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KOSOVA POLITICAL LIFE: PAST AS PROLOGUE?

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I. The legacies of state building in Communism

Seventy percent of Kosova's population is under the age of thirty, which means that seventy percent of the population was born after 1969. If there weren't a collective memory of times before this birth date, this high percentage of youth in the kosovar population would've gone through two short and basic historic processes. One is state building, which the kosovar leadership undertook within the Communist party framework, staying as close to Marshall Tito ("the source of legitimacy and legality") as possible. The other, resistance to a violent decomposition of Kosova as a state, a decomposition that started with the pressures on the kosovar communist leadership since 1981-1982, immediately after Tito's death (therefore the death of the "source of legitimacy and legality" for Kosova's state building process within the Communist framework) and ended with a scorched earth offensive of the Serbian police and military in spring of 1999.

If one were to look back to history just for a second, it could be seen that the similar, clashing processes were present since the beginning of the century. The end of the Ottoman Empire was the stage for the state building aspirations of the kosovar Albanians versus the anschluss of Kosova in the expansionist move of Serbia, which had already become a state, therefore denying the state building process of the kosovars.

However short historically (1968-1989), the life of Kosova as a state (within the double hat of autonomy in the Federation and an autonomy within Serbia), has created the identification of kosovars (mainly Albanians) as its state citizens. The kosovars, with their Constitution, Parliament, laws, government, police, University, Central Bank, have gone through an experience by which Kosova was seen irreversibly as a state in its own right. Furthermore, this was happening to a population that in its overwhelming majority (more than 90 percent) was illiterate after the Second World War.

At this stage, both the regime and its opposition at the time coincided on the bottom line. The regime saying that Kosova was a state and that in terms of realpolitik it was more or less impossible to make further constitutional advances (a Republic status in the Federation, no links with Serbia). The underground opposition was claiming, in demonstrations of 1969 and 1981-1982, that Kosova needed more statehood, breaking cosmetic links with Serbia and achieving Republic status within the Federation, which would give Kosova the ultimate Constitutional description as a Federal unit apt to use self-determination. Neither the kosovar regime nor its opposition was claiming the need for less statehood, and one could certainly claim that the opposition was determined to, through street protests, speed up the process that was initiated already by the kosovar regime, statehood within Yugoslavia.

This position of both the regime and the opposition will be important in the future, as we will see in the period of 1989-1999, because the idea of statehood will not be abandoned even in the worst of the conditions of Milosevic's occupation of Kosova. And, as we have seen, Milosevic will not, with the exception of half a dozen Albanians, find any significant or

insignificant political force with the kosovar Albanians that can create a Vichy regime or Quisling policies. The idea of statehood had, by that time become a living reality for the kosovars.

The conditions in which this state building process was conducted, though, would be highly influential for kosovar political life. Communism, however, liberal it was under Tito compared to Eastern Europe, did not create conditions in which the debate of the regime and the opposition could be conducted. Whether Kosova should be more or less of a state was an issue that was not raised in the public debate, but in field battles between the police and the demonstrators, and in courts, controlled by the Communist party. The repression of dissent made the opposition radicalized, and inclined towards support from abroad, in this case the Communist hard-line Albania. In this sense, the debate over statehood of Kosova was set up in an ideological debate between two concepts of Communism.

This kind of debate, restrictive of rights of the citizens of Kosova to freely express their political beliefs, was maybe highly symbolic of the notions of the state-building process. The building of the kosovar state concentrated its efforts in the direction of eliminating whatever influence Serbia could have over Kosova and creation of autochthonous institutions of a state, in this case of a Communist state. Never, during this process, did the question of the democratic legitimacy of these institutions appear. Mainly, with very brief exceptions, this question did not arise neither in Yugoslavia as a whole. The whole process then could be described as, in a paraphrase of the T.Roosevelt doctrine towards Latin American rogue countries as “it is a repressive state, but it’s ours”.

Nevertheless, there was an exception to the whole notion of state-building in Kosova. It was the Serb community, which in the period of 1945-1968 had been ruling the Province that saw with little affection any move towards greater autonomy in the affairs of Kosova. One could describe the position of the kosovar Serbs as being either not supportive of the state-building drive, or in the latter stages, clearly engaging in suppressing the autonomous rights of Kosova, asking for direct rule from Belgrade. This position clarified itself in 1989, when the Serbs of Kosova, who even until then had a privileged position in decision making at all levels of kosovar life, became administrators of Milosevic’s rule. The Serbs, by adopting this position were clashing directly with the will of the majority of the kosovars, and were perceived by their Albanian co citizens as protectors of the interest of Serbia, not Kosova. This will, as we can see today, have serious consequences on interethnic relations.

II. Protecting the achieved and the Fall of the Wall

Two events, in two different years may manifest the way in which the kosovars tried to defend what they had achieved in very difficult conditions of Tito’s Yugoslavia. The first was the miner’s strike in Trepca in 1988 and 1989. The miners had decided to take to the streets in creating popular support for a not very popular leadership of Kosovars that had been under intense pressure from Milosevic to change the constitutional guarantees of autonomy that Kosova had until then. The miners went to the streets with the banners of Yugoslavia and the Albanian flag, and with the picture of Tito. The protest, that at the time would mobilize almost the whole Albanian population was broken violently by orders from Serbia and, would bring about two symbols. One would be of peaceful resistance that since

then would become a concept for the future kosovar politicians, and the other of the death of the symbols of Yugoslavia. Neither Tito's picture nor the Yugoslav flags would be sufficient to legitimize resistance against Milosevic.

This would be seen more clearly in the demonstrations of the end of 1989 and the beginning of 1990. By that time, the Berlin Wall was going down, and the chant on the streets was "Democracy". A new movement of kosovars was being established, with new concepts.

The difference of one year, with the fall of the Berlin Wall in between, meant that protecting the achievements of state building could not be done any more. The process of protecting the autonomy, with symbols of Yugoslavia was over, in came a new process, of building a Republic of Kosova within the process of disintegration of both Communism and Yugoslavia.

The new kosovar leadership, symbolized by dr.Rugova, would try to create a new political culture. In came new parties, with competing programs; over was the period of one party monopoly. The words peaceful resistance and parallel institutions characterized much of the period of the nineties. Peaceful resistance meaning basically handing over without any resistance the institutions of autonomy to the new Serb authorities (including enterprises, schools, hospitals) and parallel institutions meaning trying to create a pretense of a state wherever it could be possible.(The educational system was the most visible and probably the most successful of the parallel structures. The teachers and pupils conducted classes without the agreement of the Serb authorities and in many cases outside the school buildings. A tax system was built in also in parallel to the Serb system to ensure the financing of the parallel education). This pretense was soon converted in a self-illusion. Dr. Rugova's party, the LDK, drove for "multiparty elections" that created both the illusion that there was a democratically elected body and in fact that there were political institutions that conducted political life in Kosova. This collective self-illusion lasted until the Drenica uprising, despite quite shattering evidence: for example dr.Rugova proclaimed that his government had a Ministry of the Interior , leading to the arrest and sentencing of many former Albanian kosovar policemen who had been fired by their Serb counterparts.

Nevertheless, the collective self-illusion had also the benefit of attracting international support from the Great Western powers. In the beginning through lip-service and photo-opportunities for dr.Rugova with Western dignitaries , ending with a bombing campaign against Milosevic's Serbia.

And the most important advance in this era was that the ideas of statehood were not interlocked anymore in the debate of what Communism is better (Yugoslav or Albanian), but the ideas of statehood were linked to the decisive support Kosova needed from the West, the victor of the Cold War. An important element that helped was the end of Communism in Albania. Once opened, Albania showed to the kosovars the extent of devastation that Enver Hoxha inflicted on his own society.

In interethnic terms, this period created even bigger problems for the future. The Serb population of Kosova relied heavily on Milosevic's policy of war for the Greater Serbia. Vis-à-vis the Albanians, the Serb political behavior became one of guardians of apartheid and communism at the same time.

A positive fallout of this period was the newly acknowledged power of the civic initiative: the Kosovar Albanians, not being able to rely on the state to deliver to them services like

health or education , turned to their own self. Kosova could probably, and not to jokingly, be called the biggest NGO in the world at the time.

III.War and the end of an era

The Drenica uprising and the subsequent war demonstrated two basic things to the Kosovar Albanians. One, that the self-illusion of the state was not sufficient to get one, and that the way things were established by the Dayton agreement, no further advance was possible without violence. Second, that it was impossible to reach to any stage without a Western support.

These two basic lessons were within themselves contradictory. During much of the decade of the nineties, it was actually nonviolence and the pretense of a democratic (underground) rule that drew much of Western support for the kosovars. Violence , it was said in the West, would lose support for the kosovars.

On the other side it was violence that ultimately triggered more focused Western attention. The first attempts for serious negotiations (The Contact group initiative, Holbrooke's mediation, Hill's shuttle) came only after the Drenica uprising and the Serb massacre. Furthermore, the Rambouillet negotiations came only after the Serb authorities had decided to eradicate any form of Albanian armed struggle, through massacres, like the one in Recak. But, again in a paradox, the Western military intervention came only when the initial Albanian violence turned the majority of the Albanians in victims. The Albanian force wasn't sufficient to liberate Kosova; in fact it was sufficient only to trigger a massive scale military operation by the Serbian forces that could lead ultimately to genocide.

Western support ultimately lead to the liberation of Kosova from Serbian forces.

The war with its end, brought to the kosovar political behavior agonizing truths. Neither the passive resistance nor the armed resistance ultimately made the historic change possible by themselves. It was only when both of these policies combined themselves and handed over the issue to the Western powers (and the Western powers accepted it) that the qualitative change was possible.

But the recognition of this fact will take time, and so will the debate over who the victor on the Albanian side in this war is, who started first opposing Milosevic, with what means, with what effects, etc.

In the interethnic sense, war was the biggest historic gamble for the Serbs. Having relied on Milosevic, the kosovar Serbs fought actively the war against NATO and the Albanians. A war in which the bet was "a final solution" for the Albanian problem in Kosova (massive deportation, combined with massive killings, looting and burning of property) made the end of it dramatic for the Serbs as losers.

IV. International administration in the interregnum : managing what to where?

Where will Kosova be in 10 or 20 years from now? This is a question not only for the international analysts, but is basically a question that every generation of kosovars has grown up with ever since the dissolution of the Ottoman Empire. The question is more or less

addressed by the UN Security Council Resolution 1244 in terms of defining the today as a movement towards the establishment of a democratic self-administration and tomorrow as a period in which the permanent status will be established.

Kosova could be therefore qualified as being in a fluid situation by which in the first stage it will have to establish institutions of self-rule and in the second stage the overall state framework in which these institutions will function.

Self-rule for the kosovars means establishment of a state, and this is a point of convergence for the kosovars and the UNSC Resolution 1244. There are two other elements, though, that accompany the notion of state building: democratic and viable.

There are evident positive factors in the society today that favor a development in making Kosova a democratic and viable state. The more evident is the development in the nineties, in which the state-building process lost its ideological context and subsequently was inclined towards getting Western attention and support. Ultimately, the Western democracies are present in Kosova, either through the military participation in KFOR or through civilian participation in UNMIK. Furthermore, there is also a pledge in aid, both short term and reconstruction aid for the society by major Western countries.

In this sense, there is an outside umbrella for democracy, an umbrella that should protect Kosova from the possible negative effects of the regional instability.

But is the umbrella sufficient to build a democratic and viable state? Not, if there isn't recognition that building the new state will mean a radical reform of the society. The kosovars will have to make the transition from communism to democracy, from apartheid to majority rule, and from conditions of violence to nonviolence. These three very painful processes will happen rather at the same time, and the mission for the International administration will therefore be not only administering, but also reforming.

Given the extent of the problem, the task of the international community in fostering democracy can be divided in three phases:

- a) Post conflict management (i.e. stabilization)
- b) Re-structuring /reform (building of democratic institutions)
- c) Permanent status decision making

All of the phases are interlocked and may appear simultaneously. For example, the issue of security, which would belong to the first phase, is highly linked with the issue of building an independent judiciary, which nominally belongs to the second phase. Or the constant pressure in a public debate on the third phase, what kind of status will Kosova have, could influence the second that of reform, and building democratic institutions. The intensity of this interlocking makes the political landscape even more difficult.

Nevertheless the issues arising in the kosovar society today are derived from issues of administration, and the future of the democratic processes depends on it.

The questions of democracy, market economy, tolerance in interethnic relations become almost rhetorical in conditions of insecurity of citizens, lack of policemen, courts and laws. Or in conditions of lack of wages for public servants. Furthermore, the situation will get even more complicated if any of the kosovar political forces (such as is the case now) claims to have an administration of his own, that again cannot deliver on anything that the citizens need.

V. The consensus

The kosovar society, and the international community involved with it, cannot make any further steps towards building a viable democracy without establishment of a consensus in the society as a whole. In transitions of Eastern Europe, the transformation of the society could begin with free and fair elections and be pursued further by whatever political forces would be legitimized. In Kosova, free and fair elections will take some time to be organized, and the interregnum could create more problems that will have to be solved than there are now (crime, economic and political monopolies created on lawlessness, atmosphere of collective fear, restrictions of freedom of expression and political affiliation, etc). Lacking free elections, nor a democratic heritage, the kosovar society will have to develop a consensus on the basic questions of the present and the future of Kosova.

On this point there ought to be a convergence also with the International administration. Not being able to administer on a colonial basis, the International community will need the kosovars in the task of leading Kosova through the double step-approach of self-rule and status determination.

This point of convergence could be explained further on qualitatively. The kosovars' main preoccupation, during the century, that of state-building and achieving independence has dealt mainly with trying to develop mechanisms of defense against Serbia (be they the whole Constitutional framework of 1974, dr. Rugova's policies of the nineties or the armed uprising). For the first time, the kosovars have the opportunity to direct their attention to the quality of the institutions under which they live, in terms of satisfying citizens' needs, regardless of the position of Serbia. This means a possibility to build democratic institutions that create long-term stability for the kosovars. Furthermore, the status issue will be linked with the quality of the functioning system in Kosova, and that would mean: the quality of the institutions of democracy, the quality of economic transformation, the level of tolerance in the society and the quality of relations that Kosova can establish with its neighbors. And, this is both the conditionality clause for the international community as well as its opportunity to identify the kosovar interest as its own.

It is the time for this type of questions for the kosovars and the international community:

- a) What kind of mechanism of inclusion is needed in the post conflict management phase to have the basic forces of the kosovar society within UNMIK? What are the points on which the kosovar political forces have shared views? What is the Charter of the new legitimacy of the political forces of Kosova?
- b) How to create the reform of the kosovar legal system between the pre 1989 precedent and the European law of today? What kind of Constitution of Kosova and when?
- c) What will be the optimal model for the transformation of the economy, especially taking into account the restructuring of the non-private property?
- d) What is necessary to create the conditions for the Serbs and other minorities to feel and live Kosova as their own state?
- e) What kind of economic and political incentives are needed for closer cooperation of Kosova and its neighbors

The questions presented aren't part of the public debate, or of a round-table format. Maybe the way to proceed further in the ways of nurturing the process of democratization would be to start from here.