

CHARACTERISTICS OF ETHNIC CONFLICTS : THE CASE OF KOSOVO

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INTRODUCTION

Every day the medias are reminding us of a conflict that prevails since a long time in Kosovo between the Serb minority that is in control of power and the Albanian majority (about 90%) of a population of two millions inhabitants. One This situation fits perfectly with the definition of a conflict : "an antagonism generated from the simultaneous pursuit of incompatible objectives in the same geographical space" (Legault 1979,p.9). The Albanese inhabitants of Kosovo want at least to recover the special status their province had before, and even a large proportion of them want their province to access to full independance, while the Serbs are totally opposed to these wills.

Donald L. Horowitz (1990, pp.453-455) has well described the common elements of ethnic conflicts which are : highly focussed relation to the State; relations of people to the land, the territory; notions of localized priorities; links with divisions between larger groups; stronger apprehension of external affinity felt by the group that do not share this affinity; fear of competition; actual experience or fear of domination; ethnically based political parties that pervade civilian politics.

The aim of this paper will be to look at the situation in Kosovo to establish if it contains the common elements of ethnic conflicts as described by Donald L. Horowitz and to look at some alternatives for a solution.

EXAMINATION OF THE CHARACTERISTICS

A. Highly focussed relations to the State

The system of State's sovereignty that emerged in Europe between the sixteenth and the seventeenth centuries has spread out to the entire globe in the nineteenth and twentieth centuries. Some governments do not control entirely their territory. Some of them perform a larger number of functions than others, but, in principle, all aspire to control all of their territory to a certain extent of activities, and this control is percieved as the expression of sovereignty, in principle defined as the power to exclude the control from others. Interethnic conflicts must be considered in the light of the norms of sovereignty, because if sometimes ethnic groups are in control of a State, others hope to have access to it or to escape from their control.

Parties in conflict are making demands on the State and in the more serious cases, are asking for a reconstitution or a reformulation of the State (Horowitz 1990,p.453).

In the case of Kosovo, the Serbs had the constitution modified in 1989 to suppress the right of Kosovo to a certain autonomy that was granted in 1974. In July 1990, for their part, the Albanian legislators of the province have declared Kosovo an independent province from Serbia. Belgrade then dissolved the autonomous assembly and the government of Kosovo.

The Albanians formed a government and a parliament which was not recognized and they elected a president : Ibrahim Rugova. Mister Rugova foreseen three possible political reconfigurations of the territory : an independent Republic of Kosovo, a republic regrouping all the Albanians of Yugoslavia that would amputate some part of territories of Montenegro and Macedonia and finally the grouping of Kosovo and Albania (M-F Allain and X. Galmiche 1992). A more radical Kosovo Liberation Army then went into terrorist actions to force Kosovo's independence.

B. Relation of people to territory, to the land.

Kosovo is unfortunate to be the cradle of two antagonistic nationalisms. For the Serbs, this is where was established the Pec Patriarchate in medieval Serbia and where the Tsar Lazar was vanquished by Ottoman Sultan Mourad in 1389. Religious symbolism even makes Kosovo a reference myth for religious orthodoxy. A great number of churches, chapels and monasteries are maintaining the memory and religious Orthodox fidelity in a province inhabited by a majority of Muslim Albanians. Since six centuries, Kosovo is the keeper of the memories of humiliations, frustrations and hope of resurrection of the Serb nation. Serb nationalism is nourished by an history of terror from the Turkish conqueror and from Albanians that are considered responsible for aggressions, rapes, expropriations and exactions against houses and churches transformed into mosques and stables (Tinck 1998).

During the Ottoman era, Kosovo became an Albanian and Islamic region. With Turkish blessings, the Albanians, that were converted to Islam, spread out in Kosovo. This land became the Albanian renewal cradle in the nineteenth century. The Albanians also claim Kosovo in the name of an ancestral link with the Thracians that occupied the Balkan peninsula before the Slavs came in the sixth century.

The arrival of Slobodan Milosevic at the head of Serbia is the start of the Yugoslav program for Kosovo. This program aims at the Serbian repopulation of the province with provisions for various incentives such as higher salaries and measures of access to property while the Albanians are forbidden to purchase real estate and even that the provincial bank is suppressed. This strategy aims at the return in Kosovo "cradle of the Serbian civilization" of its "original owners" and to force Albanians to immigrate (M-F. Allain and X. Galmiche 1992).

C. Notions of localized priority.

In 1989, the Albanians were imposed teaching programs chosen by Serbian commissions along with enrolment quotas for higher education. The clandestine revival of teaching in Albanian for more than four hundred thousand students is a symbol of a collective and well organized resistance. It takes place on farms, in private houses and in several parallel sites.

A good illustration that education in Albanian represents an important priority is given by this sentence from one of their leader : "The school is our light, we are fighting for our liberty and the pencil is mightier than guns" (M-F Allain and X. Galmiche 1992).

Right after the suppression of local autonomy by Milosevic in 1989, The Kosovo Democratic League, led by the pacifist Ibrahim Rugova, put in place a parallel society with its own president, government, parliament, schools, dispensaries and proclaimed the Independent Republic of Kosovo (C. Chiclet 1998).

For the Serbs, we have seen previously that Kosovo represents their nation's cradle and that their priority is to reoccupy the territory and to expel the greatest number of Albanians possible from it.

D. Links with divisions between larger groups.

This conflict has a link with divisions between Muslim and Orthodox religious groups, the Albanians being Muslims and the Serbs being Orthodox. This division counted for a lot in the bloodshed that happened before in the same area in Bosnia.

E. Stronger apprehension of external affinity felt by the group that do not share this affinity.

The Serb minority population has an important affinity with the whole Serbian population of the Federal Republic of Yugoslavia and in particular with the population of Serbia. As the Serbs are dominating, this affinity is perceived as a menace by the Albanians. In Serbia, both the party in power and the opposition share the same idea of rejecting any attempt to gain independence for Kosovo. As far as August 1992, the opposition grouped in the coalition named DEPOS insisted on the territorial integrity of Serbia and against any secession of Kosovo, this region being considered as being in the hearth of Serbian history (C. Lutard 1992).

The Kosovo's Albanians have an affinity with Albania, but considering the actual state of this country, this is not to be considered as an important menace to the Serbs.

F. Experience or fear of domination.

In 1968 Kosovo's Albanians made public demonstrations to gain an autonomy status. In 1974, Tito who was in fear of a resurgence of the Serbian nationalism, granted autonomy to Kosovo inside the Republic of Serbia (C. Chiclet 1998). In March 1989, the parliament of Kosovo ratified an amendment to the 1974 Constitution decided in Belgrade that abrogated a number of prerogatives of the region and in July 1990, Serbia abolished all Albanian political institutions in Kosovo.

In 1989, following the suppression of the status of an autonomous region, employment, medical system, press, culture, justice, commerce and education are rationalized. Deprived of their civic and social rights, Albanians are since that time subject of

permanent bullying, brought in police stations in the middle of the night for "informative conversations", imprisoned for 30 or 60 days, etc. (M-F. Allain et X. Galmiche 1992). Between 1990 and 1992, more than a hundred thousands Albanians have lost their jobs, making the situation of the poorest province of Ex-Yugoslavia even worst (unemployment rate of more than 50%). In ten years, between seven and eight thousands persons have been interrogated by the police. More than a hundred civilians have been killed in the same period. Several cases of torture have been reported. Television and radio broadcast in Albanian have been suppressed and a thousand and five hundred journalists have been fired. Museums, theatres and movie studios have been closed. Hospitals became almost out of bound to Albanians.

Albanian community leader, Ibrahim Rugova declared that his people is treated like slaves. The Serbian parliament of Belgrade has replaced several Albanian factory directors by peoples coming from Serbia or Montenegro. The parliament is also trying to change the demographic composition of the province. On August 8, 1992, a program was voted to facilitate colonization of Kosovo by peoples coming from Serbia and Montenegro. For this purpose, a special tax of 3% of revenues from farms and shops was levied (C. Lutard 1992).

Since the beginning of March 1998, the Serbs have fought the Kosovo Liberation Army (UCK) with all the weapons they have and without consideration of the suffering they were inflicting to the civilian population : villages have been destroyed, houses burned and a great number of civilians have been displaced.

G. Fear of competition

One can easily understand after having heard what was said previously, that the Albanians do not feel to be able to compete with the Serbs in the actual political and social framework where all their rights have been suppressed and where incentives and privileges are given to Serbs to come and take their place.

H. Ethnically based political parties that pervade civilian politics.

On May 24, 1992, Ibrahim Rugova of the Democratic League of Kosovo is elected to presidency following a votation that was declared illegal by Belgrade, but mister Rugova is soon considered too passive by the more radical elements. In 1993, the Kosovo Liberation Army (UCK) is founded and went into terrorist actions since February 1996. This is following an UCK terrorist action at the end of February 1998 that Serbian Police have destroyed three villages in the region and started large anti-terrorists operations that conducted to the last crisis (C. Chiclet 1998).

The Albanians of Kosovo have always refused to participate in the elections in Serbia and this attitude made the coming into power of the more moderate opposition impossible and left all the place to the nationalist Serbs.

I. Kosovo : an interethnic conflict.

The examination of the characteristics of this conflict allows us to establish a similarity with the characteristics of interethnic conflicts as described by Horowitz. Having reached this conclusion, it is now easier to examine how the appropriate conflict resolution theories could be applied to Kosovo.

INTERNATIONAL INTERVENTION.

The international community has good reasons to be concerned with this conflict and to try to solve it before it degenerates into an open war. There is a danger that this conflict do spread out to all the Balkans and even to two members of NATO, Greece and Turkey. The Albanian parliament has also declared that it cannot stay passive when Albanians are murdered in Kosovo. However, the greatest threat to regional security is that the important albanian population of Macedonia be inflamed by the turmoil in its northern border. If Macedonia breaks up, Bulgaria, Serbia, Albania and even Greece could be drawn into a struggle over the remnants. It is Macedonia's own tensions that make instability across the border so threatening. The economy is in poor shape, corruption is growing and relations with Albanians, though not as fraught as in Kosovo, are bad enough. Even some Macedonian speakers question their country's cohesion, drawing closer to Bulgaria, which considers Macedonians merely Bulgarians with an accent (The Economist, March 7th 1998, pp. 18, 55 and 56). Moreover, Greece has taken side for Milosevic when Turkey warned that it will not remain still if an ethnic conflict develops in Kosovo.

The right for international intervention is based on chapter VII of the United Nations Charter which specifies actions in the event of menace to the peace, of peace breaking and aggressions and in particular on articles 41 and 42. Article 41 specifies that Security Council may decide which measures, that do not imply the use of armed force, can be taken to put into effect its decisions and to invite UN members to apply those measures. Article 42 gives power to the Security Council, if it finds measures taken under article 41 inadequate or that those measures have become so, to take any necessary actions by the means of employment of air, naval or land forces, that it believes necessary to restore peace and international security. This right of intervention was originally valid for interstate conflicts, given the fact that since the adoption of the UN Charter (Chapter I, article 2), there is a prevalence for the equal sovereignty of countries. Humanitarian right of intervention made a breakthrough in the international public opinion through the right to have access to the victims. The right of humanitarian intervention gained a political status when peacebuilding operations were put in place (F-J. Valiente and C. Trottier 1998). The interpretation that is now given to Chapter VII is to allow the Security Council to intervene in an intrastate conflict if it judges that international security is at stake.

In the case of Kosovo, United Nations did not take initiative, but it was done by the Contact Group set up during the Bosnian war to work out policy aimed at bringing peace to the Balkans. This group is composed of the foreign affairs ministers of United States, United Kingdom, France, Germany, Italy and Russia. President Slobodan Milosevic rejected the call for moderation from the international diplomacy, saying that he was resolutely opposed to all attempts to internationalize the issue of Kosovo's autonomy or independence (CNN, March 8, 1998). The Contact Group has declared in a joint statement that the violent repression of a nonviolent expression of political views is completely indefensible. Serious violations of human

rights, of civil liberties, the freedom of political expression are matters of concern to every member of the international community, added Foreign Secretary Robin Cook, rejecting Milosevic's claim that Kosovo crisis was a purely internal matter (CNN, March 9, 1998). Mister Rugova said that Kosovars want an international presence in any negotiation to ensure that the Serbs live up to any agreement (CNN, March 12, 1998).

Contact Group agreed on March 9, 1998 on a series of sanctions against Yugoslavia to pressure President Milosevic to end the crackdown on ethnic Albanians in Kosovo :

- Support for a U.N. Security council resolution imposing a comprehensive arms embargo.
- Refusal to supply equipment that can be used for internal repression.
- Denial of visas to senior officials of Yugoslavia and to anyone else responsible for repression.
- A moratorium on government financed export credits and financing for privatization in Serbia.
- Freeing assets held abroad.
- Milosevic would face further sanctions unless special police units are withdrawn from Kosovo within 10 days.

HOW INTERNATIONAL INTERVENTION OPERATES?

A. Behavioral norms and reinforcing mechanism.

Ideally, a third party should not only intervene to reduce the intensity of the conflict, but also to promote the evolution of new norms that will permit the parties to more effectively manage their relationship so as to avoid escalation of the conflict in the future.

A norm exists to the extent that individuals, or other social units, usually act in a certain way (and are often punished for not acting in this way). Thus, norms exist by degrees, and may grow and decay, depending on how frequently a particular norm-based action is taken (Mandell and Tomlin 1991, p.45).

The same authors identify eight mechanisms or processes that reinforce norms : metanorms, dominance, internationalization, deterrence, social proof, membership, law and reputation. Of these, two are especially relevant to the normative transformation of conflict system because they are capable of fostering a norm : dominance and reputation. Domination consists for a powerful actor to make known potential sanctions that may be sufficient to establish the behavior as a norm. Reputational effects also offer a mean of fostering a norm, since they influence the origins of and content of norms through learning, as parties make inferences about one another on the basis of the signals transmitted through actions. As certain actors are rewarded (punished) for the positive (negative) character associated with their behavior, then others can discern the appropriate signal and learn the behavior for themselves.

The Contact Group had specified the norm that it wanted mister Milosevic to adopt : special police units must be withdrawn from Kosovo in ten days, the Commissioner for

Human Rights of the United Nations may be allowed to conduct an inquiry on the attacks that took place in the Serbian southern province and access to Kosovo should be made possible to the Red Cross and others NGOs and diplomats (CNN, March 9, 1998). The international community has also wanted to specify a behavioral norm for the Albanian extremists in condemning terrorism, including attacks against Serbian Police. The Contact Group also used sanctions threatening to convince the Milosevic's government to behave according to the specified norm. Positive reinforcement was also used as France and Germany were saying that they could offer cooperation programs to Yugoslavia in return of concessions on Kosovo. At a meeting of the U.N. Commission on Human Rights in Geneva, Tony Lloyd, Britain's state minister for foreign affairs said it was important for Yugoslav authorities to realize that they face world unanimity condemning violence against ethnic Albanians in the troubled southern province (CNN, March 17, 1998).

B. Change strategies.

The third party that acts as mediator in a conflict must adopt communication and influence strategies that express and shape negotiating behavior. Those strategies play a role of formulation and a role of manipulation, manipulation being the most efficient tool of mediation. The formulator role is played with the integration mechanism that involves the formulation of a solution within a potential zone of agreement. The manipulation role is played with two mechanisms: pressing, consisting of reducing the set of non-agreement alternatives available and compensation which involves increasing the number of agreement possibilities (Mandell and Tomlin 1991, pp. 46 and 47).

Integration mechanism is aimed primarily at stopping the violence. It can make clear to mister Milosevic that to attack innocent people and call it fighting terrorism is intolerable. It can back this up by carrying out the threats to tighten sanctions (The Economist, March 7th 1998).

In this case, the pressing is exercised by a process of containing the violence. The 700-man U.N. operation in Macedonia is designed precisely to contain the sort of conflict brewing in Kosovo. Western powers should press Macedonia to conciliate its Albanian speaking population and clout should be used by those that are supporting Albania's economy to keep it out of the conflict (The Economist, March 7th 1998). The Organization for Security and Cooperation in Europe (OSCE) has also authorized measures to allow adequate observation of Kosovo borders and prevention of possible crisis spillover effects (CNN, March 11, 1998).

Compensation mechanism is about limiting the envisaged solution so as to make it more acceptable to the Serbs and the Yugoslav government. As Samuel P. Huntington has correctly pointed out: "The twentieth-century bias against political divorce, that is secession, is just about as strong as the nineteenth-century bias against marital divorce" (Lijphart 1990, p.493). In the process of resolution of a conflict involving a central power and an ethnic group, external actors will seldom envisage the events that are most feared by the central government in power (Horowitz 1990, p.473). The United States and the European Union had made clear their opposition to Kosovo independence, in fear that any change to the Balkans borders trigger a wider war. A statement by the European Union dropped any reference to autonomy for the

province, referring only to dialogue aimed at reaching an agreement unto which Kosovo would have "enhanced status " within Yugoslavia (CNN, March 12 1998). This attitude had been adopted, even if the majority of Kosovo's Albanians now want full independence. The international community has seen preferable to do not favor the way of independence because Serbs and the Yugoslav government are strongly against Kosovo's independence for historical and religious reasons.

POSSIBLE POLITICAL SOLUTIONS

In the mid term, a sustainable solution will have to be found for easing interethnic tensions in Kosovo. Excluding status quo, the possibilities are : partition, secession and power-sharing.

Partition and secession have important negative effects :

In the case of partition, Kosovo's independence would be granted in exchange of a redrawing of its borders. Serbia would want to keep control over the northern part of Kosovo where Serbian population is living and where are some of the most important religious and historical sites. As most of the material wealth of Kosovo is in the north, Albanians are not subject to give up the richest part of the territory and would likely be against the idea. Furthermore they could ask for a similar partition of the Serbian region bordering Kosovo that is inhabited by Albanians. An additional difficulty would be defining the terms under which a new international boundary is drawn. Choosing an ethnic, religious, geographic, or historic standard is certain to cause bitter disagreements. Further. The international community would be reluctant to continue establishing a precedent for ethnically defined borders, as they have in Bosnia.

The most far-reaching solution, and the one most Kosovo Albanians prefer, is internationally recognized independence. Some Kosovo Albanians have further proposed that once Kosovo has attained independent status, it should unite with Albania. The Serbian leadership has declared it would act with military means to stop a secession of Kosovo. Given its economic structure, Kosovo might have difficulties surviving as an independent state, especially if Serbia were to retain control over part of its northern territory. Even if their rights would be guaranteed, independence might also lead to the migration of the Serb minority from Kosovo. The international community would be unlikely to recognize an independent Kosovo, as it has no desire to further "balkanize" the Balkans, fearing that independence would inspire Albanians in Macedonia to attempt a similar act of secession. Independence would not necessarily lead to merger with Albania. Albania has expressed little interest in having Kosovo as a constituent province (CEIP, November 1, 1997).

It is almost always better to accommodate different ethnic groups in the same state with proper guarantees of political influence and autonomy (the power-sharing approach) than to assign them to separate territorial states. Power-sharing can be defined in terms of four characteristics. The two primary characteristics are the participation of the representatives of all significant groups in the government of the country and a high degree of autonomy for these groups. The secondary characteristics are proportionality and the minority veto. On all issues of common concern, decisions should be made jointly by the different groups or their representatives; on all other issues, decisions should be left to be made by and for each separate group. If the groups have a

clear territorial concentration, group autonomy may be institutionalized in the form of federalism. If the groups are intermixed, autonomy will have to take a nonterritorial form or a combination of territorial and nonterritorial forms (Lijphart 1990, p.494).

Lijphart has identified nine factors that make it more likely that power-sharing will be adopted and that it will work well. The two most important of these factors are the absence of a majority ethnic group and the absence of large socioeconomic differences among the ethnic groups. The seven other favorable factors are : that the ethnic groups are of roughly the same size, so that there is a balance of power among them; that there are not too many groups, so that the negotiations among them will not be too difficult and complicated; that the total population is relatively small, so that the decision making process is less complex; that there are external dangers that promote internal unity; that there are overarching loyalties that reduce the strength of particularistic ethnic loyalties; that the ethnic groups are geographically concentrated, so that among other things, federalism can be used to promote group autonomy; and that there are prior traditions of compromise and accommodation (Lijphart 1990, pp.497 and 498).

Those factors are not decisive and even when many conditions, or the most crucial ones, are unfavorable, success is still possible (Lijphart 1990, p.498).

Power-sharing is very difficult to apply to the Kosovo situation. Several favorable factors, including the crucial ones, are not present. One of the ethnic groups, the Albanians, outnumber largely the other (90% of the population with a far superior birth rate) and this same group is socioeconomically inferior to the Serbian minority. As an example of the difficulty, on March 22, 1998, thousands of Serbs protested an accord signed in 1996 between then Serb president Milosevic and Ibrahim Rugova that would allow ethnic Albanians to return to the Kosovo state school system for the first time in seven years. "Today's signature represents the beginning of the sellout of Kosovo", said the Serbian dean of Pristina University. And he added : "We will not allow separatist children to be rocked in a Serb cradle" (CNN March 23, 1998).

CONCLUSION.

From the international community view point, power-sharing is the best solution : borders integrity will be protected, Albanians rights will be restored and the spill over effect of the conflict will be avoided.

But, it will be difficult to establish and to sustain. An agreement has been reached for a withdrawal of the Serb forces from Kosovo, for refugees to be allowed to return home safely, for a 2000 strong OSCE force to act as observers and be given freedom of movement within Kosovo and for the OSCE to oversee future elections. This agreement was reached only after NATO threatened Milosevic of air strikes and mind you, the Kosovo Liberation Army is not part of the deal. So pressure will have to be maintained for a while.

A special status for Kosovo and a form of power-sharing with the Serbs within Yugoslavia will likely be imposed by western powers but as the roots of the conflict are so deep, there is a strong possibility that in some months, in some years from now, there will be a new struggle for full

independence of Kosovo strongly opposed by the Serbs. So, the international community will be concerned by this area of the world for a long time to come.

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