reaching are they? Perhaps ultimately the density of the aforementioned global connections is so advanced that relatively small nations aspiring to independence [5] might not be able to navigate the challenging waters of the globalized world, and –consequently– it is more advantageous to continuously make a part of larger polities and benefit from their economic and demographic potential.

A question of a similar nature was magisterially answered during the debates preceding the Scottish independence referendum of September 2014 by Michael Keating and Malcolm Harvey in their book *Small Nations in a Big World. What Scotland Can Learn?* [6], As the title suggests, the authors' intention was to look at several relatively small European countries – and thus more or less comparable in demographic and economic size to Scotland – and assess their capacity to act and introduce their independent policies in the age of dense globalization. According to their analysis (and at the time of writing), the examples of the Baltic States, Ireland and the Nordic Countries offered an encouraging picture, as in each case an original way of adopting to the challenges and limitations of the highly interdependent world was conceptualized and implemented.

The strategy chosen by the Baltic States was influenced by neo-liberal solutions, therefore

those countries put stress on such aspects as relatively limited social spending, budgetary prudence, and flexible labour regulations. Ireland, on the other hand, constitutes a different case, in which a fairly liberal attitude towards market forces has been, at least to a certain degree, mitigated by strong social investment and social partnership involving business sector, trade unions and the government. If Ireland is an example of a middle way, the Nordic Countries –in spite of the deepening of globalization– were able to preserve their welfarist social models, which are adjusted to the new context through usual tools, that is deliberation, consensus and compromise. These observations lead Keating and Harvey to the conclusion that smaller European countries not only can be successful when adapting to the global competition and external pressures, but strategies of such an adaptation can significantly differ between each other. Therefore, as it was already mentioned, sovereignty remains a meaningful concept, as when achieved it leaves a significant array of possibilities concerning adaptation to the wider global context [7].

The awareness of the aforementioned array of possibilities is very salient in the message conveyed by pro-independence political actors. For instance, it is clearly visible in the opening words of the *Scotland's Future*, a white paper published on 26 November 2013 by the Scottish Government, presenting the case for the Scottish independence:

> *If we vote Yes, we take the next step on Scotland's journey. We will move forward with confidence, ready to make the most of the many opportunities that lie ahead. The most important decisions about our economy and society will be taken by the people who care most about Scotland, that is by the people of Scotland. The door will open to a new era for our nation.*
>
> *Scotland's future will be in Scotland's hands.*
>
> *If we vote No, Scotland stands still. A once in a generation opportunity to follow a different path, and choose a new and better direction for our nation, is lost* [8].

Importantly, besides the opportunities which lie ahead if sovereignty was ultimately to be chosen in the referendum (external dimension of sovereignty –globalized world offers plenty of space for Scotland to pursue goals which matter most to it), there is also a clear reference to the sovereign ("the people of Scotland") responsible for the direction the country takes. A similar tone can be also identified in the foreword to that document drafted by the then Scotland's First Minister Alex Salmond when he mentions that the 2014 referendum was about "(…) securing for Scotland our own place in the world as an independent country [9]. Again, the suggestion is clear that it is indeed possible for the independent Scotland to find a relatively comfortable position in a globalized world.

The SNP's inclination for positive assessing of sovereignty in the contemporary world was identified by Kevin Adamson and Peter Lynch as well [10]. According to these authors, the SNP's discourse before and during the independence referendum campaign was characterized by unequivocally positive approach, with sovereignty presented as necessary for achieving (among others) fairness, wealth, efficient health care system, more equal

economic development, nationwide economic stability etc. It was also necessary for the realization of Scotland's potential and the implementation of a broad socio-economic vision characterized by the features listed above. In this light, it is quite obvious that such argumentation must be based on the prior assumption that sovereignty indeed still matters in the 21st century.

Furthermore, also in other electoral contexts references to the possibilities offered by sovereignty are very visibly present in documents introducing SNP's current political agenda. In its electoral manifesto published before December 2019 general election, the party –among key pledges– mentions the following:

We believe that the best future for Scotland is to be an independent, European nation.

Not for our own sake, but because it allows Scotland to become the open, tolerant, inclusive and democratic nation we are determined to build.

By making all our own decisions here in Scotland, we could end poverty faster, play our full part in tackling the climate emergency, ensure a fair deal for pensioners and create new opportunities for jobs and our economy [11]

In that excerpt it is once more strongly suggested that to be a sovereign country still matters, as only through this it is possible to achieve a society free of poverty, strongly anchored in European structures (apparently a number of obligations resulting from that is not considered as limiting sovereignty but in fact enhancing Scotland's room for manoeuvre), open towards green policies etc. The actual and efficient delivery of all those promises is obviously an entirely different matter.

Interpretations

As it was demonstrated above, sovereignty still remains a relevant concept in the contemporary world. The international order, even if very densely globalized, still offers enough of space to pursue goals important for particular societies, and ways leading towards such goals can still significantly differ. This explains the continuous existence of the territorial conflicts of sovereignty, as the opportunities still available to newly created countries can be used to create an attractive vision of independence, inspiring not only those sectors of populations who are traditionally willing to support the sovereign path. That positive aspect should not be underestimated, as instead of focusing on historical grievances, past and present oppression, or deficiencies of the current political set up, it creates a possibility to offer an inspiring narrative, and thus avoid accusations that pro-independence movements are mostly negative and embedded in the past.

> Sovereignty narratives can be used to create an attractive vision of independence, inspiring not only those who are traditionally willing

> to support the sovereign path

In general, then, sovereignty still matters in the current world and that fact –when used imaginatively– can give an added argumentative energy to those supporting independence. Also, when compared to the incompetence (real or imagined) of those presently governing at the national level: grim reality can never be as attractive as narratives emphasizing dreams, aspirations, and optimism. The fact that territorial conflicts of sovereignty, for reasons discussed above, are going to be present in the foreseeable future too, certainly highlights the need for a code of good practice, offering a road map indicating how they might be resolved.

Territorial conflicts of sovereignty and globalization. How are they correlated?

As it was discussed in the preceding section, the so-called dense globalization and a high degree of interconnectedness resulting from it are not discouraging at least some of the political actors from trying to achieve independence. In their optics, globalization leaves enough of space to try to achieve socio-economic goals, through which living standards, perspectives for the future etc. of a given society can be improved. As we should be able to see in the following paragraphs, such approaches to the question of sovereignty in the context of globalization are quite well-grounded in a theoretical reflection addressing that dilemma as well.

If we again give a closer look to the Scottish case, it becomes obvious that a good deal of internal theoretical debates concerning sovereignty in the context of a continuously more globalized world has taken place within the SNP. It was primarily due to the influence of late Neil MacCormick (he was a professor of law at the University of Edinburgh and a longstanding member of the party). According to Ben Jackson [12]:

- *MacCormick has argued that European integration has replaced the absolute sovereignty previously exercised by EU member states with a more pluralistic arrangement in which new rules bind together these states at the European level, removing certain of the powers previously exercised nationally. At the same time, the doctrine of subsidiarity—that decisions should be taken at the lowest possible level—mandates that powers should also be decentralised from the state towards regional authorities or even to newly created national institutions that break away from existing large multinational states.*

MacCormick’s concept of a ‘post-sovereign state’ created therefore a convincing and theoretically well-grounded narrative arguing in parallel for two things: self-governing Scotland but at the same time well-integrated into frameworks of international cooperation. Of course, he was aware that for some the need for cooperation between sovereign countries might lead to doubts pointing to a potential irrelevance of sovereignty:

- *One occasionally hears it argued that 'independence in Europe' is no real independence, and that the Scottish National Party has given up nationalism to the extent that its ambitions are addressed to that goal. On the contrary, the policy position adopted is fully compatible with asserting the rights of the nation as such to a frame of government suited to it and chosen by its people. But it also implicitly acknowledges the reality of a world in which a principle of liberal or civic nationalism, albeit morally mandatory, is at the same time not morally absolute, and must be balanced against other values in seeking a practical, political solution in any case* [13].

On the level of internal sovereignty, it is obvious that MacCormick, in spite of "the reality of the world", sees a lot of sense in pursuing Scotland's independence, as through it the Scottish people (the sovereign) will be able to create a system of government most suitable for the country in an organizational sense, but also one that is guided by values and aiming at the achievement of goals most closely reflecting aspirations of that nation. That reasoning is clearly based on the assumption that the contemporary world gives an array of options when it comes to the precise shape of governmental structures, policies they implement, as well as the principles guiding them. The need for international cooperation (external sovereignty), on the other hand, is not understood as a burden or something unavoidable due to pressing structural factors. In theory, the abstention from it might be even possible, however due to such values as solidarity, and the importance of human rights (in MacCormick's vision both are broadly shared by those adhering to the Scottish version of civic nationalism), a certain kind of moral imperative requires to participate in every constructive "(…) partnership toward peace and prosperity, these being ends that certainly do not stop at the shores of British or Irish Isles" [14].

For MacCormick, the European Union was the most prominent stage for international cooperation. What is more, it was the EU's legal evolution which to a very significant degree inspired his reflections concerning sovereignty / post-sovereignty. At the same time, the concept of "independence in Europe" focused on Scotland's membership in the EU is not shared by every single supporter of Scotland's independence, either inside the SNP or outside of it. Therefore, it can be claimed that the SNP's reflection concerning the links between sovereignty and globalization opened a broader space for opinions concerning that. Even if the majority in Scotland is in favour of close links with the EU, other opinions are also present in the public debate.

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Jim Sillars (a member of the SNP and a very prominent member of the pro-independence

camp), for instance, argued before the 2014 referendum that although in the contemporary world sovereignty has its limitations, it still offers possibilities for a profound socio-economic change in Scotland, which for him would mean the introduction of a "sensible socialism". In terms of international alliances, he preferred a membership in the European Free Trade Association (EFTA) instead of in the EU, as in his opinion the former offers more flexibility [15]. Similarly, Gerry Hassan (academic, writer, and a very active left of centre commentator), when proposing the idea of the 'Third Scotland' [16], wondered what kind of international alliances would suit it best. As membership in the EU could be damaging for Scottish progressive aspirations, in his opinion it might be advisable to stay close to the Nordic countries as independent Scotland would be pursuing socio-economic policies akin to theirs [17].

Interestingly and somewhat paradoxically, that embrace of globalization and resulting openness towards internationalism is not necessarily reflected in the SNP's formal pronouncements concerning its cooperation with political actors involved in territorial conflicts of sovereignty taking place elsewhere in Europe. In terms of media visibility and global attention certainly the Catalan independence referendum of 2017 can be compared to the Scottish events of 2014. Nevertheless, the SNP's official website is surprisingly thin when it comes to content focused on Catalonia. If one runs a simple search using a search engine provided on the website, the word "Catalonia" returns only five results (the same procedure concerning words "Basque" and "Flanders" returns zero results), out of which four can be considered of relevance [18].

At the same time, a similar procedure concerning the word "Wales" returns 94 results, and "Northern Ireland" 90. It makes a staggering difference, even if a substantial part of those references is in relation to the United Kingdom leaving the European Union, or the question of the post-Brexit border between the United Kingdom and the Republic of Ireland. Since it can be rather safely assumed that Catalonia belongs to topics discussed internally in the party, the question remains: why this is not numerically reflected in one of the most important communication channels at the SNP's disposal? On the other hand, another question can be posed: if numerically the SNP's engagement with Catalonia is not of significant proportion, perhaps the substance of the 4 search results mentioned above compensate for overall low numbers? This, however, does not seem to be the case either.

The statement concerning the SNP's official position on Catalonia (March 2018) is surprisingly brief and dry in tone, with a reference to the First Minister Nicola Sturgeon as generally supporting the right to self-determination and her critical approach to detentions concerning pro-independence politicians in Catalonia [19]. This position is closely reflected in three other pronouncements. In her speech to the SNP annual conference in October 2017, Ms. Sturgeon called for Catalan-Spanish dialogue, condemned instances of violence which took place in relation to the 2017 referendum, and emphasized the right of the Catalan people to determine their political future [20]. The leader of the SNP delivered a similar message two years later, by again emphasizing the party's support for- and solidarity with those imprisoned for their legitimate campaigning in favour of the right to self-determination [21]. At the same annual party conference John Swinney, the deputy First Minister of Scotland, mentioned Catalonia in a somewhat more emotional tone when

expressing his pride in the SNP's vocal condemnation of jail terms faced by some of the Catalan politicians in relation to their standing up for democracy and the right to self-determination [22].

Taking into account a relative geographic proximity of Scotland and Catalonia, similar aspirations shared by pro-independence movements and significant sectors of society in both countries, as well as a frequent visibility of Catalan national symbols during pro-independence manifestations staged in Scotland, a certain reservation clearly noticeable in the statements made by the high-rank members of the SNP might be surprising, legal issues concerning the Catalan referendum notwithstanding. Apparently, the enthusiasm characterizing the SNP's openness towards the international cooperation, only to a very limited degree is projected on those who's goals are very similar.

Interpretations

A longstanding presence of Neil MacCormick's intellectual legacy among the elite of the SNP certainly allowed the party to present its case for an independent state not as an isolationist one, but instead as internationalist (globalist) in its essence, and in line with the party's civic and liberal approach to nationalism resulting in a consistent focus on a greater global good, continental/global solidarity, as well as co-responsibility for continental/global affairs. The above also gives a possibility to try to answer the question concerning links between conflicts of sovereignty and globalization. At least in the case of Scotland it can be argued that globalization in fact enriched the argumentation in favour of sovereignty / independence, and encouraged debate concerning the position of potentially independent Scotland in a wider world.

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At the same time, the SNP's role in any kind of continental or global alliances connecting other political actors intending to achieve independence cannot be described as prominent. An empirical proof of that is a scarcity of pronouncements concerning Catalonia, but also their content. With regard to the latter, it can be said that nothing less but also nothing more beyond the obvious has been said by the SNP leaders. Calls for dialogue and respect of the right to self-determination, as well as condemnation of punitive measures introduced by the Spanish state are rather far from passionate pronouncements on the solidarity of the oppressed and the need for cross-border alliances to continue the common struggle. This can be interpreted as a proof that the above-mentioned openness towards globalization, does not eliminate a very tight focus on the internal context resulting from the view that sovereignty can be achieved only through intra-British legal and political tools. In the

context of a code of good practice concerning territorial conflicts of sovereignty, the above certainly does not belittles the need for it, but at the same time reminds us to be realistic: in every single case internal actors need to play a very significant role in their resolving.

Territorial conflicts of sovereignty and minority rights

In the final part of the present text, I would like to pay briefly attention to an issue which sometimes might get overlooked in the context of theoretically very complex but also emotionally charged debates concerning the nature of sovereignty in the contemporary world, as well as pros and cons of a potential independence of territories (and nations) currently belonging to wider polities. That issue is minority rights.

Very frequently in discussions focused on territorial conflicts of sovereignty minority communities and their rights are indeed mentioned, however in most of the cases by referring to the majority-minority paradox, as well as a relative inadequacy of the European instruments of minority rights protection for situations involving cases of, for example, Catalonia or Scotland. In the first case, the focus is on situations where a majority in a given territory (visible in the polls or reflected in electoral results) prefers a certain kind of political solutions –like different direction of the socio-economic policies, broader autonomy, sovereignty etc.– but it is permanently outweighed by an overall majority on a state-level. A petrification of such a balance of opinion can result in a political deadlock leading to the sense of oppression, while ultimately the lack of political solution can contribute to a significant level of tension in a given polity, potentially leading to its far-reaching destabilization. In the latter case, it can be argued that instruments such as the Council of Europe’s Framework Convention for the Protection of National Minorities or different sets of recommendations elaborated by the High Commissioner on National Minorities (HCNM) of the Organization for Security and Cooperation in Europe (OSCE) –in spite of their numerous and difficult to question merits– are not necessarily tailored for situations involving large historical nations, residing compactly in a comparatively vast territories, and already functioning in highly-autonomous regions.

Yet minority rights can also provoke an important hypothetical question: if independence indeed happens (in Catalonia, Scotland or elsewhere) what will be the position of those who, no matter which option was their preferred with regard to the political future of a given territory, belong to –for example– other ethnic or linguistic groups? Here minority rights can be inspiring in order to try to conceptualize solutions responding to such groups’ linguistic, educational, cultural, or political needs.

Importantly, the issue mentioned above is not without significance for sovereignty itself. When it comes to its internal dimension, diversity management is crucial for the creation of conditions in which the sovereign (composed of individual citizens of a newly created state, but frequently also belonging to groups striving for different kinds of collective rights, interests etc.) can decide in an informed way about the direction the new state should take [23]. Such deliberative process certainly should not exclude minority communities and can constitute a litmus test for the quality of a newly created political system. External

significance of sovereignty can be also linked to the issue of minority rights. Since processes concerning the creation of new states in most of instances involve a great deal of tension between successor states and newly established ones, it might be important to prioritize minority rights, in order to create a good climate for cooperation and resolving of different kinds of issues, by officially recognizing minority communities (provided they demand such a recognition) and consequently responding to their various needs. This of course, should be also extended to minority communities other than that self-identifying with the successor state.

> In the European context it is hard to imagine that a potential fragmentation of countries such as Spain or United Kingdom can result in military conflicts; at the same time, it is not improbable that tension might characterize the subsequent bilateral relations for a prolonged time. Therefore, the protection of minority rights can be one of decisive factors for the achievement of positive relationships with other international actors and make them less prone to contestation

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It is encouraging that at least some of the pro-independence actors already engage with the topic of minority rights or wider diversity management. A good example is the approach to Gaelic language and Gaelic-speaking community presented in the white paper published before the September 2014 referendum by the Scottish Government [25]. Since Gaelic was mentioned in it as one of the most important sources of Scotland’s identity, the protection of the language and actions countering its decline were considered priorities. Consequently, the Government made a pledge to further support educational measures leading to the increase in numbers concerning those who learn, speak and use the language (the additional intention here was to make it a visible part of Scottish public, cultural and

community life), as well as promised financial security for public service broadcasters offering content in Gaelic (BBC Alba television channel and Radio nan Gáidheal). Importantly, governmental support for Scots language in independent Scotland was also mentioned [26].

Interpretations

It is needless to emphasize that works on the code of good practice in resolving territorial conflicts of sovereignty offer an excellent opportunity to make a strong point on the issue of minority rights and their protection, in the context of such disputes taking place in the contemporary Europe. As such disputes will be continuously taking place in the foreseeable future, it is also worth of formulating a broader postulate: all actors involved on the pro-sovereignty side should from a very early stage try to conceptualize solutions concerning diversity management frameworks in the post-independence period. This will not only make their case more convincing and nuanced, but might also respond to the concerns of those fearing the day after the nationalists –even if civic and liberal– finally achieve their main goal.

Conclusions

The main points to be taken from the above concise analysis are as follows:

- In spite of the current age of dense globalization, sovereignty remains a relevant concept. It is due to the fact that despite different types of interconnectedness, the contemporary world still leaves enough of space for individual states to pursue policies responding to the needs identified by their societies.

- Besides the structural factors mentioned in the preceding point, an additional issue explains why territorial conflicts of sovereignty are still taking place in the contemporary Europe. The fact that it is possible for individual countries to take differing paths with regard to their socio-economic development, adds attractivity to the idea of becoming a sovereign state. Thanks to this, it is possible to create narratives focused upon the future which should be brighter, when freed from the burden of incompetent central-level actors. This, in a very significant proportion, contributes to the fact that the territorial conflicts of sovereignty still take place, as they can be connected to political emotions linked to hopes and aspirations.

- A brief analysis of the Scottish case suggests that pro-sovereignty movements are accepting globalization and consider it a positive challenge requiring a constructive response, allowing to draw inspiration from civic and liberal aspects of a given nationalist movement. This, as it was already mentioned above, allows pro-sovereignty political actors to present their case as in fact internationalist and

responsive to challenges of a global scale, as opposed to focused on narrow national interests and grievances. The above, however, does not logically lead to the creation of strong and very vocal international coalitions of actors trying to achieve sovereignty. Therefore, the key to the achievement of sovereignty seems to be lying in internal politics.

- It is important to emphasize that some of the actors trying to achieve independence, already take into account at least some of the aspects concerning minority rights and wider diversity. It is clearly visible in the SNP's approach to Gaelic language and Gaelic-speaking community. At the same time, it is important to encourage further efforts concerning that, as ultimately they can not only contribute to the improvement of democratic mechanisms in a given country (before the achievement of independence and after that), but can also enhance the sovereignty of those which will actually achieve it.

- All the above points reveal the need for a code of good practice concerning territorial conflicts of sovereignty. Even though we need to be cautious with regard to its binding power, it is still important to create a guiding document which could inspire and lead to a peaceful and democratic resolution of such conflicts, with full respect for rights of minority communities.

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24 — Hughes, WRA, Megoran, N., Benwell, M., "The emotional geopolitics of contested peace: the austerity crisis and the Danish minority of South Schleswig", a: *Territory, Politics, Governance* (en anglès). Disponible en línia.
25 — *El futur d'Escòcia, op. cit.*, p. 310, 312, 314 i 532.
26 — *Ibíd*., p. 449.



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