National state borders and ethnic boundaries in Istria and the North East Adriatic

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Abstract
This paper explores ethnic, cultural and symbolic boundaries in a micro-region within the Mediterranean area of Istria, which is conceptualised as a multicultural, multi-ethnic and multilingual region. In scholarly writings and everyday speech, it is seen as a border zone where people construct multiple pure and hybrid identities. In this paper, I intend to explore some of the geographic, historical, political, and anthropological discourses that are present in the fieldwork location of Istria and North East Adriatic Sea as well as address the issue of national land and maritime borders and ethnic boundaries. I will focus on the border issues in the periods of political and ideological changes after World War II and after 1991, in the wake of the disintegration of Yugoslavia and the creation of Slovenia and Croatia as new post-socialist states. Particular focus will be on the issue of international arbitrage on the maritime and land border in 2017.

KEYWORDS: ethnic boundaries, national borders, Istria, Bay of Piran

'Croatian shellfish farmers encroach on Slovenian part of Piran Bay': An ethnographic vignette
At the end of June, the outgoing Slovenian government made a public announcement of its attempt to file a complaint with the The Permanent Court of Arbitration over Croatia's failure to conform to the arbitration decision on land and maritime borders with Slovenia. On the last day of the same month, the readers of *Dnevnik*, one of the left-centre daily newspapers in Slovenia, could come across a news release of the Slovenian Press Agency, entitled 'Croatian shellfish farmers encroach on Slovenian part of Piran Bay'. The same news, although under slightly different headlines, also appeared on numerous online media and read as follows:

> Since last April, shellfish farmers from the Croatian town of Umag expanded their shellfish farm in the middle of the Bay of Piran in Slovenian waters by tenfold and continue to expand it. They perform harvesting in the Slovenian sea under the constant protection of a Croatian patrol boat, while Slovenian police observes from the sidelines (STA, 30 June 2018).

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The local Radio Koper published on its website a photograph of the Bay of Piran with clearly discernible shellfish farms, along with an audio and written record of the news that also circulated on social media. The headline of the radio news was written in singular: 'Croatian shellfish farm rapidly spreads on the Slovenian side of arbitration line.' The journalist Tjaša Škamperle wanted to know what the government's reaction would be. She informed the audience that the Environment and Nature Inspector had taken action, which was only made possible with the assistance of the Slovenian police, but that the Croatian patrol boat prevented him from talking to the Croatian citizens that were building the shellfish farm. The Fisheries Inspector had no power to act, and the Slovenian government responded by sending the second diplomatic note to Croatia's capital Zagreb. The group for implementing the Arbitration Agreement, which was to commence its operations on the arbitration decision or, more specifically, in December 2017 (after the expiration of the six-month period following the proclamation of the decision of the Arbitration Tribunal to start the implementation), issued no statement regarding its further steps. The news was also released in sensationalist online press, which reported that 'Croats spread into Slovenian sea' (*Slovenske novice*, June 30, 2018). In agreement with the alarming tone of the headline emphasising Croatian expansion into Slovenian waters and the apathy of Slovenian police, a local shellfish and fish farmer, Lean Fonda, explained to the journalist that they had for some time been calling attention to the gradually emerging and growing shellfish farm:

> First, they set up old barrels, apparently expecting that one of us would react or remove them, but that didn't happen. So, they went on and set up bigger barrels. They'll probably just build one [shellfish farm] right off the coast of Piran, Izola, Koper if we let them get away with all this.

Later in her report, the journalist mentioned fines that Slovenian fishermen received from the fisheries administration in Umag and Croatian police and concluded by stating that the fishermen would be compensated in the amount of €500 per metre of their fishing boat.

The news of the expanding Croatian shellfish farm in the sea demarcated as Slovenian was nothing new in media space. Readers with sound memory or those who have followed the developments online could quickly realise that it merely echoed long-standing reports on the construction of shellfish farms in the part of the sea that was claimed by both Slovenian and Croatian national politicians and in which fishermen and shellfish farmers performed their daily work protected by a constant police escort.

After the fall of the Berlin Wall in 1989 and the dissolution of Yugoslavia in 1991, many political boundaries were redrawn in the Balkans and Eastern Europe. This paper aims to explore several processes of social, cultural, political, and linguistic 'boundary-making and boundary-breaking' that also started in Istria (Josipovič 2012: 25). Following the descriptive analysis, I show how anthropological, geographic, and historical discourses within the border zone in North or the Upper Adriatic and Istria are constructed. In my analysis, I will explore how writing on Istria has been epistemologically influenced by border anthropology (Ballinger, 2003, 2004), anthropology of the Mediter-

ranean (Baskar 1993, 2002; Frykman 1999; Rihtman Auguštin 1999) and anthropology of ethnicity nationalism (Eriksen 1993; Knežević Hočevar 1999; Šumi 2000). During my fieldwork in Istria, investigating fisheries on the present-day Slovenian coast from 2012 to 2016, I interviewed several interlocutors: fishermen, an expert of the Fisheries Office, a collector of fishing heritage, and local tourist workers. As an amateur sailor, I spent plenty of time with fishermen in the ports of Koper and Izola, where we also discussed problems facing fisheries as well as the border issue over the Bay of Piran. In my recent research on the canning industry, I conducted several interviews with workers in factories, fishermen from Italian-speaking fishing clubs and some other interlocutors who came as immigrants after the Italian exodus from coastal towns and were able to learn new cultural repertories about the sea and fisheries. Through my participation and occasional conversations with locals, I was able to learn their notions of Istrian-ness and multiculturality.

A small region of many names

The conflict over the land and maritime border zones is unfolding on what is today the territory of the Slovenian coastal area, which was defined in the discourse of regional geographers with several geographic names such as "the Coast", "the Koper Littoral", "the Koper country", "the Littoral", as well as "the Šavrins", "the Šavrin Hills", "the Coastal region", or "the Koper region" (Gams 1991: 7; Rogelja & Janko Spreizer 2017: 38). The name "Slovenian Istria", proposed by the geographer Bohinec in the 1950s, has been disputed because Istrian boundaries often shifted in history, when the political powers changed from the Napoleon Wars and the establishment of the Illyrian Provinces onward (Marin 1991, 1992). Under the Austro-Hungarian rule (from 1822 to 1918), Istria's northern border was drawn on the peninsula of Muggia/Milje, and San Giuseppe della Chiusa/Ricmanje near Trieste and its eastern border followed the watershed of the Brkini Hills (Javornik, 1990: 180–181). The northern part of the Slavnik mountain chain and the Čičarija Plateau are constructed as the most natural borders of the peninsula (Gams 1991: 8). Istria is valued for its multiethnicity, multiculturality, diversity, and hybridity (Baskar 1999:124), which are the result of multiple migrations and movements of people who came to this territory during the period of Venetian and Habsburg empires. In geopolitical terms, the peninsula, which is currently divided among three nation states, is inhabited by Slovenes, Croats, Italians as well as immigrants from the former Yugoslavia, such as Bosnians/Bosniaks, Albanians, Serbs, Croats, Macedonians, and Montenegrins, and others. Because of this "multi-ethnic mosaic" or ethnic islands, some geographers question the name "Slovenian Istria" and prefer to use a "more neutral name", such as "Istrian Slovenia" (Žumer 1990; Rogelja & Janko Spreizer 2017: 38).

Today, Istria is considered a part of the Mediterranean; it is separated from the continent by the Karst Rim, the Dinaric barrier which runs along the coast (Baskar 1999: 124). The older generation of physical geographers have some reservations about placing Istria in the Mediterranean region and using the term "Mediterranean" in association with this area. The analysis of the names for the present-day Slovenian coastal zone reveals that some geographers prefer to use the term "sub-Mediterranean" (Gams & Vrišer 1998; Ogrin 1993; Wraber 1993: 41) and symbolically consider this zone as "inferior"; more

specifically, they construe it as having a dismissive connotation (Baskar, 2002: 25; Rogelja & Janko Spreizer 2017: 39). In contrast, some also consider Istria to be a marginal zone as well as a part of the Balkans: the world behind the Karst Rim is only exceptionally perceived as a part of Balkans (Baskar 1999: 124).

Istria, the East Adriatic coast and the anthropology of the Mediterranean?

Many leading authorities on cultural, political and social anthropology conducted their research projects in almost every corner of the Mediterranean and published their monographs on Greece, Italy, the Arabian lands, Spain, and Portugal. Although a large part of the territory of the former Yugoslavia belongs to the Mediterranean area "by virtue of its culture' it did not attract the attention of Mediterranean anthropologists from abroad until the 1990s.

Anthropologists who explored the coastal region of the East Adriatic within the anthropology of the Mediterranean concentrated on this transnational region as a discourse and investigated how the region was being remade from time to time and in constant transition (Frykman 1999: 283). Anthropologists at home started to explore the Mediterranean as a field of ethnological study (Baskar 2002) after the disintegration of Yugoslavia (Baskar 1993; Čapo Žmegač 1999; Rihtman-Auguštin 1999).

The ethnologist Dunja Rihtman-Auguštin explains that less attention was paid to the region because:

> … cultural and political anthropology outside of the borders of the former Yugoslavia was more interested in the folklore exotica of the mountainous regions of the inner Balkans or in the Utopian 'socialism with a human face' in which they wanted to believe, so research done in the former state [Yugoslavia] was concentrated within those frameworks (1999: 117).

Instead of focusing on the question "where" the Mediterranean begins, Frykman stresses that the answer to this question is specific to each unique situation. For him, the Mediterranean is not only an area; it is also a concept and a cultural construct with additional questions such as "when" and "for whom" (1999: 283).

Rihtman-Auguštin (1999) also shows how the regime of former Yugoslavia deliberately concealed the existence of the Mediterranean. She illuminates that during the formation and existence of Yugoslavia, the Adriatic orientation of the region was ignored in Belgrade and that Danubian orientation of the region was overemphasised by the socialist regime of the state centre. Rihtman-Auguštin (1999: 103–19) was one of the first ethnologists who wrote on the attitude towards the Adriatic Sea and discussed the opposing conceptions of coastal inhabitants and continental dwellers of Croatia (1999).

Istria in border anthropology

In a similar vein as the Mediterranean, the Istrian peninsula may be seen as culturally constructed and locally described as an "ethnically mixed" and thus intercultural, multilingual area. In addition to the Mediterranean studies, Istria was explored within anthro-

pological writings that draw on the tradition of borderland anthropology, with a focus on identity, cultural citizenship, as well as linguistic and cultural boundaries (Ballinger 2004: 31). The American anthropologist Pamela Ballinger started to explore the border zone in the Upper Adriatic in 1990 with a research on the post-World War II exodus of Italian-speaking inhabitants of Istria.

Ballinger (2004, 2006) explored historiographic and ethnographic writings, in which she analysed both the description of extensive ethnic and linguistic diversity and the exclusive articulations of identities. According to the logic of European symbolic geography, the territories of Istria, along with the Balkans and Eastern Europe, were depicted as the westernmost border of the Iron Curtain – the transitional zones or the battlefronts between civilisations. These border zones were depicted as contact areas of three racial groups – the Mediterranean, Germanic and Slav. Under the Serenissima, racial or ethnic borders mattered less than class, 'which in turn often mapped onto divides between rural/interior and urban/coastal' (Ballinger 2004: 34).

In addition, her analysis showed that similar discourses of multicultural, multi-ethnic, and multilingual Istrian identity are also advocated by three competing nationalisms: Italian, Slovenian, and Croatian. The discourses of hybridity are maintained by *rimasti*, Italians who have remained in Istria and live in peaceful coexistence with Slovenes and Croats, while the discourses of purity continue to be used by *esoli*, Italians who left Yugoslavia in the post-war period and now live in Italy (Ballinger 2004).

Similar to the Balkan borderlands or Istria, the Upper Adriatic may be portrayed as a border zone of "authentic hybrids" (Ballinger 2004: 31):

> In this region, "hybridity" in both common language usage and specific intellectual formulations such as Yugoslavism or Istrianism does not necessary subvert essentialist framework but instead reproduces them (Ballinger 2004: 32).

The Adriatic was also often imagined as a border zone between culture areas, languages, religions and environments (Ballinger 2006: 15). In their studies, anthropologists explored boundaries in the Italian Istrianist discourses of symbolic geographies of "Istria" versus "Balkania" (Baskar 1999: 121), ethnic "physic types" of Yugoslav human geographers that constructed the Dinaric psychic type and "Adriatic variety" as one of five Dinaric varieties (Baskar 1999: 124).

According to Bojan Baskar, the Italian/Triestine Istrianist discourse, which invented the Mediterranean in the Upper Adriatic, dates back to 1990, when Slovenia, Croatia, and Bosnia and Herzegovina separated from Yugoslavia. At that time, the Italian minority in Istria found itself divided between the new nation-states of Slovenia and Croatia, and the fear that the war might spread to the multi-ethnic Istria became acute (Baskar 1999: 131). The essential divide in voices that expressed the geopolitical fears of cultural diversity set the civilised Mediterranean peoples from the eastern shores of the Adriatic apart from those in the interior part the Balkans and the Dinaric world in the hinterlands of the coastal zone were presented as anti-Mediterranean and dangerous (Baskar 1999: 131)

After World War II, the northernmost peninsula in the Adriatic Sea was divided between Italy and Yugoslavia following the harshest dispute in the post-World War II Europe (Josipovič 2012), more specifically, the dispute about the border and territory around the Trieste and Istria, which will be analysed in the subchapters below.

Ethnicity

Following the anthropological approach towards borders, one cannot go without mentioning the Norwegian anthropologist Fredrik Barth, whose prominent *Introduction* to the edited book *Ethnic Groups and Boundaries* (1969) is seen by scholars as an epistemological break with primordialism and socio-ecological approach to ethnicity:

> Barth broke away from the Herderian canon in anthropology, according to which each ethnic group represented a historically grown, uniquely shaped flower in the garden of human cultures. Instead of studying each of these cultures in a separate ethnography, Barth and his collaborators observed how the boundaries between two ethnic groups are maintained, even though their cultures might switch from one side of the boundary to the other (Wimmer 2008: 971).

Surprisingly, anthropologists who studied the Istrian, Adriatic and Mediterranean regions as border zones, alongside several processes of ethnic, cultural and linguistic boundaries rarely used the Barthian approach. Those who employed it in studying the processes of ethnic differentiation in Istria derived from the tradition of ethnic studies known as the Slovenian national question and some of them from a critical approach to this field of knowledge (Janko Spreizer 2004; Knežević Hočevar 1999; Šumi 2000).

Following anthropological approaches towards ethnicity in one of my previous fieldworks in Istria, I reflected on the question how the interlocutors interpreted their identities and perceptions of differences that were constructed as Otherness in regard to multiple cultural and ethnic belongings. On the one hand, as revealed through the everyday discourse of the Istrian population, who in the wake of the Italian exodus migrated to the empty territories, which are now part of Slovenia, people insist on interculturality and coexistence, but on the other, they paradoxically claim their autochthony on territories, previously inhabited by the Italian-speaking population, in comparison with migrants described as "Bosnians" or refugees from the former Yugoslavia. However, in their self-ascriptions, my interlocutors interpreted their cultural repertoires as flexible and fluent, whereas their ethnic identity was explained as racialised and fixed, with metaphors of bastardisation, or being as a half-half person, implying on the mixture of pure ethnic categories (Janko Spreizer 2015).[1] Following the Barthian approach, insight, anthropologists may notice that 'ethnic differences do not correspond to cultural differences' (Eriksen, 2015: 103). It was noted that Barth's work had always focused on the dynamics and processes of social, economic and political forms, and their transformations:

[1] For a comprehensive study of culture, ethnicity and boundaries (cf. Šumi 2000).

> The key—the crucial issue—is the observation of humans in action: individuals who are motivated, maximizing, calculating the odds in various social situations which are framed by available knowledge, resources, and key "values." Barth did not search for abstract rules but investigated the knowledge, sentiments, and interpersonal realities existing at moments of decision (Lewis, 2017).

I will attempt to apply the conclusions relating to Barth's work in the analysis of the vignette described above. However, first, let us take a look at a brief history of the disputed border in the Bay of Piran.

Historical sketch of the border dispute and delimitation of the Gulf of Trieste

Slovenia is the first nation-state formation of the people of Slovenia, who previously lived in multi-ethnic states and empires (Bojinovič Fenko & Šabič 2014: 48). Although the protagonists of its political independence and secession from Yugoslavia maintained that Slovenia became independent, the newly created state immediately launched the processes of integrating into the international arena and the currents of global capitalism. After the breakup of the former Yugoslavia, Croatia and Slovenia started a dispute over the delimitation of maritime and land borders. International lawyers emphasise that the *uti possedi juris* principle was applied to this purpose. According to this principle, the arbitration commission of the conference on Yugoslavia, established by the European Commission and led by Robert Badinter, proposed that former administrative limits become frontiers protected by international law (Arnaut 2014: 147; Rogelja & Janko Spreizer 2017).

From October 1991 onwards, borders were the subject of several bilateral negotiations and third-party mediations. In the previous twenty-five years, prime ministers of Slovenia and Croatia proposed several agreements, such as the Drnovšek-Račan Agreement (2001), the Janša-Sanader Agreement (2007), and the Pahor-Kosor Agreement (2009), but those agreements were never adopted by the parliaments and implemented in practice. The dispute was internationalised after unsuccessful bilateral negotiations, and in 2009 the conflict became the subject of international arbitration.

To understand the recent dispute over the maritime border, let us present a brief historical sketch of the territorial dispute on land and sea. Before World War I, the disputed territory of present-day Slovenia in Istria belonged to a multi-ethnic Austrian and later Austro-Hungarian Empire. After World War I, when the Austro-Hungarian Monarchy granted autonomy to the Slavs, the State of Serbs, Croats and Slovenes (later known as the Kingdom of Serbs, Croats and Slovenes and ultimately named the Kingdom of Yugoslavia in 1929), the region of the Austrian Littoral with Kvarner islands was given to Italy. In line with the secretly negotiated London Pact of 1915, these territories were left to Italy with the Treaty of Rapallo in 1920 in exchange for the recognition of the new Slavic state. Although the London Pact was not legally valid after World War I, the new State of Serbs, Croats, and Slovenes did not obtain Istria with Kvarner islands. In any case, the said territories were annexed to Italy, despite the high proportion of the Slavic population.

In World War II, the Yugoslav Army claimed the territory of Istria together with the city of Trieste. Since the Soviet Allies did not support Tito's further Yugoslav expansionism, Trieste and its hinterland became the subject of a longstanding dispute (Boeckh 2014: 25). The area was annexed neither to Yugoslavia nor to Italy. Instead, the Free Territory of Trieste was established in 1946, and the dispute was subsequently solved through international arbitration. The contested territory was established by the UN and then divided into Zone A under the Allied Anglo-American administration, and the Yugoslav-administered Zone B. Zone B extended from the Cape of Debeli Rtič to the Mirna River. The Free Territory of Trieste remained under joint administration until 1954, when the disputed territory of Zone B (Istria) was granted to Yugoslavia and divided between Slovenia and Croatia.[2] Zone A, encompassing the multi-ethnic Trieste hinterland with a considerable Slovenian population, remained on the Italian side of the border (Josipovič 2012).

Thus, a new negotiation between Italy and Yugoslavia was launched on some parts of the border at sea and on land that concluded with the signing of the Treaty of Osimo in 1975 (Arnaut, 2014: 146), which entered into force in April 1977 (Blake & Topalović 1996: 16). The treaty defined the border at what was considered territorial sea in the Gulf of Trieste. At that time, the national border consisted of four segments that connected five points. For the purposes of the recent dispute, Point 5 coincided with Point 1 of the 1968 Italian-Yugoslav Continental Shelf Boundary Agreement (Blake & Topalović 1996: 16), lying approximately 300 metres off the terminus of the former Yugoslav-Italian border on the Adriatic coast. At that time, both states had different opinions on the equidistance and straight baseline. However, as a result of the compromise, a line between the two alternatives was reached and described as 'the partial effect of the straight baselines' (Charney & Alexander, 1993: 1642, in Blake & Topalović 1996: 17). At the heart of the dispute were fishing interests of Italy and Yugoslavia, and the conflict was resolved with the agreement in Rome, which entered into force on June 16, 1986, establishing the joint fishing zone in between the disputed borders. Prior to the breakup of Yugoslavia, Italy and Yugoslavia agreed on the bilateral delimitation of the continental shelf in the Adriatic Sea (1964) and the bilateral territorial sea delimitation in 1975 (Arnaut, 2014: 145-146), which remained in force also after the disintegration of Yugoslavia. The Osimo Agreement, being in accordance with the rules of succession, made the delimitation of Slovenia and Croatia an essential obligation for both countries. Indeed, Yugoslavia declared a closing line for the Bay of Piran to be part of its straight baseline, and the bay was considered internal waters (Sancin 2010: 102). At that time, no country claimed the Exclusive Economic Zone in Adriatic.

[2] Right-wing parties made radical demands by claiming the territory up to the boundary of the former Zone B, which was interpreted as "the last internationally recognized boundary" in the area (Blake & Topalović 1996: 27). The second demand was less extreme, proposing a boundary on the Savudrija peninsula some 2–3 km south of the Dragonja River. This option would still ensure that the entire Bay of Piran would belong to Slovenia. For more, cf. Blake & Topalović 1996: 27.

Maritime boundary

On June 25, 1991, Slovenia and Croatia both proclaimed sovereignty and independence from Yugoslavia. Croatia, Italy and Slovenia did not challenge the delimitation agreed upon in 1975. The problems surfaced when the two new states started to demarcate their common maritime delimitation boundary.

The dispute on the territorial sea delimitation in the Adriatic and several controversies between new states flared up because the predecessor states never established the delimitation of the maritime areas between the former republics of Slovenia and Croatia (Arnaut 2002: 22; Arnaut 2014: 147; Blake & Topalović 1996: 28). There was no maritime border with Croatia, which was to become the state border at sea after 1991 (Sancin 2010: 94).

New maritime delimitations needed to be drawn according to the international law and the United Nations Convention on the Law of the Sea (UNCLOS, 1982) (Arnaut 2014: 147)

Pursuant to Article 15 on the 'Delimitation of the territorial sea between states with opposite or adjacent coasts' of the UNCLOS, the states were to agree on the territorial sea between the states. In a case of disagreement, the states were not to extend its territorial sea beyond the median line:

> Where the coasts of two states are opposite or adjacent to each other, neither of the two states is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two states is measured. The above provision does not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two states in a way which is at variance therewith (UNCLOS 1982).

In 2001, the former presidents of Slovenia and Croatia proposed the Drnovšek-Račan Agreement as a solution, in which the Slovenian territorial sea was to encompass approx. 113 square kilometres or 70 per cent of the Bay of Piran, which was more than if the equidistance principle had been employed (Arnaut 2014: 147). The agreement established the "high sea corridor" (46 square kilometres between the Slovenian territorial sea and the existing high seas. The Croatian territorial sea would be crossed along the corridor and Croatia would retain a triangle bordering the corridor as well as the Slovenian and Italian territorial seas. Considered innovative and unprecedented, the proposal would manage to satisfy Slovenia's claim to direct access to the high sea and Croatia's demand for retaining the territorial sea boundary with Italy. However, the agreement was never accepted, and the conflict became more complicated.

In the following years, both states officially claimed[3] the territory near the Drag-

[3] There were also two other unofficial claims. A more radical claim was the delimitation on the former border of the Free Territory of Trieste on the Mirna River, and the moderate solution proposed the border to be drawn 2–3 km south to the Dragonja River to encompass the communities of Savudrija and Kaštel. This proposal was based on the historical limits of the Koper district from the 1910, when this territory was a part of Austria. According to this division, the Bay of Piran would be considered as internal waters, like in Yugoslavia.

onja River (or the St. Odorick canal, the new. regulated riverbed), based on different sets of evidence: Slovenia claimed the land with four hamlets (Bužini/Bužin, Mlini, Škodelin/Škudelin and Škrile/Škrilje) because it belonged to the Slovenian community of Piran III, in accordance with cadastral evidence. If this proposition had been accepted, then the said hamlets would have been on the other side of the Bay of Piran, and the Bay could have been undivided. The Croatian claim, in contrast, was based on the administrative evidence, and it considered this part of the land as *de facto* under Croatian jurisdiction (Blake & Topalović 1996: 28). The issue of the maritime border in the Adriatic Sea was the subject of negotiations[4] and was not settled until the end of June 2017, because the delimitation on the sea between the former Yugoslav republics was never carried out. For the maritime border, the decision on the land border on the coast was the most crucial for the delimitation of the base point for the maritime border (Sancin 2010: 102).

Slovenia further claimed the right to territorial contact with the high seas, insisting on the right to the integrity of the Bay of Piran. The Slovenian side maintained that, due to its ecological vulnerability, the Bay of Piran should be integrated rather than divided. Croatia, in contrast, claimed the right to territorial contact with the territorial sea of Italy and requested an equidistant line be applied for the maritime delimitation in the Bay of Piran (Sancin 2010: 97).[5]

Slovenian arguments were that Slovenia was an unprivileged state, with no direct access to the high seas and, similar as in the Drnovšek-Račan Agreement, proposed a sea corridor that would link its territorial sea and Point 1 of the continental shelf boundary (or T5 in The Gulf of Trieste, which is the northernmost part of the high seas) (Blake & Topalović 1996: 28).

In a diplomatic letter, Croatia offered Slovenia a "waterway" to the high seas. If the Arbitration Tribunal awarded such a regime of navigation, then its final decision would probably be similar to this solution. On this waterway, the regime of transit voyages through the Strait would be accepted as a rule. This arrangement was similar to the regulation on the high seas, with certain additional rights for Croatia as a coastal state. Following this regime, Croatia would not be allowed to interfere with the voyage of the ships when these would navigate through its waters without stopping, except in the case of violating local, especially ecological rules. Compared to the corridor proposed by the Drnovšek–Račan Agreement, Croatia would have the right to exploit the seabed, subsoil, and to fish as well as the right to build artificial islands, while Slovenia would not have these rights on this navigation route (in the corridor). 'Submarines and other

[4] Beside some parts in Istria, the states also had other disputed points on the border, which are yet to be settled, but are less relevant for the discussion on the dispute over maritime delimitation here. For a complex description of Slovenia's foreign policy and its open issues with other post Yugoslav states, cf. Bojinovič Fenko & Šabič, 2014: 57.

[5] In the past, politicians and experts tried to reach several agreements concerning the border in the Bay of Piran. In September 2001, the prime ministers of Slovenia and Croatia, Janez Drnovšek and Ivica Račan, drafted a bilateral agreement which was never accepted by either parliament. In June 2005, a joint Brioni Declaration on the Avoidance of Incidents was signed and assured the status quo as from June 25, 1991. On November 4, 2009, Prime Minister of Croatia, Jadranka Kosor, and Prime Minister of Slovenia, Borut Pahor, signed the Arbitration Agreement following several months of negotiations (cf. Sancin, 2010: 99–102).

underwater means of transport' would be 'obliged also within these waterways to drive to the surface and display its flag', according to the Croatian proposal. According to the Drnovšek–Račan Agreement, Slovenia would have the right to dispose of marine cables and pipelines and overflight aircraft to the open sea, which would not have been the case if the disputed waters had been declared Croatian territorial waters.

Historians and ethnologists defending the Slovenian part saw the possibility for a solution in the UNCLOS and Article 15, which refers to the 'reason of historic title or other special circumstance'. Some more extreme experts insisted on Croatia's historical debt to Slovenia, maintaining that the compromise in the Adriatic was in favour of the former Yugoslavia, while in the north, the Rapallo border line exceeded the London line to the detriment of the Slovenian ethnic territory, placing a significant part of the Slovenian minority under Italy's jurisdiction. According to this interpretation, the Rapallo compromise concerning the border was above all to the detriment of the Slovenes (Kacin Wohinz & Krnel Umek 2005: 26). The second main argument of international lawyers related to the specific geographical situation of the disputed area: 'Relevant coasts are two adjacent coasts, which are in a specific situation due to their concavity and the fact that they are located in the semi-enclosed Adriatic Sea' (Sancin 2010: 102).

Borders and fishing agreements and dispute over fish stocks

In the global economy, fisheries in the Adriatic are of limited significance. Due to the currents and water depth, the eastern side has been traditionally known as the more productive fishing area. Consequently, from 1946 to 1973, Yugoslavia and Italy concluded six agreements, granting Italian fishermen the right to fish in specified areas of the Yugoslav territorial waters in return for financial compensation to Yugoslavia (Sersic 1993, in Blake & Topalović 1996: 3). The last agreement terminated in 1980. In 1983, Italy and Yugoslavia signed an agreement on the common fishing zone straddling the territorial sea boundary in the Gulf on Trieste, which was inherited by the new, independent states (ibid.). In 1995, Slovenia and Croatia signed the agreement allowing Slovenian fishermen to fish in Croatia's territorial waters and catch up to 1,500 tons of fish.

Obviously, the border dispute affected both Slovenian and Croatian fishermen. In the former Yugoslavia, the problem of competing fisheries interests with Italy was solved separately, with the agreement in Rome, on February 18, 1983, which established the joint fishing zone crossing the boundary between the states (Blake & Topalović 1996: 17).

Slovenia and Croatia accepted the agreement between the newly established republics on border traffic and cooperation. The Law on Ratification of the Agreement between the Republic of Slovenia and the Republic of Croatia on Border Traffic and Cooperation (Official Gazette of RS – International Treaties, no. 20/01) regulated economic cooperation between the states in the border zone, including maritime fishery in the Adriatic. According to this agreement, Slovenian fishermen were allowed to fish along the Istrian coast as far as Vrsar in the Croatian territorial sea, and Croatian fishermen were allowed to fish in the Slovenian Sea. The agreement was signed and implemented only

until 2002. Later, Slovenia agreed that that part of the agreement defining fishery rights would not be implemented until the questions concerning the state border were settled.

In October 2003, the Croatian Parliament proclaimed the Ecological-Fishing Protection Zone in the Adriatic (Škrk 2004; Bojinovič Fenko & Šabič 2014: 59). Then Slovenia and Italy threatened to veto the EU decision to grant Croatia the status of an EU candidate country, because this was a unilateral decision and not an agreement that would be acceptable for all three parties. Croatia wanted to protect its fishing stocks and tourist industry along the Adriatic. The proclamation of the zone was to come into force in 2004. Its main aim was to address the danger of pollution caused by oil tankers headed to Trieste (Italian port) and Koper (Slovenian port). The proposed zone would significantly reduce the possibilities of Italian fishermen to fish in the Adriatic. For the Slovenian part, the zone was perceived as a possible precedent for the delineation of the sea border between Slovenia and Croatia, which was not yet delineated at the time. On June 3, 2004, its original decision on widening Croatia's jurisdiction in the Adriatic Sea was vetoed, so that the proclamation of the zone was delayed for the EU Member States until the conclusion of a new partnership on fisheries agreement between Croatia and the EU. The following day, both Slovenia and Italy welcomed the decision by the Sabor and expressed their full support for Croatia to become a candidate for EU membership (Roter & Bojinović 2005: 452).

Following Croatia's accession to the EU, Slovenian, Croatian, and Italian fishing inspectors have surveyed fishery activities in the Gulf of Trieste from 2015 on, in accordance with the common fishery politics.

On June 29, the Arbitration Tribunal in The Hague declared its final decision in the dispute between Slovenia and Croatia, affirming the terrestrial and maritime national border between the states.

Interpretation of the vignette

The introductory description of the expanding shellfish farm in the sea, which was granted to the Croatian company Sargus by the Croatian government, is about a shellfish farmer who, with the help of a shellfish farmer from Izola, marked the shellfish farm in the Bay of Piran and then added new shellfish lines. On the initiative of the common European fisheries policy and in view of overfishing, EU Member States are encouraged to engage in mariculture, with maritime aquaculture and shellfish farming determined by states through granting concessions.

Media interpret the work in Sargus's shellfish farm as one in a long series of incidents punctuating the unsettled maritime border issue between Slovenia and Croatia. Our respondents in the field interpreted these and similar events that have taken place for more than twenty-five years as a political conflict and lack of political will exhibited by both states. One respondent explained that this was more about the Croatian shellfish farmer taking advantage of his position for political purposes and adding fuel to the conflict. More specifically, the shellfish farmer from Umag was granted a twenty-year government concession in the disputed part of the sea claimed by both Croatia and Slovenia. Following the decision of the Arbitration Tribunal of June 29, 2017, which the Croatian govern-

ment does not recognise and the Slovenian government is unsuccessfully endeavouring to implement, this part of the Piran Bay was granted to Slovenia. When the shellfish farmer from Umag learned about the decision, he wanted to return the concession in the disputed part of the sea. He was first told that he would also be paid back all invested funds, but then a turnaround occurred:

> He was given this place; he wanted to give it back, the money he invested, and the paperwork, and the concession. First, they told him he could return it, and they would pay him back. He was told so immediately after the arbitration. And he was satisfied. But then Plenkovič came to Umag, and everything changed. "If you want, you'll work here, we'll protect you". So, they explicitly wanted them to work [there] (Personal communication, 20 September 2018).

The Bay of Piran became the subject of dispute in the process of demarcating the maritime border between the newly created states of Slovenia and Croatia after 1991. In a similar vein as the maritime boundaries were disputed after 1991, the land boundaries in Istria, a peninsula where state borders now demarcate Italy, Slovenia and Croatia, became the subject of political conflict and symbolic delimitation as well.

> This is because Croatian and Slovenian politicians have for years used this argument to scoring election points, to gain popularity. To instigate a little, to fan the flames a little. People here, in fact, have no problem with one another. We live well and cooperate. We're on good terms, and it's great. When the politicians need it, journalists will always find someone on either side [of the border] who'll see things differently and enjoy being on TV. Someone who will present things in a different light, or if I may be rude, one idiot on this side, one on the other. And then it will look like a problem up there in Slovenia. While, in fact, for the vast majority of us, nearly each and every one of us, there's no problem at all. We work together really well; we live in harmony here! Absolutely. Then a bunch of journalists come to pit us one against the other (personal communication, 20 September 2018).

> Now he's thrown himself into politics. He was ruffling feathers on purpose. On orders from Janša [SDS party leader]. Go there, break up the bales, don't worry, yeah, we'll take care of it, we'll take care of it. I've never seen a Slovenian as rich as those from SDS, *porco dio*. They are so loaded my boat can't carry them [mumbles], you know? Just where, where, where, where they get so much money from, I don't know [laughs], it's… because I see, because I follow… Yeah (Personal communication, 18 May 2018).

Of major importance for the interpretation of the border issue in the Bay of Piran is the distinction between social actors who see it as a dispute between Croatian and Slovenian national politicians and those who see it as a dispute between the continentals – people from the interior who are usually seen by the actors as representatives of the governing elites or party leaders – and "us" who live and work in harmony here [at the

sea]. The respondent makes a symbolic distinction between the media and concrete national politicians or party leaders who deepen the division, "idiots" or local careerists or opportunists who use the dispute as a means of promoting themselves in the media, and those who are reasonable enough to prevent the conflict from further escalating. Those playing a part in the conflict are those from "up there in Slovenia", "idiots" or the governing elites from Zagreb, Croatia, while people down here or at sea cooperate "in the spirit of good neighbourly relations". It is, in fact, the locals who are preventing conflicts. So, for instance, it was the fishermen from Savudrija who prevented Tromblon, a Croatian war veteran, from intervening in the Bay of Piran by bringing boats to the disputed boundary, which has been demarcated by arbitration (Personal communication, 20 September 2018).

Police interventions in fisheries and shellfish farming, which take place with various intensities and on the orders by the governments and ministries of both states, are interpreted by our respondents as an obligation imposed on the police, and they emphasise that all sides involved conducted themselves in a proper and fair manner.

In contrast, the media interpret the events surrounding the border dispute and the crossing of the border, which Slovenia and Croatia delineated in two different locations in the past, but is today established through the arbitration decision, as conflicts among fishermen. However, my respondent provided a different explanation for the conflicts among fishermen. These are disputes over fishing technologies between fishermen operating trawls and those using fixed nets, which often get stuck in trawl nets.

> The constant dispute between fishermen has to do with net entanglements or poorly marked fishing nets. This is the constant dispute, no matter where they are from. I don't know of any fishermen who would say they have a problem with a certain Croat from the other side; no fisherman has ever said that to me. That there is a Croat causing trouble. That there's bad blood between them or that he's a real troublemaker (Personal communication, 20 September 2018).

Similar to Pamela Ballinger's respondents (2013, 2014), mine too saw the described conflict in the Bay of Piran as a dispute between the continentals and locals; however, my interlocutors reinterpreted the concepts of locality and continentality and placed in a different context. They emphasised that people who engage in fishing and shellfish farming in the Bay of Piran share common knowledge: performing fisherman's or shellfish farmer's work and helping each other in the spirit of good neighbourly relations. In terms of essentialist conceptualisations, there is a distinct echo of discourses that other anthropologists, as well, recognized as the conflict between Italians – local, de-territorialised from Istria (Ballinger, 2004, 2006) or as the conflict between fishermen from Savudrija, Croatia, who ascribe themselves the mastery of coastal cultural repertoire, and newcomers on the Slovenian side – Slovenes and Croats, and later on also immigrants from the former Yugoslav republics, who moved to the coast following the exodus of the Italian-speaking population and who have no mastery of the cultural repertoires characteristic of the coastal population or fisheries (Ballinger, 2013, 2014). Contrary to the above-described example, ethnicity was highlighted as the trait that had no substantive

role in conflicts. In the interpretation of the border dispute over the Bay of Piran, the essential point shared in common among all sides sharing the Gulf of Trieste was the sea and maricultural expertise.

The case, as described by the media, does not discuss the diversity of the fishing population on the coastal belt of present-day Slovenia. Nevertheless, the conversations with the fishermen reveal that, in other contexts and situations, the persisting divisions are still noticeable between the autochthonous, older Italian-speaking families and the new coastal population as well as Slovenian-speaking farmers who descended from the hills and were taught the art of fishing by Italians (Personal communication, May 18, 2018).

Conclusion

This paper reflected on the discourses on several political and symbolic borders that were deemed important for the Slovenian, Croatian and Italian-speaking communities that live along the borders and boundaries in the north-eastern part of Adriatic. The text intended to reflect some difficult historical events, such as the Italian exodus after World War II and the border dispute between Slovenia and Croatia in the post-Yugoslav period after 1991. Among other issues, the paper showed that the understanding of borders and discourses maps people onto specific terrains, such as stereotypical associations of Italians with the urban sites of coastal towns, while Slavs, most notably Slovenes and Croats, are associated with the rural interior (Ballinger 2006, 2012). The paper also reflected on the fact that the issue of the unsettled maritime border was mostly addressed through the prism of fisheries and the delineation of the maritime border in the Bay of Piran.

Ethnographic studies in Istria have shown that identities are intertwined, that they are defined by contacts among the actors, as well as determined by political circumstances and state policies. Scholars have demonstrated that the primordial conceptions are still at work in the construction of identities in ethnically mixed regions.

Some researchers find the political processes of national boundaries between Slovenia and Croatia after 1991 as a consequence of the never-finalised delimitation of the borders between the former Yugoslav republics. They explain that the questions of delimitation between Slovenia and Croatia within the framework of Yugoslavia were less important than the drawing of the national border with Italy. The demarcation of the state border between the newly created Yugoslavia and Italy after World War II was a long and politically strenuous process. In the ensuing years, however, the border delimitation was moved to the back burner.

By examining archival documents following historical anthropological analysis, anthropologists have demonstrated how it was within the historiographic traditions of the Venetian and Habsburg empires that various ethnographers relied on Herderian concepts when labelling the inhabitants' diverse ethnic identities with stereotypical descriptions that are still being played out by different and contesting nationalisms (Baskar 1999; Ballinger 1999, 2006; Carmichael, 1996). The reason for insisting in discourses on racialised purity is, according to anthropologists, in that the stereotypes formed by the Austro-Hungarian and Italian ethnographic traditions have been maintained, reproduced, reformulated, and transformed with new stereotypes. The reproduction and reformulation

of stereotypes are triggered by various political processes, such as the fall of empires (Venetian, Habsburg, Italian) and conflicts related to the drawing of borders into the maps of newly created multinational empires, following World War I and World War II, or after the armed conflicts across the Balkans upon the disintegration of Yugoslavia in 1991, which led to the formation of new nation-states. The geopolitical events accompanying the remapping and formation of these nation-states contributed to the creation of stereotypes framed in a reformulated narrative on the post-World War II Italian exodus. According to this narrative, inspired by the latest bloodshed in the Balkans following the breakup of Yugoslavia (Ballinger 2004), the *esuli* now interpret their exodus as nothing less than ethnic cleansing.

These processes are closely tied to the currents of capital and transnational politics that shape the reality of present-day nation-states. As for the border dispute described here: while fishermen from Savudrija highlighted ethnicity as a key element in mastering the cultural repertoire determined by the life at sea, my interlocutors in the territory of present-day Slovenia emphasised that ethnic affiliation had no bearing on the dispute. Instead, they found it essential to know how to work together and thus transcend ethnic divisions and live peacefully side by side in an area that has always been all too vulnerable to political abuse.

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Povzetek

Članek raziskuje etnične, kulturne in simbolne meje Istre, ki je opredeljena kot multikulturna, večetnična in večjezična regija in pripada današnjim državam Sloveniji, Hrvaški in Italiji. V znanstvenih zapisih in vsakdanjem govoru je Istra obravnavana kot obmejno območje, kjer ljudje konstruirajo več 'čistih' in 'hibridnih' identitet. V tem prispevku so raziskani nekateri geografski, zgodovinski, politični, antropološki in vsakdanji diskurzi, ki so prisotni na lokaciji avtoričinega terenskega dela v Istri na severovzhodnem Jadranu, ki se opredeljuje kot del Sredozemlja, in se dotikajo vprašanj državnih, kopenskih, morskih ter etničnih meja. Avtorica se osredinja na mejna vprašanja v obdobjih mnogoterih sprememb po drugi svetovni vojni in po letu 1991, ob razpadu Jugoslavije, ob nastanku

Slovenije in Hrvaške kot novih postsocialističnih držav. Članek daje večji poudarek na vprašanje procesa mednarodne arbitraže iz leta 2017 glede morske in kopenske meje med današnjo Republiko Slovenijo in Republiko Hrvaško.

KLJUČNE BESEDE: etnične meje, državne meje, Istra, Piranski zaliv

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