Chapter Two

Diversity and Co-existence in International Society: The Bolzano/Bozen Recommendations in Historical Perspective

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I. Introduction

From the outset, international society has struggled with the problem of diversity and its potential to foment controversy, rivalry, and conflict. Questions concerning national minorities are historically among the most contested issues in international relations precisely because they challenge and threaten to undo that uneasy equilibrium intent to preserve peace and stability between states. The Bolzano / Bozen Recommendations follow on from a prior and indeed long-standing European experience of national minorities and inter-state relations. Any attempt to understand the significance of this set of recommendations must begin with a proper understanding of exactly this historical context. This chapter will therefore review the evolving content of international norms applied to inter-state relations directed at national minorities with a view to locating the Bolzano / Bozen Recommendations on National Minorities in Inter-State Relations in its appropriate historical context.

II. International Society As A Response To Diversity

It is essential to recall that international society is largely a response to the emergence of religious diversity within early modern Europe and the corresponding break down of Catholic Christendom. It originates in the disintegration of a single community [the imperium of Pope and Emperor], the waning on the one hand of central authorities, and on the other hand of local
authorities, within Western Christendom, and the exclusion of both from particular territories by the princely power.¹

The Thirty Years War (1618–1648) began as an internal dispute within the Holy Roman Empire with Protestant Christian princes asserting the right to determine religious policy within their territories despite opposition from the Catholic Emperor. The demand for what we would today describe as sovereignty and non-intervention was a fundamental challenge to the previous political order of medieval Catholic Christendom and for this reason, the Thirty Years War quickly spread to become the first pan-European conflict. The war was essentially fought to ensure that Europe, and eventually the rest of the world, would henceforth be organized on an anti-hegemonic, plural basis.

War on a continental scale unavoidably creates intolerable insecurity for mass numbers of people as was so powerfully revealed in that first pan-European conflict. Many lost their lives due to atrocities committed by mercenary soldiers. Many more perished because of the disease and famine that followed in the wake of the fighting. When the Thirty Years War was finally over as much as 15–20% of the prewar population of what is now Germany was dead. This, then, was exactly the “war of all against all” which Thomas Hobbes had warned was unavoidable in the absence of sovereign power.

The subsequent 1648 Peace of Westphalia restored order to Europe after the Thirty Years War. In so doing, it also gave final form to the international society that had been slowly developing over the previous century. During this period, not only did religious dissent become widespread within Latin Christendom but the political and religious community itself became segmented into sovereign, territorial states. These changes were recognized and confirmed in the 1648 Peace of Westphalia, which restored order to Western Europe after thirty years of war between competing sovereigns and religious sects. As a result, several hundred previously subordinate territorial units of the Holy Roman Empire acquired the rights and privileges of sovereignty.²

Following on from the 1555 Peace of Augsburg, religious affiliations were territorialized as the purview of each individual sovereign so as to prevent religious diversity being used as a pretext for war. According to the principle of *cujus regio ejus religio* (like sovereign, like religion), princes determined the religious practices within their territories. Subjects either complied with the established
