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KOSOVA CRISIS

by Arben Xhaferi

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Introduction

Social formations are dynamic organisms which objectively undergo transformations dependent on the factors – economic, ethnic, cultural, linguistic, religious or cultural – which constitute society or which, in general, affect its system of values.

Communism is an ideology, a world outlook which arrogantly tried to dominate history and the factors which promote historic development, proclaiming the end of history.

For its part, post-communism is the revenge of history on ideology, with the tragic manifestation of unsolved problems, concealed by ideologists in the naïve belief that they had definitively succeeded in suppressing social antagonisms which were supposed to carry on the historical process and bring about the improvement of social formations.

The implosion of communist systems, the re-emergence of ethnic, economic and social conflicts, the legalization of tribal mentalities which manifested themselves in the creation of ethno-centric States as supplements of ideological States, the deification of the ethnos and the destruction of other human and moral values are phenomena which characterize this historical period as a slowing-down, a historical retardation or anachronism.

The historical retardation, the revenge of history on ideology in the post-communist states expresses itself in two dimensions:

- the creation of ethnic States, and
- the creation of colonial relations among different ethnic groups, that is, a sort of neocolonialism.

The creation of national States was a phenomenon of the 19th Century when this project could be carried out because of different levels of national consciousness and national formation and, as a process, was completed to the advantage of nations with a better formed national consciousness, and the low level of development of mass media, the weak and fragmentary interaction of the informative system.

On the eve of the 21st Century, when national consciousness has risen to a level which makes assimilation impossible, when the whole of the planet has been turned into a “global village”, when global information systems penetrate everywhere and give every crisis a global character, it is almost impossible for ethnic states to be set up in multi-ethnic spaces, for human rights to be violated without arousing indignation and reaction on the part of international opinion, for ethnic cleansing to be carried out on a given territory. or colonial and apartheid relations to be established among different ethnic, religious, linguistic or cultural communities.

In the post-communist States and, in the future, in the Eastern countries in general there are and there will be problems between the tendency towards affirmation and cultivation of diversity and the tendency towards hegemony, ethnic, religious, ideological or cultural domination, towards the justification of colonialism by claiming the right of brutal hegemony, well as towards the misuse of Western values, such as democracy, to transform them into an instrument of elimination, of marginalization of non-dominant ethnic groups, thereby legalizing the right of domination of the majority over the minority. These are global problems that may be explained by the tendency to dominate and the

struggle for liberation and emancipation. On this line, in the sphere of international law two categories of ideas confront each other:

- the right to self-determination, liberation, emancipation, de-colonialization, and the right of States to sovereignty, unchangeableness of borders. The former right is original, inalienable and natural. The latter does not absolutise the right to sovereignty, but defines the means and the ways in which borders can or cannot be changed.

Elimination of this confusion is difficult because in the political and scientific arena and in the information media ethnic lobbies and unrestrained ethnic propaganda are at work so that there *is* a general disorientation over the implementation of those two principles of international law.

Historical Tendencies

Proceeding from the fact that the number of new States is increasing with each passing day, analysing the phenomenon of de-colonialization in its various aspects, finding a degree of affinity among the calls for secession in Asia, Africa and Europe, and exploring the factors which brought about the destruction of totalitarian systems, we may conclude that one characteristic of the historic tendency today is the affirmation of diversity; hence, the disintegration of ideological totalitarianisms or States – ethnic, religious, linguistic or cultural amalgams set up on the basis of geostrategic interests.

Resistance to this tendency is expressed through the re-creation of low-level totalitarianisms in partial systems. Proceeding along this line of thought, and analysing the phenomenon of the recycling of totalitarianism, concordances may be found between the exclusiveness of the new ethno-centric States and the authoritarianism of patriarchal families or the manifestation of the Japanese workers' extreme loyalty towards their bosses. In all cases, the right to diversity, and ideological, cultural or merely personal individuality is either repressed or suppressed because of enslaved minds and suspended consciousness.

A dominant characteristic of this mentality and, consequently of the structures and substructures (State — factory — family) in which totalitarianism survives, is – along with authoritarianism – exclusiveness. Such systems exclude the other as different. In the former ideological systems, opponents of the dominant idea, let's say communism, the central planning of the economy, was excluded from society, deported to gulags, concentration or re-education camps. Now that ideological totalitarianism is being replaced with ethnic totalitarianism, the same phenomenon of exclusiveness presents itself: ethnic opponents and competitors are excluded, marginalized or condemned. So we have ethnic cleansing in Bosnia, apartheid in Kosova and marginalization or gettization of the Albanians in the FYROM. This totalitarian, authoritarian and exclusive mentality is also closely linked with ethics, moral maturity. A characteristic of moral principles is their universal validity. In exclusive totalitarian systems, moral principles have only partial validity: they are valid only for the conformists, the members of the family, gang, tribe or ethnos. Hence, the principle 'thou shalt not kill' is valid only for the elements of the system, not for those outside the system. In Bosnia and Kosova this moral immaturity brought about real tragedies for the people who were outside the ethnic and military systems.

This political immaturity also pervades Russian diplomacy: it does not defend principles, but its traditional ally, Serbia – or more precisely, it carries out a Slavophile policy.

Those manifestations go against the historical tendency which affirms diversity and inclusive systems, in which the other is not necessarily an enemy to be eliminated. In the cultures which fit into this historical tendency and in which moral maturity stands at a high level, the individual and the system feel responsible not only for the other, but after the emergence of ecological movements, for the environment as well.

If a characteristic of this historical tendency is the affirmation of the right to individuality, the right to cultivate one's ethnic, religious, linguistic or individual peculiarities, then all projects which obstruct this process are anachronistic.

Usually, obstruction of this process is justified with arguments of:

- legality;
- the unchangeableness of borders;
- conspiracy, which does not present the problem in its real light, but sets it in the realm of speculation and imagination which produces the category of the foreign enemy;
- racist, fundamentalist, nazi or ethno-centric theories;
- history, when a "glorious" historical period is uncritically chosen or invented and attempts are then made to try to get present-day reality to fit the past;
- globalism, generalization of the problem, creation of absurd analogies (for instance, between the demands and status of the Hispanics in the United States, the aborigines in Australia, the Basques in Spain, the Occitans and Arabs in France (Marseilles) and the Albanians in the former Yugoslavia);
- cataclysm, which presents respect for the right to diversity as an agent of planetary cataclysms.

Along this line, the policy of the staff surrounding Serb President Milosevic is transparent, as it resorts to all the above arguments in order to defend its anachronistic project. Initially it mentions foreign agents, Western in general, and more concretely Genscher, former minister of foreign affairs of Germany, or the well-known U.S. congressman, Robert Dole, as responsible for the disintegration of the country, and then presents Serbia, like a vulgar Nazi theory, as the bastion of Orthodoxy standing up against the penetration of Catholicism into the East, of Islam into the West or the restoration of the Fourth Reich. Just as transparent are other all-encompassing theories which often resort to grotesque analogies, for example, between FYROM and the United States. When the Albanians of the FYROM called for more extensive use of the Albanian language or the official recognition of the Albanian University of Tetova in the framework of the educational system of the FYROM, the ideologists of ethno-centrism resorted to the argument of global conditioning: if these rights are given to the Albanians, then they should also be given to the Hispanics in Texas and the Arabs in Marseilles.

Historical arguments are just as shallow. In order to argue their hegemony, the Serbian ideologists at times resort to the ethnic argument (Bosnia and Herzegovina) and at times to the historical argument (Kosova). They want to annex Kosova by proclaiming it the Jerusalem of Serbia – although this is not really the case. On the other hand, nobody in the Christian world uses an argument of this kind to occupy Bethlehem, the holy place of Jesus' birth. This mentality belongs to the era of the Crusades. Is Serbia going through this period? To avoid the confusion that is intentionally created to hamper the unrelenting historical tendency, the individual historical contexts in which these problems emerge must be analysed.

The Historical Context

To understand the phenomenon properly, to avoid sterile analogies and pretentious globalisations, the crises that emerge in the various social formations in the world should be analysed in their temporal and spatial context. The present crisis takes place in the systems of the former so-called socialist camp because of the failure of the communist concept of social formation, the State.

Communism emerged on the historical arena with major pretensions. It offered the utopian project of extinguishing social, economic, ethnic and cultural antagonisms in general, and came up with the method of manipulating the factors which would accelerate the historical process, that is, the development of history itself. It stated that property should not be private, but belong to the people. Consequently territories should not belong to an individual ethnos, but to the whole people, to the proletarians emancipated from bourgeois leftovers, from the mentality of private ownership, and from religion or cultural identity.

This new definition emerged at the time when empires – the Austro-Hungarian, Turkish-Ottoman and Russian-Czarist – were crumbling. At this time, the historical process of the destruction of empires and creation of national States, that is, the disintegration of amalgams, of magmatic compositions and the separation of elements which had started in the 19th Century, ought to have come to an end. But this did not happen. The historical process was interrupted with the creation of some unnatural federations: the Soviet Union and the Yugoslav Federation, which initially presented itself as the Serb-Croatian-Slovenian Kingdom. The cynics claimed that communism was a smokescreen for Pan-Slavism, as initially the territories of a particular nation became property of all nations, of the proletarians divested of all identity. However, in the end of the process, when the communist ideology was replaced by the nationalist ideology, the common territory, factory, or army inevitably became the property of somebody -- the ruling class in society, be it an ethnic group or a political nomenclatura. For instance Kosova, which had always been a separate entity like Dardania, the Vilayet of Kosova, etc. became a part of Serbia (the Constitutional change of 1989), the People's Army came under Serb control, while the Socialist Republic of Macedonia, a common republic of the Macedonians, Albanians and others, became the independent State of the Macedonians (See Amendments 24-56 of 1989 and the Constitution of 1991).

These phenomena have nothing to do with the virtual world of international conventions regulating relations between States, which are valid in normal conditions but do not apply to our case as we are at the beginning of the creation of States and confronted with a unique historical reality: the dissolution of federations, the secession of their elements and the emergence on the historical arena of the right to self-determination.

In this context, the right to self-determination, liberation and de-colonisation should have priority over the principle of the unchangeableness of borders. Likewise, change of borders in this crisis-ridden zone does not mean change of borders everywhere in the world, in zones unaffected by crises. Many people may be sick, but the doctor cures only those who come to him. Hence, the Albanian question has nothing in common with the condition of the aborigenes in Australia, the Hispanics in the United States, the Arabs in France, or, structurally, with the Basques in Spain, the Irish in the United Kingdom, the Bretons, or others. Time and space determine the context, whereas the global approach

only complicates things, and serves as a smokescreen for colonialism and hegemony. In this historical context, the axiological phenomenon, the system of values in the new social formations, should be taken into account. The question should be asked whether the new entities guarantee the incontestable human values – freedom, equality, peace and democracy – or merely invoke the former exclusive principles, recycling the crisis which led the former systems to their destruction. If do not guarantee these values from the beginning the new entities, the international institutions should contest them. New States may be set up only if they respect the new system of values.

Yugoslavia

The first and second Yugoslavia was the product of agreements and contracts concluded among the nations that created it, as well as of the international context.

These contracts were violated mainly because of Serb hegemonic tendencies which manifested themselves either when the Constitution was changed or when the ethnic structure of the population was altered through ethnic cleansing or colonisation. Non-Slavs – Albanians, Hungarians, Volksdeutsch Germans – were expelled from their territories, while Lika, Herzegovina and Montenegro were colonised by Serbs. These phenomena only represented the tip of the iceberg of brutal Serb hegemony. Usually these methods weakened the loyalty of the citizens towards the State (Yugoslavia), now considered a Serb *Lebensraum*. In situations of crisis, this lack of loyalty was even more evident. Nobody wished to defend this Serb Yugoslavia when it was attacked by Nazi Germany. In 1941, the Germans were received as liberators in many regions of Yugoslavia just as the NATO troops were in Bosnia. Nevertheless, this analogy is not completely correct. The second Yugoslavia, that of Tito, was built on principles which were supposed to prevent Serb hegemony forever. Eight federal units, six republics and two autonomous regions were formed, respecting the ethnic structure and historical legacy.

Tito built a system which made hegemony and domination of a majority over a minority impossible. The secret of this system was the mechanism of consensus. This mechanism worked perfectly when the system was monist and led by communists. In that time all rights were formal. Problems cropped up when the communists turned nationalist. The first person to manifest this phenomenon in all its brutality was the former bureaucrat of the communist nomenklatura: the present President Slobodan Milosevic. In political semantics he represents an anomaly, that is, the transformation of a communist not into a democrat but into a nationalist. The mentality he created destroyed the last chance democratisation of these regions.

His project started with an attempt to remove the consensus mechanism in decision-making, replacing it, always on the line of the affirmation of Serb hegemony, with the principle of "one man - one vote", hence, the principle of majority under which the Serbs who were the majority in Yugoslavia would have the legal right to decide for themselves and others. Of course, the other peoples of Yugoslavia did not accept this principle and thus ethnic conflict and the definitive disintegration of Yugoslavia began. Pursuing their internal national aims, the Serb nationalists brought about the degeneration of democracy and its cultural values into a procedure for the elimination of the less numerous by the more numerous. In this dimension, there is no difference between the policy of Milosevic and that which seems to be a milder one – the policy of Gligorov in Macedonia. Both

those policies rest on the principle of 'one man — one vote'.

So Yugoslavia disintegrated because Milosevic wanted to extend Serb hegemony and, what is more important, did not limit himself to the conventional means of vulgar propaganda to carry out this policy. Worse, he resorted to all means which run counter to the minimum standards of human rights.

Serb nationalism was the factor of the destruction of Yugoslavia. It pilfered and misused all investments and the chances the international community offered the first and second Yugoslavia – even the third one – for a reasonable solution of its interethnic problems. Hence the right given to the Serb people that they would resolve ethnic conflicts in a civilised manner should definitively be taken away from them, as they have shown themselves incapable of creating conditions for equal coexistence. They showed no readiness to build inclusive systems, but on the contrary manifested all their rigidity, their propensity to national exclusivity with their concrete projects of ethnic cleansing, of unrestrained domination by the Serbs over others. In this context, also interesting from a scientific viewpoint are the works of the Serb scientists Garashanin, Cubrilovic and Nobel-prize winner Andric, which may rightly be called genocidal in regard to the Albanians, as well as the Memorandum of the Serb Academy of Arts and Sciences which accelerated the disintegration of the second Yugoslavia. It should be said, however, that Serb responsibility for the Yugoslav tragedy cannot fall on only one person – Milosevic, nor his team – but must fall on Serb society, the political class, the scientists, the mass media and even the writers and artists, as a whole. Their guilt made itself manifest throughout the entire period of coexistence.

No legal, moral or geo-strategic arguments can convince the Albanians to accept (nor are they allowed to accept) to remain under Serb domination. After all this bitter experience, the international community should give the Albanians the historical chance, which the Serbs were unable to make use of, to create their own State and to govern in a tolerant, inclusive and democratic society which will respect civilising values.

Kosova

Kosova has always been and remains an entity of its own, both as regards its geographical and ethnic, and administrative content. In ancient times it was called Dardania which had its own geographical and administrative definition, then it was called the Vilayet of Kosova and lastly the Autonomous Region of Kosova.

Autonomy was granted to Kosova because the Albanians, not the Serbs, wanted it. Kosova was a constituent element of the former Yugoslavia, had the right of veto and, with the disintegration of Yugoslavia automatically won the right to secession, just as the other constituent parts of the federation.

Arguments in favour of the independence of Kosova are the following:

- Kosova has its own administrative borders;
- Kosova is a compact entity ethnically, geographically, economically and infrastructurally; it is an organism of its own;
- more than ninety percent of the Kosovars expressed themselves for independence in a referendum;
- Kosova is occupied by a foreign power which has established a system of apartheid there and exploits it as a colony, so it must be de-colonised;
- Kosova has the right to secession also on the basis of precedence:

- the independence of Kosova would create stability and peace in the region. Its occupation, or its remaining within the framework of Yugoslavia destabilises the region and poses a threat to peace and civilised values.

There are no arguments that can justify Kosova's remaining within the framework of Serbia or Yugoslavia, apart from those which justify domination, hegemony, expansionism, colonialism, and apartheid.