

# One Decade after the Ohrid Framework Agreement: Lessons (to be) Learned from the Macedonian Experience

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# PREFACE AND ACKNOWLEDGEMENTS

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The Ohrid Framework Agreement (OFA) put an end to the 2001 conflict, and introduced the formal mechanisms for resolution of conflicts on national and local levels. However, it did not provide just a list of policy instruments that needed to be adopted, but ensured room for debate on what, how and when to be done. A debate that is not time limited, neither exclusive to the actors that signed the Agreement. Such a debate however rarely happened in academic circles in Macedonia. Therefore, the Center for Research and Policy Making (CRPM) and its partners: the Friedrich Ebert Stiftung (FES), the Konrad Adenauer Stiftung (KAS) and the Think Tank Fund of the Open Society Foundations used the anniversary of the signing of OFA to organize an international academic conference “One decade after the Ohrid Framework Agreement – Lessons (to be) learned” in Skopje, June 2011.

This book is the result of that conference. It assembles the papers that have been accepted by the Conference program board and successfully passed a blind peer review process. It looks at the historic perspectives and contexts in which the conflict occurred and the Ohrid Framework Agreement was drafted and enacted. It unpacks the different aspects of the Agreement: the construction of ethnic identities and political belonging to Macedonia of the various ethnic groups after the OFA; the effort to reform the mode of decentralized governance and evaluates the application of the principle for just and equitable representation of minority groups. The book also features papers on the newly emerging identities in the South East European context and discusses the future of Macedonia and the region from the OFA perspective. Finally, it identifies the lessons learned from the OFA, including the experiences of other reconciliation projects in the Western Balkans. In this sense the book is an important contribution to contemporary debates on post-war Macedonia and the accompanying reconciliation process in the country and the Western Balkan region. It deals with evaluation of pre and post OFA government and modes of governance. It identifies challenges, failures and successes, but also provides important recommendations for the future.

The making of this book was a lengthy process in which many participated. We are indebted to both authors and non-authors who contributed to this venture. At CRPM we are grateful to Anastas Vangeli who patiently coordinated the process of application and continuously communicated with the authors; to Riste



Zmejkoski who took care of the production of the book; to Frosina Ilievska, Ana Mickovska Raleva and Mile Aleksovski who provided support in the organization of the conference. We are particularly grateful to the community of scholars who have read and commented on the papers published in this book. These are: Soeren Keil, Jelena Dzankic, and Ladislav Cabada. Last and not least the conference would have not happened without the support by the KAS and FES foundations and the OSI Think Tank Fund. We are grateful to Sandra Koljachkova at KAS, Office Skopje, Nena Trajkovska at FES, Office Skopje and Goran Buldioski at TTF for their understanding of the need to spur further the scholarly debate on OFA. Finally, we salute the dedicated partnership of Dr. Heinz Bongartz from Friedrich Ebert Stiftung, Office Skopje who decided that the conference papers deserve publication. So that our debate on OFA may long continue!

# INTRODUCTION

*Florian Bieber*

## Assessing Ohrid Framework Agreement

Assessing a peace agreement is always a difficult task. Especially as most peace agreements today do not regulate the relationship between two countries and its success could be measured by the absence of war between the countries and their bilateral relations. Most of today's peace agreements aim to bring about peace *within* a country. As such, they are not just concerned with ending the fighting, but they often have to provide guidance in restructuring the country to accommodate the underlying demands of the parties.<sup>1</sup> A peace agreement without tackling these aspects is inherently only going to be a cease-fire. Intra-state conflict centers on the organization of the state, access to power for certain groups, however defined, or the very existence of the state. It is here where tensions arise for peace agreements. If they determine the way the state is organized, the peace agreement holds potentially great long-term significance for the country, well beyond the immediate post-war period. Here we often find a conflation of short-term power-sharing to bring in the parties to the conflict and the establishment of long-term power-sharing mechanisms. Power-sharing arrangements, albeit at a low level of institutionalization, can also be found in mediated settlements to civil wars which had little or nothing to do with ethnicity. Grand coalitions which incorporate the parties to the conflict are the *logical* solution when neither party won the conflict. Otherwise, winner-takes it all in democratic processes after such negotiated settlements run risk of a return to conflict, as was the case in Angola in 1992.<sup>2</sup> Along such lines Macedonia witnesses a government of national unity during the crisis and the peace negotiations—in fact, the Ohrid Framework Agreement was signed between parties that were all in government at the time. This is distinct from long term institutional redesigns which give a greater role to ethnicity; to address the demands of the parties.

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1 See Caroline Hartzell, Matthew Hoddie, "Institutionalizing Peace: Power Sharing and Post-Civil War Conflict Management," *American Journal of Political Science*, Vol. 47, 2 (April 2003), pp. 312-332.

2 Stephen John Stedman, "Spoiler Problem in Peace Processes," *International Security*, Vol. 22, 2 (1997), pp. 5-53.

Unlike conventional constitutional processes, peace agreements are often not democratic and determined not by democratically elected representatives, but by groups whose legitimacy derives from the use of force. As a consequence, international mediators or subsequent implementation might need to reconcile the peace agreement concluded not with a consolidated democracy or democratic principles in sight. The 2001 Ohrid Framework Agreement provides for some useful insights to understanding these dilemmas and to understanding whether and how such an agreement can address the long-term tensions which have enabled the conflict to take place.<sup>3</sup>

## Measuring Success

A successfully implemented peace agreement might not inherently mean a stable democratic system of governance. Instead, one has to ask whether the agreement itself is flexible and able to coexist and even enable a democratic system of government. Thus, measuring success cannot be only understood as determining the technical implementation of a peace agreement, but robustness of the agreement and whether it enables or endangers a consolidated democracy.

The Ohrid Framework Agreement constitutes an innovative approach to squaring the democratic circle of peace agreements. Unlike most peace agreements, it was not signed by the parties of the conflict, but only by parliamentary parties and key content was implemented through constitutional reform rather than coming into force directly. The changes to the constitution were substantial, but in many aspects did not constitute a major transformation of the political system; neither was the state radically decentralized, nor were Albanians required to join government or another chamber of parliament established. These relatively limited changes were to a large degree a result of the low-intensity of the conflict itself and the early international involvement.

When assessing the Ohrid Framework Agreement ten years after it came to force, one can identify three approaches:

First, as noted above, one could simply measure the success of the Ohrid Framework Agreement by the absence of conflict (or the likelihood of its reoccurrence). From this perspective, the agreement is a resounding success. In the annual Failed State Index, Macedonia takes a medium position with a slight improvement

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3 I do not want to discuss the conflict in 2001. It is important, however, to distinguish the trigger that had more to do with border disputes and organized crime from the underlying tensions which were grounded in interethnic relations and state policies.

since 2006. It finds itself in the company of countries such as Tunisia, Namibia or Kazakhstan. This makes Macedonia not a high risk country and generally ranks better than Bosnia and Herzegovina and Serbia/Kosovo. This assessment is corroborated by citizens' assessments in UNDP reports. A 2010 study found 54.4% of respondents to assess the risk of violent ethnic conflict to absent or low.<sup>4</sup> This does, however, suggest some concern by a significant share of the population over ethnic violence. When asked about the main security threats, ethnic violence (or other ethnic groups), terrorism or state violence (different forms of ethnic violence depending on group identity) rank far below regular crime.<sup>5</sup>

Year	Rank	Score
2006	78th	75.1
2007	95th	74.1
2008	95th	74.6
2009	100th	74.4
2010	103th	72.7
2011	106th	72.7

*Failed State Index* <sup>6</sup>

On this count the Agreement could be considered a success. However, this would not capture any structural democratic problems, nor would it account for deep seated grievances which might not articulate themselves in violence for reasons external to the peace agreement.<sup>7</sup>

A second approach is to assess the Ohrid Framework Agreement as a package of legal measures. Some were explicitly spelled out in the agreement (such as constitutional amendments), others were just laid out in general. This has been the approach of the main government institutions in charge with the agreement, the Secretariat for the Implementation of the Ohrid Framework Agreement (SIOFA).<sup>8</sup> The Progress Reports of the European Commission have taken a similar view, even if they have also criticized the SIOFA for taking a too mechanical approach to the

4 UNDP, People-Centred Analysis. Report April 2010, pp. 74-75. Available at: <http://undp.org.mk/content/Publications/People-centered%20Analyses%20ENG%20web.pdf>

5 UNDP, Early Warning Report Macedonia, June 2007, p. 98.

6 <http://www.fundforpeace.org/global/>

7 Arguably the reoccurrence of violence requires more than just grievances that enable support for the use of violence. Such factors include the political stability in neighboring Kosovo, the larger international environment, etc., all of which have changed significantly since 2001.

8 <http://siofa.gov.mk/>

implementation of the peace agreement.<sup>9</sup> Such an assessment helps to determine the ability and willingness of the government and public administration to fulfill its commitments arising from the Agreement. Yet, this approach fails to capture the quality of the larger political system and the ability of these legal changes to address the underlying tensions which led to the conflict that was ended with the Ohrid Framework Agreement.

A third approach, which I will seek to outline here will focus on whether the underpinning assumptions of the agreement about the state and society have been achieved. This draws on the understanding that a peace agreement cannot be contained from society at large and the failure to engage with the underpinning challenges of society can indicate a weakness of the agreement, even if it is not a cause.

The Agreement lists a number of key principles, including the rejection of violence and the need for the “multi-ethnic character of Macedonia’s society [to] be preserved and reflected public life (Art.1.3.), the rejection of territorial autonomy or federalism: “There are no territorial solutions to ethnic issues.” (Art.1.2). Finally, the agreement notes the need for a “modern democratic state in its natural course of development and maturation must continually ensure that its Constitution fully meets the needs of all its citizens and comports with the highest international standards, which themselves continue to evolve.” (Art.1.4).

From these principles of the Ohrid Framework Agreement, we can argue that the “spirit” of the agreement emphasizes a state that endorses ethnic diversity and preserves it. The particular exclusion of “territorial solutions” (which of course are a possible solutions to ethnic conflicts), suggests that this preservation of diversity is to occur primarily through policies at the center and to a lesser degree through decentralization, as the Agreement stipulates. The emphasis on change and evolution is not just a justification for the constitutional amendments initiated by the Agreement, but also to be understood as a suggestion that no single peace agreement provides an end to constitutional change, but constitutions have to continue to evolve and accommodate new demands and needs. As such the Agreement calls for an inclusive and evolutionary approach to constitutional development.

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9 The most recent progress report also considers the larger context, such as the urban nationalist renewal project Skopje 2014. *European Commission, Progress Report, The Former Yugoslav Republic of Macedonia* 2011, Brussels, 12.10.2011 SEC(2011) 1203 final. Available at: [http://ec.europa.eu/enlargement/pdf/key\\_documents/2010/package/mk\\_rapport\\_2010\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/mk_rapport_2010_en.pdf)

## Dimensions of the Ohrid Framework Agreement

The Agreement itself contains some inherent tensions that are less visible in its Basic Principles. It lays out municipal decentralization as a tool to reconnect Albanians with the state and to enjoy some degree of self-government. This core project of the Agreement of course stands in inherent conflict with the rejection of “territorial solutions.” Similarly, the Agreement emphasizes the need of the state to be broadly inclusive and promote its diversity, but the measures the Agreements stipulate focus primarily on enhancing the inclusion of the Albanian community. The tensions between the principles and content of the Agreement have also shaped the implementation of the Agreement. Thus, implementation has to be not understood as a process that can be assessed separately from the Peace Agreement, but the implementation in turn informs us about the quality of the Agreement.

Following the approach of analyzing the impact of the agreement on interethnic relations, the implementation of the Agreement can be best understood through five dimensions:

1. Inclusion
2. Cooperation
3. Autonomy
4. Minority Rights
5. State-ownership

First, the Agreement emphasized the inclusion of non-Macedonians into the state. **Inclusion** was an acute problem in the public administration with non-Macedonians being grossly underrepresented. Here, the Agreement provided for quick mechanisms to change underrepresentation. On paper, the Agreement has been largely successful. Even the army, a highly sensitive domain and after all involved in the violent response to the armed insurgency of the NLA, achieved a share or minority representation within just over 5 years.<sup>10</sup> Even if the share of minority representation in all spheres of the public administration (and state owner firms) does not match the respective population share,<sup>11</sup> the achievement has been at least on paper impressive. However, as a number of observers have noted,

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10 UNDP, *People-Centred Analysis*. Report April 2010, p. 65.

11 International Crisis Group, *Macedonia: Ten Years after the Conflict* Crisis Group Europe Report N°212, 11 August 2011, p. 15.

including also Simonida Kacarska in the present volume, the process of equitable representation has been flawed. For one, a large number of employees receive salaries, but do not have a post and thus burden the payroll, but do not work.<sup>12</sup> In addition, the quotas have been used to justify recruitment without adequate qualifications as part of strong party patronage.<sup>13</sup> It would be wrong to dismiss the advances in ensuring equitable representation altogether, but these two structural problems severely compromise these efforts.

Second, the Agreement sought to increase the degree of political **cooperation** between political representatives of the two dominant communities. While Albanian parties had been included in all governments since 1992, the influence of Albanian ministers had often been limited and interethnic relations in the institutions was fraught with distrust. The Ohrid Agreement sought to redress this balance by introducing the so-called “Badinter majority” that requires minority consent to key legal projects and uses a strong parliamentary mediation body, the Committee on Inter-Ethnic Relations. The double majority has prevented minority communities in parliament for the first time from being outvoted and thus increased the bargaining power of Albanian political parties. This became particularly visible during the VMRO-DPMNE-led government 2006-2008 when the junior partner was not the largest Albanian party, the Democratic Union for Integration (DUI), but the smaller Democratic Party of Albanians (DPA). In essence the larger Albanian party was able to exert significant pressure on the government from the opposition and eventually became the new VMRO-DPMNE coalition partner after early elections in 2008.<sup>14</sup> A key source of conflict between Albanian and Macedonian parties has been the laws for which a “Badinter majority” is required. Although the Ohrid Framework Agreement lists the fields in which such a double majority is necessary, this list has been interpreted differently.<sup>15</sup> Unlike the extensive veto rights in Bosnia, however, the double majority has not blocked decision making. This is largely due to the fact that except during the period 2006/8, the governing coalition could count on a majority also among minority MPs and thus secure support in parliament through regular majority voting and the “Badinter majority”. The main prob-

12 European Commission, Progress Report, The Former Yugoslav Republic of Macedonia 2011, Brussels, 12.10.2011 SEC(2011) 1203 final, p. 20.

13 SIGMA, Former Yugoslav Republic of Macedonia Public Service Assessment May 2009, available at:

<http://www.oecd.org/dataoecd/32/28/43913255.pdf>; International Crisis Group, *Macedonia: Ten Years after the Conflict* Crisis Group Europe Report N°212, 11 August 2011, p. 10, 15.

14 Thorsten Gromes, *Zwischen Zumutung und Versprechen: Die Demokratie in Makedonien*, HSFK-Report, 8/2009, p. 20.

15 Ibid, p. 19/20.



lems of cooperation have been elsewhere. First, the parliamentary procedure and other mechanisms of inclusion, such as the Committee on Inter-Ethnic Relations have been unable to address some of the most controversial developments affecting interethnic relations.<sup>16</sup> In addition, the government often remains fragmented and the practice of “ethnic fiefdoms”, dating back to the 1990s, remains common practice.<sup>17</sup> Thus, the Agreement has been able to enhance the degree of cooperation in the executive and the process of legislation, but the fragmentation along ethnic lines remains the predominant form of decision-making.

The third pillar of the Ohrid Framework Agreement has been a greater Albanian self-government through decentralization. Although, as noted earlier, decentralization is explicitly not defined as an ethnic federalization, it is a low-level form of **autonomy** instituted primarily to accommodate Albanian demands for a greater participation in regions where they constitute a majority. The tension between an ethnically motivated decentralization and empowering municipalities based on broader principles of local self-government have been a source of friction since its inception. A number of new municipalities in contested regions were thus drawn up not according to “technical” criteria but to accommodate different demands along ethnic lines. Decentralization was probably the most innovative experiment of the Ohrid Framework Agreement, as it sought to address minority demands for greater self-government while taking majority fears of secession seriously. As Aisling Lyon argues in her chapter, decentralization mostly benefited local majorities, as local power-sharing tools, such as the use of the Badinter majority at the municipal level, have remained dysfunctional. In addition, municipalities often lack the capacity in terms of staff and finances to take on their new powers. Instead, they remain reliant on the central government, especially in fiscal matters, thus effectively undermining the local autonomy.<sup>18</sup> Rural municipalities, on average, can only cover 29% of the expenditures through their own revenues.<sup>19</sup> Finally, the strong role of centralized political parties has reduced the effective autonomy of municipalities through control of major central parties. Thus, the formal decentralization has often had a limited impact with informal structures and limited resources restraining the autonomy of the municipalities.

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16 Ethnobarometer, Macedonia 2009, p. 2

17 Ibid., pp. 3-4.

18 Ethnobarometer, Macedonia 2009, pp. 5-6.

19 Ivana Boskovska, “The Decentralization Process in Macedonia,” Analytical, Vol. 3, No. 1, 2010. Available at: [http://www.analyticalmk.com/files/03-2010/Ivana\\_BOSKOVSKA.pdf](http://www.analyticalmk.com/files/03-2010/Ivana_BOSKOVSKA.pdf)

Fourth, the Ohrid Framework Agreement extended the **minority rights** of all minority communities, in particular the Albanian community. The key aspects of these reforms focused on increased recognition of Albanians and the expansion of Albanian-language education. Instead of giving explicit state-wide recognition, the use of Albanian (and other minority languages) has been linked to a 20 percent population share at the state and municipal level. At the state level, Albanian has been in wide use in parliament and the official gazette is translated into Albanian. Otherwise state institutions often do not use Albanian. At the local level, Albanian is widely used once more where Albanians constitute a majority, while as a minority language, practice often does not follow legal entitlement.<sup>20</sup> Particularly sensitive has been the link between population share and language rights. This was one of the reasons the 2011 census became hotly contested and was eventually interrupted.<sup>21</sup> In the sphere of education, the Ohrid Framework Agreement ensured full government funding for education in minority languages, in particular in Albanian.<sup>22</sup> In addition, the first government after the Ohrid Framework Agreement even officially recognized the Albanian-language University in Tetovo. The main challenge, besides once more the smaller minorities, has been the increased segregation in the educational system.<sup>23</sup> While segregation is not an inherent consequence of minority rights, the practice in Macedonia compounded difference and the practice of *cuius regio, eius ethnos* has reinforced a factual territorialization of ethnicity.

Finally, a key component of the peace agreement has been the transformation of the state from a nation state in which the constitution proclaimed the “ownership” of the state by the Macedonian majority (“Macedonia is established as a national state of the Macedonian people, in which full equality as citizens and permanent co-existence with the Macedonian people is provided for Albanians, Turks, Vlachs, Romanics and other nationalities living in the Republic of Macedonia”, Preamble 1991) to a state that is giving nearly equal space to other communities (“The citizens of the Republic of Macedonia, the Macedonian people, as well as citizens living within its borders who are part of the Albanian people, the Turkish people, the Vlach people, the Serbian people, the Romany people, the

20 International Crisis Group, Macedonia: Ten Years after the Conflict Crisis Group Europe Report N°212, 11 August 2011, p. 16-7.

21 Misko Taleski, “Macedonian census stopped due to irregularities”, *SEE Times*, 17.10.2011.

22 Ethnobarometer, *Macedonia 2009*, pp. 11.

23 P. 23. Advisory Committee on the Framework Convention for the Protection of National Minorities, Third Opinion on “the former Yugoslav Republic of Macedonia” adopted on 30 March 2011, Strasbourg, ACFC/OP/III(2011)001, 7.12.2011. Available at: [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_3rd\\_OP\\_FYROM\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_OP_FYROM_en.pdf)

Bosniak people and others taking responsibility for the present and future of their fatherland”, Preamble 2001).<sup>24</sup> As elsewhere, the new preamble contains some ambiguity by giving the Macedonian people a symbolic function of *primus inter pares*, but it abandoned the open references to a nation state. The main challenge arises from the fact that nation states need not to be proclaimed to be exercised in practice. Similarly in Macedonia, the state formally abandoned its nation-state ambitions, but has in effect reinforced its ambition to define itself as a nation-state. The main engine driving nation-state building has not been Albanian-Macedonian relations, but rather the tensions with Greece over Macedonia’s name, particularly acute since the Greek veto to Macedonia’s NATO membership in 2008. The widely pursued antiquization campaign, including the megalomaniac project Skopje 2014, have emphasized promoting one ethnic defined identity.<sup>25</sup> As a result, Macedonia is no less a nation state than it was before 2001, even if its formal references have become less.

## Critical Views on Ohrid Framework Agreement

The Ohrid Framework Agreement and its implementation altogether leave a contradictory impression. The Agreement itself has often elicited a positive assessment by outsiders. This has been due to its success at ending conflict before it erupted into an all-out civil war. Further it was distinctly less rigid and created less ethnic stratification than other arrangements, such as in Bosnia. It could thus be termed a liberal consociation that does not force citizens to identify along ethnic lines.<sup>26</sup> Furthermore, the Agreement is more flexible than other agreements by giving considerable leeway to government and parliament. Finally, the agreement has experimented with new forms of minority self-government in the shape of enhanced local self-government, since copied in Kosovo.

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24 Text of the constitution taken from the website of the Macedonian parliament: <http://www.sobranie.mk/en/default-en.asp?ItemID=9F7452BF44EE814B8DB897C1858B71FF>

25 Anastas Vangeli, “Nation-building ancient Macedonian style: the origins and the effects of the so-called antiquization in Macedonia,” *Nationalities Papers*, Vol. 39, No. 1 (2010), pp. 13-32. Similar issues were brought to the foreground in the controversy over the encyclopedia issued by the Macedonian Academy of Sciences and Arts, *Ethnobarometer*, *Macedonia 2009*, pp. 13-5

26 See Stefan Wolff, “Liberal Consociationalism in Theory and Practice: Power Sharing and Territorial Self-governance,” unpublished paper, 2001, available at: <http://www.stefanwolff.com/files/LibConTalkPaper.pdf>

This positive assessment of the agreement stands in contrast to the implementation that has to be viewed more critically. In addition to certain aspects being ineffectively implemented, we can identify a number of particular problems from the above brief discussion and the chapters in this volume.

First, Macedonia has moved to a state that gives substantial rights to the Albanian community, but often neglects smaller communities. Considering the continued dominance of the Macedonian community it would be misleading to describe Macedonia as bi-national, as some have done,<sup>27</sup> but rather as having “one and a half” constituent nations.

Second, politics remains deeply divided along ethnic lines. Except for the second round of presidential elections, little voting across ethnic lines takes place and few candidates seek to appeal to Macedonian and Albanians alike.<sup>28</sup> According to a UNDP survey a clear majority of both Macedonians and Albanians would not vote for a candidate from a different ethnic group either at the local or national level.<sup>29</sup> While there is little doubt that the Ohrid Framework Agreement has evolved into a consociational arrangement that encourages ethnic politics,<sup>30</sup> it would be misleading to consider the Agreement the cause of ethnopolitics. Voting patterns followed ethnic lines well before the Ohrid Framework Agreement and it would be reversing causality to see it as a cause of ethnic voting patterns in the country.<sup>31</sup>

Third, the Ohrid Framework Agreement, despite its non-segregationist tone has de facto led to a number of segregationist practices, including those in the educational sector that create few incentives for cooperation and further increase ethnic distance. As Martin Pechijareski demonstrates in this volume, ethnic distance remains high in Macedonia. According to Gallup Balkan Monitor data ethnic distance is greater in a number of fields than in most other countries of the region, including post-conflict Bosnia and Herzegovina. For example, Macedonia

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27 Jenny Engström, “Multiethnicity or Binationalism? The Framework Agreement and the Future of the Macedonian State,” *European Yearbook of Minority Issues* 2001/2, 1. The Hague/London/New York: Kluwer Law International, 2003, pp. 335-348.

28 Ethnobarometer, Macedonia 2009, pp. 10-11.

29 UNDP, *People-Centred Analysis*. Report April 2010, pp. 67-68

30 Mirjana Maleska, “What kind of a political system did Macedonia get after the Ohrid Peace Agreement?” *New Balkan Politics*, No. 9 (2005), <http://www.newbalkanpolitics.org.mk/napis.asp?id=31&lang=English>

31 In fact I have made a similar argument in regard to the general evolution of minority parties in Central and Southeastern Europe. Florian Bieber, “Regulating Minority Parties in Central and Southeastern Europe,” Benjamin Reilly and Per Nordlund (eds), *Political Parties in Conflict-Prone Societies: Regulation, Engineering and Democratic Development*. Tokyo: UNU Press, 2008, 95-125.

has the lowest number of people who indicate that a friend or relative is married to a member of a different ethnic group in the western Balkans (17.8%).<sup>32</sup> Similarly, together with Kosovo and Albania, Macedonia has the lowest level of people willing to have children play with children from other groups.<sup>33</sup> As with the ethnification of politics, the social divisions were not caused by the Agreement, but its inability to reduce the divisions raises the question whether it is at least responsible for “guilt by omission”.

Finally, democracy remains flawed in Macedonia.<sup>34</sup> The weaknesses include party patronage in the public sector, the use of government resources to exert influence over the media and the marginalization of parliament and thus the opposition through the passing of laws in rapid procedure drawing on the clear governmental majority.<sup>35</sup> Some patterns date back to the 1990s, such as party patronage, while others are the product of the dominance of the VMRO-DPMNE since 2006.<sup>36</sup> None of these features can be particularly attributed to the Ohrid Framework Agreement. However, the Agreement contains features that have developed a symbiotic relationship with the democratic weakness of the political system. In particular the dominance of parties over the state is a regional feature (i.e. see Montenegro, Serbia, Bosnia and Herzegovina) that has acquired distinct ethnic overtones in Macedonia. Large-scale recruitment of party members or supporters has been legitimized through the Agreement.

Altogether, we can note that the implementation of the Ohrid Framework Agreement has been far from perfect and a number of weaknesses have been in-built into the Agreement. On the other hand, the main weaknesses of the political system in Macedonia today have not been caused by the Agreement, but either have earlier origins or came later, but some have been compounded by the Agreement. As a result, one might argue that the Ohrid Framework Agreement has been able to remove some of the obvious inequalities of the system, but unable to address the systemic problems.

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32 In Kosovo the percentage is 19.5%, elsewhere between 30 and 40%.

33 In Macedonia 74.1%, in Kosovo 67.1%, in Albania 72.4%, in the rest of the Western Balkans around 90%. For data see Gallup Balkan Monitor <http://www.balkan-monitor.eu/index.php/dashboard>.

34 Nation in Transit ranks it as a semi-consolidated democracy together with Montenegro, Croatia and Serbia. See <http://www.freedomhouse.org/images/File/nit/2011/NIT-2011-Tables.pdf>

35 Ethnobarometer, Macedonia 2009, pp. 21-24.

36 See Neda Milevska-Kostova, *Macedonia, Nations in Transit 2011*, Freedom House, available at: <http://www.freedomhouse.org/images/File/nit/2011/NIT-2011-Macedonia.pdf>

This raises some broader questions on the functioning of power-sharing systems: Do overly ambitious power-sharing mechanisms invite non-implementation? Especially local level power-sharing has clearly been too complicated for local institutions. Without resources, political will and monitoring, these tools are of little use and instead reinforce informal politics. This raises the question of the interrelationship between formal power-sharing and informal practices, not just at the local level. Much of the decision-making is not taking place through formal power-sharing institutions, but through bargaining between party leaders, especially from the Macedonian and Albanian governing parties. This has resulted in formal safeguards not blocking decisions, but also begs the question to which degree formal institutions are not only not relevant, but how much complexity at the formal level reinforces informality. The strength of informal institutions can be interpreted either as a cause or as a result of weak formal institutions, but their prevalence is a re-occurring feature of both divided societies and nation-states in southeastern Europe. Finally, how does relatively liberal power-sharing operate in a semi-liberal democratic system? This relationship suggests that scholars of power-sharing have to focus more closely on the interrelationship with the quality of democracy. This is not to suggest that power-sharing simply reduces the quality of democracy, as is often suggested, but also the inverse, democratic weaknesses can undermine effective power-sharing and turn a liberal consociational system into a more corporate, rigid reality.







# PART I

## Implementing the Ohrid Framework Agreement: Issues and Challenges

Civil Society's Contribution to  
Democratic Consolidation in  
Bosnia-Herzegovina after the Dayton Peace  
Accords and Republic of Macedonia after  
the Ohrid Framework Agreement

*Franziska Blomberg*

## **ABSTRACT**

The violent conflicts in Bosnia-Herzegovina and Macedonia were ended with the signing of the Dayton Framework Agreement (1995) and the Ohrid Framework Agreement (2001). Both settlements were followed by massive international support with the aim of fostering democratic consolidation, increasingly emphasizing the importance of civil society's contribution to democratic consolidation. Since 2006/2007 the democratization progress in both states has been slowing down or even stagnating. While democratization research frequently underlines the challenges of democratic consolidation in ethnically divided societies, civil society research rarely takes these challenges into account. Even though the direct democratizing results of civil society are admittedly difficult to measure, still, doubts about the effects of civil society's democratizing "spill-over" have significantly increased. This article explores the civil societies in both states and draws conclusions on how currently decreasing funding can efficiently be invested with regards to democratic consolidation.

## I. Introduction

### **Civil Society's Double Role after the Ohrid Framework Agreement and the Dayton Peace Accords**

This article scrutinizes how civil society, the new “star” of the “boom-industry” external democracy promotion<sup>1</sup> influences democratic consolidation. Civil society has been attributed an important role in the implementation of the Dayton Peace Accords (1995) and the Ohrid Framework Agreement (2001). Both agreements have continuously been blamed, despite their positive impact on ending violent conflicts (of admittedly very different scales of violence), to have institutionalized deep social and political cleavages along ethno-national lines. Democratization research holds abundant findings that ethno-national divisions in society slow down or even impede democratic consolidation processes.

The result of this investigation illustrates, that, despite significant external support, civil society's positive effect on democratic consolidation still very much depends on the absorption capacity of the domestic political system. This leads to the question, to what extent does today's significant foreign external democracy promotion in both states meets the needs most effectively? Further, with external financial support of civil society in Bosnia-Herzegovina and the Republic of Macedonia currently decreasing, the findings of this article show, that, even though civil society activities linked to social service provision show significant impact, until today impact on political changes and thus on democratic consolidation continue to be perceived as highly dependent on external support.

The findings thus underline the importance of programming the support of external democracy promotion to civil society in a manner sensitive to different paces of democratization and impact in different spheres of the political system. This is a challenge practitioners are very familiar with. The scientific literature,

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1 External democracy promotion is sometimes pejoratively called the ‘boom-industry’ of international cooperation, currently disposing of a worldwide annual budget of about 10 billion Euros. (Schraeder 2000 cited in Grävingholt et al. 2009a: 28)

however, so far has difficulties describing these dynamics analytically. This article tries to fill this important research gap, asking:

*“(How) do ethno-national divisions impact civil society’s contribution to democratic consolidation?”*

With the aim of developing an analytic procedure for the complex field of civil society’s contribution to democratic consolidation and how external democracy promotion interacts in this regard, civil society’s possible and actual democratic spill-over and the effect of context factors, such as ethno-national cleavages, since the 1995 Dayton Peace Accords and the 2001 Ohrid Framework Agreement are investigated.

The article is structured as follows: chapter two provides a brief summary of the theoretical foundations of the research, giving an overview of the concept of democratic consolidation, external democracy promotion, and a critical discussion of the role of civil society, and finally presents the research question that the current theoretical state of the art leaves us with. Chapter three presents the methodology for the empirical investigation, using qualitative methods such as semi-structured problem-centered interviews and participatory observation, conducted by the author in Bosnia-Herzegovina and the Republic of Macedonia between December 2009 and June 2011. Chapter four presents a discussion of the empirical findings against the theoretical foundations of the investigation and chapter five closes with final remarks regarding possible generalization of the results, suggestions of open questions for further research and possible recommendations.

## **2. Theoretical Background**

### **Civil Society’s Contribution during Democratic Consolidation in Bosnia-Herzegovina and in the Republic of Macedonia**

The break-up of former Yugoslavia saw a reconfiguration of all spheres of the socio-political make-up including geography, politics, economy, general power-relations, etc. Bosnia-Herzegovina, often called a “Micro-Yugoslavia” due to its ethnically mixed population structure, severely suffered from a violent war fought along ethnic lines between Bosniaks, Croats, and Serbs from 1992-1995. After many attempts and under heavy international involvement the war was put

to an end with the signing of the so-called Dayton Peace Accords (DPA) on 14 December 1995. The DPA was followed by massive international support for ethnic reconciliation and democratic development. Several years later, in 2001, following the Kosovo crisis and NATO intervention in 1999, the Republic of Macedonia saw several outbreaks of violence. Despite international efforts to prevent an escalation of conflicts, the clashes culminated in a violent outbreak in March 2001.<sup>2</sup> The crisis management and the signing of the Ohrid Framework Agreement (OFA) on 13 August 2001 managed to quickly contain the violent outbreak. Nevertheless, in its result and based on already prevailing deep divisions between Albanians and Macedonians, “[the conflict] left the country deeply scarred and further soured inter-ethnic relations between Macedonians and Albanians” (Bieber 2005: 89), referring to (Ethnobarometer 2002), see also (Vetterlein 2010: 81–104)

As a consequence, despite the admittedly very different scales of violence in the conflicts in Macedonia and Bosnia-Herzegovina, until today, the political and the social sphere of both states remain deeply divided along ethno-national lines, visible in the structures of both, the political systems dominated by ethnically defined political parties and ongoing ethno-nationalist rhetoric and of the social fabric with low cohabitation, interaction, intermarriage, etc. This complies with the theoretical assumption found in the literature, that especially during radical changes, such as the break-up of former Yugoslavia, competing groups will tend to ‘rent seek’. (Zürcher 2007)

During and after the conflicts, there was massive international support and funding of democratization from top-down via the institutional setting and bottom-up of the civil society. Unfortunately, presently there is almost no data available as to the actual democracy promotion in the share of billions in international funding to the two states. (Grimm, forthcoming 2011) Increasingly, civil society has been emphasized as playing a crucial role in the process of democratization, notably for achieving democratic consolidation, by assuming various functions for the development and functioning of democratic processes.

In most programs of the majority of donors, civil society is mentioned as an important factor for political change and advocacy. Many times, however, the donors’ programs remain vague in how they describe the actual functions and tasks of civil

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2     Until today it is contested to what extent the fights between the Albanian ‘National Liberation Army’ (NLA) and the Macedonian army a) happened to prevent a spill-over of violence from bordering Kosovo, b) were in fact the result of an inner-Albanian conflict over the control of resources in the border region or whether c) a result of rebellion of Macedonian Albanians against ongoing discrimination and decreasing rights in Macedonia. Vetterlein 2010: 160–163

society. In practice, service delivery and advocacy work are often mixed in the programs international donors support. (Paffenholz, Spurk 2006: 16) The World Bank e.g. notes advocacy, monitoring and direct service delivery as the three main functions of civil society. (World Bank 2003: 3) For other donors, the functions are more intertwined, as e.g. service delivery increases the legitimacy through contact with those represented. (Paffenholz, Spurk 2006: 10)

These assumptions, however, were developed as the role of civil society in consolidated democracies in a Western setting. To date there is no systematic analysis available, on the actual challenges and possibilities of civil society's democratic "spill-over" in non-consolidated democracies. A very large number of recipients of external democracy promotion are currently struggling with ethno-nationalistic divisions, while, surprisingly, knowledge about civil society and the interaction between civil society and different domestic context factors, notably ethnic divisions, is very scarce. The next subsections outline the theoretical background for the further empirical investigation.

## 2.1 Democratic Consolidation or Hybrid Regimes: Today's Democratization in Bosnia-Herzegovina and Macedonia

Between 1974, the year of the beginning of the third wave of democratization, and 2001 the number of democracies in the world has quadrupled. (Merkel et al. 2003: 10) However, the relative share of "partly free" regimes has also increased. (see e.g. Freedom House 2010 and Polity IV 2010) In the democratization literature and in the research on external democracy promotion, dealing with ethnic fragmentation and promoting cooperation across ethnic lines thus seems to be a crucial measure for the progress of democratic consolidation. (Zürcher 2007) As for several other states in the region, having seen very significant democratization progress from the late 1990s to around 2006, in the recent years, democratic consolidation in both states, Bosnia-Herzegovina and Macedonia have been slowing down and even stagnating. (Freedom House 2011; Economist Intelligence Unit) While the effects of this have been lamented by domestic actors as well as by the international community, the developments of stagnated democratization in both states are, despite all their particularities, in fact not unusual. Many examples around the world today provide empirical evidence defying the "transition paradigm" of a global trend towards democratic consolidation. (Carothers 2002; Puhle 2005)

In the scientific literature, the concept of 'democratization' has been subdivided into several stages. Dankwart Rustow distinguished between four phases (1) background conditions (national unity), (2) preparation phase (changes are started by social conflicts), (3) decision phase (conflict management in favor of a democratic system based on decisions by elites), (4) phase of adaption (acceptance of the rules of the new system). (1970). Today, the most common sequencing of democratization, based on Lauth & Merkel (Lauth, Merkel 1997) is divided into three phases<sup>3</sup>:

**1. Liberalization:** The elites in power in an authoritarian system try to increase their legitimacy and thus their power by carefully opening the political system and granting new rights to citizens.

**2. Democratization:** Democracy becomes institutionalized. It is said that this phase lasts from 'deinstitutionalization' of the old system to 'institutionalization' of the new democracy. The different political/social actors have the most options for action but as soon as a new government and offices are created, new elites and power structures establish themselves.

**3. (Democratic) Consolidation:** Transition has successfully been accomplished when the temporary structures founded during regime-change have been transformed into stable structures. This includes the appointment of actors to political offices and a situation where political decisions follow democratically legitimate and previously and clearly defined procedures.

In reality the divisions between the different stages are not as clear-cut as the model might imply. That there is overlapping between the phases and different policy fields might show different paces of progress.

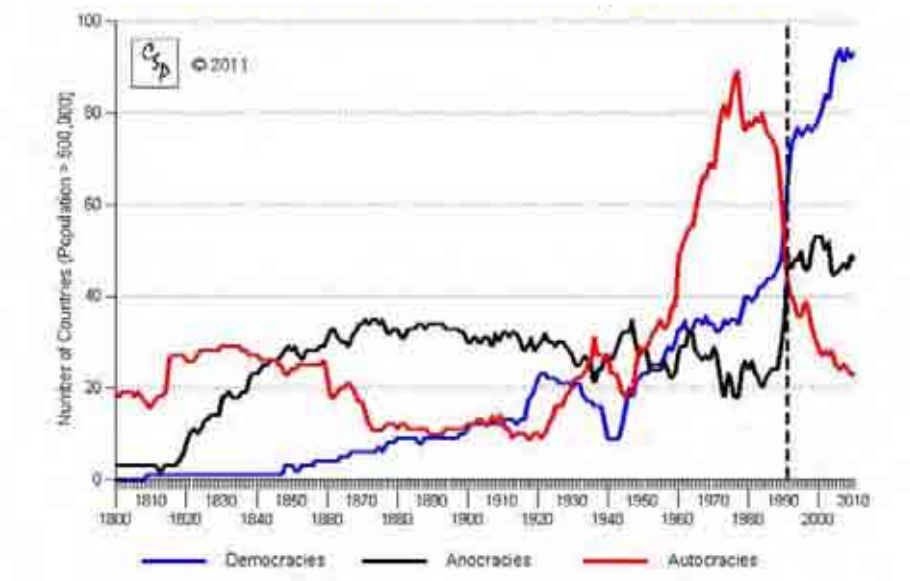
A commonly voiced issue of criticism of this model in the recent years has been the underlying assumption that once regimes go through a liberalization phase, they tend to follow a trajectory towards eventual democratic consolidation. Empirical evidence since the development of the transition paradigm, however, has shown, that many states show only slow transition processes, and many of these even show signs of reversal, at least in some spheres of the regime (e.g. electoral fraud, checks and balances, civil liberties, etc.). (see exemplarily O'Donnell, Schmitter 1993; Linz, Stepan 1996; Carothers 2002 )

Even though the last decades have seen a steady increase in the number of non-authoritarian states, many of these states find themselves in the "gray zone" between authoritarianism and democratic consolidation, categorized as non-consolidated democracies or 'hybrid regimes'.

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3 For more on sequencing of transformation processes see e.g. Przeworski 1991; Gunther et al. 1996; Merkel 1999, 2010.



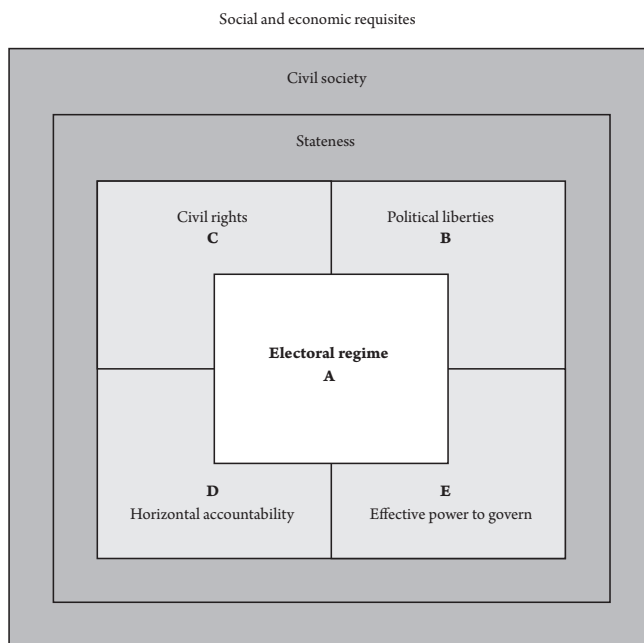
Figure 1: *Global Trends in Governance, 1800-2010*

Source: Polity IV 2011

This poses various questions regarding the possibility of substantial democratic consolidation. Until the late 1990s, states were commonly classified as either ‘autocracies’ or ‘democracies’. (For a critical overview compare e.g. Zinecker 2007). Recent research has shifted their focus towards the conditions that are conducive or impeding to the completion of democratic consolidation, especially with regard to states, that seem to have settled on the way of democratization without having achieved complete democratic consolidation.

An increasing number of distinct classifications for these ‘hybrid’ forms of statehood have been suggested, in some cases attempting to provide more discrete categories for analysis in this ‘gray’ zone, and warns of succumbing to the ‘illusion of consolidation’, if transition and consolidation are uncritically assumed to be stable. (2001) A multitude of terms for what Collier & Levitsky (1997: 431) have called ‘democracies with adjectives’, have been developed “to capture the essence of regimes that were neither full democracies nor in transition”. (Emerson, Gergana Noutcheva 2004: 2; compare also Merkel et al. 2003: 14; Croissant, Thierry 2000)

A model for a more detailed analysis of possible variations of democratic functioning between different regime spheres is provided by Wolfgang Merkel with his concept of 'defective democracies', defined as "regimes, characterized by the existence of a mostly functioning democratic electoral regime for the organization of access to power, but which lose the complementary support from a disruption in the functional logic of one or several of the partial regimes, that are crucial for guaranteeing the freedom, equality and control in a functional democracy." (Merkel et al. 2003: 15) (translation by the author, F.B.) Merkel further provides a concept he names 'embedded democracies' (2003: 14) "(following) the idea that stable constitutional democracies are embedded in two ways. Internally, the specific interdependence/independence of the different partial regimes of a democracy secures its normative and functional existence. Externally, these partial regimes are embedded in spheres of enabling conditions for democracy that protect it from outer as well as inner shocks and destabilizing tendencies." (Merkel 2004: 36) (see figure below)



Source: Merkel 2004: 37

Distinguishing between different partial regimes provides the possibility to better analyze possible impacts of civil society on different spheres of the regime.

## 2.2 External Democracy Promotion in Ethno-Nationally Divided Societies

The last years have seen a growing skepticism concerning the likelihood of global democratization towards democratic consolidation itself. In parallel, critical remarks about the possible positive impact, or even worries about possible negative intended or unintended side-effects, of external democracy promotion have grown. These developments are closely linked to many empirical cases, among them Bosnia-Herzegovina and Macedonia, which after years of external democratization support and interventions, still have not achieved full democratic consolidation. (O'Donnell 1996; Puhle 2005; Diamond 2002b, 2002a; Börzel, Buzogany 2009) These observations were paralleled with a trend in academic literature of a decline of generalized optimism (see e.g. Fukuyama 1989) in the mid-1990s. Today, one can find much, often openly expressed, skepticism about the possibility of supporting democratic development from the outside. (See exemplary Carothers 2002; Linz, Stepan 1996; Mansfield, Snyder 2002; Diamond 1996; Bliesemann de Guevara, Kühn 2010; Carothers 2004, Dauderstädt, Lerch 2005 etc.). 'External democracy promotion' here is understood as

*'all non-military measures, aiming at the establishment, strengthening, or restoration of a democratic, political order.' Measures of democracy promoters can be classified as negative or positive (among which falls the building of civil society), and it can use direct or indirect means of support for democratic processes. (2009b: 29), comp. (Leininger 2006)*

In many of the democratizing states around the world, including those resisting ongoing democratization, legions of international actors (states, inter-, or trans-, national organizations such as the UN, NATO, EU, OSCE, different NGOs, INGOs, GONGOs, political and private foundations, etc.) of the 'international community'<sup>4</sup> have taken on the endeavor of 'external democracy promotion' through the use of numerous measures and according to diverse strategies.

According to Peter Burnell, "International support for promoting democracy has increased substantially over the last two decades, and reported democracy assistance is now in excess of US\$5 billion dollars annually. The US government and the European Union (EU) are well-established actors and March 2006 saw

4 Allcock rightly points out, that the term "community" in this context seems misleading, as the loose coalition of state and non-state structures does not correspond to the sociological notion of "community". (2004: 26)

the inauguration of the United Nations Democracy Fund: 26 countries pledged an initial sum of \$41 million, for distribution through other United Nations (UN) organisations. Meanwhile the United Nations Development Programme (UNDP) claims to be the largest spender on democratic governance, amounting to US \$1.4 billion in 2005.<sup>5</sup> (2008: 414–415)<sup>5</sup>

Today, most external democracy promotion, in 2008 for example making up for the significant amount of 10 billion Euros equaling 10% of the global budget of development aid, goes to non-consolidated democracies - according to Freedom House, today there are only 25 consolidated democracies in the world (Freedom House 2011). Thus knowledge about democratization dynamics not normatively concluded transfer from western democracies but from empirical analysis of processes in non-consolidated democracies is very much needed so that it may be taken into account when designing strategies of international support of democracy. Insight into the democratization in advanced, but not yet entirely consolidated democracies, as Bosnia-Herzegovina and the Republic of Macedonia, thus can be very helpful for understanding the processes of democratic consolidation.

Many of the states of the world today are faced with questions regarding ethnic diversity and ethno-nationalism, a question with world-wide relevance since today almost 90% of the states worldwide are poly-ethnic while about half of them are divided along ethnic lines (Giddens 1985: 216–220), which is assumed to be a strong hindrance to democratization (Zürcher 2007) and should therefore be given due consideration in democracy promotion. (Beichelt 2002; Silander 2005) The remainder of this article follows a constructivist approach, with reference to the sociological new institutionalist approaches of Rogers Brubaker (1996) and scholars in his vein. These authors treat ethnicity as an operative and analytical category instead of an essentialist, stable and objective fact. Accordingly, I refer to “ethnicized” categories instead of “ethnic” categories of action, implying that ‘ethnicity’ is often dormant for long times, then suddenly “awakened” and (re-)loaded with meaning and importance (cf. Smith 1981: 85). This makes ethnicity or ethno-national categories of attitudes and actions by no means “unreal”, as individuals and collectives in a context where ethnicity as a category of identification and orientation for action is an important reference to consider and live ethnic-belonging as “real”, using and re-enforcing ethno-national identification of themselves and “others” on these grounds.

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5 The figures “refer only to expenditures on projects and programmes that have been categorised as democracy or democracy related. They do not reflect the much larger cost of the many other ways in which democratic objectives are promoted, such as through diplomacy and political forms of action that extend right up to attempted coercion.” (Burnell 2008: 415)

In order to better grasp the related processes, it is helpful to understand ethnic nations as categories of action (Brubaker 1996: 16–18), and to see them as both targets and consequences of ‘social engineering’ by different actors. (Hobbsawm et al. 1983: 13–14) Seeing ethnicity as a constructed category – as in Anderson’s ‘imagined communities’ (Anderson 1983) – renders it possible to see ethnicity as a constructed process when it becomes an all-important category – which is why I prefer to speak of ‘ethnicized’ (Brubaker 1996) conflicts rather than of ‘ethnic’ conflicts. This position also allows for the theoretical possibility of an active de-ethnicization of politics. This study follows the assumption that the close intertwinement of civil society promotion efforts and the appeasement of problematic ethno-national divisions so far have been greatly underestimated.

Until today, ethno-national mobilization and divisions in most of the former-communist states are still quite high, likely on account of the fact that the Soviet and the Yugoslav concept of the ‘nation’ was highly based on an ethnic definition of group-belonging. This also applies for Bosnia-Herzegovina, reflected in the political and societal divisions. Even though most people state in surveys, that economic questions, such as employment, are the most pressing (Gallup Europe 2011), ethnically defined conflict lines in political and societal debate remain strong and are easily activated. Accordingly, the societies of both states remain deeply divided along ethno-national lines (comp. e.g. Vetterlein 2010; Hornstein-Tomić 2008), despite significant improvements after the conflicts. This implies a particular challenge for civil society’s contribution and spill-over to democratization and democratic consolidation for the post-communist states (see e.g. Dvornik 2009) – and as well for other states around the world currently struggling with ethno-national mobilization. (comp. Paffenholz 2010 and Zinecker 2007).

### 2.3 A Critical Assessment of the Star of External Democracy Promotion: Civil Society’s Democratic Contribution

For the past 25 years, and still increasingly, civil society promotion has been an important pillar of external democracy promotion. This is based on the assumption, that civil society is an arena, in which, among other positive effects, civic virtues are developed (as e.g. Tocqueville (1945) put forward) and where persons from different societal groups unite around common interests across otherwise existing societal cleavages. (Putnam 2000; Putnam et al. 1993; Putnam 1993; also Purdue 2007)

The concept of civil society in the scientific literature has extensively been debated, and there are many definitions. Summarizing, civil society is usually seen

as a sphere of collective action, either located as an intermediary sphere between (a) the private and (b) the state, or as a “third sector” as a collective counterweight to the market and the state, with some authors pointing out, how civil society also performs economic activities and lobbies for economic issues or is involved in political action. The remainder of this article will understand civil society following a definition by Thania Paffenholz, according to whom

*“Civil society is the sector of voluntary action within institutional forms that are distinct from those of the state, family and market, keeping in mind that in practice the boundaries between these sectors are often complex and blurred. It consists of a large diversity of voluntary organizations, often competitive with each other and oriented to specific interests. It is comprised of non-state actors and associations that are not purely driven by the private or economic interests, are autonomously organized, and interact in the public sphere. Additionally, civil society is independent from the state, but not completely, since civil society is oriented towards and interacts closely with the state and the political sphere.” (2009: 187)*

The nature of civil society has been found to depend on the political (and historical) context, so cross-national variation is to be expected. (Kim 2007: 187) As the appearance of civil society in transformation states is subject to continuous change, it is plausible to approach it as a non-normative analytical category rather than as a distinct historical form. (Pollack 2003: 46–75) Croissant et al. summarize the existing literature into five functions attributed to civil society: (1) Protection, (2) intermediation, (3) communication, (4) socialization, and (5) community. (Croissant et al. 2000) Clearly relating to these functions, Christoph Spurk provides an approach for the analysis of civil society in post-conflict contexts and divided societies, identifying seven functions of civil society:

1. *Protection of citizens against violence from all parties;*
2. *Monitoring of human rights violations, the implementation of peace agreements, etc.;*
3. *Advocacy for peace and human rights;*
4. *Socialization to values of peace and democracy as well as to develop the in-group identity of marginalized groups;*
5. *Inter-group social cohesion by bringing people together from adversarial groups;*
6. *Facilitation of dialogue on the local and national level between all sorts of actors;*
7. *Service delivery to create entry points for peace-building, i.e. for the six above functions.*

Functions 4 (in-group socialization) and 5 (inter-group cohesion) are underlined by Spurk as particularly decisive for civil society's contribution to peace-building. (2010, comp. Paffenholz, Spurk 2006: 13)

Most theoretical and practical approaches assume civil society to be miraculously immune to the surrounding 'evils' of the society in which it is embedded. Thorny issues like corruption, clientelism or nepotism, nationalism, etc. are rarely included in civil society assessment. Recent years have seen an important increase of critical statements regarding the role of civil societies that can be "uncivil" and have their "dark sides" especially in the context of divided societies. (see e.g. Fischer 2006; Whitehead 2004; or illustrating this effect for example by an analysis of associations fuelling the conflict in Northern Ireland, Belloni 2009)

An increasing number of authors criticize this naïve view and add further (potential) 'dark sides' of civil society to the list, such as a low degree of legitimacy, frequent entrenchment in politics, the potential to undermine the development of the state (and thus possibly weaken it), 'projectitis' (Seifija 2006) (the practice of organizing projects with donor money in order to secure jobs and follow the 'trends' of calls for tenders issued each year), etc. As Anheier notes, "while the individual voices of civil society are part of a democratic social order, they are not necessarily democratic themselves – nor are they necessarily responsible or tolerant, let alone supportive, of freedom or citizenship for some group or another. Many of the voices are; but civil society includes a great diversity of views, as the sometimes gray area between some civil society groups and organized violence demonstrates." (2004: 5)

External democracy promotion through the support of civil society directly interacts in this context. Paffenholz & Spurk disagree with the prevailing assumption that any support to civil society must have positive effects. Rather it is not only necessary to identify the relevant functions of civil society but also its composition. Moreover, there is a need for a better understanding of the conditions and obstacles that affect civil society's ability to play a constructive role in post-conflict situations including the behavior of potential or existing 'uncivil' society actors and the role of fragile or authoritarian states. (Paffenholz, Spurk 2006: 46)

Chandler, for example, critically reflects on the possible positive and negative effects of civil society promotion: external funding runs the risk of fragmenting society rather than creating a pluralistic exchange of political opinions. NGOs relying on outside funding seem to have no need to engage in discussion



or forge broader links to society. 'The financing of private bodies, as representatives of democracy and development, without a clear policy may in fact encourage the fragmentation of societies under political breakdown rather than encourage pluralism.' (Chandler 1999: 35) Finally, the external financing of NGOs questions their long-term sustainability. A vicious effect of this trend is that it tends to make democracy accountable not to the citizens of the country, but to foreign donors, when democracy is precisely about increased participation of and accountability to citizens. (Santiso 2001: 163)

The majority of approaches to civil society's role for democracy are strongly normative and thus are not very useful for an analysis of civil society in an international context of very diverse democratization processes. In the literature we find two approaches for the analysis of civil society that analytically capture the abundant empirical evidence of the diverse roles and impacts of civil society, including possible positive and negative contributions. The first important contribution comes from Mark E. Warren, who highlights, that the real contribution of civil society organizations, depends on (1) the degree to which an association is voluntary or non-voluntary, (2) the kind of medium - social attachments, money, or power - within which an association is embedded or toward which is oriented; and (3) The goods or purposes of the association. (Warren 2004: 94) Especially the goods or purposes, which Warren also refers to as 'constitutive good' of associations, not very surprisingly, determine, to what extent civil society in fact has a positive, neutral, or negative impact on democratization and democracy. Warren identifies eight types of constitutive goods of associations:

1. *Individual Material Goods,*
2. *Eclectic and Plentiful Material Goods,*
3. *Public Material Goods,*
4. *Nonexcludable Natural Goods,*
5. *Interpersonal Identity Goods,*
6. *Status Goods,*
7. *Exclusive Group Identity Goods,*
8. *Inclusive Social Goods (Warren 2004: 123–133)*

The second contribution, by Hans-Joachim Lauth (2003), suggests that empirically one can distinguish between three different ideal-types of civil society: 1. strategic type (SSC), 2. ambivalent type (ACS). 3. reflexive type (RCS).



An ambivalent civil society (ACS) displays the dark sides of civil society. There is a high conflict intensity between its actors, organized along existing societal conflict lines (work-capital, ethnic and religious ties). Competition, constitutive of democracy in this case can lead to an intensification of societal conflict and endanger the stability of the young democracy, if demands impossible to intermediate are formulated. Relations among actors are characterized by structures of dominance. Civic virtues, such as tolerance and mutual respect – are weakly pronounced. Mostly, particular interests are pursued and social representativity is low and a democratic internal structure hardly existent. There is no cooperation with the state. Neither do civil society actors involve in the common policy making nor do they facilitate recruiting of political personal.

In a reflexive civil society (RSC) the conflict intensity between its actors is low, even though also in this context conflicts take place. Organizations are oriented cross-cutting cleavages and thus are capable of mediating societal conflicts. The hierarchy between civil society actors is reduced by egalitarian relations between actors. Civic virtues are clearly pronounced and are stabilized by democratically structured organizations that subordinate their particular interest to the common good and display a certain amount of societal representativity. Even though a reflexive civil society cooperates with the state in different ways, its self-understanding is that of a critical corrective to the state's activities.

A strategic civil society (SCS) can be understood as a particular mix of the other two variants. It may well be structured by hierarchy, but there is hardly any internal democratic structure and civic virtues are developed only to a limited degree. However, relations between members are not very conflictive and it is structured in coalitions surpassing conflict-cleavages, with few actors usually taking the initiative. Particular interests are subordinated to the common good. Towards the state it is cooperative to a very limited degree, mostly aiming at the control of political rule. (Lauth 2003: 225–227, translated from German by the author, FB)

Illustrated in the table below, a reflexive civil society is assumed to best contribute to democratization during the consolidation phase:

type category	strategic type SSC	ambivalent type ACS	reflexive type RCS
phase of system change	liberalization	consolidation of democracy	consolidation of democracy
1.a non conflictive structure of civil society	yes	No	(yes)
1.b organizational structure across cleavages	yes	No	yes
2. no distinct power hierarchies	no	No	yes
3.a civic virtues important	no	No	yes
3.b relevance of particular interests low	yes	No	yes
4. internal democratic organization important	no	No	yes
5. societal representativity discernable	yes	No	yes
6. functions for the state			
6.a service provision	no	(no)	yes
6.b recruiting	no	No	(yes)
6.c policy making	no	No	yes
6.d control	yes	(no)	yes
7. cooperation with the state	(no)	No	(yes)

Source: Lauth 2003

The following empirical section investigates which of the three types of civil societies have developed in the contexts of Bosnia-Herzegovina and the Republic of Macedonia and to what extent they contribute to democratic consolidation.

### 3. Methodology

#### Two In-Depth Cases Studies and Problem Centered Interviews

This explorative study has the goal of gaining new insight into a field about which little systematically collected data is available. On account of this it is plausible to gather a larger quantity of data and inquire about the interrelations, not to test assumptions about causal relations, between them.

##### Methodology:

(1) Interviews: In order to represent possible views of the largest ethnic groups, and political main groups, in the two states under investigation, fifty-one qualitative problem-centered semi-structured interviews were conducted in the two (Skopje, Tetovo), and respective three (Sarajevo, Banja-Luka, Mostar) major centers of the largest ethnic groups in Bosnia-Herzegovina and Macedonia between November 2009 and June 2011. The persons were selected according to their influence and to their specific work focus (civil society promotion) and their working positions: staff of (a) international donor organizations (EU, OSCE, UN, various NGOs, or (b) the largest NGOs in both states receiving international funding (as they are major agenda setters for the issues that receive funding), or (c) experts with a scientific or practical background in international democracy promotion and civil society.

(2) Participatory observation: In order to reflect how the research process and its interpretation is influenced by the author and how factors, such as observations, private discussions, etc., impact the analysis of the findings, observations documented in a research journal throughout the research process and the results from 30 background talks (with persons, that are often referred to as “international experts”, but also journalists, etc.). are included in the research process. (For a list of the CSOs and international organizations from which persons were interviewed, please see the annex.)

	Bosnia-Herzegovina (Total: 20)	Republic of Macedonia (Total: 27)
Civil Society Organizations	11	13
International organizations	9	14

The analysis of the data is conducted according to the method of Andreas Witzel (2000), with the help of MAXQDA, a software tool for qualitative analysis of data with the aim to both test and develop existing theory regarding civil society's spill-over to democratic consolidation in ethno-nationally divided societies.

## **4. Civil Society's Spill-Over to Democratic Consolidation**

This section analyses, which of the three types of civil society, defined by Hans-Joachim Lauth, applies to each of the two states under investigation. Summarizing the interview findings, the analysis illustrates civil society's contribution to democratic consolidation and assesses the specific nature of civil society in the two states, providing insight into possible differences of perspective between international actors and civil society organizations. Depending on the outcome, conclusions can be drawn as to how external democracy promotion currently is and in the future should be supporting civil society in order to foster democratic consolidation.

### **4.1 Civil Society's Spill-Over to Democratic Consolidation in Bosnia-Herzegovina**

#### *1.a Non conflictive structure of civil society*

Civil society in Bosnia-Herzegovina currently is mixed. While there are many CSOs working to appease societal conflict lines, to find common interests based on issues (e.g. children's rights, interreligious dialogue, etc.) today, some very powerful civil society actors, such as the church, unions, public media, sports associations, etc. are strongly divided along ethno-national lines. These divides often are, further, mobilized and (ab)used by political actors to gain public support for issues and elections.

#### *1.b Organizational structure across cleavages*

In general, many CSOs are mono-ethnic. This is partially due to the current demographics of the state, as some interview persons mentioned somewhat reluctantly, that trust and willingness to cooperate between members of different ethnicities, especially among the younger citizens of Bosnia, are low. Nevertheless,

some CSOs around issues, e.g. anti-corruption, Europeanization issues, etc., have offices in cities with different ethnic majorities and close cooperation between members of different ethno-national background. Currently decreasing funding in several cases fosters cooperation around issues (e.g. anti-corruption work, women's issues), in general however, broad coalitions are very difficult to form due to dominance of political affiliation of CSOs and mistrust, often worsened by economic pressure. Many external democracy promoters demand projects to be facilitated involving all at least all three ethnic groups, recently also paying more attention to other, smaller, ethnic groups.

## 2. No distinct power hierarchies

Power hierarchies in Bosnia-Herzegovina are very distinct. Most interview persons mentioned, that both within their organizations, between organizations, between CSOs and state institutions, but also between CSOs and state institutions on the one hand and external democracy promoters on the other, hierarchy very much mattered. Further, democratic structures in these processes were rare examples. However, usually then interviewed persons also mentioned that they considered this a rather natural state of affairs for the current democratization phase. The reasons they stated for this were, that coming from a traditional, society based on patriarchic structures, people were happy to have leaders and that also youth growing up in the system had little opportunity for involvement in decision-making and self-determination to question the existing strong hierarchies.

### 3.a *Civic virtues important*

In general, persons from CSOs considered civic virtues as very important, while at the same time difficult to apply at all times in the current political situation. Several interview partners referred to the Yugoslav history when civic activism to some extent was tolerated. Further, the younger generation of civil society activists has often had access to international immersion in civic virtues and often is very well trained in these. Still, limited possibility for civic activism, blamed for instance on politicians not willing to involve civil society in decision-making or on clearly politically motivated blackmailing after criticizing politics, make it difficult to actually live while embracing civic virtues. Interview persons working for external democracy promoters were somewhat more critical, stating that civil society including civic virtues was hardly developed in the state, with some rare exceptions.

### *3.b Relevance of particular interests low*

Particular interests were a dominant theme mentioned in the interviews. There were different levels on which particular interests were important, ranging from strong mistrust between CSOs, to mistrust between CSOs and political parties to competition between political parties. Most of the conflicting particular interests between these different actors were motivated by competition around scarce economic resources, or power – allowing access to economic resources. With politics, demographics, and family ties being strongly determined by ethno-national affiliation, it is difficult to assess whether ethno-national belonging enforced the particular interest divisions for resources or the other way around. Interestingly, there were some issues (related to service provision or corruption) that were not so strongly determined by particular interest or where interest coalitions were loosely formed if demanded for project funding by international democracy promoters.

### **4. Internal democratic organization important**

In general, internal democratic organization was mentioned very rarely. The few times it was evoked it was mostly stated to be lacking – at all levels of civil societies activities from internal organization over sector cooperation to involvement with state institutions.

### **5. Societal representativity discernable**

An impressively large number of NGOs has registered in Bosnia-Herzegovina in the past 15 years. While until today there is no official register that provides information of which of the NGOs is in fact active, numbers stated range between 6,000 and 12,000 NGOs. Thus, there is a plurality of civil society activity from mushroom growers associations to support for physical disabilities to advocacy groups for women's rights to veterans associations. While a number of CSOs are very much grass-roots based, this is mostly limited to CSOs working in the broad field of social services. CSOs with a political aim very often work without a membership base and were formed as either lobby groups, or, as some interview partners mentioned, as employment opportunities that by registering as an NGO have the legal right to apply for funding by international donors. Further, the populations of the large cities, notably the capital, tends to be better informed and trained to have access to civil society involvement. Thus, groups with certain income and education tend to be overrepresented in the civil society.

## 6. Functions for the state

### *6.a Service provision*

According to the data, the field of service provision is very developed. There are many CSOs experienced in supporting service oriented activism, lobbying for social service, cooperating with state institutions, the police, etc. In contrast to political activism, service provision is a field that domestic state institutions often support and even tend to be happy about CSOs providing service that the state cannot perform – especially against the background of extremely decreased services since the break-up of the socialist Yugoslav system. Still, civil society is more informed, active and better funded in the bigger cities, notably in the capital. Civil society in the more remote areas until today often does not have the necessary information, training and language skills for effective addressing and advocacy in order to get the support by domestic or international actors.

### *6.b Recruiting*

Recruiting for new political elites is an important issue among civil society in Bosnia-Herzegovina. Many interview partners mentioned, that they did not want to cooperate with the political parties at all and that they made a statement of being apolitical. Just as many civil society activists also mentioned that in fact they were very much involved in party politics and aspiring to political careers.

### *6.c Policy making*

Both civil society activists and external democracy promoters mentioned that it was not very easy for civil society to be involved in policy-making. External democracy promoters for a while now have been supporting involvement of civil society in political processes. Still, political parties and institutions are very reluctant to be transparent towards interest groups or citizens or to involve them in decision-making, among other consequences causing a large gap between policies and their implementation, as crucial stake-holders are often not involved.

### *6.d Control*

According to the interviews conducted, there has been success in various reforms and the involvement of civil society in the drafting of laws, etc. External democracy promoters still remain very important allies in support of civil

society, as on several occasions civil society organizations, public media, etc. in circumstances involving critical remarks about the government have suffered public defamation, unjustified accusations of tax-fraud, etc. So while some parts of civil society are involved in productive consultation in law-drafting or social service provision in cooperation with local authorities, limiting the state's control remains an important aspect of civil society's activities.

## 7. Cooperation with the state

Several times attributed to the long-lasting and massive pressure and support by external democracy promoters, civil society in Bosnia-Herzegovina increasingly cooperates with the state. There are a growing number of examples, in which political parties and members of parliaments are open to considering the expertise of interest groups and policy advisors. Nevertheless, numerous examples were also stated, in which state officials or state institutions were not open to involve CSOs in decision-making and where consultation procedures with civil society existed more on paper than in reality.

type category	Bosnia-Herzegovina	Republic of Macedonia	strategic type SSC	ambivalent type ACS	reflexive type RCS
phase of system change	consolidation of democracy	consolidation of democracy	liberalization	consolidation of democracy	consolidation of democracy
1.a non conflictive structure of civil society	no		yes	no	(yes)
1.b organizational structure across cleavages	no		yes	no	yes
2. no distinct power hierarchies	no		no	no	yes
3.a civic virtues important	yes		no	no	yes
3.b relevance of particular interests low	no(/yes)		yes	no	yes
4. internal democratic organization important	no		no	no	yes



type category	Bosnia-Herzegovina	Republic of Macedonia	strategic type SSC	ambivalent type ACS	reflexive type RCS
phase of system change	consolidation of democracy	consolidation of democracy	liberalization	consolidation of democracy	consolidation of democracy
5. societal representativity discernable	yes(/no)		yes	no	yes
6. functions for the state					
6.a service provision	yes		no	(no)	yes
6.b recruiting	yes(/no)		no	no	(yes)
6.c policy making	no		no	no	yes
6.d control	yes(/no)		yes	(no)	yes
7. cooperation with the state	no(/yes)		(no)	no	(yes)
			5	7	5

When comparing the findings with the ideal-type table of Lauth, we find that the civil society in Bosnia-Herzegovina can be classified as an “ambivalent civil society”. Although Lauth considers this the least positive type of civil society for the phase of democratic consolidation, the findings also indicate for several categories, that there may be a trend from a strategic type to a reflexive type, as democratization continues.

## 4.2 Findings

### Civil Society’s Spill-Over to Democratic Consolidation in the Republic of Macedonia

#### *1.a Non conflictive structure of civil society*

Civil society in the Republic of Macedonia tends to be strongly organized along conflictive dimensions. Divisions between different ethno-national groups, speaking very distinct languages, are strong, as are divisions within the different spheres of civil society and political parties between different political positions. There is some cooperation across divisions grouped around issues, still,

competition around political power and access to financial resources seems very significant and also implies a tendency to be intensifying.

### *1.b Organizational structure across cleavages*

In general, there is some cross-cutting activity, however it was often mentioned, that this happens according to political deals, pressure by external democracy promoters of economic incentives, such as applications for project funding. There are some initiatives that go past these cleavages, still, due to a long history of societal and cultural division paralleled by the current demographics, they make up a small share.

## **2. No distinct power hierarchies**

Power hierarchies are an important feature in the interactions inside the civil society and between the civil society and political institutions and their staff. However, as the population of the state in total and also of the capital is not very large in numbers and the social fabric tightly knit, on several occasions personal “short-cuts” were mentioned, facilitating access.

### *3.a Civic virtues important*

In general, civic virtues are considered very important among civil society activists. However, political reluctance for criticism or for public involvement were very frequently stated to impede a broader civic mobilization.

### *3.b Relevance of particular interests low*

Even though funding by external democracy promotion is currently decreasing, there seems to be good cooperation among CSOs working on related issues – with the exception of two deep division lines: one between two large groups of CSOs defined by their closeness to one of the two major NGOs in the state and the second divide defined by political affiliation. Regarding ethno-national divisions, co-operation within the sectors seems to be lively, while across ethnic lines cooperation happens on pragmatic grounds with so little interaction that problems surrounding particular interests do not arise.

#### 4. Internal democratic organization important

Internal democratic organization was not often mentioned by interview partners, neither as extremely defining nor as problematic. But on several occasions it was underlined how decision-processes involved common decision making of those involved.

#### 5. Societal representativity discernable

Since approximately 2000, and even much more since 2001, Macedonia has received very significant funding by external democracy promotion tied to demands for fostering civil society activity and involvement. As a result a very large number of NGOs became active and registered. While most of these organizations are not truly active today, there is a vast majority of different interest groups and issues represented. However, the populations of the large cities, notably the capital, tend to be better informed and trained to have access to civil society involvement. Thus, groups with certain income and education tend to be overrepresented in the civil society.

#### 6. Functions for the state

##### *6.a Service provision*

After independence, Macedonia, as all former Yugoslav republics, saw a sharp decline in social services. Civil society working in this field tends to have easier cooperation with state institutions, while, at the same time, political affiliations seem to matter.

##### *6.b Recruiting*

Recruiting is a very important aspect of civil society activism. As political affiliation tends to be very significant, civil society organizations often are ideologically affiliated to the larger political parties. Further, due to the relatively small number of 2 million inhabitants in Macedonia the pool for potential young elites is rather limited and networks are often tightly knit, thus making career paths short but competition sometimes very strong. Consequently, for aspiring future leaders as well as for political parties, CSOs serve as important career stepping stones.

### 6.c Policy making

Civil society has the aim of being involved in policy making and receives significant support by external democracy promoters in this endeavor. Yet, political elites were very often stated to be extremely reluctant to involve civil society organizations, and rather establishing “their own NGOs” for the purpose of raising public support for their purposes and being able to involve uncritical CSOs in political processes.

### 6.d Control

The interviews suggest that limiting the control by the state and the political parties is a very important aspect of today's civil society activism; with limited success at the moment.

## 7. Cooperation with the state

Regarding political reforms, e.g. the non-discrimination of sexual orientation or the transparency of the state budget, cooperation with the states is rather difficult. Still, the last years have seen success in cooperation with the state. As the financial and staff-resources of the government are rather limited, political decision-makers increasingly accept policy-advice by experts, especially regarding law drafting or service provision.

type category	Bosnia-Herzegovina	Republic of Macedonia	strategic type SSC	ambivalent type ACS	reflexive type RCS
phase of system change	consolidation of democracy	consolidation of democracy	liberalization	consolidation of democracy	consolidation of democracy
1.a non conflictive structure of civil society	no	no	yes	no	(yes)
1.b organizational structure across cleavages	no	no	yes	no	yes
2. no distinct power hierarchies	no	no/(yes)	no	no	yes
3.a civic virtues important	yes	yes	no	no	yes

type category	Bosnia-Herzegovina	Republic of Macedonia	strategic type SSC	ambivalent type ACS	reflexive type RCS
phase of system change	consolidation of democracy	consolidation of democracy	liberalization	consolidation of democracy	consolidation of democracy
3.b relevance of particular interests low	no(/yes)	yes(/no)	yes	no	yes
4. internal democratic organization important	no	yes	no	no	yes
5. societal representativity discernable	yes(/no)	yes	yes	no	yes
6. functions for the state					
6.a service provision	yes	yes	no	(no)	yes
6.b recruiting	yes(/no)	yes	no	no	(yes)
6.c policy making	no	no(/yes)	no	no	yes
6.d control	yes(/no)	yes	yes	(no)	yes
7. cooperation with the state	no(/yes)	no(/yes)	no	no	(yes)
			BiH 5/ MK 3	BiH 7/MK 5	BiH 5/MK 7

According to the classifications, civil society in the Republic of Macedonia can be categorized as a “reflexive civil society”. Also in this case, a reality check shows that civil society still displays some traits leaning towards the other two types, with a stronger tendency towards the ambivalent type, while also showing a trend of development in the direction towards a more pronounced reflexive civil society.

## 5. Discussion and Implications of the Findings

Against the theoretical background of the investigation the findings show that civil society’s contribution in fact very much depends on the stage of democratization a state is going through. With regard to democratic consolidation in particular, ethno-national, as well as often parallel political, divisions have been illustrated to play a dominant role in hampering political functioning in the vein

of democratic consolidation. On account of brave and persistent civic activists and significant external support, there has been progress in both states with respect to the growing involvement of civil society, increasingly assuming functions important in consolidated democracies. In both states, both officials from external democracy promoters as well as civil society activists constantly underline the negative effects that an ongoing emphasis on ethno-national categories have on social and professional relations and in the political context. While civil society activists tend to be socialized in international project contexts that have a high regard for the acceptance of diversity, including ethno-national diversity, the spill-over of these values was stated to be extremely difficult when elections or schooling of youth follow and enforce ethno-national divisions.

Still, it seems that the tendencies of political decision-makers and of political parties to control civic involvement, if necessary by blackmailing or threats, but more often by mere “faking of civil society” through setting up sham-CSOs or by simulated civil society involvement, are on the rise. Thus, if external democracy promoters truly wish to contribute to continued democratic consolidation, monitoring instruments and processes really involving the important, even if sometimes not politically powerful, stake-holders, should be implemented. Otherwise the recent stagnation of democratization in both states is at risk of becoming established with increasingly distorted perspectives on democratic consolidation.

## **Annex:**

**List of CSOs and international organizations interviewed Dec. 2009 to June 2011  
(alphabetical order):**

### **Bosnia-Herzegovina:**

ACIPS  
Civil Society Promotion Center  
Delegation of the European Union Commission  
European Movement  
Friedrich Ebert Foundation Bosnia-Herzegovina, Office Banja Luka  
Friedrich-Ebert-Foundation Bosnia-Herzegovina, Office Sarajevo  
Heinrich Böll Foundation Bosnia-Herzegovina  
Konrad-Adenauer Foundation Bosnia-Herzegovina  
LDA Mostar  
Nansen Dialogue Center  
NASA STRANKA  
Office of the High Representative Sarajevo  
Office of the High Representative, Republika Srpska  
OKC Abrašević Mostar  
Open Society Institute/Soros Foundation Bosnia-Herzegovina  
OSCE SARAJEWO  
Točka/Bosch-Lektoren  
Transparency International Bosnia-Herzegovina  
Udružene Žene  
University of Sarajevo, Human Rights Center  
Zdravo da ste

### **Republic of Macedonia:**

Analytica  
Association for Democratic Initiatives  
CRPM  
Delegation of the European Union Commission

European Center for Minority Issues  
Forum Ziviler Friedensdienst  
Friedrich-Ebert-Foundation Macedonia  
Helsinki Committee for Human Rights  
Initiative Freedom Square/ Ploštad Sloboda  
Institute for Democracy (IDSCS)  
Konrad Adenauer Foundation Macedonia  
LOJA  
Macedonian Center for International Cooperation (MCMS)  
National Democratic Institute  
NGO Esperanza-World Culture Center  
NGO-Infocenter  
Open Society Institute  
Organization for Security and Co-operation in Europe (OSCE)  
Partes Social Advertising  
Roma Democratic Development Association "Sonce"  
Roma Education Fund  
Union of Balkan's Egyptians  
Unit for Cooperation with NGOs and foundations, City of Skopje  
United Nations Development Program  
University Ss. Cyril and Methodius, Institute for Sociological, Political and Juridical Research  
US Peace Corps



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# Macedonia in 2011 – on the way towards stabilization or before the new ‘grand’ agreement?

*Přemysl Rosůlek*



## ABSTRACT

Ten years after the Ohrid Framework Agreement (OFA) was signed, almost all of its parts were implemented as numerous constitutional amendments and laws which have been approved by the parliament. Could the OFA implementations at 'formal level' be evaluated as a success? How has the post-conflict management influenced the society at an 'informal level'? I assume that the relations between Macedonians and Albanians remain complicated and unresolved in many respects regardless of some positive outcomes since the OFA policy started to be implemented. I argue that the implementation of the OFA, instead of reaching denationalization of the society, has provoked nationalism and despite the struggle for equal communities, ethnicity and unliberal tendencies are still principally present in the OFA. Furthermore, the majority of Macedonians perceived the OFA as a threat to their nation-building process conducted in the 90's, whereas the Albanian minority does not assume the OFA as a definitive solution for reconciliation but only as a first step on the way towards better conditions. The two theses formulated in the introductory section are testing whether the Macedonian majority still wishes to guard its superior position from the 90's and whether the Albanians are likely to formulate demands reaching far beyond the OFA treaty. I came to the conclusion that one decade after the OFA, the ethnic issues remain unresolved and some other originally non-ethnic issues could be easily turned into nationalistic ones. Despite the relative cooperation at governmental and institutional levels, there are highly disparate, competing and mutually distrustful public discourses.

### List of abbreviations

DPA – Democratic Party of Albanians

DUI – Democratic Union for Integration

MOC - Macedonian Orthodox Church

NLA – National liberalization Army

OFA - Ohrid Framework Agreement

PDP – Party for Democratic Prosperity

RM – Republic of Macedonia

VMRO-DPMNE - Internal Revolutionar organization– Democratic  
party of Macedonian National Unity

## I. Introduction

This year is marked by the 10th anniversary of the OFA which had been preceded by a six month *insurgency* in 2001 conducted by Albanian *guerrillas* from the National Liberalization Army (NLA) in the north-western part of Republic of Macedonia (RM). The *guerrillas* were not participating in the negotiations but there is no doubt that the NLA significantly influenced the content of the OFA and the future of the country. Macedonians conceived the OFA as an agreement dismantling “their” state. On the contrary, Albanians considered the OFA as a good starting point but not sufficient in its objectives. Paradoxically, during that time, Macedonians were concerned by its implementation. Nowadays, Macedonians wish the country would remain true to OFA principles.

Drawing from that rather gloomy perspective, I formulate the two main theses for this text below:

Firstly, Macedonians are still tempted to strengthen or maintain their superior position, as symbolically expressed in the 1991 preamble to the constitution, in which the country was established as a *National state of Macedonian people* and granting more rights to Albanians. It is perceived as a Macedonian *loss* and an Albanian *win*. Therefore I assume that in the RM during the 90’s the ethnic Macedonian majority had enjoyed superior position in the country and the Albanian minority had many reasons to complain about discrimination.

Secondly, in spite of the human rights of Albanians improving significantly after the OFA was signed in 2001 and almost fully implemented in the following decade or so, the majority of Albanians are still not satisfied and consider the OFA not as a final “grand” agreement with Macedonians but only as the first *gain* enabling them to formulate further demands at the expense of Macedonians.

The question is whether all these changes have not been conducted only *at formal level*. The key question for the success of the OFA is whether the transformation of RM one decade after the OFA has also been accompanied by mutual understanding and acceptance in public discourse and attitudes *at informal level*.

The analysis will be conducted in the period which preceded the conflict in 2001. The main focus will be aimed at constitution, religion, education and self-government. Furthermore, the OFA document will be analysed. The post-OFA period will also be more closely examined, focusing namely on the national symbols coming from the constitution (e. g. Macedonian people and MOC), cessation of hostilities in the country, education and the decentralization process which inflames nationalism.

## Macedonia in the 1990's and Albanian demands

Unlike Croatia and Slovenia, Macedonian politicians did not hurry to claim the independent status during the year 1990 and in the first half of 1991. Macedonian politicians were very much aware of the weakness of their economy, tense relations with its neighbours and conflicting tendencies in relations between Macedonians and Albanians living in the country. Despite the parliamentary elections in 1990 which the nationalistic and anti-communist Internal Revolutionary organization–Democratic party of Macedonian National Unity (VMRO-DPMNE) won and aspired for independence, it came under pressure from the socialist president of RM, the government and a strong post-communist opposition in the parliament, who rather preferred negotiations with confederative Yugoslavia in the future. However, internal dynamism led to the secession of Slovenia and Croatia from Yugoslavia which encouraged the parliament of the RM to approve a resolution on sovereignty in June 1990 and to declare a referendum on the independent status of the country.<sup>1</sup> Almost all citizens participated in the referendum and voted for the independent status of the RM but ethnic Albanians living in the RM mostly boycotted the initiative, which was a serious threat to the legitimacy (double majority on an ethnic base was not required before the OFA implementation) of the RM to its very foundation. Macedonia declared its independence in November 1991. The parliament requested the international community for the diplomatic recognition of the country<sup>2</sup> and approved a new constitution which became an apple of discord between the Macedonian majority and the Albanian minority in the RM.

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1 Reuter, Jens. 1993. „Policy and Economy in Macedonia.“ *Balkan Forum*, Vol. 1, No. 3, p. 160. Sell, Louis. 2000. “The Serb Flight from Sarajevo: Dayton’s First Failure.” *East European Politics and Society*, Vol. 14, No. 1, Winter, pp. 179-202.

2 Mirčev, Dimitar. 2001. „Engineering the foreign policy of a new independent State: the Case of Macedonia, 1990-6.“ In: Pettifer, James (eds), *The New Macedonian Question*. Palgrave, Hampshire - New York, p. 207.

## I.1. Constitution

I assume that for the 1991 constitution of the RM, Will Kymlicka's notion on the nation-building process in ECE countries is fully applicable: [is more] "thick, coercive or exclusionary (...) it imposes greater burdens on minorities, and creates greater potential injustices" (Kymlicka 2000: 200).

The Macedonian constitution combined civic and national principles on a symbolical level and also took the multiethnic character of the country into consideration. However, the dominant role of the Macedonian nation was stressed repeatedly in the constitution. For instance, the historical continuity of the Macedonian nation was emphasized in the preamble which also created a three-stage hierarchical model of the nations and nationalities. This reflected the dominant role of the ethnic majority in the country and stated that "*Macedonia is established as a national state of the Macedonian people, in which full equality as citizens and permanent co-existence with the [firstly] Macedonian people is provided for [secondly] Albanians, Turks, Vlachs, Romanics and [thirdly] other nationalities living in the Republic of Macedonia.*"<sup>3</sup>

Albanians protested against being symbolically degraded to the same level as Turks,<sup>4</sup> Aromanians and Romanies with arguments that they significantly outnumbered other ethnic minorities in the country in the 1991 census. Albanians demanded either a constitution defined on pure civic principles<sup>5</sup> or – more frequently – to become a second constitutive nation in the RM which would have transformed the RM into a bi-national state.<sup>6</sup>

## I.2. Religion

Religion was another controversial issue between Macedonians and Albanians in the RM. Although neither Macedonians nor Albanians are strongly religious

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3 Uni Graz. Kompetenzzentrum Südosteuropa. <[http://www.uni-graz.at/opv1www\\_ustav\\_makedonija\\_mak.pdf](http://www.uni-graz.at/opv1www_ustav_makedonija_mak.pdf)> [Accessed 15 August 2000].

4 According to the Socialist Constitutional order in Yugoslavia valid from 1974 were Albanians and Turks symbolically equal to Macedonians.

5 Poulton, Hugh. 2000. Who are the Macedonians. London: Hurst and co. Publishers, p. 187.

6 Vice-president of major Albanian political party Party for Democratic Prosperity Nevzat Hali-li wrote to president of the RM Kiro Gligorov suggesting Albanians to become constitutive nation in the RM and Albanian language the official language in the whole country. In: Lazarov, Risto. 1995. „The Albanians in Macedonia: Co-citizenship or...?“, Balkan Forum, 1995, Vol.3, No.2, p. 32.

people, religion plays an important role as a symbol of their self-identification. National reductionism of religion during the late Ottoman period has narrowed the role of the orthodox churches to mere identification with the nation and national interests which applied also to the Macedonian Orthodox Church (MOC).<sup>7</sup>

Albanians complained about the strong symbolical position of the Macedonian church and demanded the reformulation of the 19th article of the constitution on religion which directly refers only to the Macedonian church while the other religious communities are degraded to a lower level: *"The Macedonian Orthodox Church and other religious communities and groups are free to establish schools and other social and charitable institutions, by ways of a procedure regulated by law"*.

The MOC struggled to gain control over the education process and its occasional language of intolerance towards other religious groups or ethnic Albanians. This could barely lead to an improvement in interethnic relations.

The MOC strengthened its position in 1997 when the law on religion, which stipulated that only one religious community to one confession could exist in the country, was approved.<sup>8</sup>

### 1.3. Education

The Albanians – and other minorities – enjoyed extended rights in primary and secondary education in the RM since 1991. Tertiary education for minorities was a different story – it was either non-existent, or later somewhat reluctantly and incompletely implemented.

The Constitution of the RM from 1991 did not guarantee the rights of Albanians in the RM to university education in their native language as they had enjoyed previously in compliance with the constitution of SFRY from 1974 (Reka 2008: 57). After the RM was founded, Albanians in the country were stripped of the option of tertiary education in neighbouring Kosovo.

One of the main demands of Albanians was formulated regarding the rights to tertiary education in the Albanian language. Macedonian authorities

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7 Poulton, Hugh, p. 187.

8 Willemsen, Heinz. 2006. „Former Yugoslav Republic of Macedonia: Persisting Structural Constraints to Democratic Consolidation.“ *Southeast European and Black Sea Studies*, Vol. 6, No. 1, p. 86.

partly reflected Albanian demands when the Institute for Albanian language at the Pedagogical Faculty in Skopje was founded in 1997.<sup>9</sup> Finally, teachers of Albanian language at primary and secondary schools could be properly educated at university level. The act of opening the institute was accompanied by protests from Macedonian intellectuals and students who demanded the (immediate) closure of the institute and resignation of the ministry of education. The Macedonian political party VMRO-DMPNE even submitted a complaint to the constitutional court.<sup>10</sup> The recognition of the trilingual (English, Macedonian, Albanian) Southeastern European private university (SEEU) in June 2000 could not be compared to the rights which Macedonians enjoyed in state-sponsored schools. Probably the most controversial issue regarding tertiary education in the 90's was the long-lasting question on the recognition of Tetovo University. Albanian intellectuals founded the university in 1994<sup>11</sup> but it never received legal status from Macedonian authorities. Firstly, Macedonian authorities and the public perceived the Albanian university as a potential threat of the ghettoization of Albanians. Secondly, the school was diagnosed as not meeting the required criteria for academic staff at university level. Nevertheless, the would-be Albanian university opening session was accompanied with repression from Macedonian authorities which closed the institute and arrested its organizers for long-term sentences.<sup>12</sup> However, Albanians allegedly continued to operate the institute although the quality of teaching was arguable.<sup>13</sup>

## I.4. Local self-government

The highly centralized character of the RM during the 1990's was another issue targetted (not only) by ethnic Albanians. Political institutions at the local level enjoyed almost no autonomous competencies and there was no connecting link on the regional level between the capital Skopje and the municipalities. A new law on local self-government in 1995<sup>14</sup> strenghtened the role of the centre even

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9 Parvanov, A. „Albanian Syndrome in the Republic of Macedonia“, p. 144. In: Bobev, Bobby - Mancev, Krasto – Lyubov-Grigorova, Mincheva (eds.) 1992. *National Problems in the Balkans: History and contemporary developments*. Sofia: Bulgarian Academy of Science and Institute for Balkan Studies.

10 Schmidt, Fabian. 1998. „Enemies Far and Near: Macedonia's Fragile Stability“. *Problems of Post-Communism*, Vol. 45, No. 7 -8, p. 26.

11 Lazarov, Risto. p. 35.

12 Human Rights Watch World Report 1998, Macedonia. <<http://www.unhcr.org/refworld/publisher,HRW,MKD,3ae6a8a510,0.html>>. [Accessed 31 August 2011].

13 Schmidt, Fabian, p. 26.

14 Official Gazzette of the Republic of Macedonia, No. 52/1995. <<http://www.mls.gov.mk/English>>. [Accessed 31 August 2004].

more, which could newly seize control over the lower number of municipalities more effectively. The ministry for local government was not founded until the parliamentary elections in 1998. Even after that its competencies remained weak. Flying flags of minorities on municipal buildings alongside the Macedonian flag was limited to national holidays only. One of the most serious crises of the 90's erupted in Gostivar and Tetovo, where Albanians held the majority in municipalities after local elections in 1996. Local politicians raised the Albanian flag over the municipalities and rejected the decision of the constitutional court that the flags must be removed. A new law approved in 1997 stated that the Albanian flag could be raised simultaneously with the Macedonian flag on national holidays only.<sup>15</sup> In the ensuing clashes between Albanians and security forces, several Albanians died and many were injured. Major Albanian organizers were jailed including the mayor of Gostivar.<sup>16</sup> Most of the Albanian prisoners were released on amnesty after the 1998 parliamentary elections when the coalition between Macedonian (VMRO-DPMNE) and Albanian (Democratic Party of Albanians) nationalist parties was set up but interethnic relations did not relax much.

Albanians also complained of discrimination in many fields of public life, criticising that the percentage quota of Albanians in public administration did not correspond to their compositional share of the country's inhabitants. Since the country's independence, Macedonians relied heavily on "their" state, while Albanians depended on migration and small trade for employment (Reka 2008: 58).

Albanian critics further criticized the law on citizenship from 1992 which was very restrictive as citizenship could only be obtained by persons who inhabited the country for 15 years legally and uninterruptedly.<sup>17</sup> Albanians demanded a revision of the law – decreasing the time for citizenship requirement from 15 to 5 years.<sup>18</sup>

Albanian reactive nationalism in the 90's, the consecutive conflict in 2001 and the OFA implementation put an end to the monopolized nation-building process in all of the above-mentioned fields. Numerous key laws were approved in accordance with the OFA standards. The same happened in the area of education and representation of minorities in the public sector.

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15 Schmidt, Fabian, p. 27.

16 International Crisis Group (ICG), The Politics of Ethnicity and Conflict, 21 October 1997 <<http://www.unhcr.org/refworld/docid/3ae6a6db0.html>>. [Accessed 12 August 2011].

17 Koppa, Maria-Eleni. 2001. Ethnic Albanians in the Former Yugoslav Republic of Macedonia: Between Nationality and Citizenship, *Nationalism & Ethnic Politics*, 2001, Vol.7, No.4, p.44.

18 Human Rights Watch, Overview of Human Rights Developments, Macedonia, 1993.

## **2. After the conflict and the OFA implementation**

### **2.1. OFA - between a semi liberal and an ethnic genealogical model**

The very legitimacy of the OFA document is in question because it was fought out by guns. The Albanian political parties – namely the signatories to the OFA, Democratic Party of Albanians (DPA) and Party for Democratic Prosperity (PDP) – agreed about the plan of the NLA armed groups and its speaker Ali Ahmeti. Political representatives of the Albanian parties consulted their further strategy and demands with Ahmeti. Demands of the NLA have overlapped to a certain extent with the demands of the DPA and PDP parties negotiating the OFA. An Albanian daily in the RM, Flaka, revealed the objectives of the NLA signed by Ali Ahmeti well before the OFA was on the table. Below the demands was the signature of Ali Ahmeti, the speaker of the NLA.

- 1) Territorial integrity of the RM must be preserved.
- 2) Right of all relevant political groups to political dialogue on the future of the country.
- 3) Right to state citizenship for all Albanians living in the RM.
- 4) Right of all forcibly expelled Albanians to return to their places of residence.
- 5) Organisation of a new census is to be mediated by an impartial international commission.
- 6) The following constitutional amendments should be approved by the parliament:
  - a) The RM as a Macedonian-Albanian bi-national state.
  - b) Albanian language as an official language alongside Macedonian.
  - c) Equal right for using national symbols.
  - d) Abolition of discrimination in the economic sector and public administration, in military and civic life, in the sphere of education, science, culture and politics, a rightful decision making process and the creation of fair electoral units for elections of deputies.
  - e) Release of political prisoners and citizens arrested for political reasons and enabling their return to social life.<sup>19</sup>

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19 Flaka, 25.4.2001.



The OFA was in fact a mediated compromise painful to some extent for both Macedonians and Albanians. Macedonians did not lose everything. Mainly, the territorial integrity and unitary character of the country was preserved. And the Albanians did not achieve the formation of a bi-national state and the official status of the Albanian language throughout the country. But in another respect, the OFA contained most of the NLA demands.

The main goal of the OFA was mutual understanding among the different *communities* with prospects of at least some *de-nationalization* of RM towards shared citizenship.

The main delegitimizing factor of the OFA was that the treaty was not considered by both Macedonians and Albanians as a first step towards mutual understanding and cooperation, but solely as a *zero sum game* where one gains while the other loses.

In fact the OFA presents a mixture of national and *semi* civic concepts: Nations and nationalities (*narodnosti*) or nationalism were completely forgotten. The term "ethnic" had been abandoned by the OFA and if mentioned at all, the notion of "ethnic" is subordinated to either "community", "citizens", "multi-ethnicity" or "inter-ethnicity".<sup>20</sup>

The term "ethnic" occurs in the OFA autonomously only twice (sic!) and both those notions are posted there solely in a negative sense:

1. "There are no territorial solutions to ethnic issues" (OFA 1.2.).
2. "Complete voluntary disarmament of the ethnic Albanian armed groups" (OFA 2.1.).
3. The terms "national" or "ethnic" were replaced mainly by the word "communities" and partly also by "the citizens of the Republic of Macedonia".

The only notion on the word "ethnic" in the OFA belongs to the Albanian rebels, while all the others were degraded to "communities", a term not properly reflecting the definition of social groups in the Central and Eastern European context.

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20 e. g. respecting the ethnic identity, pretext of the OFA.

However, the ethics of the OFA reflect neither the political thought on pluralistic nor liberal practice in the West. Instead of being based on the multiple and variable identities or liberal characteristics,<sup>21</sup> the OFA remains by its content and philosophy – though implicitly – based on the fixed identities understandable only in national or ethnic terms in its genealogical and illiberal form. The OFA is partly supportive of the civil society and *“the citizens of the Republic of Macedonia”* but mostly applies to *“promoting respect for the identity [one fixed identity] of communities”* (OFA 1.5.), *“guarantees the protection of ethnic, cultural, linguistic and religious identity [one fixed identity] of all communities”*, promotes *“the language [one fixed language] of that community”* (OFA 6.6.) or even explicitly identifies the community with a sense of national belonging and reinforces it through suggesting the hierarchical model: *“Macedonians and Albanians within the Assembly, and five members from among the Turks, Vlachs, Romanies and two other communities”*.<sup>22</sup>

## 2.2. Macedonian people and the church - symbols defended

The 1991 Macedonian constitution gave privilege to the Macedonian interpretation of history, positioning the Macedonian people and MOC on a symbolic level. This fact attracted heavy criticism from the side of the Albanians during the entire 90’s.

The OFA firstly ordained the reduction of the importance of the *“historical, cultural, spiritual and statehood heritage of the Macedonian people”* in the preamble, and also replaced the notion on *the national state of the Macedonian people with the other ethnic groups further categorized at a lower scale starting with Albanians* with a neutral reference *“The citizens of the Republic of Macedonia”*. As seen above in the text, the OFA rather confusingly suppresses nationality and ethnicity and replaces it by the term *communities*. Why has the OFA tabooed natural *“societal cultures”*, defined by Will Kymlicka as nations and ethnic groups, and replaced them with neutralizing suggestions?<sup>23</sup>

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21 e. g. the pluralist model of Giovanni Sartori.

22 OFA, art. 78.2 constitutional amendment.

23 OFA orders parliament to amend in article 48 of constitution the word nationalities for neutral communities which are in OFA defined as ethnic groups anyway: OFA ensures protection of *“the ethnic, cultural, linguistic and religious identity of all communities”*. See OFA, section Constitutional Amendments, art. 48.

The Macedonian deputies broke the dogma of the invariance of the OFA by enforcing amendments in the OFA formula, which protects the privileged position of the Macedonian nation in the preamble of the constitution.<sup>24</sup> Similarly, the notion – though reformulated – privileging the MOC remained intact.<sup>25</sup>

Macedonians managed to keep notions privileging in a symbolic way both the Macedonian people and MOC. Thus, this was the Macedonians' gain as well as the securing of a unitary state and hindering the development of a bi-national state or the federalization of the country. Macedonians won, Albanians gained just a little bit.

### 2.3. Cessation of Hostilities

In this regard, there are serious doubts that the OFA provision was not successfully implemented. The OFA orders *"complete voluntary disarmament of the ethnic Albanian armed groups and their complete voluntary disbandment"* (OFA 2.1.) and *"establishment of a general, unconditional and open-ended cease-fire, agreement on a political solution to the problems of this country"* (OFA 2.1.).

The end of armed conflict was marked by the NATO operation *Essential Harvest*, which actually meant the disarmament of Albanians. Almost 4000 weapons were collected, but Macedonians complained about NATO for having gathered only junk weapons. Despite Ali Ahmeti's claims that all guns were handed over and the NLA ceased to exist and that all of its former members returned to civil life,<sup>26</sup> a number of radical members of the former NLA were later responsible for organizing low-intensity incidents. Under the A.N.A. radical group in the north-western part of the country, the unarmed groups have demanded the *"unification of Albanian territories"*.<sup>27</sup>

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24 Renewed formula: „The citizens of the Republic of Macedonia, the Macedonian people, as well as citizens living within its borders who are part of the Albanian people, the Turkish people, the Vlach people, the Serbian people, the Romany people, the Bosniak people and others.

25 As a result of struggle in parliament the short phrase „as well as“ was put between the Macedonian Orthodox Church and other four – instead of two suggested by the OFA - religious communities in Macedonia.

26 Fakti, 28.9.2001.

27 ANA opened fire on the convoy of outgoing Interior Minister Ljube Boskoski in 2002 and claimed responsibility for bomb explosion outside the Court of Original Jurisdiction in the town of Struga in 2003. ANA was responsible for some other incidents.

Meanwhile, the ministry of defence pointed out that over half a million weapons might still remain out of control illegally in society.<sup>28</sup> In spite of the amount of weapons successfully collected, serious reasons for worry remain as the weapons have been steadily imported to the country from Kosovo.

A few years ago, a “significant quantity” of weapons was discovered by the police in the village of Tanuševci where the conflict of 2001 was kindled.<sup>29</sup> Quite recently, a hiding place was uncovered. The security forces found “20 missiles, three mortars, three field guns, 81 kg of plastic explosives, and hundreds of grenades and mines”<sup>30</sup> near the village Blace close to Kosovo. NATO has expressed its concern following the recent discovery of a large cache of weapons in the RM near its border with Kosovo.

Even more worrisome is the fact that the major oppositional Albanian party DPA which – despite belonging to the signatories of the OFA 10 years ago – has, through its chairman Menduh Thaçi, threatened with a new war and separation from the RM because Albanian demands are being constantly overlooked by prime minister of the RM N. Gruevski and VMRO-DPMNE. Isn’t such a threat sharply contradicting the very fundamental provision of the OFA? “*The use of violence in pursuit of political aims is rejected completely and unconditionally. Only peaceful political solutions can assure a stable and democratic future for Macedonia*” (OFA 1.1.). Nevertheless, the oppositional DPA proclaimed the OFA as a “dead document” repeatedly. Should Macedonians be concerned or has it only been another rhetorical nationalistic excursion of an Albanian political party in opposition?

## 2.4. Education

In its sixth pillar, the OFA guarantees the right for education in the mother language of every community at the primary and secondary levels, and states that affirmative action at universities in favour of communities in the country must be pursued. During the process of the implementation of the OFA, fierce disputes

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28 Southeast European Times (SETIMES). 2002. „Macedonian parties prepare new bill on disarmament.“ 18 March. < [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/newsbriefs/2002/03/020318-GEORGI-003](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/newsbriefs/2002/03/020318-GEORGI-003)>; [Accessed 10 May 2011].

29 Macedonian Information Agency (MIA). 2008. 7 April.

30 Balkaninsight. 2011. „NATO: Weapons Cache in Macedonia “Worrying”“, 6 May. <<http://www.balkaninsight.com/en/article/nato-weapons-cache-in-macedonia-worrying>>. [Accessed 15 May 2011].

occurred between Albanians and Macedonians over the legalization of the controversial university in Tetovo. Following the long-lasting debates, the parliament of the RM approved the establishment of the Albanian university in Tetovo in 2004.<sup>31</sup> Further significant changes followed, e. g. parliament also approved a law on education on the primary level transferring more educational rights from the capital to the municipalities and handed also more rights to communities.<sup>32</sup> However, after the conflict, the most influential Albanian political party in parliament, the Democratic union for integration (DUI), also raised a demand that schooltexts for education at primary and secondary levels should be rewritten in order to reflect the history of ethnic minorities more clearly.<sup>33</sup> Macedonian historian Orde Ivanovski was opposed to the suggestion, implying that such a steps would lead to factual separation.<sup>34</sup> In a following period, the negative process of ethnic segregation in schools started and nowadays is almost complete, Albanian and Macedonian students study together only in the towns where are very few Macedonian students (e. g. Kičevo).<sup>35</sup>

## 2.5. Territorial solution to ethnic issues and the decentralization process

According to the OFA, the *"boundaries of municipalities will be revised within one year of the completion of a new census"* (3.2.). States in south-eastern Europe were organized in accordance with the centralized French model (Willemsen 2002: 761).

Prior to the OFA during the 90's, the municipalities in the RM had enjoyed only non-essential competencies.<sup>36</sup> Even very softly-formulated territorial suggestions claimed by Albanians were perceived in the RM as a first step towards further secessionism. The suspicions originated from the fact that there were numerous

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31 Macedonian Parliament Approves Establishment of State Albanian Language University, Setimes, 21.1.2004. <http://www.setimes.com/cocoon/setimes/xhtml/bs/features/setimes/newsbriefs/2004/01/040121-WMI-004>. [Accessed 15 August 2011].

32 Elena, Simonoska, New Law on Elementary Education, Oneworld, 15.9.2004. <<http://see.oneworld.net/article/view/94087/1>>. [Accessed 15 August 2011].

33 Dnevnik, 7.7.2004.

34 Makedonija Denes, 9.7.2004.

35 BalkanInsight. „School Segregation Sparks Macedonia Debate“, 10.2.2009. <<http://www.balkaninsight.com/en/article/school-segregation-sparks-macedonia-debate>>. [Accessed 16 August 2011].

36 Dnevnik. 2003. 24 July; Macedonian Information Agency. 2003. 20 May.

examples of Albanians questioning the legitimacy of the state from the very beginning of its independence.<sup>37</sup>

Insisting on boundaries of municipalities conditioned on an ethnically based census, the OFA avoids this citizens’ principle and reinforces nationalism on both sides. The census results initiated bargaining over the municipality borders alongside ethnic lines. Therefore, the decentralization process in accordance with the OFA was painful for both sides.

Unlike the smoothly-approved law on self-government,<sup>38</sup> the adoption of the Law on Territorial Organization of Municipalities was preceded by long lasting ethnic disputes. As the consequence of some emotional discussions, the number of municipalities was reduced from 123 to 84 in 2004 and municipal borders were redrawn so that the obligatory bilingualism in units where minorities overreach 20%<sup>39</sup> became effective for most Albanians living in the country.

On the other hand, Macedonians were most afraid in Lozovo, Rostuse, Centar Župa, Struga, Kičevo and mainly in the capital of Skopje, which officially became a bilingual city. Macedonians “lost” their unilingual Skopje and became minorities in several new municipalities. Nevertheless, the real winner was nationalism and ethnically defined interests. The ethnic cantonization process won over the civic principle in the decentralization process.

### 3. Public discourse or any Conclusion possible?

Most of the requirements of the OFA have been met. It should be said that the OFA did not solve the most important problems at all which are, in the eyes of Macedonian public and according to the Standard Eurobarometer research of economic situations, crime and unemployment.<sup>40</sup> The last provisions of the OFA are being implemented, as for example *“the principle of non-discrimination and equal*

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37 Albanians overwhelmingly boycotted referendum on independent state prior to secession from Yugoslavia in 1991, further illegally organized contra-referendum initiative for territorial autonomy of northwestern Macedonia in the spring of 1992.

38 improving the right of self-government and ensuring the rights of communities inclusive referendum initiative.

39 Until the OFA, it was for nationalities not specified, as only „majority“ or „considerable number of inhabitants“.

40 MIA, 4.2.2008.

*treatment of all under the law will be respected completely*“, particularly in public administration (OFA 4.1.). Due to the efforts of public administration in recruiting minority candidates, representation of ethnic minorities in governmental bodies and public administration has approached 25% at the end of 2009. Ethnic Albanians are still being underrepresented particularly in the military and police forces where they are not reaching the demanded quota of 25%.<sup>41</sup>

Afraid of almost having lost the ground, Macedonians have been struggling to preserve their identity. But unlike in the 90's, their contemporary effort has been defensive in its content. Sometimes, Macedonians want to preserve national monopoly of the state spirit which it had in the 80's or 90's. Being afraid of unfavourable developments in ethnic composition, Macedonians introduced a system of state subsidiaries for families living in areas with a lower birth rate. Constitutional court annulled the subsidies as discriminatory to people living in areas with a higher natality rate.<sup>42</sup>

On the contrary, the self-confidence of agile Albanian parties who are frequently overstepping the OFA ideology has been evident.

How seriously can we look upon a report of the CSIS (Centre for Strategic and International Studies in Washington) mentioning that wide ranging rights granted to the Albanian minority in Macedonia has created a trend towards a bi-national state? As already mentioned, Menduh Thaci from DPA questioned the foundation of the OFA having called it a "dead" agreement. He said that it was a "fatal mistake" that Albanians agreed to be just some 20% of a number in the OFA and not having gained the status of a state-building nation.<sup>43</sup>

Several weeks before the parliamentary elections held in 2011, the Albanians stepped up their demands. In suggesting the formation of a bi-national country, the DPA created an alternative to the OFA instead.<sup>44</sup>

41 Human rights report Macedonia. Country Reports on Human Rights Practices. 2009. <<http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136044.htm>>; [Accessed 5 May 2011].

42 Balkaninsight. 2011. „Macedonians Shrink as Ethnic Albanians Expand“. 14 February. <<http://www.balkaninsight.com/en/article/white-plague-decimates-macedonians>>; [Accessed 18 May 2011].

43 SEE Security Monitor. The Centre for SouthEast European Studies (CSEES). 2010. „Macedonia: Albanians threaten with new war through Meduh Thaci“. 10 February. <[http://www.csees.net/?page=news&news\\_id=73781&country\\_id=5](http://www.csees.net/?page=news&news_id=73781&country_id=5)>; [Accessed 17 May 2011].

44 Vecer, 10.2. 2010.

The results of a recently revealed poll has also proven the warning evidence that the tight majority of Albanians in Macedonia wish “Greater Albania”, a state covering the territory of Albania, Kosovo and north-western Macedonia to be established. The number of Albanians in Albania and particularly in Kosovo demanding the Greater Albania is even higher.<sup>45</sup>

The bi-national principle has been formulated by Albanians in their campaign before the parliamentary elections in 2011. The Albanians from DPA proposed building greater cooperation with Macedonians in the government after the 2011 parliamentary elections by acquiring one of the three key political posts of the state – president, prime minister or speaker of parliament – to be reserved for Albanian politicians. This demand goes beyond the OFA and is in fact opening the bi-national principle.<sup>46</sup> The Albanians are demanding the Albanian language to be used on the whole territory of Macedonia, and require a “written agreement” as a precondition for their participation in the government coalition.<sup>47</sup>

Numerous Albanian political parties compete against one another, and, while being in opposition, attract the attention of voters by using a very nationalistic style. Due to the hatred between Albanian political parties it is also difficult to lead a governmental coalition with more than one Albanian political party as was enacted after the PDP became part of the coalition during the period from the year 2006 to 2008. After the 2006 elections were won by the DUI party, it was revealed that the strongest Albanian party should become part of the governmental coalition regardless of whether or not this provision was anchored in the OFA. In the last decade, the parliament was in fact often boycotted and paralyzed by Albanian – and also by Macedonian – oppositional parties and the key issues could not be neither passed through nor seriously discussed in the parliament.

More seriously, the issues which did not have ethnic connotations previously, became an apple of discord between Macedonians and Albanians. Preventing Macedonia from joining NATO and from launching the accession talks with

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45 Kanal 5. 2010. 18 November.

46 Balkaninsight. 2011. „Macedonian Albanians Condition Gov’t Participation. Balkaninsight.“ 12 May. <<http://www.balkaninsight.com/en/article/macedonian-albanians-condition-government-participation>>. > [Accessed 18 May 2011].

47 Balkaninsight. 2011. „Macedonian Albanians Condition Gov’t Participation“. 12 May. <<http://www.balkaninsight.com/en/article/macedonian-albanians-condition-government-participation>> [Accessed 21 May 2011]. Balkaninsight. 2011. „Macedonia: Ohrid Accord is ‘Only Alternative’“ <<http://www.balkaninsight.com/en/article/macedonia-ohrid-accord-is-only-alternative>> [Accessed 21 May 2011]>.



the EU, the name dispute with Greece has sharply worsened ethnic relations in Macedonia. According to Macedonians *"the name change might jeopardise its identity and dignity"*.<sup>48</sup>

However, Albanian politicians lost patience with the long-lasting name dispute and Macedonian concern over its identity and dignity. Ali Ahmeti from DUI labelled the name issue as the main issue of 2010. The attitudes of both communities differ significantly as well: The change of name is welcomed by 78% of Albanians but only by 17% of Macedonians. According to another poll, even 94% of Albanians would change the country's name in return for NATO membership.<sup>49</sup>

Finally, the first thesis formulated in the introduction is right. Macedonians have been struggling in defending their superior position in the country and the post-OFA period suggests a *zero sum game*.

A note to the second assumption: it is true that Albanians now require the same standards as the NLA in 2001 did. But it is not true that the majority of Albanians consider the OFA as a final agreement or the first step before increasing their demands to – let us say – founding the third Albanian state on the Balkans. Perhaps every new census could give us the real answer.

To sum up in a rather simplified way: Macedonians are having the attitude of *'we gave you so many rights, what more do you want'*, while Albanians believe that *'our rights have still not been accomplished, our patience is coming to an end'*.

Since the OFA, ethnic division became somewhat deeper, and even between the Macedonian and Albanian camps there are no signs looming ahead that hate prejudices and the politics of the *zero sum game* or – putting it more accurately – after the OFA *20% sum game* would soon be abandoned by either sides.

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48 Balkaninsight. 2011. „No Breakthrough After Greece, Macedonia Name Talks“. 10 February. <<http://www.balkaninsight.com/en/article/no-results-from-greece-macedonia-name-talks>>; [Accessed 21 May 2011].

49 Novinite. 2010. „Name Dispute Threatens to Partition Macedonia“, 28 September. <[http://www.novinite.com/view\\_news.php?id=120591](http://www.novinite.com/view_news.php?id=120591)>. Focus News. 2010. „Nearly 78% of Albanians, only 17% of Macedonians want change the name of the country“, 17 April 2010.

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## Dailies:

Dnevnik, Flaka, Fakti, Vecer.

# Municipal Decentralisation: Between the Integration and Accommodation of Ethnic Difference in the Republic of Macedonia

*Aisling Lyon*

## **ABSTRACT**

The decentralisation process in the Republic of Macedonia has been widely regarded as a success story by regional and international actors alike. It is frequently considered a suitable non-territorial model of ethnic conflict management that can be replicated elsewhere. By increasing the number of competencies administered at the municipal level, in addition to replicating the central government's system of consociational power-sharing locally, the reforms seek to provide local, culturally diverse communities greater control over their own affairs. The purpose of this paper is to position Macedonia's experience with decentralisation within the ongoing theoretical debate concerning how states deal with ethnic difference. The paper will begin with a theoretical outline of how the devolution of power to sub-national units, such as municipalities, may offer an institutional solution for managing and preserving cultural diversity within unitary states. It will then seek to position Macedonia's decentralisation reforms within the ongoing theoretical debate between integrationists and accommodationists, and will offer some initial observations on how the reform's implementation thus far have diverged from the original intentions of the Framework Agreement. This paper will argue that accommodationist and integrationist strategies for managing ethno-cultural diversity in post-Ohrid Macedonia are not mutually exclusive, and no more is this evident than in the decentralisation reforms. The reforms represent an integrationist approach to diversity management first and foremost, with elements of accommodationist tendencies. However, the strength of the state's accommodationist approach varies between its treatment of Macedonia's different ethnic communities. The practical implementation of the decentralisation reforms since 2004 has also diverged from its normative values. This has changed the outcome of the original intentions of the Ohrid Framework Agreement and consequently the delicate balance between accommodationist and integrationist strategies this peace agreement represents.

## Introduction

The decentralisation process in the Republic of Macedonia<sup>1</sup> has been widely regarded as a success story by regional and international actors alike. It is frequently considered a suitable non-territorial model of ethnic conflict management that can be replicated elsewhere, such as in neighbouring Kosovo. The reforms, which form part of a more comprehensive peace process defined by the Ohrid Framework Agreement<sup>2</sup> of 2001, offer limited autonomy to Macedonia's ethnic communities, in particular the ethnic Albanians. By increasing the number of competencies administered at the municipal level, in addition to replicating the central government's system of consociational power-sharing locally, the reform process seeks to provide local and culturally diverse communities greater control over the management of their own affairs and resources.

The purpose of this paper is to position Macedonia's experiences of political, administrative and fiscal decentralisation within the ongoing theoretical debate concerning how states deal with ethnic difference. It will begin by outlining how the devolution of power to sub-national units such as municipalities may offer an institutional solution for managing and preserving cultural diversity within a unitary state. The paper will then position this discussion within the wider theoretical debate between integrationists and accommodationists regarding how states should manage cultural pluralism. A review of Macedonia's decentralisation process, a rather weak form of self-government in comparison to strategies adopted by other former Yugoslav Republics, will then follow. Elements of the reforms will be identified as belonging to either the accommodationist or integrationist approaches to managing ethnic difference. Finally, the decentralisation reforms defined by the Ohrid Framework Agreement and subsequent legislation will also

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1 Hereafter referred to as 'Macedonia'. It should be noted that the 'Republic of Macedonia' is the constitutional name for the state; however this name is the subject of dispute with neighbouring Greece. Consequently, the Republic of Macedonia is currently recognised under its temporary name the 'Former Yugoslav Republic of Macedonia' ('FYROM') in its dealings with international organisations, such as the United Nations and European Union.

2 Hereafter the 'Framework Agreement'.

be compared with the reality of their implementation. Particular attention will be paid to the controversial process of territorial reorganisation in 2004 and the impact of the consociational power-sharing arrangements adopted locally.

This paper will argue that accommodationist and integrationist strategies for managing ethno-cultural diversity in post-Ohrid Macedonia are not mutually exclusive, and this is nowhere more clearly evident than in the decentralisation reforms. Despite the fact that municipal decentralisation in Macedonia has been considered a territorial solution to managing difference by some (Friedman, 2009; Siljanovska-Davkova, 2009), the reforms represent an integrationist approach to diversity management first and foremost, with elements of accommodationist tendencies. The strength of the state's accommodationist approach, however, varies between its treatment of Macedonia's different ethnic communities since the reforms, along with local minority protection mechanisms, favour the larger, territorially concentrated communities at the expense of others. As this paper will demonstrate, the practical implementation of the decentralisation reforms since 2004 has diverged from its normative values. This has changed the outcome of the original intentions of the Ohrid Framework Agreement and consequently the delicate balance this peace agreement represents between accommodationist and integrationist strategies.

## **I. Defining Decentralisation**

The focus of this paper is only one of a variety of self-governance arrangements available for the management of ethnopolitical conflict: decentralisation to local government / municipal units. Other common forms of self-governance arrangements not discussed here are federalism, territorial, and personal autonomy. I define decentralisation as a process by which central-local relations are restructured in a unitary state, through the devolution of competencies from the national to local levels of government (Braathen et al., 2008, p.3; Grasa and Camps, 2009, p.21; GTZ, 2006, p.5). The process is understood to be an effort to share power vertically between central and local government in the following three dimensions: political, administrative, and fiscal. Political decentralisation refers to the transfer of political authority to the local level through the establishment of elected local governments and procedures aimed at increasing the participation of citizens and civil society in local decision-making. Administrative decentralisation involves the devolution of functional responsibilities to municipalities, along with their bureaucratic structures but, importantly, without removing their

accountability to central government. Fiscal decentralisation entails the transfer of financial authority from the central to local level and is essential if institutions are to exercise public policy functions autonomously.

Whilst decentralisation can represent extensive devolution to local governments, it is important not to lose sight of the fact that these self-governing entities remain ultimately subordinate to the authority of central government. Unitary states may possess national and sub-national tiers of government, explains Pippa Norris (2008, p.168), but in the case of conflict, 'the national government remains constitutionally sovereign so that executive decisions and laws passed by the national legislature cannot be overruled by lower units'. Although governments of unitary states have the authority to delegate powers downwards, sub-national units have no right to these powers which can, in principle, be withdrawn through new central legislation without any need for local consent (Schou and Haug, 2005, p.10).

The lack of a constitutionally entrenched guarantee, which requires the consent of all government tiers to authorise amendments, is one of the key attributes of decentralisation which differentiates it from other forms of territorial self-governance, principally federalism (Coakley, 2001, p.299; Rothchild and Hartzell, 2000, p. 261; Wolff, 2010, p.10). Other characteristics of federalism which are missing in decentralised states are: bicameral legislatures, where the second chamber represents the sub-national level centrally and may compensate smaller units through over-representation; independent mechanisms of judicial review, with supreme arbitral authority to settle disputes over the constitution and inter-governmental relations; and exclusive legislative and judicial powers. Unlike federal systems of governance, in decentralised unitary states sovereignty is not divided. Decentralisation also differs from autonomy, another form of self-governance, which can be granted on either a territorial or non-territorial basis. The principal characteristic of autonomy which distinguishes it from both decentralisation and many types of federalism is its explicitly ethnic nature (Young, 1998, p.60). Ruth Lapidot (1997, p.174-5), a leading expert on autonomous arrangements, defines territorial autonomy as 'an arrangement aimed at granting a certain degree of self identification to a group that differs from the majority of the population in the state, and yet constitutes the majority in a specific region'. It involves the creation of separate governance structures through which members of a specific ethnic community exercise control over their political, economic, social or cultural affairs (Hadden, 2005, p.34). Importantly, however, and akin to decentralisation, autonomy (both territorial and personal) is normally a feature of an otherwise unitary state (Wolff, 2010, p.5).



## **2. Decentralisation as a Tool for Mitigating Ethnopolitical Conflict**

One of the most frequently cited arguments in favour of decentralisation as tool for managing ethnopolitical conflict is its ability to satisfy the demands of spatially concentrated non-majority groups for limited autonomy over their own affairs. The creation or enhancement of sub-national units can allow a group which is a minority at the state level, but which constitute a majority locally, to exercise governmental power in ways that would otherwise be foreclosed if the whole country was one undifferentiated territory (Horowitz, 2007, p.958). Importantly, however, it does so whilst maintaining the territorial integrity of the unitary state. In situations where there is no alternative to preserving an existing state's territorial integrity, conclude Weller and Wolff, carefully designed self-governance regimes can provide the institutional structure that offers sufficient space for non-dominant groups to experience genuine self-governance, while simultaneously making the dominant group less insecure about the future existence of the state (Weller and Wolff, 2005, p.270). Decentralisation's promise of limited autonomy also provides greater scope for promoting minority rights and the protection of their cultural identity. In this respect, devolved competencies relating to education, culture, and language policy are of particular importance. By granting non-majority groups greater control over their own destinies, decentralisation is believed to instil a greater sense of security within these groups that they will not be subject to discriminatory practices and unwanted intrusions in the future (Manor, 1999, p.97).

Decentralised institutions not only facilitate better access to political structures and state resources for ethnic minority and opposition groups, they can also restrain the monopoly central government and majority-dominated political parties have on state power. The distribution of power to different levels of government facilitates a system of checks and balances that sets limits on central government if it attempts to overstep or abuse its powers. "Power dividing", notes Roeder (2005, p.62), balances decision-making against the "dangers of tyranny" by a single majority and, according to Horowitz (1991, p.217), 'makes hegemony more difficult to achieve'. Since decentralisation increases the number of arenas in which there are political prizes to be won, the opportunities for previously disenfranchised groups to participate legitimately in government are enhanced. Local institutions may become 'training ground[s] for democracy', suggests Manor (1999, p.49, 85); relieving dangerous frustrations by providing aspiring politicians with additional openings into the political system. Providing alternative

sites of power and patronage can also disperse political conflict away from the centre, thereby lowering its stakes (Treisman, 2007, p.14; Roeder, 2005, p.52; Sisk, 1996, p.54; Young, 1998, p.32). 'Proliferating the points of power', confirms Horowitz (2000, p.598; 1991, p.226), makes politics 'a much more diffused game'; transforming it from a "zero-sum" contest into one where different groups can each control some part of the governing apparatus.

Experts have argued that the creation of decentralised institutions can also promote social cohesion locally, in addition to facilitating a more balanced relationship between majority and minority communities at the state level. In ethnically heterogeneous regions, self-government can create non-violent platforms for inter-ethnic and inter-group discussion relating to local issues and allocation of resources. Such "learning laboratories", notes Zoë Scott (2009, p.16), can help local politicians build trust among groups and acquire political and conflict resolution skills that can be used in different social arenas. Local government may also serve as an incubator for small ethnic parties that choose to form inter- and trans-ethnic alliances (Treisman, 2007, p.245). If, as Dawn Brancati (2008) suggests, decentralisation does indeed help proliferate regional and ethnic political parties, it may be difficult for one group to dominate locally, and incentives for forming interethnic coalitions may be enhanced (Horowitz, 2007, p.962). "Training in compromise is important in divided societies", concludes Horowitz (2007, p.960); particularly before local politicians rise to the national level, where more complex and delicate issues of national policy may need to be resolved.

Decentralisation is an institution that, if properly designed, can potentially benefit both political minorities, who can be induced or compensated not to secede from the state, and political majorities, who gain countrywide acceptance of state institutions (Lake and Rothchild, 2005, p.122). When threatened with secessionist attempts, federalism, or even partition of the state, decentralisation can appear an attractive way of preserving state integrity and of integrating separatist movements (Braathen et al., 2008, p.15; Hannum, 2004; Litvack et al., 1998, p.108; Schou and Haug, 2005, p.18). Importantly, decentralisation to local governments, as opposed to regional or federal institutions, can also be employed to deliberately fragment the local power bases of secessionist groups into smaller, weaker, non-politically significant units (Crook, 2002, p.300; Ejobowah, 2008, p.257; GTZ, 2006, p.7; Horowitz, 2000, p.646; Young, 1998, p.32). In Uganda for example, Schou and Haug (2005, p.25) claim the decentralisation reforms were never intended to assuage ethnic nationalism, but rather to cut across and fragment important geopolitical areas. Similarly in Indonesia, decentralisation

was used to disperse power and fragment different ethnic groups into 301 local governments and 19 states (Ejobowah, 2008, p.239). In this way, ethnic conflict management techniques differ significantly between governments in unitary and federal states. Many federal governments, for example Switzerland and Belgium, believe accommodating national minorities holds the key to stability and as a result, explicitly incorporate them into state design. In contrast, unitary state governments apply the exact opposite approach and often use decentralisation as a tool for eroding ethnic identity and solidarity (Schou and Haug, 2005, p.32).

### **3. Decentralisation: Peace-Preserving or Conflict Enhancing?**

Despite the prevalence of decentralisation reforms worldwide, the academic community and more recently donor agencies have become increasingly sceptical of decentralisation's performance as a panacea for culturally diverse unitary states. The promotion of decentralised governance in ethnically divided societies, some argue, is not devoid of risk and its implementation may even have unwanted effects which can inadvertently exacerbate the causes of conflict (Braathen et al., 2008; Diprose, 2008; Grasa and Camps, 2009; GTZ, 2006; Schou and Haug, 2005; Tambulasi, 2009; Wolff, 2010). One of the principle arguments critics have made against territorial forms of ethnic conflict management, albeit more commonly with regard to ethno-federal and regional governance models than local self-government, is their potential for encouraging the secessionist tendencies of minority groups, whilst at the same time equipping groups with the necessary resources with which to secede. The key insight here, note Valerie Bunce and Stephen Watts (2005, p.136), is that there is a fine line between legitimating difference and undermining commonality. Eric A. Nordlinger (1972, p.32) famously excluded federalism, as well as segmental autonomy more generally, from his set of six recommended conflict-regulating practices in plural societies; noting that federalism 'sometimes provides additional impetus for demands for greater autonomy'. Loosening central control may also exacerbate centrifugal pressures on the state. Rather than building a stronger sense of ownership and affinity with the state, decentralisation may in fact accentuate differences between regions, promote citizen identification with ethnic or geographic groups rather than the state, and encourage local politicians to stake out hard-line positions in defence of regional or ethnic priorities (Siegle and O'Mahoney, 2007, p.1).

Contrary to the commonly held Constructivist belief that ethnic identities are fluid and capable of changing over time, drawing tight linkages among the nation, territory, and political power can institutionalise ethnicity and increase its saliency in local politics (Bieber, 2004, p.2; Treisman, 2007, p.241). In his assessment of the decentralisation process in Uganda, Elliott D. Green (2008, p.444) documented how the creation of new local self-governance units reduced what were once ethnically heterogeneous districts to ones largely populated by only one or two major ethnic groups. Diprose and Ukiwo's research on Nigeria and Indonesia also observed how decentralisation stimulated changes in population demographics through sub-national splitting of administrative units and ethno-religious segregation (2008, p.26). Policy makers and scholars alike, remarks Richard Pildes (2008, p.174), do not take adequate account of the extent to which the design of democratic institutions can shape both the ways ethnic identities are expressed and the extent to which these institutions, if not well designed, may entrench these identities. Elevating the significance of ethnicity in local politics may encourage group isolation and inter-group distrust. In reference to Johan Galtung's concept of negative peace, by promoting spatial segregation at the local level, decentralisation may simply "freeze" ethnic conflict, making the attainment of positive peace, based on collaborative relationships and social integration, more elusive (Galtung, 1996).

The creation of newly defined territorial units, together with the entrenchment of ethnicity locally, may also lead to the creation of "local tyrannies" and exacerbate discrimination against small ethnic communities (Coakley, 2001, p.312; GTZ, 2006, p.8; Horowitz, 2007, p.963; Manor, 1999, p.97; Nordlinger, 1972, p.31; Treisman, 2007, p.239). In this respect, decentralisation may not only freeze - as opposed to reduce - instances of ethnic conflict, it may relocate them from the national to local level and cause them to become more intense. Unless there is complete homogeneity in each local area, notes Crook (2002, p.305), the system will create new "minorities within minorities", who may be subjected to domination by local elites who capture power by 'democratic' means. Ethnic minorities that have just "won" autonomy from a central government, add Weller and Wolff (2005, p.268), may resent the fact that they will have to share power with other ethnic groups. Such resentment may be particularly intense when local minorities are members of the dominant group nationally, and if the creation of new boundaries has altered the majority/minority status of local ethnic groups. Discriminatory tactics may also adversely affect women and those who do not share such ethnocentric worldviews (Rebouche and Fearon, 2005; Kálin, 2004, p.306). Whilst Horowitz (2000, p.598) in particular has credited

decentralisation for reducing inter-ethnic conflict by emphasising intra-ethnic conflict, some experts disagree with his claim that local and inter-communal conflict is usually less dangerous or less violent (Green, 2008; Diprose, 2008). Structural changes generated as a result of decentralisation will create new forms of local elite competition over access to power and resources. Such heightened local competition, which will frequently be of an intra-ethnic nature, may encourage local elites to find sensitive issues to use when mobilising support and outflanking their competitors (Bunce and Watts, 2005, p.136). Devolving contentious issues to the local level may quarantine conflict, but weak, nascent local institutions may be ill-equipped or unwilling to manage the conflicts that may arise (Braathen et al., 2008, p.21; Diprose, 2008, p.395). Once central government has relinquished the management of potentially sensitive identity issues to local entities, they are no longer able act as arbitrators and take steps to prevent discriminatory behaviour (GTZ, 2006, p.7; Illner, 1998).

#### **4. Accommodation or Integration: “The Enduring Debate in Conflict Regulation”<sup>3</sup>**

The ongoing debate between whether states should accommodate or attempt to integrate the ethnic differences of citizens demonstrates a fundamental normative disagreement over the mechanisms of inter-ethnic co-operation. Each approach proceeds from different assumptions and epistemological positions regarding the durability and malleability of politically mobilised ethnic identities. Integrationists, notes Richard H. Pildes (2008, p.175), focus primarily on the long-term normative vision of the state, whilst accommodationists are (allegedly) more concerned with the immediate, short term pressures states face. Both approaches translate into a much broader set of policy options with regard to constitutional design in divided societies than the familiar Lijphart-Horowitz debate<sup>4</sup> has generated (Choudhry, 2008b, p.27). In the following section I will briefly summarise the principle differences between the accommodationist and integrationist approaches to managing ethnic difference. I will then position the various arguments concerning decentralisation’s performance as a conflict mitigating mechanism within this theoretical debate.

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3 This replicates the title of a book chapter written by John McGarry, Brendan O’Leary and Richard Simeon (McGarry et al., 2008, p.41-90).

4 Referring to Arend Lijphart and Donald L. Horowitz, leading advocates of consociational and centripetalism approaches to managing ethnopolitical diversity.

In general terms, accommodationists promote dual or multiple public identities and advocate equality with institutional respect for difference (Choudhry, 2008b, p.27). They assume ethnic identities in segmented societies are resilient and not susceptible to short term transformation; however, they do not necessarily believe identities are primordial and fixed (McGarry et al., 2008, p.52; Bertrand, 2008, p.209). Accommodationists seek to ensure each ethnic group has the public space necessary to express its identity, make its own decisions in areas of critical importance, and to protect itself against the majority (McGarry et al., 2008, p.42). The result is the design of public policy which permits the institutional expression of differences in the public sphere, such as minority language rights. Consociational techniques advocated by Arend Lijphart (1975; 1977; 2008) and others (McGarry and O'Leary, 2005; McGarry et al., 2008; Reilly, 2001; etc.) are examples of approaches to accommodating cultural pluralism (power-sharing executives, proportionality, segmental autonomy (territorial or corporate) along ethnic lines, mutual veto rights among groups, and arbitration mechanisms). Centripetalism, advocated principally by Donald Horowitz (1991, 2000, 2002, 2007), is another example of how a state can accommodate ethnic difference, albeit at the integrationist end of the spectrum, since the political incentives approach advocates to encourage inter-group co-operation assumes the existence of ethnic political parties are inevitable (Choudhry, 2008b, p.27).

Integrationists, by contrast, believe political instability and even further conflict are a consequence of group-based partisanship in political institutions, since they empower elites that have a vested interest in maintaining these social divisions. They reject the idea that ethnic difference should necessarily translate into political differences, and instead argue for the possibility of a common (civic) public identity (Choudhry, 2008b, p.27). As McGarry, O'Leary and Simeon note (2008, p.73), integrationists advocate such an approach even when ethnicity is served as the basis of political mobilisation, since they believe ethnic identities are seldom as long-standing or as deep as supporters of accommodation suggest. Accordingly, integrationists support constitutional strategies which promote a common public identity which transcends, crosscuts, and minimises ethnic cleavages, without (importantly) demanding ethno-cultural uniformity in the private sphere. Examples of such strategies include common state institutions, "ethnically blind" public policies, the promotion of individual rather than communal rights, the design of mixed or non-ethnic territorial entities, and electoral systems which encourage the formation of pre-election coalitions across ethnic divides (Sisk, 1996, p.xi). Table 1 summaries how the various arguments regarding decentralisation's performance as a conflict mitigating mechanism can

be positioned within the integrationist - accommodationist debate on managing ethnic difference.

Table 1: *Various claims concerning decentralisation's performance as a conflict mitigating mechanism and their place within the debate regarding the management of ethnic difference.*

	<b>Accommodation of Ethnic Difference</b>	<b>Integration of Ethnic Difference</b>
<b>Decentralisation as a Tool for Mitigating Ethnopolitical Conflict</b>	Seeks to address (limited) self-determination claims	Maintains the territorial integrity of the state
	Minority control over political, social, economic affairs	Creates proliferating points of power
	Promotes minority rights and multiple identities	Facilitates inter- and trans-ethnic alliances locally
	Balances the power of the majority	Provides a training ground for local politicians to engage in ethnic bargaining
<b>Decentralisation as a Conflict Enhancer</b>	Does not satisfy demands for autonomy or secession	Sets a dangerous precedent: groups want more
	Provides insufficient protection from the majority	Equips minorities with necessary resources to secede
	Relocates conflict to local level, rather than solves it	Maintains and / or reinforces social divisions
		Citizens lack a sense of unity

An excellent example of how a state's desire to either accommodate or integrate its non-majority communities can have direct implications on the design its decentralisation process ultimately takes is the creation of sub-national units. The approaches differ concerning whether the borders of decentralised units should be congruent with ethnic divisions or "cross cut" them. Advocates of accommodation, with their emphasis on ethnic representation, stress territorial boundaries should coincide as much as possible with ethnic or other group cleavages, resulting in the creation of ethnically homogenous units. 'Clear boundaries between the segments of a plural society', wrote Lijphart (1977, p.88),

'have the advantage of limiting initial contact and consequently of limiting the chances of ever-present antagonisms to erupt into actual hostility'. In contrast, whilst not all integrationists support territorial autonomy, when they do so, it is primarily for classical Madisonian reasons: to proliferate points of power, to disperse ethnic communities across different heterogeneous units, and to emphasise cross-cutting cleavages across group boundaries (Elazar, 1966; 1992; Horowitz, 2000, p.598; 2007, p.964; Lipset, 1960; McGarry, 2008, p.703; Wolff, 2010, p.1). Heterogeneous units, integrationists claim, may generate incentives for establishing interethnic coalitions locally and serve as a training ground for mutual tolerance (Manor, 1999, p.85; Norris, 2008, p.163; Pildes, 2008, p.19). A review of Macedonia's decentralisation process will now follow. It will demonstrate how, in the context of institutional design in culturally plural societies, accommodationist and integrative approaches need not represent a dichotomy and can in fact be combined.

## **5. Decentralisation in the Republic of Macedonia: an Integrationist Approach to Diversity Management with Accommodationist Tendencies**

In its Basic Principles, the Framework Agreement declared: 'The development of local self-government is essential for encouraging the participation of citizens in democratic life, and for promoting respect for the identity of communities' (Official Gazette, 2001b, Art. 1.5). Certainly, the Framework Agreement called for the transfer of 11 new municipal competences<sup>5</sup>, along with a revised law on local government financing to ensure sufficient resources and fiscal autonomy; 'a cure against federalisation', remarked one ethnic Albanian politician at the time (Official Gazette, 2001b; PER, 2003, p.11). However, despite common perceptions suggesting the contrary, Florian Bieber (2005, p.116) noted how decentralisation was framed to conform to European standards, especially the principle of subsidiarity, rather than facilitating fully-fledged self-government for the ethnic Albanian community. Ermira Mehmeti (2008, p.73), then spokeswoman for the ethnic Albanian party Democratic Union for Integration, remarked how

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5 Those specifically referenced in the Framework Agreement were: areas of public services, urban and rural planning, environmental protection, local economic development, culture, local finances, primary and secondary education, social welfare, and health care (Official Gazette 2001b) (Official Gazette 2002, Art. 22).



Lijphart's models of non-territorial corporate autonomy and segmental autonomy along ethnic lines were abandoned during the negotiations in Ohrid because of the government's intention to preserve the unitary character of the state. Given the Macedonian government's substantial and persistent fear of decentralising power to sub-national levels, it is worth examining precisely what impact Macedonia's decentralisation process has had on the unitary nature of the state.

Whilst Macedonia's decentralisation process does indeed represent extensive devolution of political, administrative, and fiscal responsibility to the municipalities, it does not, as in federal states, constitute a division of central government authority. As the Framework Agreement clearly points out in its "Basic Principles", 'Macedonia's sovereignty and territorial integrity, and the unitary character of the State are inviolable and must be preserved. There are no territorial solutions to ethnic issues' (Official Gazette, 2001b, Art. 1.2). Municipalities in Macedonia remain ultimately subordinate to the authority of central government, even though, significantly, their right to the devolved competencies is constitutionally entrenched (Official Gazette, 2001a, Art. 115). Some of these devolved competencies, in addition, remain limited and are not held exclusively by the municipalities. Macedonian municipalities do not, for example, enjoy legislative powers and with regards to primary and secondary education only have responsibility for the maintenance of school buildings and the payment of staff salaries, rather than to set policy or influence the development of curricula (Official Gazette, 2002, Art. 22.8; Wolff, 2010, p.24). The municipalities are also not directly represented at the central level, as federal units would be in a bicameral system. Instead, the municipalities participate in the institutions of the common, unitary state in order to shape important political decisions which directly affect them. The only mechanism available to municipalities for influencing central government policy (apart from utilising informal political party channels) is the municipal association "ZELS" which, despite its energy and boasting full membership of all 84 municipalities plus the City of Skopje, is frequently marginalised by central government because of its non-governmental organisation status. If disputes do arise between ZELS and central government, or between an individual municipality and central government, no independent mechanisms of judicial review exist and the International Community possesses no *formal*<sup>6</sup> mediation role (Weller and Wolff, 2005, p.73).

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6      Italics are my own.

The original design of the territorial reorganisation itself, irrespective of the manner in which its implementation was carried out, illustrates the government's fear of promoting territorial disintegration and a desire to fragment the political influence of the ethnic Albanian community. Unlike examples of regional autonomy, the ethnic nature of Macedonia's municipalities is not explicitly recognised. Non-majority communities cannot fully determine themselves as distinct population groups, but only as sub-groups within their local municipality (Wolff, 2010, p.24). Even forms of personal autonomy for specific territorially dispersed communities are conspicuously absent from the Framework Agreement and subsequent legislation (Daftary and Friedman, 2008, p.287; Sulejmani, 2008, p.161). In contrast with neighbouring Kosovo, Macedonian municipalities comprising a significant minority ethnic community do not enjoy any special asymmetrical status (UNSC, 2007:Annex 3, Art.4; Sulejmani, 2008, p.152). All 84 Macedonian municipalities have been granted the same competencies, regardless of local demographics, and the reforms have been framed within the context of the Council of Europe's subsidiarity principal, rather than as a mechanism for facilitating enhanced autonomy of ethnic communities. Whilst non-majority communities comprising at least 20% in a particular municipality can use their community language in an official capacity locally, as the former Minister of Local Self-Government, Rizvan Sulejmani (2008, p.144) points out, these community languages are not in autonomous official use, but must be used in addition to the Macedonian language. It is worth emphasising that the recognition of community languages comes as a function of demographics, rather than as a symbolic recognition of their equal status with the state (Macedonian) language. Nowhere in the Framework Agreement is use of the 'Albanian' language, for example, specifically mentioned. Such an arrangement is at risk of causing friction in the future if a situation arises in which local demographic changes mean a particular community no longer meets the required 20% threshold<sup>7</sup>.

The absence of any regional tier of government, in addition to the sizable number of municipalities which survived the territorial reorganisation (contrary to expert advice), also illustrates how anxiety over devolving power to territorially concentrated ethnic groups influenced the particular design of Macedonia's decentralisation process. Given the territorial concentration of ethnic Albanians in the north and west of the country, it is of no surprise that the government adopted decentralisation reforms that would disperse limited and conditional authority to more than 80 non-ethnically defined sub-units. Ethnic

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7 A census is planned to take place in 2011. It remains to be seen whether local demographics have altered significantly since the last post-Ohrid census in 2002.

Albanians currently comprise a majority in 16 municipalities and represent at least 20% of the local population in a further 12 (Statistical Office, 2005). This would not have been the outcome had the government endorsed the creation of regional units or indeed an autonomous region. The fact that municipalities are allowed to co-operate and form joint institutions, but are not allowed to merge with adjacent municipalities, further supports this view (Official Gazette, 2002, Art.14; Bieber, 2008, p.34). Unlike in neighbouring Kosovo, municipalities located on the borders of kin states are also not allowed to receive financial assistance from them (UNSC, 2007, Annex 3, Art.11).

With regard to minority protection mechanisms at the local level, the Framework Agreement replicates most of the consociational provisions foreseen at the state level. Of these provisions, greater use of national languages and symbols has probably had most impact on the daily lives of citizens. Under the terms of the Agreement and subsequent Law on the Use of Languages, the Macedonian language remains the official language in the country and is used for international relations<sup>8</sup> (Official Gazette, 2001b, Art. 7; Official Gazette, 2008b). However, any other language spoken by at least 20% of the population locally is also recognised as an official language within municipalities. Previously, the threshold for official use of community languages in Macedonian municipalities had been 50%, although this was rarely respected and was indeed annulled by the Constitutional Court in 1994 (Official Gazette, 1995, Art. 88; Caca, 2001, p.152; Tsatsa, 1980, p.96). With regard to languages spoken by less than 20% of the population within a municipality, the Agreement also allows the possibility for their use as an official language, but the decision to do so remains at the discretion of the local authority (Official Gazette, 2001b, Art. 6.6). It is worth noting that the 20% threshold meant that Albanian was the only language other than Macedonian granted recognition at the state level. The Agreement and subsequent Law on the Use of the Flags of the Communities also regulates the use of community emblems, such as the flying of community flags in front of local public buildings if that community constitutes a majority within a municipality (Official Gazette, 2001b, Art. 7; Official Gazette, 2005). Previous legislation on the use of flags had also been repealed by the Constitutional Court in December 1998 (Helsinki Committee, 1999; Ragaru, 2008, p.5).

The consociational principle of non-discrimination and equitable representation within municipal administrations, council, and committees is another crucial element of minority protection contained in the Framework

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8 See also Article 7 of the amended Constitution (Official Gazette, 2001a).

Agreement<sup>9</sup> (Official Gazette, 2001b, Art. 4). Although the equitable representation of Macedonia's communities had long been declared a state goal, and was indeed enshrined in the 1974 Constitution of the Socialist Republic of Macedonia<sup>10</sup>, in 2001 the reality was very different. However, the Framework Agreement does not call for strict ethnic quotas in Macedonia's public administration; state institutions are not obliged by law to employ a certain percentage of a particular ethnic group. This is in contrast to other consociation-inspired political settlements, such as Bosnia's Dayton Agreement (OHR, 1995). Special voting procedures, sometimes referred to as 'double-majority' or "Badinter-majority"<sup>11</sup> voting, are also envisaged to ensure greater consensus in decision-making within municipal councils. They operate along similar lines to Arend Lijphart's concept of minority veto, however they differ in that the right to use them is not given to one particular community. Instead, certain Constitutional amendments and legislation 'cannot be approved without a qualified majority of two-thirds of votes, within which there must be a majority of the votes from those claiming to belong to non-majority communities' (Official Gazette, 2001b, Art. 5<sup>12</sup>). Joseph Marko (2004/05, p.709) has commented how this procedure represents a much weaker mechanism than comparable provisions on veto powers in the constitutions of other ex-Yugoslav republics, since it does not constitute full veto power. One reason for this criticism is the fact that use of the special voting procedures is restricted to decision-making in only specific areas<sup>13</sup>. Finally, the Framework Agreement re-established Committees for Inter-Community Relations in municipalities where at least 20% of the local population belongs to a certain non-majority community (Official Gazette, 2002, Art. 55). Municipalities may also establish Committees in areas where local communities comprise less than 20%, however this decision is at the discretion of the municipal council. Comparable with Lijphart's notion of arbitration mechanisms, the role of these Committees is to enable institutional dialogue locally between the different ethnic communities on an equal basis and to settle disputes on issues affecting inter-community relations, for example, decisions requiring the use of special voting procedures.

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9 See also Article 8.1 of the amended Constitution (Official Gazette, 2001a).

10 Refer to Chapter 11 of the 1974 Constitution of the Socialist Republic of Macedonia, entitled 'Equality of Nationalities' stated: 'Municipalities and the Republic ensure that nationalities be proportionately represented in the municipal assemblies ... and be adequately represented in their bodies' (Caca, 2001).

11 Named after the French judge Robert Badinter.

12 This principle is also enshrined in Article 69.2 of the amended Constitution (Official Gazette 2001a).

13 Special voting procedures can be used when deciding on the follow areas: culture, use of languages, education, personal identification, use of symbols, and issues pertaining to local self-government (Official Gazette 2001b, Art. 5.2).

Table 2: Accommodation and integration of ethnic difference through decentralisation in the Republic of Macedonia

Accommodation of Ethnic Difference	Integration of Ethnic Difference
<p><i>“The multi-ethnic character of Macedonia’s society must be preserved and reflected in public life”</i></p> <p><i>“The development of local self-government is essential for ... promoting respect for the identity of communities”<sup>1</sup></i></p>	<p><i>“Macedonia’s sovereignty and territorial integrity, and the unitary character of the State are inviolable and must be preserved.”<sup>2</sup></i></p>
Enhanced municipal competencies	Municipalities remain ultimately subordinate to central government authority
Increased language rights for non-majority communities	Relatively large number of municipalities (proliferating points of power) and no regional level of government
Recognition and use of community emblems (flags, etc.)	Symmetrical decentralisation: municipalities comprising a significant minority ethnic community do not enjoy special status
Consociational arrangements locally: <ul style="list-style-type: none"> <li>- proportional elections to municipal councils / committees</li> <li>- equitable representation in municipal administration</li> <li>- Special voting procedures</li> <li>- Committees for Interethnic Relations</li> </ul>	Competencies remain limited and are not exclusive
	Municipalities participate in institutions of the common state
	No formal recognition of the ethnic character of municipalities
	No explicit recognition of communities benefitting from language rights

## 6. Decentralisation in the Republic of Macedonia: Discrepancies in Implementation

The process of territorial reorganisation during 2004, when municipal boundaries were redrawn to create 84 municipalities from the previous 123, illustrates how discrepancies between the *de jure* provisions and *de facto* implementation of Macedonia’s decentralisation reforms have affected the delicate balance they were intended to strike between the accommodation and integration of ethnic difference. According to the Law on Local Self-Government, municipal

boundary changes should take into account ethnically neutral factors, such as economic, geographic and infrastructure features; whilst the Council of Europe recommended the population of a municipality should not be less than 5,000 citizens (Official Gazette, 2002, Art. 17; Marko, 2004/05, p.713; PER, 2004, p.18). The resulting 84 municipalities, 14 of which have populations less than 5,000, suggest that instead the reorganisation was based largely on political and ethnic compromises and was more concerned with accommodating group needs rather than the original intention to integrate them (Friedman 2009, p.217; Siljanovska-Davkova, 2009, p.112). The most controversial boundary changes were those affecting the municipalities of Struga and Kičevo<sup>14</sup>, which were enlarged to ensure Albanians became the majority in both municipalities. The City of Skopje was also enlarged to ensure the Albanian population reached the 20% threshold required to make Albanian an official language in the capital. A candid remark made by an ethnic Albanian politician at the time summed up the governing coalition's motives: 'We want to maximise the number of municipalities where Albanians make up 20% of the population ... and we want to bring Albanians into connection with the urban centre; the Macedonians want the opposite ...' (ICG, 2003, p.20).

Poor and inconsistent implementation of the consociational power-sharing arrangements envisaged locally is another area where discrepancies in implementation of the law have affected the accommodation of non-majority community needs, particularly those of the smaller ethnic communities<sup>15</sup>. Whilst greater municipal use of community languages has meant Albanian has now acquired official status in 29 of the 85 municipalities (including the City of Skopje), the Turkish language has only become a working language in four, Serbian in one, and Romani also in one. Albanian is also in use in a further 17 municipalities where the community constitutes less than 20% locally, Turkish in another four, and Vlach language in one (OSCE, 2009a, p.55). It is worth emphasising that whilst the Albanian language has been recognised (formally if not in practice) in over half of Macedonia's municipalities, community languages other than Albanian are in official use in only 10. This reality prompted the European Commission to conclude in its 2009 progress report on Macedonia that 'little progress can be reported regarding use of the languages of the smaller ethnic communities' (EC, 2009, p.20). The geographic dispersal of the Turkish, Roma, Serbian, and Vlach communities throughout Macedonia means that in most municipalities they fall well below the 20% threshold required to benefit from community language

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14 Boundary changes to Kičevo were later postponed and have not yet been implemented.

15 For example the Turks, Roma, Serbs, Bosniaks and Vlachs, which according to the 2002 Census constitute 3.85%, 2.66%, 1.78%, 0.84%, 0.48% of the national population respectively.

rights. Realisation of the enhanced use of community emblems also seems beset with problems. Despite a Constitutional Court ruling in October 2007 upholding selected provisions of the 2005 Law on the Use of Flags of the Communities, such as the right of all recognised communities to display their flag under the same conditions in special circumstances, until mid-2011 political agreement among the main political parties meant this ruling was not implemented (OSCE, 2009b). The situation has since been rectified when amendments were passed to the Law in July 2011. These amendments confirm the right of communities constituting more than fifty percent locally to display their flag alongside the state flag outside public and local buildings.

However, the state flag must be one-third larger in size than the community flags (IDIVIDI, 2011).

Equitable representation of all communities within public administration and enterprises is another consociational technique foreseen at the municipal level. However, as with the realisation of community language and emblem use locally, progress since 2001 on achieving proportionality in municipal administrations has been slow and inconsistent. The European Commission's progress reports on Macedonia for 2009 and 2010 note how the representation of the smaller communities, particularly the Turkish and Roma, in the civil service remains low (EC, 2010, p.22; EC, 2009, p.21). Limited use of other accommodative mechanisms, such as special voting procedures in municipal councils and the work of municipal Committees for Inter-Ethnic Relations, further supports the impression that the needs of not all of Macedonia's ethnic communities are being accommodated equally. With regard to the use of the Badinter / "double-majority" voting procedures, research compiled during 2006 suggests this practice is 'rarely respected on the local level' (IRIS, 2006, p.14; ADI, 2006). Fieldwork undertaken by the author to selected multi-ethnic municipalities in June 2010 found that the situation has not changed significantly since then. An increasing volume of research regarding the effectiveness of the Committees for Inter-Ethnic Relations established in over thirty multi-ethnic municipalities also raise doubts regarding the equitable accommodation of non-majority community needs (CDI, 2007; Forum, 2008; OSCE, 2009a; EC, 2010). Such criticism has lead an influential United National Programme in Macedonia to conclude in 2010 that the Committees are 'generally found to convene for the sake of demonstrating that they have done so, and they rarely provide advisory, preventive or reactive recommendations' (UN, 2010, p.5). Membership of the Committees in particular has been the focus of much criticism. Smaller communities, notably the Roma, are



often not represented in their local Committees, and where smaller communities are represented, they are frequently outnumbered by representatives of larger local communities, notably Macedonians and ethnic Albanians (ZELS, 2010).

## Conclusion

This paper has positioned Macedonia's experience with decentralisation within the ongoing debate concerning how states deal with ethnic difference. After discussing the principle arguments concerning decentralisation's performance as a conflict mitigating mechanism, the paper examined the specific design of Macedonia's decentralisation process and located it in the debate between those who advocate integration as a strategy for managing cultural pluralism in multi-ethnic states and those who support a more accommodationist approach. Discrepancies between the *de jure* provisions and *de facto* implementation of Macedonia's decentralisation reforms were also considered, along with their impact on the accommodation and/or integration of Macedonia's non-majority communities.

Macedonia's experience with decentralisation questions whether the perceived dichotomy between integrationist and accommodationist approaches is the correct way to consider the various options available in the constitutional design of divided societies. As Alan Pattern (2008, p.92) has recognised, a dichotomous way of thinking may be too simple to do justice to the problems under consideration in culturally plural societies. This simplification may lead to a serious distortion of the possible solutions to the problems raised by diversity, the normative grounds available on behalf of those solutions, and the ways that real-world conflicts should be understood. In spite of representing alternative strategies for managing ethnic diversity, the differing approaches to accommodating and integrating pluralism are not mutually exclusive and can be combined in different ways. No more apparent is this than in post-Ohrid Macedonia within the context of designing decentralisation reforms. Whilst municipal decentralisation in Macedonia, with its emphasis on preserving the unitary nature of the state, represents an integrationist approach to diversity management first and foremost, its combined use of consociational techniques within municipalities implies elements of accommodation.

However, the strength of the state's accommodationist approach to cultural diversity varies between its treatments of Macedonia's different ethnic communities. The decentralisation reforms, in addition to the minority



protection mechanisms envisaged locally, favour larger, territorially concentrated communities at the expense of those dispersed throughout the country. The reason for this is partly a result of distorted and inconsistent implementation of the law at the municipal level and partly because the Framework Agreement was never actually designed to offer equal cultural rights to all Macedonia's ethnic communities. The principle aim of Framework Agreement in 2001 had been to accommodate the grievances of the ethnic Albanian community and in doing so, avert further conflict. It should come as no surprise, therefore, that almost ten years on, the Agreement is failing to offer equal protection for the cultural rights of all Macedonia's ethnic communities. The successful accommodation or integration of non-majority communities, as McGarry, O'Leary and Simeon (2008, p.29) have observed, is indeed a product of demography. Accommodation may be necessary when groups exist 'powerful enough to resist assimilation but not strong or united enough to achieve secession'; whilst integration is more likely to succeed with respect to dispersed ethnic groups, such as Macedonia's smaller communities. Implementation of Macedonia's decentralisation reforms since 2004 has also diverged from the normative values envisaged in the Framework Agreement and subsequent legislation. This has altered the delicate balance decentralisation was intended to represent between accommodationist and integrationist approaches to diversity management, and may have wider consequences for the equilibrium of the wider peace agreement.

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### (Footnotes)

- 1 (Official Gazette, 2001b, Art. 1.3, 1.5)
- 2 (Official Gazette, 2001b, Art. 1.2)

# Equitable Representation as a Condition for EU Accession – The Case of the Republic of Macedonia

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## **ABSTRACT**

This paper examines the implementation of EU conditionality in the candidate countries through the case study of equitable representation policy in the case of Macedonia. Recognising the flexible nature of “minority policies” in the context of EU accession and using research on the previous enlargement, this paper argues in support of process based approaches for the study of EU conditionality in this field. The paper uses process-tracing methodology, i.e. chronologically examines and tracks the developments in relation to EU conditionality since 2005 when Macedonia was granted its candidate status. The analysis is based on EU and national document analysis and open-ended interviews with stakeholders, including EU and national officials, representatives of international organizations as well as civil society organizations. The paper illustrates the complexity of EU conditionality in relation to the political criteria and the significant role domestic factors play in these processes.

## Introduction

As a candidate country for EU membership, Macedonia is subject to conditionality in the area of minority policies primarily through the Copenhagen criteria for accession.<sup>1</sup> The first Copenhagen criterion states that in order to join the EU, a new member state must ensure the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities.<sup>2</sup> Conditionality in relation to the protection of minorities was also part of the last enlargement round which was completed in 2004 and in 2007 with the accession of Bulgaria and Romania to the EU. In the Western Balkan countries that are in the queue for EU accession, minority policies are of increasing importance, because of the region's multiethnic character and the legacy of recent inter and intra-state conflicts. Scholars and practitioners have highlighted that the democratic consolidation of the region depends upon the management of minority issues.

In these contextual conditions, the EU has been an actor that has significantly engaged in the promotion of improved minority policies in the framework of its political criteria for accession. Despite the EU's involvement in these policies, the question of how external pressures have affected and interacted with domestic, institutional and policy changes remains unanswered. In light of the significance of the EU as an actor in the domestic minority policy in the candidate countries, this paper aims to examine the interplay between EU conditionality and domestic factors with respect to equitable representation policy in the case of Macedonia. The paper examines how the EU has conceptualised equitable representation conditionality in relation to Macedonia and how the latter has

- 1 The paper recognizes the influence of other international organisations such as the UN, Council of Europe and OSCE on minority policies in the region, however, is primarily interested in examining the role of the EU in these processes.
- 2 In cases when the paper analyses issues discussed under the heading on minority protection in the EU reports, it uses the term "minority". When discussing national policies, the paper uses the term 'non-majority community' which has been introduced in the country's legislation and political discourse to refer to all the communities following the signing of the Ohrid Framework Agreement in 2001. Due to this contextual specificity, this paper uses both terms at the expense of uniformity of terminology.

responded to the EU requirements. Using equitable representation as an example, the paper illustrates the complexity of EU conditionality in relation to the political criteria and the significant role domestic politics plays in these processes.<sup>3</sup>

This study adopts the process-based definition proposed by Hughes et al (2005a), according to which EU conditionality “includes not only the formal technical requirements on candidates but also the informal pressures arising from the behaviour and perceptions of actors engaged in the political process” (p.2). Hughes et al (2005a) distinguish “between *formal conditionality*, which embodies the publicly stated preconditions [...] of the ‘Copenhagen criteria’ and the [...] *acquis*, and *informal conditionality*, which includes the operational pressures and recommendations applied by actors within the Commission [...] during their interactions with their CEEC counterparts” (p.26). Hence, this paper in line with how Sasse (2009) understands the minority condition as a construct, thereby recognising that any notion of compliance is a construct and a political judgement (p.20). While acknowledging the limitations that this approach has for making generalised conclusions, this research considers that the recognition of the constructed nature of conditionality in the political sphere is a starting point for its analysis in the context of EU accession.

The paper utilizes qualitative methods, i.e. document analysis and open-ended interviews. It is primarily based on EU and national documents prepared for the process of Macedonia’s European integration. From the perspective of the EU it examines the annual Progress Reports issued from the European Commission (EC) on Macedonia (2005-2010) and the Accession/European Partnerships prepared in this period. These documents contain the EC’s assessment on the political criteria and the recommendations which the EU puts forward to the candidate countries and potential candidate countries, which concern the work of the parliament, government, judiciary, anti-corruption policy, protection of human rights and minorities and regional cooperation. On the national side, the paper looks into the yearly National Plans for the Adoption of the *Acquis* (NPAA) and the Contribution to the Progress Reports from the national authorities in the period 2006-2010. In addition, data from open-ended interviews in Brussels and

3 The paper does not take a normative stance on the role equitable representation policy has played in post-Ohrid Macedonia. For a discussion of the justification and potential problems of equitable representation policies in democratic consolidation see DASKALOVSKI, Z. The Macedonian Integration Model: Minorities and Affirmative Action Policies In: MARIA, G., ed. *Inclusion Unaffordable? The Uncertain Fate of Integration Policies and the Demonisation of Minorities and Migrants in Central and Eastern Europe 2009* Riga. Centre for Public Policy Providus.

Skopje with EU and national officials, as well as NGOs and think tanks conducted late 2010 and early 2011 have been used.

The study adopts a chronological approach to the issue under consideration, i.e. tracks and explains the developments in EU conditionality in relation to minority protection over time. The methodology for this study is grounded in process tracing approaches and largely follows the work of Gwendolyn Sasse on the Eastern enlargement. The data collected through archive and field work are analysed at two levels. First, the paper examines the devising of the EU priority through the formal EC documents and interviews with EC officials in Brussels. Second, the study looks at the domestic response of the national governments to the EU conditionality through the national strategic documents and interview data at the national level. The domestic response is also analysed through the adoption of specific legislation or policies and their implementation. In this manner, the paper also examines the “document dialogue” between the EU and the national level and triangulates these findings with the interview data.

The paper is organised in two major sections. The first section of the paper provides definitional clarifications and a theoretical background on the political conditionality in the context of EU accession. The objective of this section is to provide an analysis of the current research this study builds upon as well as to provide justification for the definitions and approach it utilizes. Building upon this theoretical overview, the second section of this paper provides an empirical analysis of the understanding of conditionality in relation to equitable representation in both EU and national documents in the post-2005 period in which Macedonia has been a candidate country for accession. Overall, the analysis points to the need to analyse political conditionality as a process defined by the interactions between the EU and domestic actors.

## **Definitional Clarifications – Minority Policies in the EU Accession Process**

Despite its importance in the literature, a consensual definition of minority policies in the EU context is missing both within the relevant literature and in practice. From a legal perspective, De Witte (2002) argues that the meaning of the Copenhagen condition respect for and protection of minorities has not been developed in EU law. The lack of a consensual standard on these matters however,

is not an issue specific to the EU, because in general there is no internationally agreed definition of what a minority is. This lack of consensus according to Jackson Preece (2005) exists because “the problem of minorities often manifests itself in efforts to distinguish between those who belong to a political community and those who do not” (p.9). Vermeersch (2003) in his analysis of minority rights in CEE understands the term ‘minority rights policies’ “as a wide range of policies which have in common that they all in one way or another recognize and accommodate the demands of communities distinguishing themselves from majority populations by religious, linguistic, cultural and other characteristics that are considered ethnic” (p.1). At the same time it has been argued that the Commission adopted its own definition of minorities which included all the communities residing in these countries, which was not limited to the formal recognition of minority rights, but also included implementation (De Witte, 2002 p.142).

Due to these difficulties, academic research in this area has been adopting separate definitions of minority policies in light of the specific elements under analysis. In terms of the formal EU requirements, as illustrated from the 2004 and 2007 enlargement, these have most commonly included the alignment with the non-discrimination directives, ratification of the Council of Europe Framework Convention on National Minorities and adoption of governmental strategies and programs for the inclusion of the Roma minority (Rechel, 2008 p.174). In the Western Balkan countries, as demonstrated by the cases of Croatia and Macedonia especially, equitable representation of minorities/non-majority communities in the wider public sector has been appearing as the new requirement from the EU, which has not been analysed in the context of EU accession policy (2006a, 2006b). As a result, this paper at the same time builds on existent research by using models from the previous enlargement, but applies them to the new candidate countries and in a new policy area.

## **Models for Analysing EU Conditionality**

Having presented the flexibility of the term “minority policies” in the EU accession context, this section examines the dominant models for analysing EU conditionality in academic literature in order to explain the use of the process tracing approach for the purposes of this paper. The dominant approach in studies of conditionality and EU accession are based on rational institutionalism. Starting from the premises of this approach, Schimmelfennig and Sedelmeier (2005) have developed three models for the examination of the effectiveness of conditionality

– the external incentives model, the social learning model and the lesson drawing model and have applied them in two alternative contexts: democratic and *acquis* conditionality. In their research, conditionality is “a bargaining strategy of reinforcement by reward, under which the EU provides external incentives for a target government to comply with its conditions” (Schimmelfennig and Sedelmeier, 2004 p.662). The conclusions of their research indicate that rule transfer from the EU to the CEECs and the variation in its effectiveness are best explained according to the external incentives model and are linked to the high credibility of EU conditionality and the low domestic costs of rule adoption (Schimmelfennig and Sedelmeier, 2005).

The external incentives model, albeit useful, has been under criticism in recent literature from several aspects primarily in relation to political conditionality. First, in the case of minority protection policies, this model is not adequate due to the presupposed determinacy of the EU rules. Rational choice explanations of conditionality assume an existent consensus between both sides on the content of EU rules and the benchmarks for their fulfilment. On the other hand, as already explained, minority protection conditionality is highly flexible. Grabbe (2006) points to the analytical difficulties of grasping conditionality since it has become a moving target, thereby contesting the rational choice hypothesis of conditionality as a set of clearly defined rules. Moreover, “the EU puts different emphasis on the way it justifies its policy of conditionality to domestic actors in the various Western Balkan countries – a differentiation closely linked to the specificity of each case” (Noutcheva, 2007). As a result, this underlying hypothesis of existence of a consensual understanding on the side of both the candidate country and the EU is strongly contested in the academic literature, especially in relation to political conditionality.

Pridham (2007) concludes similarly that compared with accessions during previous decades, in the EU enlargement process to the East, “political conditionality has become broader in its scope, [and] much tighter in its procedures” (p.468). In this sense, the Commission has pursued a more interventionist attitude in comparison to the previous enlargement, a shift noted already with respect to Bulgaria and Romania (Pridham, 2007). This shift is especially prominent in the case of minority politics, thereby moving the EU “down the path of high and low politics, thereby, into areas traditionally regarded as internal to states” (Pridham, 2002 p.203). In these conditions, the costs of compliance of target states inevitably rise, especially having in mind the low credibility of membership, thereby creating bleak predictions for the effectiveness of conditionality in the Western Balkans.



Sasse (2009) has argued that the link between low domestic adoption costs and effective conditionality undermines the very notion of conditionality (p.18). Hence, albeit being able to sufficiently warn against difficulties in the Western Balkans, the external incentive model does not provide further tools for analysing the role and impact of the EU in these complex conditions.

It is nevertheless necessary to qualify that the setting of criteria in the minority area is difficult primarily due to the complex nature of these policies. Brusis (2005) concludes that conditions “are likely to have a more tangible direct impact in issue areas where the EU has a more prescriptive *acquis*” (p.316). Authors have further argued that if the conditionality criteria pertain to an issue area perceived as problematic for national identity, a different line of reasoning will be triggered than in cases where the criteria are considered unproblematic. According to them, national identity determines the logic of social action that governments will follow when responding to the Union’s conditionality criteria (Freyburg and Richter, 2010 p.266). Overall, as a result of these difficulties of framing the EU’s impact in relation to minority protection in an external incentives model, research has recommended its use predominantly in relation to prescriptive *acquis* policies. This context-dependence has been underscored in recent empirical studies on the impact of the EU on the minority protection of the new member states. A recent study edited by Bernd Rechel (2009), which deals with the minority protection in all new EU member states comes to a conclusion that “there might not be a clear cut and consistent trend towards improved systems of minority protection, as much depended on the point of departure at the end of communism, the ethnic make-up of the country, historical legacies, and whether the country experienced territorial changes or not” (p.227). Overall, the academic literature emphasizes that generalisation of the EU’s impact is difficult because of the primacy of domestic factors and the need to examine conditionality in light of its interaction at the domestic level.

Lastly, the external incentives model has been under criticism because of the risk to overestimate the effects of EU conditionality. As already explained, the simultaneity of the processes of Europeanization and democratisation makes it increasingly difficult to differentiate the developments linked to each respectively. Moreover, as the EU appeared as an actor in the CEE countries at a point when early transition choices had already been made, there is no possibility to study the effectiveness due to the absence of an alternative setting, i.e. without the EU as an actor. As a result, demonstrating causal links between the externally induced conditions and the domestic policy choice has been increasingly difficult.

Brusis (2005) by analysing the use of European Union conditionality in the regionalisation of the Czech Republic and Slovakia argues that “domestic factors were of key importance for the trajectories and outcomes of regionalisation” (p.295). The external incentives model, according to Brusis (2005) “does not allow the interference that the domestic change is driven by EU incentives because the Union applies conditionality or because domestic actors justify their decision as driven by EU conditionality” (p.297).

In response to these difficulties, recent empirical studies of conditionality have pointed to its flexible nature and have proposed process-based definitions attempting to incorporate the variety of different influences in the application of conditionality. As already explained in the introduction, this paper accepts that EU conditionality includes not only the formal technical requirements on candidates but also the informal pressures arising from the behaviour and perceptions of actors engaged in the political process. Hughes et al (2005b) have argued that conditionality is better explained as a multiplicity of actors, perceptions, rewards and sanctions, including both its formal and informal features. This definition, according to Sasse, highlights the pitfalls of linear causality models and the need to take seriously the inherent politicisation of conditionality over time (p.19). Hence, this study in line with Sasse’s (2009) arguments understands the minority condition as a construct, thereby recognising that any notion of compliance is a construct and a political judgement (p.20).

The wide and process-based definition of conditionality underpins this study for multiple reasons. First, this definition and approach provide for the possibility to examine the process of construction, application of conditionality and its outcome, thereby taking into consideration the changes of conditionality over time. Similarly, this approach provides for the possibility to examine the role of the EU as an actor on the domestic political scene, due to the interventionist attitude the EU has pursued in this region. Second, a narrow definition of conditionality is not appropriate because the “Copenhagen criteria do not define the benchmarks or the process by which EU conditionality could be enforced and verified” (Hughes et al., 2005b p.25). Third, the process-based definition of conditionality is necessary due to the contextual peculiarities of this process. Research has commonly argued that “the EU applied differentiated pressure across applicants, dependent on whether minority protection was regarded as problematic and security relevant in the particular case” (Schwellnus, 2008 p.187). Fourth, the process-based approaches highlight the importance of domestic actors for the success of EU conditionality and thereby include them as important

elements for analysis. Lastly, this approach is much more suitable when looking at the case of the Western Balkans, because of the already demonstrated multifaceted nature of the conditionality process. While acknowledging the limitations that this approach has for making generalised conclusions, this research considers that the recognition of the constructed nature of both conditionality and minority protection is a starting point for any detailed analysis.

The section has shown that although the EU is the most prominent actor in this respect which has set standards for accession in the field of minority policies, its standards in this policy area are flexible and context specific. Having presented the rational institutionalist model and the process – based approaches for the study of conditionality, the section justifies the use of the latter for the purposes of this analysis. In line with this approach, this paper argues that conditionality in relation to minority policies needs to be analysed as a process taking into consideration its formal and informal features, changes over time and the role of domestic actors in its application. Hence, the following section applies this approach to the study of the conditionality in relation to equitable representation in the case of Macedonia.

## **Equitable Representation in EU Conditionality in the Case of Macedonia**

The equitable representation policy has been a defining condition of the EU's approach in the Western Balkans as evident both from the cases of Croatia and Macedonia. This EU condition in essence requires the country to achieve equitable and adequate representation of non-majority communities at all levels of the administration. The origins of the conditions related to the equitable representation in the specific case of Macedonia are to be found in the Ohrid Framework Agreement and the Stabilisation and Association Agreement (SAA), although stronger emphasis has been given to the issue since 2005 with the Progress Reports. This policy was also considered as one of the most contentious ones of the OFA and was bound to encounter more problems than the political representation (Ilievski, 2007, Bieber, 2005). Several interviewees argued that even though the equitable representation was relatively easy to negotiate as part of the OFA, its implementation was bound to be fraught with problems (Author's interview in Skopje, December 2010). Furthermore, my interviewees argued that since this change required systemic and administrative, rather than political efforts, it was expected that it would create discontent. Despite the likely problems in the

implementation, the interviewees highlighted also that unlike other international organizations, the EU supported this policy from its very beginning both financially and institutionally (Author's interview in Skopje, December 2010).

In relation to EU documents, the need for achieving equitable representation was clearly highlighted in the Analytical Report of 2005 and has been continuously raised as an issue of concern by the EC (2005). Similarly, in 2006 the EC put forward both a short-term and mid-term priority in the European Partnership requiring the adoption and implementation of a medium-term strategic plan for equitable representation in public administration and its implementation (2006b). In 2008, this priority of the European/Accession partnership was restated with an emphasis on the need for it to be upgraded and implemented (2006a). As part of the European/Accession partnerships, equitable representation was an element of the highest form of EU conditionality on which the progress of the country is assessed. The adoption of strategic documents on equitable representation and their implementation is therefore one of the key formal conditions which were stipulated by the EU in relation to Macedonia. Not surprisingly, the EU assisted the adoption of this strategic document with an EU funded project of technical assistance which provided the assistance of foreign experts to work on the preparation of this document (Author's interview in Skopje, December 2010).

The obligations in relation to equitable representation are to be found in the national documents as well. The 2006 NPAA undertakes the obligation for adoption of a Medium-Term Strategy for Adequate and Equitable Representation of the members of the Communities in the Public Administration (2006c). The same point is to be found in the Action Plan for the European partnership 2005 which sets a deadline for this activity in the first half of 2006 (2006d). This Action Plan was adopted in early 2006 in light of scheduled parliamentary elections in July of the same year. Having in mind the political sensitivity of the issue, the likelihood of adoption of such a medium term strategy, half a year prior to the parliamentary elections, was unlikely at the time. The Strategy was nevertheless adopted in January 2007 by a new Government. The interviews for this article have highlighted the significant role of external actors in the preparation and adoption of the Strategy (Author's interview in Skopje, December 2010). Since 2008, the EU and national documents consider this Strategy as a basis for the further promotion of the equitable representation of the non-majority communities (2008b). Furthermore, the NPAA 2008 is the first Government document which also refers to the allocation of funds for the implementation of the strategy and takes on the

obligation for quarterly institutional reporting on the Strategy. Nevertheless, the reporting on the implementation of the Strategy has been a weak point of the entire process, as highlighted by both EU and national interviewees. The reporting on the Strategy has been solely conducted on the basis of statistical increase in employment at the central level, which has not been accompanied by a thorough assessment of its impact. This example illustrates the difficulty in assessing EU conditionality solely on the grounds of formal conditions, since the formal “on paper” adoption is problematic for assessing the role of EU conditionality.

From 2008 and onwards, EC pressure in Macedonia in relation to minority/non-majority communities policy was primarily focused on the equitable representation in the police and armed forces. This is illustrated both in the EU and national strategic documents. The NPAA 2008 and 2009 deal with the issue of equitable representation with strictly defined targets exclusively in relation to the police reform, which was ongoing at the moment following the adoption of the new Law on police (2008b, 2009b). These targets are the most precise benchmarks in relation to equitable representation which are to be found in any of the European or national documents. This was also confirmed by the interviews with EU officials who underlined that the equitable representation was chosen as a suitable benchmark due to its potential of quantification (Author’s interview in Brussels and Skopje, October 2010 and February 2011). In the period between 2008 and 2009, the communication between the country and the EC focused solely on the so-called “key priorities” of the 2008 Accession partnerships which included the police reform issue, but not equitable representation of non-majority communities in general (2006a). In 2008, the Government immediately after the publication of the Progress Report adopted a document with activities for the implementation of the most important recommendations from the Progress Report. This document called *Blueprint on the Realisation of the Recommendations in the EC Progress Report on the Republic of Macedonia 2008* which was evaluated positively by the EC, deals with the non-majority communities solely in relation to increasing representation in the police forces. The document puts forward specific targets for equitable representation in the police forces for 2008, 2009 and 2010 (2008a). Furthermore, this is the first document with precise numbers which has commonly been attributed to the fact that the country received definite benchmarks from the EU (Author’s interview in Brussels, October 2010).

Due to this focus on the police forces it is not surprising that the Contribution to the Progress Report which the Macedonian government adopted in June 2009 also focuses solely on the equitable representation in the police

structures (2009c). Interviews with European officials in Brussels have pointed to the equitable representation in the police as one of the success stories of the impact of the EU in Macedonia (Author's interview in Brussels, October 2010). Interviews with national officials have largely confirmed this observation and have considered that the EU pressure has brought results in relation to the equitable representation in the police (Author's interview in Brussels, October 2010). The latter have emphasised that the main reasons for the success in this area have been clear benchmarks which were given to the countries in informal communication as well as the parallel reforms taking place for the purposes of the visa liberalisation process. The same remark was continuously made by think tanks working on these issues as well (Author's interview in Brussels, October 2010). The link with the visa liberalisation process in relation to the effectiveness of conditionality largely confirms the findings of recent research which argues that "the key to understanding the compliance of Macedonia, whose membership prospect is less certain or even questionable, is to take into account policy conditionality in addition to membership conditionality", mainly referring to the visa liberalisation process (Trauner, 2009).

The opinions on the "success story" of the equitable representation in the police, however, are not widely shared in relation to the overall project of equitable representation in the country. The interviewees highlighted that these were in essence separate processes managed by different institutions. The way in which the policy is being implemented at the central level of the state has been commonly criticised for its lack of effective planning and transparency. Furthermore, the undertaken obligation on the regular reporting on the Strategy on equal representation mentioned above was never realised. The institution responsible for the general enforcement of this policy, the Secretariat for the implementation of the Ohrid Framework Agreement was without a minister for several months in 2008, despite the regular EU pressure, putting into question the effectiveness of the EU conditionality on this issue. The SIGMA initiative which prepares yearly assessments for the EC which are used in the preparation of the Progress Reports criticizes the project in its reports in the last couple of years. In the 2009 report it states that "this well-intended tool, developed for putting into practice the principle of equal representation of the various minorities, quite often enters into contradiction with the merit system, because it provides additional room for partisan-influenced recruitment" (2009a). Furthermore, reports on recruitment of employees which are being employed on paper, rather than in practice have been a common occurrence.

The interviews with the European and national officials have also been quite illuminating on this issue. European officials commonly agreed that the pressure for equitable representation had been instrumentalised in the domestic context, but at the same time pointed out that the manner of implementation was dependent on the national authorities (Author's interviews in Brussels and Skopje, October 2010, February 2011). OSCE employees which are highly involved in this issue were also critical of the manner of implementation of this policy, but on the other hand have pointed out that this is a system which has been put in place and which cannot be stopped immediately (Author's interviews in Skopje, February 2011). National officials interviewed for this paper stressed that the EC's mechanical approach which emphasised statistical increase in the administration had contributed to the worsening of this problem (Author's interviews in Brussels and Skopje, October 2010, February 2011). Furthermore, it was also highlighted that due to the focus on statistical increase, some of the practical measures in assisting these processes such as the establishment of a unique system for collection of data for the public sector were never realised. Officials directly working on this issue also mentioned that for years there have been no sanctions against the state bodies which do not respect the equal representation principle (Author's interviews in Skopje, December 2010). Lastly, common criticism was put on the requirement to complete targets within a short period of time. An official working on the issue stated that "They (read: the EU) put pressure on the Government and later they stepped back and required a professional approach – it is impossible to bring about professional results in two years" (Author's interviews in Skopje, March 2011).

In addition to the lack of substantive implementation of this policy, it has been also accompanied by dissatisfactory results in relation to the employment of the non-Albanian, or so-called smaller communities in the country. This tendency has been noted in numerous EU reports, noting that the representation of the smaller communities, particularly the Turkish and Roma, in the civil service still remains low (2010). Generally, most of the interviewees also noted this tendency, however at the same time did not provide any evidence or information on increased EU involvement on this issue. Similarly, the smaller communities issue was not raised specifically in the accession partnerships priorities. The interviews at the national level consisting of both national officials and civil society organisations pointed that the EU has not put increasing pressure despite the evident "appropriation of this policy by the Albanian community" (Author's interviews in Skopje, March 2011). A clear illustration for this is the fact that the newly established state Agency for protection of the rights of the smaller communities has absolutely no say in



the employment procedures for this purpose. In light of this experience, most of my informants concluded that the EU and consequently the national authorities did not express any continued interest in realising this policy for the non-Albanian community.

Overall, the analysis of the role EU conditionality has played in the equitable representation policy points to a set of divergent conclusions. The study of the EU documents and the interviews reveals that this policy since the signing of the OFA was at the forefront of EU conditionality and was also supported by EU funds and assistance. However, conditionality itself was not sufficient for bringing about substantial policy results. The domestic actors and the interaction with the domestic context resulted in mixed results of the policy and highlighted the need for re-examination of the methods of its implementation. On the other hand, the strict benchmarking in relation to the equitable representation in the police in parallel with the reforms related to the visa liberalisation process brought about more effective implementation in this specific sector. At a more general level, although there was no major domestic opposition to equitable representation, hence no major political costs, the policy was not put into practice as expected. The employment in most cases has been on paper solely, violated merit principles and has not taken into consideration the needs of the smaller communities. Subsequently, it has become an issue receiving increasing criticism from both European and national officials and administration. As a result, one can argue that the example of equitable representation as an element of EU conditionality confirms the findings of the research on shallow Europeanisation (Goetz, 2005). Overall, this preliminary analysis highlights the need to consider the EU conditionality in light of the domestic actors and context in order to be able to account for its outcomes, but also the process of its application.

## Conclusion

The presented paper has examined how the EU and national documents, as well as stakeholders have understood and applied conditionality in relation to equitable representation of non-majority communities in the case of the Republic of Macedonia. The research argued for understanding conditionality related to minority policies as a process, taking into consideration all of its formal and informal elements. The analysis is based on a chronological examination of official documents prepared by the EC and national authorities for the purposes of Macedonia's accession process. In addition, the author uses data from interviews in Brussels and Skopje with EU and national officials, as well as NGOs and think



tanks working in this area. The data collected through archive and field work was analysed first in relation to how the EU treated the issue at stake in its documents. The paper then moved on to the national level and examined the domestic response of the national governments to EU conditionality through the national strategic documents, adoption of specific legislation or policies.

In order to set the theoretical context in which the paper operates, the first section provided clarifications on the terminology used and a background on the debates surrounding EU political conditionality. In relation to the existent models of analysing the role of conditionality in candidate countries, the paper presented the rational choice institutionalist model as well as the more recent process-based approaches. The analysis showed that the rational choice model most notably due to the preposition of consistency of demands is not suitable for the analysis of political conditionality, especially minority policies. On the other hand, the process-based approach which emphasizes the need to analyse conditionality as a process encompassing all its formal and informal features is considered to be more useful for this analysis. Hence, this paper adopted a definition of conditionality as a process and underlined the need to trace its construction from the EU level to its application at the national level for the purposes of its analysis.

The empirical part of the paper dealt with the post-2005 period when Macedonia became a candidate country for accession. The analysis focused on the issue of equitable representation. This policy was part of the OFA obligations and was also a formal element of the EU Progress Reports and the European/Accession Partnerships. In response, the national strategic documents contain information and plan activities for the adoption of the necessary documents and implementing this principle. However, with the exception of equal representation in the police, this reform at the national level has been encountered with discontent with respect to the manner of its implementation. The outcome of this policy has primarily been a statistical increase of the Albanian community in various sectors and the policy has become associated with party based employments. At the same time the smaller communities in Macedonia have been disregarded. Subsequently, this policy has become a subject which has received increasing criticism from both European and national officials and administration, highlighting that even more specific benchmarks in such policy areas are not a guarantee of success, as expected in conditionality literature.

In conclusion, the analysis of the EU, national documents and interview data with EU and national officials regarding EU political conditionality in the

specific area under analysis points to its increasingly flexible and context specific nature. The examination of the documents dealing with these issues indicates that the EU conditions in this field cannot be understood as clear cut variables for analysis. The empirical study of the policies on equitable representation of non-majority communities in Macedonia highlighted the need for analysing conditionality as a process and over a longer period, including both the EU and national level in order to be able to grasp the changes and shifts in the conditions and the reasons behind these changes.

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# PART II

## Ethnicity and the Conflict in 2001

# The Role of inter-ethnic conflicts on the integration of the Macedonian society

*Martin Pecijareski*



## **ABSTRACT**

This paper is focused on the ethnic distance between the Macedonians and the Albanians in the Republic of Macedonia. This issue is of fundamental significance because it has a great impact on the overall development (economic, political, cultural and social) of the country. Essential goals of the research are to detect and observe the extent of the ethnic distance between Macedonians and Albanians; to determine the positions of the two ethnicities towards the functioning of the political institutions of the Republic of Macedonia and their perceptions regarding the Ohrid Framework Agreement. The general findings of the research confirm the hypothesis which states that in Macedonia there is a high degree of ethnic distance which leads to the disintegration of the Macedonian society. The ethnic distance is measured and analyzed by using Bogardus' scale and the data is collected through a survey based on a closed questionnaire. The field research is conducted in two regions, Pelagonija and Ohrid regions in the south-west part of the Republic of Macedonia, in April-May 2011 with a total of 370 respondents.

## I. Introduction

Nowadays, similar to many countries in the world, the Republic of Macedonia is a heterogeneous country in which the differences in the religious experiences, language and the way of performing cultural tradition are deeply rooted. However, it would be wrong to assume that this multicultural ambience should be considered *ex ante* as a disintegrative factor. Namely, ethnic and cultural pluralism can result in a wide spectrum of interactions which provide a variety of possibilities that can improve the level of integration within the society.

It is very difficult to accept the fact that the ethnic and confessional polyvalence of the Macedonian cultural ambience acts as a disintegrative instead of an integrative factor. Nowadays, there are self-evident and negative implications of the ethnic stereotypes which lead to the creation of fertile ground for new disputes and conflict situations. There is a constantly increasing tendency to perceive ethnic belonging as a crucial factor for fulfilling one's own fundamental socio-psychological needs such as the need for one's own identity, need for security and need for unity. Furthermore, this process is followed by the constant emphasizing and glorification of one's own ethnic and cultural identity. This creates objective conditions for the realization of certain *a priori* devised political manipulation on behalf of certain political leaders of nationalistic parties. Ultimately, taken together all these characteristics lead to violation of the ethnic coexistence which results in destabilization of the Macedonian social and political environment.

Regardless of the promotion of the Ohrid Framework Agreement which partially reduced the negative effects of the armed conflict in 2001, today it is evident that the Macedonian society is still in a very complex situation. Ten years later, the Republic of Macedonia is characterized by the objective existence of ethnic intolerance that frequently manifests as open clashes with extremely unwanted effects for the society as a whole and for its citizens.

Considering these negative conditions in the realm of the inter-ethnic coexistence, I shall make an attempt in my research paper to diagnose the contemporary situation and its problems. In addition, I shall create certain recommendations for their resolution which could result in increasing the social cohesion of the society.

## **2.Theoretical and methodological aspects of the research**

### **2.1 Research context**

#### **2.1.1 Macedonia between 1990 and 2000**

During the 1990s the Republic of Macedonia experienced a peaceful transition to a new, democratic regime. Macedonia declared independence in the beginning of the 1990's, after the dissolution of the former Yugoslavia. The Constitution was enacted in 1991 defining the Republic of Macedonia as a sovereign, independent, democratic and social state.<sup>1</sup> In April 7<sup>th</sup>, 1993 the Republic of Macedonia became a member of the United Nations.<sup>2</sup> On November 9<sup>th</sup>, 1995, Macedonia was inaugurated as a full member of the Council of Europe. One week later it joined the Partnership for Peace.

By that time, the Macedonian society was characterized by various ethnic groups and different segments of the society accompanied with obvious disparities among them. Thus, the Constitution builders showed great tolerance and acknowledged the necessity of recognition of the ethnic minorities and their rights. Moreover, the Macedonian political parties during the 1990s always formed coalitions with Albanian parties in the government as a sign of recognition of their rights and an attempt to decrease the ethnic tensions. However, throughout the years the grievances had been increasing until the 2001 armed conflict between the Albanian insurgent group and the Macedonian security forces. Therefore, Macedonia was yet again a perfect illustration that enacting a new constitution and passing norms and laws are not sufficient conditions for a democracy. Democracy is much more than that, it is a process that has to be nurtured, it is a culture that has to be built and finally, democracy is a way of life.

## 2.1.2 Armed Conflict from 2001 and its implications

The latent discontents and tensions between the Albanians and the Macedonians which had been accumulating during the 1990's, escalated in 2001, and ultimately Macedonia was faced with an armed conflict. The Albanian Liberation Army (NLA) attacked the Macedonian security forces in January of 2001. The military actions mainly took place in the north-west part of the country where Albanians are a majority of the population. Military actions finally ceased in August 2001, but its consequences were extremely harmful. The Ohrid Framework Agreement was signed by the Macedonian and Albanian political elites under strong supervision of the international community. Consequently, the document was also signed by two representatives on behalf of the European Union and the United States of America.

Despite the different perceptions of the Ohrid Framework Agreement, its importance is unquestionable. First and foremost, it halted military actions and represented a peaceful solution to a conflict which could have been catastrophic for the future of Macedonia. Secondly, it was a sign of good will expressed by Macedonians and Albanians looking for mutual co-existence and improved interaction. As a result of the Ohrid framework agreement the Macedonian democracy moved towards the consociational model. In that sense, it was decided, mainly under pressure from the international community, that the Republic of Macedonia should follow the path of the western countries which had already adopted the consociational model (The Netherlands, Switzerland, Belgium) since there were obvious resemblances.

However, it does not mean that success is guaranteed; success depends on many other factors and not just the mere implementation of the consensus or consociational elements. For that reason, the different ethnic groups in the Republic of Macedonia are still faced with difficulties when trying to overcome their disparities. Also, many legal experts and law professors underlined the irregularities and contradictions regarding the way that the Ohrid Framework Agreement was formulated and signed. For instance, professor Gordana Siljanovska-Davkova emphasized that the OFA is a document in which "...the original version is in English which is contrary to Article 7 paragraph 1 of the Constitution of the Republic of Macedonia". Simultaneously, professor Davkova underlines: "...the agreement has been reached and signed in the presence of 'witnesses' – category unknown to the Macedonian constitution law" (Siljanovska-Davkova: 2001).<sup>3</sup>

Taking into consideration previously depicted conditions, it is evident that in the Republic of Macedonia, regardless of the effects of the Ohrid Framework Agreement, the conflict still exists between Macedonian and Albanian populations. Consequently, the level of social integration of the society is low which results in decreased social capital of the country. This situation creates pre-conditions for ethnic, religious and political conflicts but, also, ultimately results in extremely negative implications on the economic development of the Republic of Macedonia. Therefore, in the research, I have measured the ethnic distance and considered new ways and alternatives which ultimately should result in increased social cohesion of the society.

## 2.2 Research Design

The aim of the research project is to measure the ethnic distance between the Macedonian and Albanian ethnicities in the Republic of Macedonia. It was measured by using the Bogardus' scale for measuring ethnic distance. The scale represents a psychological testing instrument which empirically measures people's willingness to participate in social contacts of varying degrees of closeness with members of diverse social groups, such as other racial and ethnic groups, sex offenders, and homosexuals.

For the purposes of this project, I have conducted empirical research in the south-western part of the Republic of Macedonia. The first region is 'Pelagonija' with a population of approximately 200 000 inhabitants over 18 years of age. The survey was conducted in the following cities and surrounding villages: Bitola, Prilep, Demir Hisar and Krusevo. The second one is 'Ohrid' region populated by approximately 180 000 inhabitants over 18 years of age. Also, the survey is carried out in the following municipalities: Ohrid, Struga, Resen, Kicevo, Debar, and Makedonski Brod. The field research was performed from April – May of 2011. Target groups of the survey were the Macedonian and Albanian ethnicities and the purpose was to determine their views and positions regarding mutual ethnic coexistence. Both ethnicities were respectively included in the survey according to the last census in 2002 in the Republic of Macedonia.

A closed questionnaire was used as a methodological tool for collecting the data. It encompassed three types of questions. The first part consists of questions with regards to socio-demographic characteristics. The questions regarding the ethnic distance are in the second part and in the third part are the

questions related to citizens' perceptions about the level of successfulness of the political institutions in the Republic of Macedonia

### 2.2.1 General hypothesis

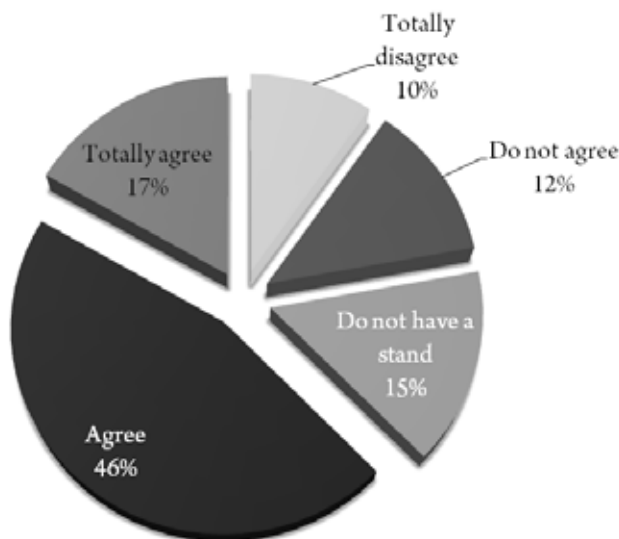
The main focus of the research is to measure the ethnic distance between the Macedonians and Albanians in the Republic of Macedonia., the general hypothesis is that a higher level of integration between the ethnic groups within the society should result with lower ethnic distance. Hence, the general hypothesis states that in Macedonia there is a high degree of ethnic distance which leads to the disintegration of Macedonian society.

## 3. Data Overview

### 3.1 Data on the ethnic distance

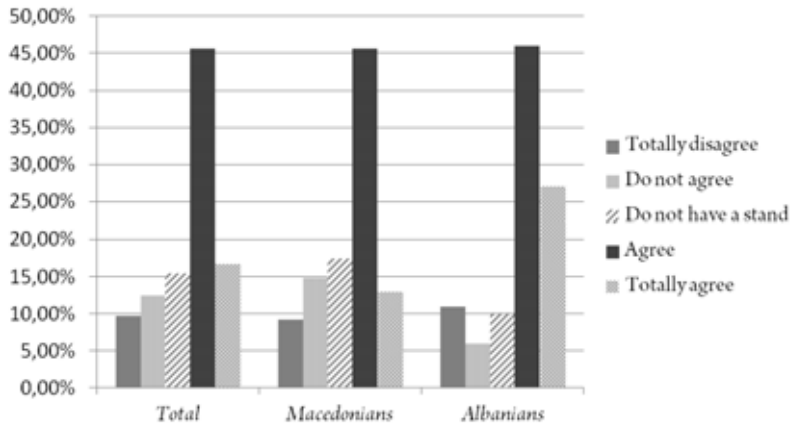
The Republic of Macedonia, as most of the countries in the world, is characterized by an ethnically heterogeneous population, which determines the differences with respect to religious stances, language, and way of life in regards to its own cultural tradition. In my research I decided to account for the stances of the citizens of the Republic of Macedonia i.e. Macedonians and Albanians, in respect to the mutual ethnic distance. The analysis that follows describes the facts and their meaning from my research project.

With respect to the question - **“Would you agree if a member of the other ethnicity (Macedonian/Albanian) is a citizen of your country?”**, 9.7% stated that they totally disagree, 12.4% do not agree, 15.4% do not have a stance 45.6% agree, and 16.8% totally agree with the statement (Graph 1).



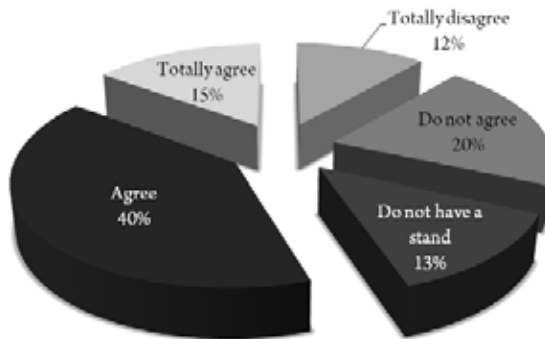
Graph 1: Member the other ethnicity (Macedonian/Albanian) to be a citizen of your country

Regarding the same question viewed from the aspect of ethnicity, showed in Graph 2, it can be noticed that the Albanians agree with the statement in somewhat larger percent (46% that agree and 27% totally agree), whereas the Macedonian percentage is at 45.6% that agree and 6.9% totally agree. Also, the percentage of Macedonians that do not agree is at 14.8%, whereas the Albanian population percentage is at 6%. In addition, the percentage of Macedonians that totally disagree is at 9.2% when compared to the Albanians at 11%. It is important to emphasize that in this case the ethnicity also corresponds with the religious choice, since the Macedonians declare themselves to be Orthodox Christian whereas the Albanians declare themselves as Muslims. Hence, the analysis regarding ethnicity also corresponds with the religion and therefore the religious aspect will not be a subject of this research.



Graph 2 : Macedonian and Albanian responses regarding the willingness to see a member of the other ethnicity as a citizen of the country

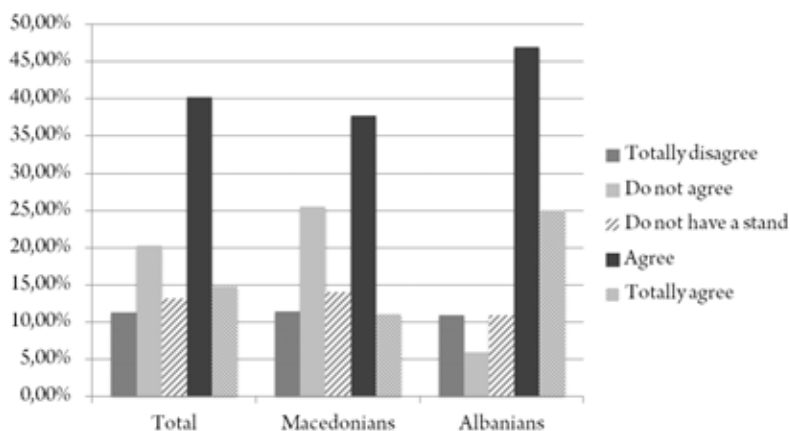
In regards to the following question-“**Would you agree if a member of the other ethnicity (Macedonian/Albanian) lives in your neighborhood?**”, 11% totally disagreed, 20% did not agree, 13% had no stance, 40% agreed and 15% totally agreed (Graph 3).



Graph 3 : Member of the other ethnicity (Macedonian/Albanian) lives in your neighborhood?

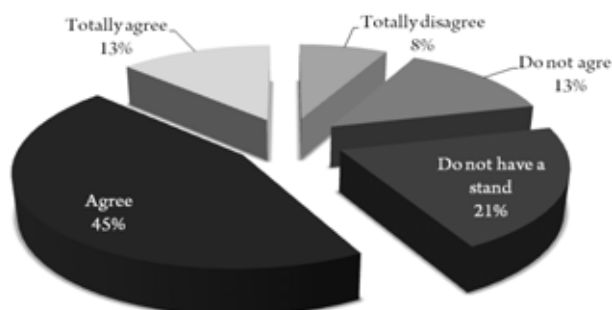


When this question is analyzed from an aspect of nationality, it becomes evident that the Albanian population tends to answer positively in a larger percent. Namely, 47% agreed versus 37% of the Macedonians. Similarly, the percentage of Macedonians that do not agree with it is at 25.5% whereas the Albanian one is at 6%. Likewise, the percentage of Macedonians that totally agree is at 11% when compared to the Albanian counterpart, at 25% (Graph 4).



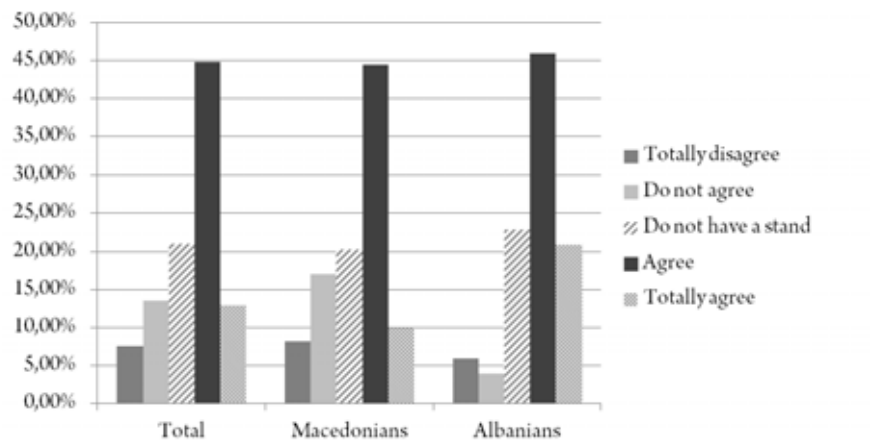
Graph 4 : Macedonian and Albanian responses regarding the readiness to live with a member of the other ethnicity group in same neighborhood

Regarding the question-“**Do you agree to having a coworker from the other ethnicity (Macedonian/Albanian)?**”, 7.6% totally disagreed, 13.5% disagreed, 21% had no stand, 44.9% agreed and 13% totally agreed (Graph 5)



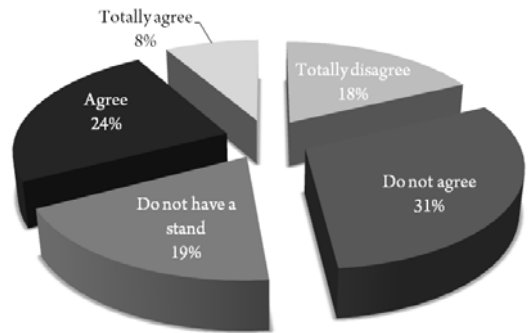
Graph 5 : Having a coworker from the other ethnicity (Macedonian/Albanian)?

The Albanians show a higher degree of readiness to have a Macedonian as a coworker, at 67%, whereas the Macedonian counterpart is at 54%. The Macedonians that did not agree or totally disagreed is at 25%, and the Albanian counterpart is at 10%. However, very similar percentages of people with no stance were reported, with 21% in the Macedonian population, and 23% in the Albanian population (Graph 6).



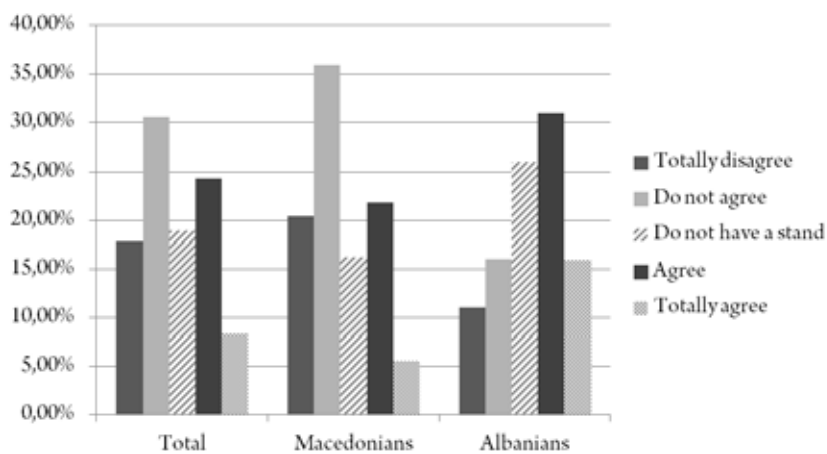
Graph 6 : Macedonian and Albanian responses regarding the readiness to accept as coworker a member of the other ethnicity

In regards to the question - **“Do you agree if your supervisor at work is a member of a different ethnicity (Macedonian/Albanian),** 17.8% totally disagree, 30.5% do not agree, 18.9% have no stance, 24.3% agree and 8.4% totally agree (Graph 7).



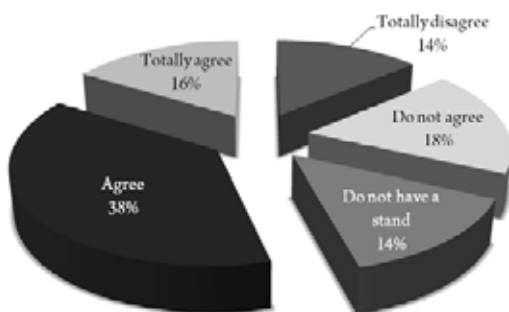
Graph 7 : Member of the other ethnicity (Macedonian/Albanian) as a supervisor at work?

Analysis of this question confirms the previous tendency that the Albanian population show more readiness to accept a Macedonian as their supervisor. The percentage of interviewed Albanians that totally agree and agree with the previous question is at 47%, whereas the Macedonian counterpart is about 26%. On the other hand, the percentage of Albanians that totally disagree or do not agree is at 37%, while the Macedonian percentage for the same is about 56%. (Graph 8)



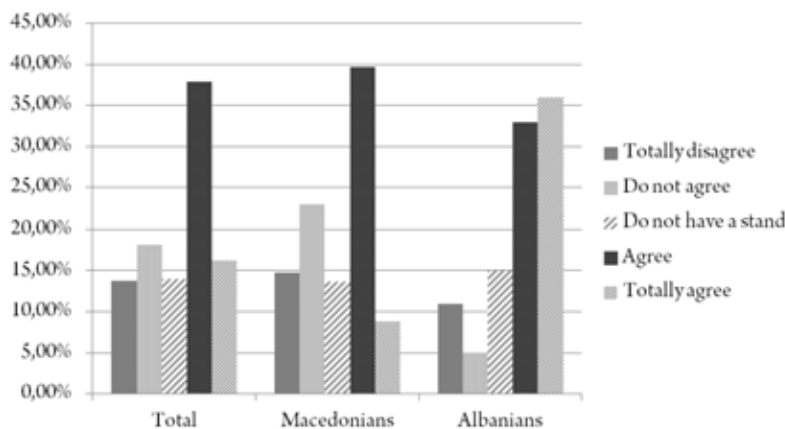
Graph 8 : Macedonian and Albanian responses regarding the readiness to accept as supervisor a member of the other ethnicity

In regards to the question, **“Do you agree to socialize in your free time with a member of other ethnicity (Macedonian/Albanian)?”**, Generally speaking, 14% totally disagree, 18% do not agree, 14% do not have a stance, 38% agree and 16% totally agree with the above statement (Graph 9).



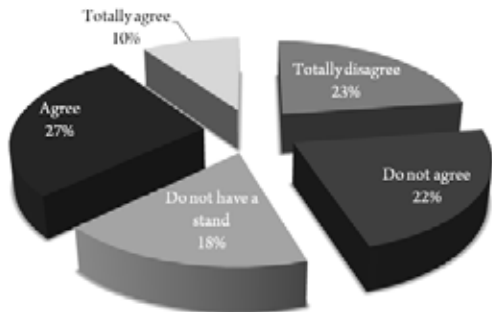
Graph 9 : To socialize in your free time with a member of other ethnicity (Macedonian/Albanian)?

Once again, it is the Albanian population that displays more readiness and acceptance when compared to the Macedonian, with the following percentages: the ones that totally disagree or do not agree are 16% in the Albanian population and 37% in the Macedonian population. Furthermore, the category of those polled that totally agree or agree with the statement is at 48.5% in the Macedonian, and 69% in the Albanian population. An emphasis has to be placed on the fact that in those that totally agree, the percentages are 8.9% and 36% for the Macedonian and Albanian population respectively (Graph 10)



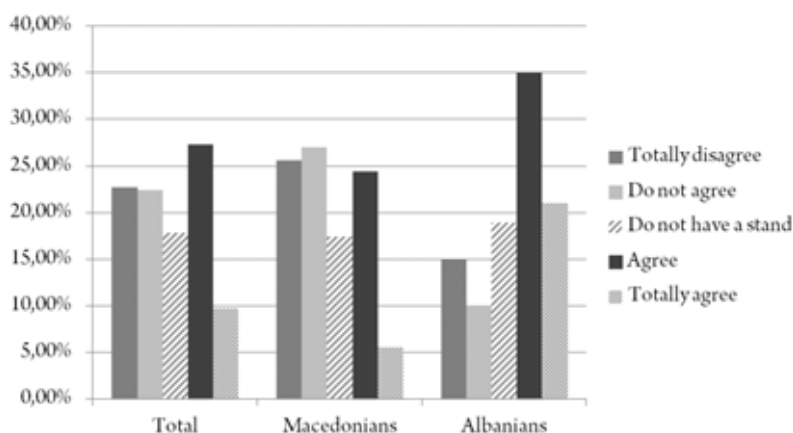
Graph 10 : Macedonian and Albanian responses regarding the willingness to be a friend with a member of the other ethnicity

In regards to the following question-“**Do you agree for a member of the other ethnicity (Macedonian/Albanian) to be a head of a political institution in your country?**” generally speaking, 22.7% totally disagree, 22.4% do not agree, 17.8% have no stand, 27.3% agree and 9.7% totally agree (Graph 11)



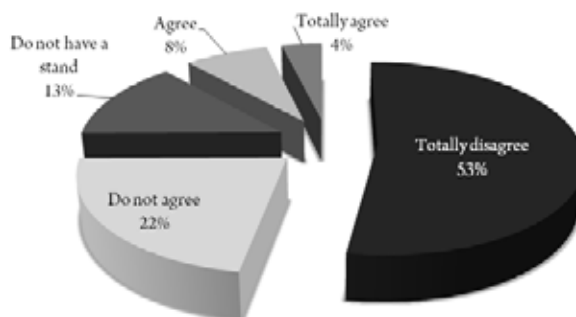
Graph 11 : Member of the other ethnicity (Macedonian/Albanian) to be a head of political institution in your country?

The analysis furthermore concurs with the general tendency that a larger percentage of the Albanian population display more readiness and willingness. The percentage of the Albanian population that totally agrees is 56%, whereas the Macedonian counterpart is at 30%. Likewise, the percentage of Macedonians that totally disagrees or do not agree is 52%, while the Albanian percentage is at 25%. The Macedonian and Albanian population percentages that have no stand are 17.4% and 19%, respectively (Graph 12)



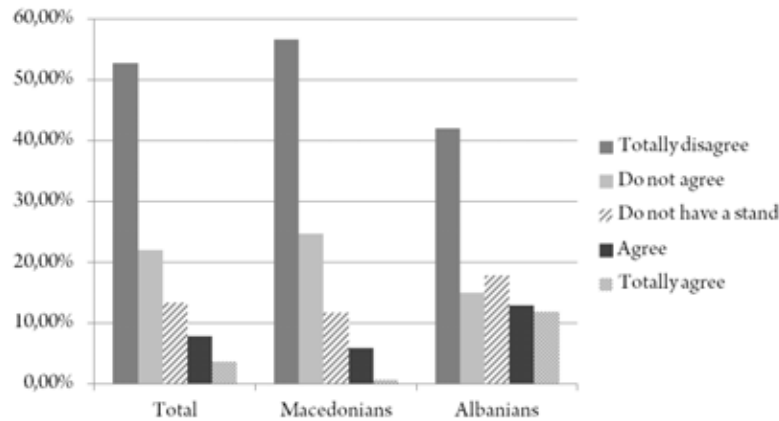
Graph 12 : Macedonian and Albanian responses regarding the willingness to see a member of the other ethnic group as the head of a political institution

In regards to the following question-“**Do you agree with having family ties with a member of the other ethnicity (Macedonian/Albanian)?**”, 52.7% of those polled totally disagree, 22.2% do not agree, 13.5% have no stance, 7.8% agree and 3.8% totally agree (Graph 13).



Graph 13 : Having family ties with a member of the other ethnicity (Macedonian/Albanian)?

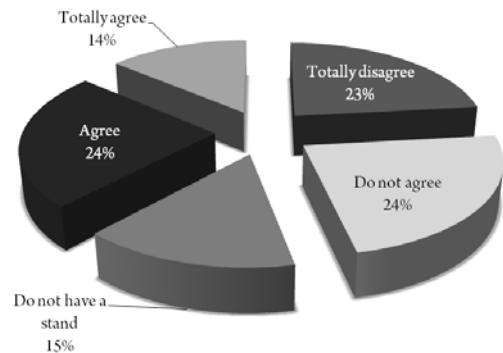
There is a significant difference between the Albanian and Macedonian population in regards to this question. The percentage of Albanians that agree or totally agree is 25%, whereas the Macedonian counterpart is at 6.5%. From those polled, the Macedonian population that does not agree or totally disagrees is significantly higher at 81%, while the Albanian counterpart is at 57%. (Graph 14)



Graph 14 : Macedonian and Albanian responses regarding the readiness to have family ties with a member of the other ethnicity

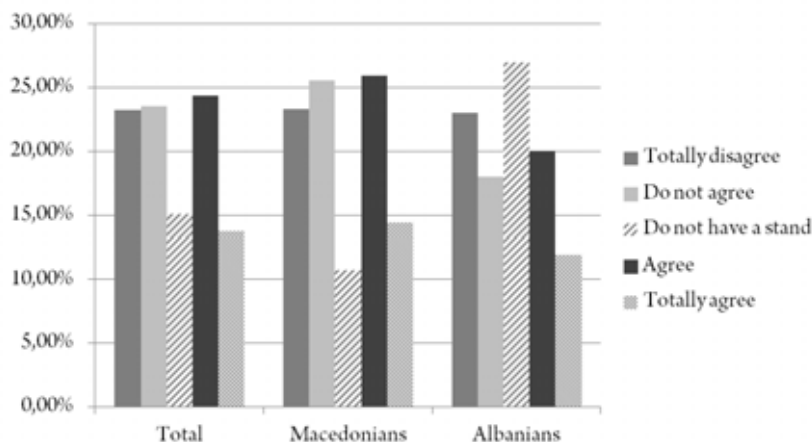
### 3.2 Data on the political institutions in the Republic of Macedonia

In regards to the question-“**Do you think that the government of the Republic of Macedonia successfully performs its function?**”, generally speaking, 23% totally disagree, 24% do not agree, 15% do not have a stance, 24% agree and 14% totally agree with the question (Graph 15)



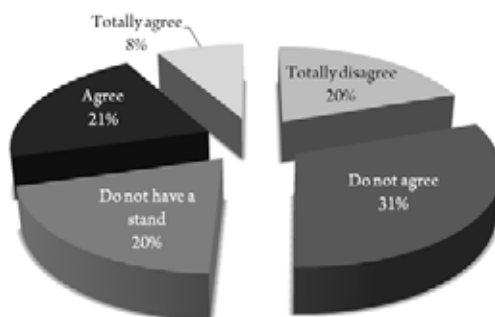
Graph 15 : Do you think that the government of the Republic of Macedonia successfully performs its function?

When the results are reviewed from an ethnic point of view, in terms of the people polled that totally disagree with the statement, it is almost identical between the Albanians and Macedonians, at 23% and 23.3% respectively. The Albanian population percentage that has no stand is at 27%, whereas the same percentage in the Macedonian population is at 10.7%. The percentage of Albanians that totally agree or just agree with the above question is at 32%, while the Macedonian counterpart is at 40.3% (Graph 16).



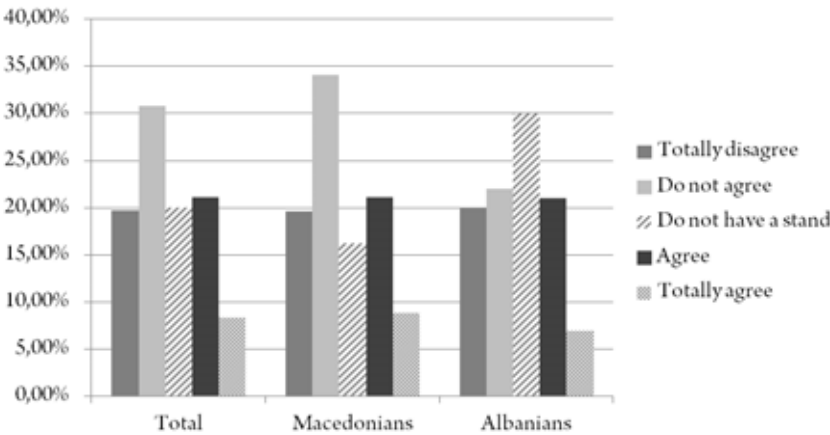
Graph 16 : Macedonian and Albanian responses regarding the Government's performance

In regards to the question-“**Do you agree that the Parliament of the Republic of Macedonia successfully performs its function?**”, 19.7% totally disagree, 30.8% do not agree, 20% do not have a stance, 21.1% agree and 8.4% totally agree (Graph 17).



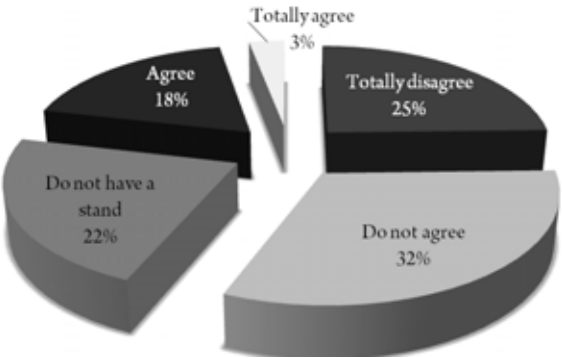
Graph 17 : Do you agree that the Parliament of the Republic of Macedonia successfully performs its function?

Looking from a national point of view, there are small differences between the responses of Albanian and Macedonian population. The percentage of Macedonians that do not agree or totally disagree with the statement is 53%, whereas the same percentage in the Albanian population is at 42%. On the other hand, the percentage of the people polled that agree or totally agree is almost the same, with 30% in the Macedonian population and 28% in the Albanian population. The major difference is in the percentages of those that have no stand on this point, which is 16% in the Macedonian and 30% in the Albanian population (Graph 18)



Graph 18 : Macedonian and Albanian responses regarding Parliament's performance

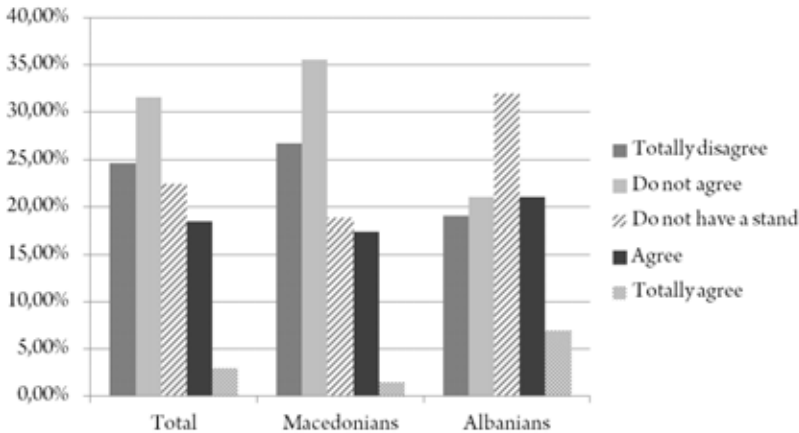
In regards to the question, “**Do you think that the judicial system in the Republic of Macedonia successfully performs its function?**”, 25% totally disagree, 32% do not agree, 22% have no stance, 18% agree and 3% totally agree (Graph 19).



Graph 19 : Do you think that the judicial system in the Republic of Macedonia successfully performs its function?

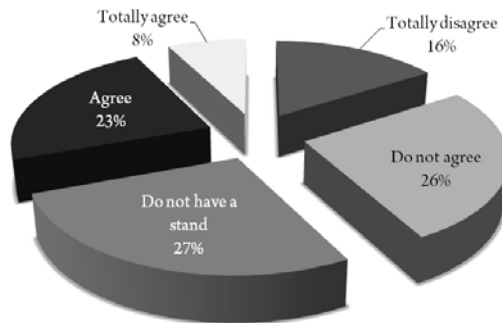


There are certain differences between the Macedonian and Albanian population in terms of the responses. The percentage of the Macedonian population that totally disagrees or does not agree is at 62.3%, whereas the Albanian counterpart stands at 40%. Likewise, it should be noted the relatively high percentage of the Albanians that had no opinion on this question, which stands at 32%. This percentage among the Macedonian population is 18.9%. On the other hand, the percentage of Macedonian population polled that agrees or totally agree is at 18.9%, and the Albanian one is at 28% (Graph 20).



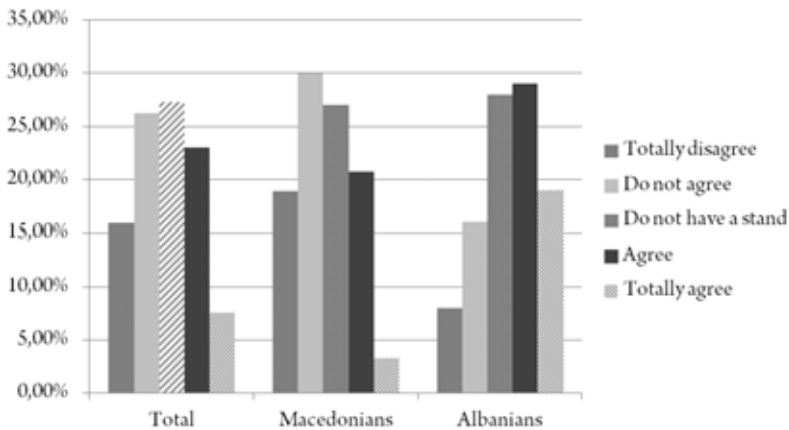
Graph 20 : Macedonian and Albanian responses regarding the Judiciary performance of its functions.

In regards to the question, **“Do you think that the Ohrid Framework Agreement positively influenced the cohabitation among Macedonian and Albanian population?”**, 15.9% totally disagree, 26.2% do not agree, 27.3% have no stance, 23% agree and 7.6% totally agree (Graph 21)



Graph 21 : Do you think that the Ohrid Framework Agreement positively influenced the cohabitation among Macedonian and Albanian population?

Viewed from an ethnic point of view, there is an evident difference in the responses. The percentage of Macedonians that do not agree or totally disagree is 48.9%, whereas the same percentage in the Albanian population is twice as lower than the Macedonian, at 24%. The surprising data is the relatively high percentage (27% and 28%) in both ethnic groups that have no stance on this important question. On the other hand, the percentage of Macedonian respondents that agree or totally agree with this question is 24%, while the Albanian counterpart is at 48% (Graph 22).



Graph 22 : Macedonian and Albanian responses regarding the perceptions of the Ohrid Framework Agreement

### 3.3 General analysis of the respondents' views on ethnic distance

The research on the influence of the ethnic distance upon the integrity of the Macedonian society, according to many relevant factors, represents an important challenge from a theoretical as well as practical point of view. It is an analysis of context that determines the inner core of the dynamic movements in the Republic of Macedonia, from an aspect of its future development, as well as from an aspect of a continuous degree of cohesion of the modern social life in the country.

The results received from the analysis of the stances from the people polled, in general confirmed the basic assumptions of the research, namely the

fact that the Republic of Macedonia is a divided ethnic society and that the ethnic conflicts represent a potential factor for disintegration of the Macedonian society. Twenty years after the change in the political and economic system in the country, i.e. from the time of the introduction of democracy, political pluralism and market economy in the Republic of Macedonia, it is still facing difficulties implementing the concept of civil society. Namely, rather than following the common sense and logic of a civil society, based on inter-ethnic individual and group interactions, the Macedonian society is characterized by interactions that are dominated by an ethnic and confessional code, based upon ethnic loyalty. This results in an absence of communication among its citizens, leading to polarity of the society. The ethnic identification is prior to a national (civic) identification.

On the one hand, this decreases the social cohesion of the society, creating assumptions for its political instability. On the other hand it blocks the activities needed for collaboration in all other aspects, obstructing the building of a mutual cultural and economic matrix. Considering this fact, it is evident that Macedonia finds itself in a very complex situation and it needs to pay a great deal of attention to finding alternatives for improving the ethnic relations of its citizens.

When we view the ethnic distance from the two different aspects, i.e. Macedonian and Albanian, one can notice that it is much more expressed among the Macedonian population when compared to the Albanian. For example, this is very evident in regards to the question 'if you accept having a close family ties/relation with a member from a different ethnicity'. 81% of the Macedonian population polled totally disagree or disagree with the statement, whereas this percentage among the Albanian population is 57%. This result is extremely worrying considering the fact that the ethnic background coincides with the religious beliefs, and that the ethnic distance now also becomes religious distance, i.e. this represents a constant distance between the Christian orthodox and the Muslim population in the Republic of Macedonia. In this context, there is a huge necessity for all institutions to create a better environment so that these differences can be overcome. To begin with the Macedonian population needs to have a better understanding of the Albanian culture.

In terms of other socio-demographic factors, the analysis shows that the gender of the citizens (male versus female) or the marital relationship do not play any significant role in the ethnic distance, with one exception that is worth mentioning. The women represent a somewhat higher percentage amongst population polled that have no stance in terms of certain questions/statements.

With regards to place or residence, countryside versus city, the responses display no significant differences between the citizens and those respective environments. This is surprising to a certain degree considering certain characteristics of the countryside create expectations that citizens of that environment should have a higher degree of ethnic distance. However, it has to be noted the percentage among those polled that had no stance is higher in those living in the country side versus the ones living in the cities.

Regarding the standard of living in context of ethnic diversity and distance, the responses received show a certain influence from the monthly income brackets amongst the people polled in this research project. For example, the people with a lower monthly income, as well as those with no monthly income tend to have a greater ethnic distance, whereas those that have a higher monthly income show a larger degree of tolerance, but still show some degree of ethnic distance. In the context of this analysis, it can be noticed that there is no significant correlation between the percentages of people polled that have no stance, regardless of their monthly income.

The analysis of ethnic distance viewed from the perspective of the degree of education, as expected, plays a certain role in the responses and the citizens' stance. This is more apparent in the first four questions from Bogardus' scale, where those people polled with no or little formal education have a larger percentage of negative responses compared to those with a higher degree of education, and hence have a higher degree of ethnic distance. It is a little surprising that this tendency is not as evident when the other three questions are analyzed, where the ethnic distance is present in every category of people polled. This is especially evident with a high degree of ethnic distance in the last two questions.

The age group, evidently, influences the stances of the people polled regarding their ethnic distance. Namely, the elderly have a greater ethnic distance, where 40% of the population of age 60 and above, declared that they totally disagree or disagree with living with members from a different ethnicity in the country, and the percentage in regards to the question 'whether to have a close family tie/relationship with a member of different ethnicity' in this same age group is even higher at 92%. The percentages of those with negative responses in the younger population, the 18-29 age group, vary in regards to these two questions, with 22.7% and 76% respectively. It can be noted that the ethnic distance is somewhat less in the people polled from the rest of the age groups, namely those in their middle ages.

### 3.4 General analysis of the respondents' views on the political institutions of Republic of Macedonia

The research of ethnic distance was supported by additional questions regarding the functions and performance of the political institutions in Macedonia. This was done with one goal in mind, which is to see the role that they play in securing a successful functioning of the Macedonian society in terms of improvement of the integrity of its own citizens. Namely, even though the Republic of Macedonia in the last twenty years of transition towards the ultimate goal of democracy and better economic and social life had some core changes, it seems that in this moment it is still far away from the expected results. The results indicate only a small segment of this reality, in terms of successful performance of the government, parliament and the judicial system in Macedonia.

In regards to the function of the government in the Republic of Macedonia, only slightly more than one third of those polled actually are pleased with the performance of the government, which represents a worrying factor, especially taking into consideration that its role in this specific period is the functionality and development of the Macedonian society. This refers first and foremost to the solutions of the problems with Euro-Atlantic integration processes, ethnic conflicts, economic situations, the unemployment rate and the standard of living of its citizens. It should be emphasized that in regards to these issues, the Albanian population is far more unsatisfied, which indicates their level of integrity in the system.

From an age group point of view there are no significant differences in the population polled that disagree or totally disagree with the success rate of functioning of the government. Likewise, there are no significant differences in regards to the sex of the citizens, marital situation and place of residence. However, from a degree of education point of view, this question reveals some differences in the stands of those polled. Those with a higher degree of education are less satisfied with the way the government performs its function, whereas those with little or no formal education are a little more satisfied. In terms of the living standards, as expected, the least satisfied population is that of the unemployed.

In terms of the Parliament's performance, the dissatisfaction with its functioning is mostly expressed by the low percentage of citizens that agree with the statement that it functions well, which stands at 29%. Opposite from the results from the previous question, the percentage of those polled that do not agree with this is larger in the Macedonian population when compared to the Albanian population.

The analysis of the responses from an age group point of view, as well as the place or residence, and marital status does not seem to have any significant impact on the stands of the people polled. In contrast, the degree of education seems to be a factor that influences the opinion regarding the success of the Parliament's functioning. For example, the percentage of those that agree is the lowest in the group with little or no formal education, and increases in those with higher degrees of education. This can be attributed to the fact that the population with no formal or little education is not very familiar with the functions of the Parliament. The responses to this question from a monthly income point of view do not reveal any mutual relationship or conditional correlations.

The opinion of the people polled regarding the successful functioning of the judicial system in Macedonia reveals a high degree of dissatisfaction among all citizens of the Republic of Macedonia. This percentage is higher in the Macedonian population, when compared to the Albanian population, which once again confirms the insufficient integrity of the Albanians. On the other hand, this can also be a byproduct of their lack of information, and more or less a certain degree of lack of interest for the functioning of the institutions of the system. It should be noted that a large percentage of the Albanian population that was polled (32%) had no stance in regards to this question. Furthermore, there is a certain influence of the monthly income bracket when it comes to the same questions, revealing the greatest disappointment in the performance of the judicial system in Macedonian in the citizens with monthly income of up to 5000MKD. In terms of the rest socio-demographic factors, (sex, place of residence and degree of education), there are no significant differences in the responses of the population polled.

The analysis of the results to the questions of the population polled regarding the Ohrid Framework Agreement, which asked if it had a positive influence in the cohabitation among Macedonians and Albanians, completes the picture of this social coexistence in the Republic of Macedonia. Namely, with this question we receive a clearer picture of the degree of integrity of the Macedonian society, in other words, we can observe the ethnic diversity and distance from a different angle.

Today, there are different understandings in terms of the agreement, and hence different understandings of the conflict itself. The Macedonians characterize the conflict as a forceful aggression, and this in itself leads to an understanding that this is a forced solution. On the other hand, the Albanian population accepts this as a fight for human rights, which the agreement seems to realize most of those rights. Within this context, Florian Bieber states: “The commitment and identification with Ohrid Agreement and the subsequent changes to the state is also asymmetric and many Macedonians consider the agreement as a ‘loss’ which was ‘won’ by Albanians” (Florian Bieber: 2008)<sup>4</sup>. It should be also emphasized that there are radical Albanian movements that are not satisfied with the rights received by the agreement. In addition, there is a group of the Albanian population which thinks that the points of the agreement are very slow to be realized. However, it still seems that the Macedonians have a greater degree of resistance towards this document, because they receive this agreement as an unjustified reward to the Albanian population for an aggressive military based act.

Analogous to the above, the different perceptions of both ethnicities in terms of this important document are significant, in that the percentage of the Albanian population polled that agrees is two times the percentage of its Macedonian counterpart. In any case, the results only confirm the long history of misunderstandings between the Macedonians and Albanians that escalated into a military conflict in 2001. It can be concluded that the Ohrid Framework Agreement, as a finalized document that was suppose to solve the conflict, in reality did not perform its duty, and did not deliver the needed results. The goal of decreasing the ethnic distance and ethnic diversities between the Macedonian and Albanian population can only be reached with a tolerant atmosphere and democratic dialogue, so that all aspects of this issue can be analyzed and addressed. Once again, a surprising fact is the significant percentage in both ethnic groups (27% and 28%), that had no stance or opinion to this matter.

The rest of the socio-demographic factors i.e. sex, place of residence, degree of education and monthly income, do not seem to have significant influences and hence do not cause significant differences. An exception to this is the age group, which unfortunately in those with negative responses is highest in the population of 18-29 years old. This fact is worrying because it is exactly this generation of young people that have to take on a big role and hence carry the load of the process of building a mutual future for an overall successful development of the Republic of Macedonia.

## 4. Policy Recommendations

The analysis shows that the Macedonian society has a problem with the degree of its own integrity regarding the ethnic basis. My research reveals that there are significant differences among the stances of the Macedonian and Albanian population in terms of personal and institutional questions about their coexistence. Taking this into account, it becomes obvious that my hypothesis is confirmed, that is to say that there is an emphasized ethnic distance among the citizens of the Republic of Macedonia, which negatively influences the cohesion and the development of its social life. In addition, the current political and economic situation of the country also adds to this existing issue. Namely the partition of the society and the bad economic performances of the Macedonian economy influence the citizens' sense of confidence.

Analogous to this, ethnic belonging becomes an even larger protective factor for the ethnicities' own self-identification. The fundamental human social-psychological needs: the need for its own identity, the need of security and cohesiveness, largely are realized within the frames of the ethnic group of his or her belonging, rather than to the one of the global social ambience in the country. As such, the lack of trust, fear, and disrespect are becoming intensified, which results in a low degree of tolerance and empathy towards the opposite ethnicity. This is followed by the creation of negative feelings towards members of the opposite ethnic groups. This cycle only confirms the already present negative stereotypes, which inevitably lead to new segregations, confrontations and conflicts.

Concurrently, enclosure within the frames of ones own ethnicity leads towards personal stances that more and more frequently substitute the generally accepted stances (more often than not propelled by the political leaders) of the current ethnicity. This is clearly seen from the fact that the Republic of Macedonia, even after twenty years, is still dominated by holistic, traditional values. In addition, within the frame of this holistic understanding, in large part there is still a strong emphasis that there is equality, security, collective belonging (opposite to the differentials created by individual interests), and analogous to this, anti-individualism.

Parallel to this, the tradition, as a collection of values, ideas, norms and customs that are contained in the "historical memory" of the Macedonian and Albanian ethnicity, still represents a powerful tool for the instrumentation of



patriotism as well as a capability for the manipulation of the citizens in order to glorify its own ethnic marks, while concurrently negating the ones from the opposite ethnicity. In this manner, the rational interest and individual freedom of the citizens becomes secondary. One of the reasons for this condition of the Macedonian society is the fact that a large portion of the citizens are yet to anticipate the basic liberal values such as equality, independence, private ownership, individuality and agreements (agreement versus dictatorship, rationality versus irrationality).

Therefore, it is a necessity to affirm the thesis that the citizens should aim to create the values of personal freedom (especially the freedom of choice and tolerance, rather than dictatorship and absolute systems), because freedom is a cornerstone for creating criteria that values all social and political institutions. Moreover, in a liberal democracy according to John McGarry and Brendan O'Leary "... all individuals are accorded equal civil and political rights and judged by merit. They compete and are free to mix, integrate, assimilate, or alternatively form separate communities as long as they do not discriminate against others." (Hutchinson & Smith: 1996)<sup>5</sup>

The adoption of liberal and democratic values becomes an absolute necessity for overcoming the current conditions. This would be better enabled by a more efficient functioning of the market economy as well as the development of democratic social institutions. It should be noted however, that the liberal orientation should be based upon democratic performances of the partitioned political culture, which incorporates in itself that understanding that individual luck has to be created within the frames of the institutionalized relations of the democratic country. This means that there should be a balance in the manner of gaining the freedom between the individual and the collective (in this case, the country). In other words, it is absolutely necessary that the Republic of Macedonia realizes both fundamental factors of a democracy.

Firstly, securing social equality, based upon equal opportunities (first and foremost the right for employment, as an elementary human right for securing its own existence). Secondly, securing individual freedom of choice based upon institutionalizing rules and regulations that would protect the plural interests in all aspects of social life (economic, political, judicial and social), which in turn would also create elementary assumptions for fair play in all forms of ownership. Evidently, in the Macedonian model of social practice there is a lack of the previously mentioned principles and with that alone there is stimulation of negative trends in the overall social life in the country, best viewed from an aspect of ethnic distance that was presented in this research project.

According to the above stated conclusions, if we want to improve the current conditions in terms of ethnic distance and stereotypes, and concurrently improve the integrity of the country, it is necessary to reach the consolidation of the Macedonian social system, and all of its aspects: political, economic, social, judicial, cultural and educational, as soon as possible. This will create the basis for establishing stable social relations based upon generally accepted social values and norms. This will lead to building a mechanism in which the citizens would faster and more efficiently reach their goals, and develop a sense of security, confidence as well as affirmation of the individual, cultural and national values. This in return would lead to better integration in its own country.

This has to be emphasized in the years to come, as the Republic of Macedonia is looking forward to joining the European Union and functioning according to relative indicators and having an autonomous value system, which is a prerequisite for the realization of the wanted institutionalized coexistence of all European citizens. In this context, for the realization of these fundamental priorities, in my opinion, the following is needed:

First, to work in a direction that would increase the political culture of the citizens' representatives of political parties<sup>6</sup>, including their leaders, so that they can awaken the strategic interest of the Republic of Macedonia. As such, the parties and their political leaders have to understand that the interests of the country are a priority, which means that they have to enter a mutual dialogue that would create the basis for defining national values and mutual national strategies that would lead towards economic development. In this sense, Mirjana Maleska concludes: "There is a gap between people and their political representatives, which is mainly filled with conflicting ethnic politics. Political parties are divided along ethnic lines, and their leaders compete for the distribution of the privileges associated with their public functions." (Maleska: 2010)<sup>7</sup>

Secondly, there is a need for new, well thought out cultural politics, supplemented by educated politics, that would enable the building of an axiological matrix (cultural model) based upon the values that would develop the sense of worthiness among the citizens. In the core of this model should be the opportunity for a dialogue among its citizens, parties, and ethnic groups in which the power of the arguments' objectivity and creativity will develop its own personal culture, past and present, and always confirm its credibility.

Thirdly, considering the fact that Macedonian society is a ethnically heterogeneous society with a multicultural structure and different values for its citizens, which creates economic inefficiency and social tensions, it is of a great importance to improve the socio-economic aspect that in turn would create a better opportunity for its citizens to solve and realize the rest of the aspects of their social life.

## 5. Conclusion

In conclusion, the Republic of Macedonia should continue to build its own political life according to consensual democracy, with certain elements of the pluralistic model, so that the united character of the country is kept intact. This means that the Macedonian political system has to be based upon the following: dispersed governing power, decentralization, modesty and preparedness for compromise, proportional representation, consensus and dialogue.

Macedonia is somewhat conditioned to accept the consensus model of democracy with some additions that were mentioned earlier, aware of all its weaknesses and risks: the lingering decisions, the high price of materialistic expenses for its survival, the capability of federalization which inevitably would lead to military conflict. However, if there is a genuine willingness for cohabitation of the Macedonian citizens, and readiness for dialogue and tolerance, it seems that this model can produce good results and thus change the current differences (ethnic/cultural/religious) into constructive elements of the country, rather than the weaknesses of the country. In this context, Larry Diamond and Marc Plattner underline: "Where political institutions that disperse power, protect minorities and reward moderation are planned early enough, democracy and peace can prevail". (Diamond & Plattner: 1994)<sup>8</sup>

Finally, I would like to emphasize that the previously mentioned goals will not only stimulate the sense of life as a unit and decrease the ethnic distance in the Republic of Macedonia, it would also facilitate the process of fulfilling the criteria for entrance into the European Union due to the common ground between the goals and the criteria. It can be stated that the mentioned goals serve as anticipators for the process.

## (Endnotes)

- 1 Constitution of Republic of Macedonia, available at: <http://www.constitution.org/cons/macedoni.txt>
- 2 <http://www.un.org/depts/dhl/unms/theformeryugoslavrepublicofmacedonia.shtml>
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- 4 Florian Bieber, Power Sharing and the Implementation of the Ohrid Framework Agreement, Friedrich Ebert Stiftung – Office Macedonia, Skopje, 2008 p.207
- 5 John Hutchinson and Anthony D. Smith, Ethnicity, Oxford University Press, New York, 1996, p. 332
- 6 Research conducted in 2006 showed that citizens (Macedonians 53% and Albanians 48%) pointed out political parties as the strongest factor of negative influence on the ethnic relations, followed by the mass media and the government. See in detail: Istrazivanje za ocekuvanjata na mladite vo Republika Makedonija, Dane Taleski, Ivan Dajmanovski, Nenad Markovik, Vladimir Bozinovski, Fondacija Fridrih Ebert – Kancelarija Skopje, 2006, p.18
- 7 Mirjana Maleska, Interethnic relations in Macedonia: People Centered Analyses, New Balkan Politics, Issue 12, 2010, p.29
- 8 Larry Diamond and Marc F. Plattner, Nationalism, Ethnic Conflict, and Democracy, The Johns Hopkins Press Ltd., London, 1994, p.29

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Post-conflict legacies and the  
Ohrid Framework Agreement:  
Discursive legitimization of  
political competition between  
Albanian parties in Macedonia

*Dane Taleski*



## **ABSTRACT**

The competition between DUI and DPA, the main Albanian parties in post-conflict Macedonia, has been very intense and even violent. Even though both parties compete for Albanian votes, they have a different understanding of the conflict in 2001 and the Ohrid Framework agreement (OFA). This gives rise to the following question: How do DUI and DPA understand and interpret the conflict in 2001 and the OFA? Mark Ross (1993) claims that the legacies of conflicts have structural and psychocultural influences. The psychocultural influences mean that the conflict leaves narratives, projections and normative dispositions as cognitive imprints. In the post-conflict period various actors prescribe different narratives of the past experience. Paul Chilton (2004) holds that the creation of discourse worlds provides for political discourses that have a legitimizing function. Following Laura Fillardo's (2008) work on the discursive legitimization of the main parties in Northern Ireland, this paper aims to show how DUI and DPA in Macedonia use their dispositions toward the conflict in 2001 and the OFA as their discursive base for legitimization. The role of the party during the conflict is directly related to their disposition toward the OFA, which in fact shapes the competition between them.

## Introduction

There were forty one civil wars between 1940 and 1990 (Walter 1999). After 1990 there were about sixty intrastate conflicts, while in 2009 there were twenty nine on-going intrastate conflicts (UCDP 2010). In cases of intrastate inter-ethnic conflicts, once the conflict is finished and democracy is introduced, ethnic identities become the main bases for political mobilization. This argument stands in different countries across several continents (e.g. Croatia, Bosnia and Herzegovina, Kosovo, Macedonia, Sri Lanka, Nepal, Ghana, Mozambique, Sudan). The introduction of liberal institutions (i.e. political pluralism and contested elections) provides for translation of the conflict and political mobilization following the conflict lines (Kumar 1998). Additionally, some conflict resolution mechanisms change the institutional design of the country to solidify the ethnic divisions (e.g. the Dayton Peace Accord in Bosnia, the Ohrid Framework Agreement in Macedonia).

Some researchers suggest that if liberalization is early after the conflict then the ethnic divisions will enhance making the country conflict prone (Snyder 2000, Mansfield and Snyder 2005). Others point out that in absence of other significant cleavages, ethnic identities become a solid base for political mobilization (Chandra 2004) to the extent that they can 'jump start' the party system in a newly democratizing country (Birbir 2007). What researchers usually overlook is the form and dynamics of political competition within the ethnic groups, and in specific the relationship with the past conflict. With some exceptions that point to elite competition and disunity (Caspersen 2010), it is often assumed that 'ethnic outbidding' is the dominant model for intra-ethnic party competition (Horowitz 1985). From that perspective parties are voter driven and their radical demands are made at expense of the ethnic 'other'. It is also assumed that this causes a spiral of inter-ethnic radicalization that increases the instability of the country. This should especially hold after an intrastate inter-ethnic conflict.

However one finds counterintuitive examples in some post-conflict cases. Namely, ethnic politics becomes the main game in town and the ethnic divisions are strong; yet the intensity of political competition that produces violence and instability is encased within the ethnic groups. As an example, in Macedonia the main political parties representing Albanians formed an electoral coalition for the 1998 parliamentary elections. Then Macedonia had a protracted ethnic conflict in 2001. The conflict was resolved through peaceful negotiations held under the auspices of the President of Macedonia and facilitated by special representatives of the EU and NATO. Political representatives of Macedonians and Albanians signed the Ohrid Framework Agreement (OFA), which ended the hostilities, provided for demilitarization and significantly increased the minority rights in Macedonia. The ethnic gap between Macedonians and Albanians remains wide after the conflict, but inter-ethnic relations improved. On the other hand the political competition between the main Albanian parties radicalized. The competition between Albanian parties has been intense for the parliamentary elections in 2006, 2008 and 2011 and even violent in the 2006 and 2008 elections.

Furthermore, research shows that the memory and understanding of the conflict in 2001 varies across ethnic groups, but also across political parties. The data in table 1 below shows the results of a survey question asked in August 2004. Respondents were asked who do they find mainly responsible for the conflict in 2001? Some of the answer options included the main political parties SDSM and VMRO-DPMNE, that represent mainly Macedonians, and DUI, that represent Albanians.<sup>1</sup> The results were correlated with the ethnic identity of the respondents and with their political party affiliation. The results of the ethnic divisions on the issue of who is mainly responsible for the conflict in 2001 are significant and rather expected. Ethnic Macedonians show negative correlations with the Macedonian parties and positive correlation with the Albanian party. This means that for Macedonians, DUI is mainly responsible for the conflict in 2001. Albanians show positive correlations with the Macedonian parties, meaning that for Albanians these parties are responsible for the conflict in 2001.

Table 1. *Bivariate correlations: Ethnic and party views for the question: Who is mainly responsible for the conflict in 2001?*

	SDSM	VMRO-DPMNE	DUI
Macedonians	-.203**	-.118**	.149**
Albanians	.239**	.093**	-.140**
SDSM	-.115**	.269**	-.084**
VMRO-DPMNE	.118**	-.174**	.143**
DPA	.183*	-0.018	-0.054
DUI	0.053	.102**	-.074**

N = 1110, August 2004, Institute for Democracy "Societas Civilis" (IDSCS)

\*\* significant at 0.01 (2-tailed)

However the variation across the party affiliation is also significant and rather surprising. Party supporters of Macedonian parties show positive correlation with their competitors and negative correlations with their own party. In other words for supporters of SDSM, VMRO-DPMNE is mainly responsible for the conflict in 2001 and vice versa. The findings for supporters of Albanian parties are similar. Supporters of DPA see SDSM as mainly responsible, and supporters of DUI see VMRO-DPMNE as mainly responsible for the conflict in 2001.

This variation among supporters of DUI and DPA, along with the tense and violent competition between them, raises the question the following question: How do these parties understand and interpret the ethnic conflict in 2001 and the OFA? To answer the question I have performed a Critical Discourse Analysis (CDA) of the political rhetoric of DUI and DPA in two crucial time periods in 2010 and 2011. The second period covers the 2011 electoral campaign and shows the parties' interpretations of the OFA. The first period covers controversies and heated discussion between the two parties over the meaning of the conflict in 2001. The empirical results show that the conflict leaves a cognitive imprint that structures the political competition in the post-conflict period. Dispositions and interpretations of the political parties depend on their role in the conflict.

The first part of the paper gives the theoretical framework and builds the expectations. The second part provides explanation about the case selection and method of analysis. The third part is the results of the analysis and discussion. Before I conclude, in the fourth part, I compare the results with findings in Northern Ireland. I do this to extend my findings and corroborate my results. The fifth and last part summarizes the results.

## **I. Theoretical framework and expectations**

Marc Ross (1993) argues that to understand the consequences of conflicts one needs to understand the competitive interests, but also the interpretations of the conflict. In other words, “it is necessary to recognize the importance of interests rooted in social structure as well as psychocultural dispositions in understanding conflict management outcomes” (Ross 1993, 12). In post-conflict countries both the interests and the perceptions of the warring sides matter in politics.

On one side of this argument is the structural conflict theory. It presupposes that interests are shared by individuals and groups in the same structural positions. In that respect issues “such as concerns with security, material resources, or power are easily equated with those of groups” (Ross 1993, 36). However on the other side of the argument is the psychocultural conflict theory. It presupposes that the motives for action are rooted in culturally shaped images and perceptions of the external world. They form the basis of an interpretive framework that strongly influences how individuals and groups understand and respond to each other’s actions. In other words, “shared, deep seated fears of threats to identity” form the basis of psychocultural explanations and they offer “a link between the ways in which groups and individuals perceive social action and the larger cultural setting in which behavior occurs” (Ross 1993, 67).

The argument that I am taking from Ross is that violent conflicts leave cognitive dispositions and interpretations as imprints. In absence of a common understanding about the past conflict, there are competing political narratives on the meaning of the past conflict and the social norms that derive from it. Each political party prescribes a certain narrative depending on the role it had in the previous conflict. Enforcing singularity of norms within an ethnic group maximizes the electoral gains and justifies violence. In that respect the interpretations of the conflict are used to structure the political competition, even within the ethnic groups. The more mutually exclusive the interpretations, the more intense the political competition will be.

This argument coincides with Paul Chilton’s (2004) identification of legitimization as a key function of political discourse. The legitimization “involves, among other things, the promotion of representations, and a pervasive feature of representation is the evident need for political speakers to imbue their utterance with evidence, authority and truth” (Chilton 2004, 23). Chilton argues that this is achieved by the creation of ‘discourse worlds’, specific representation about

the socio-political reality. He defines the 'discourse worlds' as "the reality that is entertained by the speaker, or meta-presented by speaker as being someone else's believed reality. There are various meaning ingredients that go into these discourse realities, but the essential one is the projection of 'who does what, to whom, and where'" (Chilton 2004, 154). Therefore the basic hypothesis is that legitimization is achieved through strategic, ideologically motivated – sometimes unconscious – manipulation of language.

Laura Fillardo (2008), using Chilton's framework of analysis, shows that political parties in Northern Ireland had different perceptions and discursive portrayals of the Good Friday Agreement. The outcome of her analysis is that the extremists moderated their political discourse, while moderate parties were extensively justifying their role in the peace process. Moderate parties were the most important parties during the negotiations, but in the post-conflict period they lost space to radicals. In the moderates' discursive realities the point of departure was the signing of the Agreement and their prominence in that act. In the case of Northern Ireland, Fillardo finds power struggles in and over discourses, in a Foucaultian sense. Discursive realities were constructed to preserve power and importance of parties. Extremists need to moderate discourses as preconditions for access to power, and moderates need to reassert their role in the negotiations to preserve power.

In the case of Macedonia the main expectation is that parties have different interpretations of the conflict and the OFA. Furthermore the interpretation of the conflict and the OFA depend on the role of the actors during the conflict. In that respect, discourses of DUI and DPA will vary depending on their role in the conflict. During the conflict DUI, as a NLA guerrilla, was actively involved in the armed conflict, therefore it would tend to glorify the conflict and the OFA. On the other hand DPA was part of a wide coalition government during the conflict. Therefore DPA will tend to undermine the importance of the conflict and the OFA. The next part explains the case selection and methods that test these propositions.

## **2. Case selection and method of analysis**

The level of analysis in this paper is set on the political rhetoric that DUI and DPA exchange between themselves. The cases are two time periods, one in 2010 and the second in 2011. The first time period denotes a discussion over a public controversy from 26 October to 26 November 2010. In this time period

some 'spy files' surfaced that allegedly showed that the leadership of NLA in 2001 was working for the Serbian secret service and was under the control of Slobodan Milosevic. The files were submitted to the relevant authority that deals with lustration.<sup>2</sup> An Albanian university professor submitted the files on 25 October 2010, claiming that he found them in his backyard. In this paper I am not interested in the details of the files or whether they were original or not. I am interested in the public discussion that they started. This act pushed DUI and DPA to publicize their narratives and understanding of the conflict in 2001. It is a crucial period to understand the narratives and interpretations of these parties almost ten years after the conflict.

The second time period covers the electoral campaign for the parliamentary elections in 2011, from the start of the campaign on 15 May to the end on 3 June 2011. During the campaign DUI and DPA vehemently exchanged political messages. Some of their political rhetoric from this period discloses their views on the Ohrid Framework Agreement (OFA) and their dispositions toward it. The second time period is crucial for understanding the narratives and interpretations of DUI and DPA of the OFA.

The units of analysis were texts from various media (newspapers, TV), but from their web editions. In that respect the lay out of the texts has been fairly similar. Concerning the texts there is a strong caveat to point out. DUI and DPA are political parties that appeal to and represent ethnic Albanians. The majority of their political rhetoric is produced in the Albanian language. However the texts were taken only from Macedonian language media. This means that the original messages were translated into Macedonian or in some cases Albanian politicians from DUI and DPA conveyed their messages in Macedonian. Inevitably there is loss of data due to the translation and the language barrier.

The method used for analysis was Critical Discourse Analysis (CDA). When doing CDA the context of the media is deemed important (Wodak and Krzyzanowski 2008). The context applies to the values that the specific media promotes or stands for combined with the sources of the information. To keep the context constant I have taken most of the text material from the web site of one TV station. I have taken texts from other media when they gave unique or exclusive information that was not featured on the web site of the TV station. Also in the analysis I used mainly the information where the sources were high placed officials of DUI and DPA. In that respect I tried in the analysis to have as many direct messages as possible from both parties rather than news comments or editorials.

To gather the data I used a 'cyclical corpus building' approach (Mautner 2008). This approach is recommended for CDA because it protects the data from overflowing. Cyclical corpus building refers to the practice of gathering data on a specific topic for discursive analysis from identified sources until the information becomes saturated. In that respect time is used as a structuring criterion. Clearly identifying the period of data gathering is essential. Not all information from all sources is gathered in the respective time period. Rather, in the respective time period information is gathered from identified sources until no new information surfaces.

To help me in the analysis I developed two sets of microlegitimizers, a sort of indicator. Microlegitimizers are recommended in CDA to have a rigorous and structured analysis (Fillardo 2008, Wodak and Krzyzanowski 2008). They serve as pillars to base the analysis and give focus. My microlegitimizers were the interpretations of the conflict in 2001 and the OFA and the construction of groups (us versus them) in terms of the competition between DUI and DPA. I chose these microlegitimizers since they seemed to be best suited for the CDA. The main paradigm of CDA is that it reveals the interconnection between language and society (Wodak 2008). It discovers which linguistic forms are used and how they contribute to the discursive legitimization of specific aspects of society. In that respect CDA can be wide, pointing to patterns and commonalities of knowledge and structure; or it can be narrow, using text as a specific and unique realization of discourse. I opted for the narrow approach of CDA and the microlegitimizers seemed well suited for that.

Performing CDA requires three general stages. First is the description, when the linguistic structures that transmit beliefs are identified; second is the interpretation, when the connections between beliefs and events are established, and the third stage is explanation, when the effects of the texts are underpinned to their ideological meaning (Fillardo 2008, Wodak and Krzyzanowski 2008). In performing CDA I follow the politolinguistic approach proposed by Martin Reisigl (2008, 97 – 100) for analyzing political rhetoric. He proposes five steps of the analysis. Nomination or identifying the construction of actors, predication or identifying the attributes and features of the actors, legitimation or identifying the main arguments, perspectivation or identifying the expressional direction and intensification or whether the intention of the rhetoric is to mitigate or be overt. The next section shows the results of my analysis. The tables provide overview of the first two stages of the politolinguistic analysis, while the rest of the analysis is in the discussion.



### 3. Results

The table below shows the discourse that DUI produced in the first time period of the analysis, the discussion over the controversial ‘spy files’. It reveals how DUI interprets the conflict in 2001. It also shows how DUI constructs the in groups (we, the party and we, Albanians) against out group (they, DPA) and structures the political competition. In the view point of DUI the production of the ‘spy files’ was part of the continued campaign of DPA to blame NLA and the war as national treason. They considered that such deligitimizing of the 2001 conflict is a direct attack on the political and social identity of Albanians in Macedonia and abroad. However they also revealed a message that in 2001 DUI was victorious over the ones that were trying to discredit them in 2010. They presented themselves as strong mountains using the names of the highest mountains in Macedonia. However they also used attributes as cautious and responsible to describe their selves. DUI showed strong lineage with NLA, stating that they were successful in all clashes, former and present, thus again claiming victory in 2001. On the other hand they portrayed DPA like little mice trying to poke holes and trying to tear down the high tops, with no success. For DUI, DPA was preventing them from realizing the national ideals of many Albanian generations, but DPA has lost the battle with DUI’s big family.

Table 2. *Analysis of DUI’s discourse on the ‘spy files’*

Nomination	Predication
2001	continued campaign of DPA to blaim NLA and war as a national treason delegitimizing means attacks on the political and social identity of Albanians in Macedonia and in the region victory over ones that in 2010 try to discredit
The party, we	in all clashes, former and present, successful Rocks and mountains, Sara and Korab cautious and responsible Don’t want to confront and divide the people
Albanians, we	happiest in region cause turns out UDBA created UCK and fought for the independence of Kosovo and the equality of Albanians in Macedonia
they	mice trying to poke holes in yards and bring down high top Little mice trying to use holes of little moles Preventing DUI to realize the ideals of the countless generations of our national movement have loss the battle with our big family

The main argument of DUI is that they as NLA won in 2001, and thus strongly improved the rights of Albanians in Macedonia. Hence their main legitimacy derives from their proclaimed success in the 2001 conflict. DUI display this act as grandiose, pinning it to ideals of countless generations. To support their glorification they depict themselves as mountains and high tops. They are protectors and providers of Albanian rights and do not want to divide the people. On the other hand they are overtly claiming that DPA is trying to deligitimize the conflict in 2001. This in the view of DUI is detrimental for all Albanians, and makes their political competitors comparable to mice and other pests. An interesting point to note is the differentiation that DUI makes with their competitors during the conflict and ten years later. In their understanding, they fought and won the battle with DPA during the conflict and afterwards.

On the other hand DPA sees the conflict in 2001 as a scenario of Belgrade. For them there was no reason to start the conflict in 2001. It was a scenario of the Serbian secret service to harm the independence of Kosovo, and DPA aims to investigate the causes of the ethnic conflict. They made a strong point that the history of Albanians does not start from 2001. This translates into their construction of the in group Albanians. They point to other historical events pre-dating the conflict in 2001 as more important for the Albanians in Macedonia. DPA claims that Albanians should seek the truth and remove the 'Serbian spies' from the political scene. DPA presents themselves as a party that does not want political tricks and manipulation, just regular democratic elections. However on the other hand, DPA claimed that NLA/DUI were controlled by the Serbian secret service and Slobodan Milosevic. DPA also accused DUI of wanting to harm the Albanian national interests.

Table 3. *Analysis of DPA's discourse on the 'spy files'*

Nomination	Predication
2001	Scenario of Belgrade, intervention of UDBA to harm the independence of Kosovo no reasons for Albanians to start a war; democratic processes sufficient aim to re-investigate causes of conflict
the party, we	want regular democratic elections no political tricks or manipulation political predictions and expectations
Albanians, we	history from 1941, '45, '56, '68, '81 all the way to independence of Kosovo will remove 'Udba' people from the political scene should look truth in the eyes
they	the people 'up there' in 2001, send by Serbia and Milosevik controlled by the secret service, UDBA collaborators and spies, harm Albanian question

The main argument of DPA is that the legitimacy of Albanian representation pre-dates the conflict in 2001. DPA legitimacy derives from representation in democratic processes. Furthermore their interpretation of the conflict in 2001 was that it was a construction of Slobodan Milosevic and his secret service to harm the Albanian interests. That is why DPA sees DUI, their political competitors, as spies and working against the Albanian national interests.

Generally, one would not expect divisive interpretations of the main Albanian parties in Macedonia over the inter-ethnic conflict in 2001. However the results of the CDA of their political rhetoric shows that they have mutually exclusive understandings of the conflict in 2010. The finding is similar for their interpretation of the OFA. The results of the analysis are shown in table 4 below.

Table 4. *Analysis of DUI and DPA discourses of OFA in the 2011 campaign*

Nomination	Predication
DUI-OFA	The blood of NLA supports it US, NATO and EU support it No NATO, No EU without OFA most important accomplishment of Albanians in Macedonia can't be replaced because some one doesn't like it provides best future for Albanians in Macedonia brought back the dignity of Albanians
DPA- OFA	Is dead, not functional New platforms as replacement and rearrangement of the relationships between Macedonians and Albanians less legitimate than new Platform does not reflect needs of Albanians

The analysis was done on text from media sources from the second time period, the electoral campaign in 2011. During the campaign, among other things, DUI and DPA expressed their dispositions toward OFA. The most important attributes that DUI attaches to OFA are that it has support of EU, NATO, US and the blood of NLA. In the view of DUI, OFA was the most important accomplishment of Albanians in Macedonia, it brought back their dignity and it provides their future. For DPA the most important attributes of the OFA was that it was dead, not functional and did not reflect the needs of Albanians in Macedonia. From the DPA's perspective a replacement of the OFA was needed; a new platform that would rearrange the relations between Macedonians and Albanians.

The main argument of DUI was that the OFA was the corner stone of the Albanian rights in Macedonia. DUI considered the OFA as a direct consequence of the conflict in 2001, making strong directional support with the blood of NLA. On the other hand the main argument of DPA was that the OFA was not functional and that a new agreement was needed. For DPA a new agreement would be more legitimate than the OFA. In that respect, while DUI strongly supported the OFA, DPA was strongly opposed.

The results of the CDA in both time periods show that DUI's interpretation is that the conflict in 2001 provided for the greatest achievement of Albanians in Macedonia, the OFA. For DUI the OFA improved the status of Albanians and provided a frame for the future. DUI interpreted the 'spy files' as worthless pamphlets and hysteria. On the other hand DPA's interpretation is that the conflict in 2001 was inspired by Slobodan Milosevic and executed by collaborators of his secret service that infiltrated the wider Albanian struggles. For DPA the OFA was a dead document that needed replacement with new legitimacy.

Overall the results show that the main expectation was confirmed. The interpretations of DUI and DPA over the conflict in 2001 and the OFA vary significantly. The varying interpretations are strongly connected to the roles that DUI and DPA had during the conflict. DUI was directly involved in the conflict, as the NLA guerrilla group, thus it tends to glorify the conflict and the OFA. On the other hand DPA was in power when the conflict started and it was part of a wide coalition government during the conflict. Therefore DPA tries to undermine the importance of the conflict in 2001 and the OFA. In the next part I will discuss the interpretations and discursive struggles in Northern Ireland over the Good Friday Agreement. I hope to show similarities with the results in Macedonia that will corroborate the findings in my analysis.

## **4. Comparison with Northern Ireland**

The work of John McGarry and Brendan O'Leary provides strong normative and institutional explanations for the conflict in Northern Ireland. Building on the consociational theory of Arend Lijphart, McGarry and O'Leary (2004, 15) distinguish three types of consociations: unanimous consociation, marked by grand coalitions; concurrent consociations, where the executive has plurality support in each significant segment; and weak consociations, in which the executive may have only plurality level support among one or more segments.

They find that the functioning of Northern Ireland between 1998 and 2001 interchanged between concurrent and weak consociation. The implementation, or lack, of the Good Friday Agreement provided the main impetus for it. In that respect, Stefan Wolff (2003) finds that the structural shortcomings of the Agreement were increased by the lack of leadership.

Patricia Lundy and Mark McGovern (2008) point to the importance of political parties in the post-conflict political processes in Northern Ireland. In their view the reconciliation with the past is diverging upon party affiliation. Peter Shirlow (2003) goes a step further and investigates how political actors intervene in the reconstruction of identity and political meaning after the Agreement was signed in Northern Ireland. In his conclusion he points out that “the capacity to reconstruct identity and political meaning is obviated by political actors who mobilise fear in order to strengthen uni-dimensional classifications of political belonging” (Shirlow 2003, 89). Political parties have their own narratives and interpretation of the past conflict and some of them were diverging even though the parties competed within the same ethnic group.

The work of John Tonge (2003, 2006) shows this clearly. Tonge finds that there are strong intra-community splits in Northern Ireland. Some of the political parties within the same ethnic group are against the Agreement, while others strongly support the Agreement. This leads to increased polarization between them. At the same time the social architecture of the Good Friday Agreement reflected the communal divisions. In terms of political party support that meant that there is almost no cross ethnic voting which leads to squeezing out the center. After the conflict was over, Northern Ireland experienced strong inter-ethnic and intra-ethnic political polarization. The work of Gormley-Heenan and Macginty (2008) corroborate this finding. Their research shows that even though political parties in Northern Ireland were modernizing in their strategies they still used ethnic mobilization. In that respect party modernization and ethnic outbidding went together.

The work of Laura Fillardo (2008) on the discursive legitimization of political parties in Northern Ireland most strikingly resonates with similar processes in Macedonia. Fillardo finds that the Good Friday Agreement was seen and portrayed differently by the main political parties. She finds that parties over the years were constantly involved in power struggles in and over discourses. Political parties constructed realities in order to preserve their importance and power. The extremists had to moderate in order to gain access to power, while the moderates had to reassert their role during the peace talks just to preserve their importance. This example shows that political parties tend to develop divergent

and competing interpretations of the past conflict. The interpretations of the parties were dependent on their role during the conflict.

## 5. Conclusion

There are expectations that communal divisions are wide and deep after an inter-ethnic conflict, that political mobilization follows these lines of division and that this situation can be hazardous for democracy and peace building. However in the case of Macedonia the inter-ethnic relations after the conflict did not deteriorate, even though the ethnic division remained wide. At the same time the political competition between the main Albanian parties, DUI and DPA, became more radical and violent. Research data shows that supporters of these parties have varying interpretations of the conflict in 2001 and the OFA, the agreement that ended the conflict and improved minority rights. This paper addresses the question of how DUI and DPA understand and interpret the conflict in 2001 and OFA?

To answer the question I perform a Critical Discourse Analysis of the political rhetoric of DUI and DPA in two time periods that reveal their dispositions toward the conflict in 2001 and the OFA. What I found is that DUI and DPA have varying, and mutually exclusive, discourses on the conflict in 2001 and the OFA. These discourses are created by the parties to serve as their basis for legitimization. The discourses of the parties are directly related to their role during the conflict. DUI, as NLA guerrilla, was directly involved in the conflict. It tends to glorify the conflict in 2001 and the OFA. DPA was part of a wide coalition government during the conflict. It tends to undermine the importance of the conflict for Albanians in Macedonia and seek replacement for the OFA.

The findings in Macedonia are comparable to findings in Northern Ireland. In Northern Ireland, too, parties have varying interpretation of the Good Friday Agreement. Parties in Northern Ireland create different interpretations, often relying on their role during the conflict or its ending, as a discursive base for legitimization. In that respect the legacies of the conflict play an important role for structuring the political competition in the post-conflict period. On one side it is clear that the ethnic divisions increase after an inter-ethnic conflict. Both in Macedonia and in Northern Ireland cross ethnic voting is very low. Parties tend to mobilize support within one ethnic group. However in the case of Macedonia the understanding of the conflict in 2001 and the OFA was used by the main Albanian parties for intra-group polarization. DUI and DPA created diverging discourses of the conflict and the OFA in order to structure the competition between them.

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## (Endnotes)

- 1 Social Democratic Union of Macedonia (SDSM) and the Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE) are the main parties competing for the votes of ethnic Macedonians. The Democratic Union for Integration (DUI) is a political party that derives from the National Liberation Army (NLA). NLA was the Albanian guerrilla group that was fighting with the Macedonian security forces in 2001. After the conflict NLA transformed into DUI.
- 2 Macedonia started a process of lustration to unmask persons that were secret police informants in the previous regime and to limit their participation in public office. This act of dealing with the Yugoslav past is in the competence of a State Commission for Verification of Facts, popularly known as the Commission for Lustration.

# One Decade Living on the Margins: unfinished task of the peace-building process in Macedonia

*Oliver Stanoeski*

## **ABSTRACT**

One of the most crucial segments regarding the success of the peace-building process in a post-conflict society is the level of implementation of the process of Disarmament, Demobilization and Reintegration (DDR) of the former combatants. “One Decade Living on the Margins” is a paper that will emphasize the achievements of this peace-building tool in the Macedonian case. The signing of the Ohrid Framework Agreement was a starting point for establishing the multidimensional playground for peace-building in the country. The major dilemma that need to be elaborated, is the success/failure of this complicated process of DDR, i.e. all three components were conducted with a different dynamic, often tailored towards the external/internal factors. The revival of a post-conflict society in terms of trust-building among the “warring” sides, opened a veritable “Pandora’s box” - the number of illegal Small Arms and Light Weapons (SALW), emergence of unidentified armed groups, and incomplete reintegration of the former combatants from 2001.

## Introduction

August 13, 2001 is not a simple date in modern Macedonian history, this is an official birthday of the signing the Ohrid Framework Agreement (OFA), the “biggest riddle” in the recent history of the nation. The Ohrid Agreement provided constitutional reforms that were carried out in November 2001 under the pressure of the international community. Instead, the opportunity for change that emphasizes the human rights, inter-ethnic relations, sustainable development, and the OFA have deepened the differences among the ethnic groups, creating another form of “negative peace.” Despite the decade since the OFA signing, Macedonian society continuously faces ethnic tensions (ethno-political mobilization), a high rate of criminal activities, unemployment, poverty, an unstable political scene, and so on.

“One decade living on the margins” is a paper that will show the real face of the Macedonian society in the last ten years, unfinished tasks that have a serious impact regarding everyday living. The presence and usage of the illegal Small Arms and Light Weapons (SALW), unidentified armed groups, and incomplete reintegration of the former combatants from 2001 are major indicators that overshadow the Security Sector Reforms (SSR) and permanently threaten the society. The focal point in this paper is related to the process of Disarmament, Demobilization and Reintegration of the former combatants (DDR). Right after the OFA signing, the “Macedonian story” of peace-building began. The crucial dilemmas following this peace process i.e. DDR process are what is the rate of its implementation,... did we undertake a real DDR process... Are we dealing with an apparent post-conflict enigma?

## What is DDR

The objective of the DDR process is to contribute to security and stability in post-conflict environments so that recovery and development can begin. The DDR of ex-combatants is a complex process, with political, military, security, humanitarian and socio-economic dimensions. It aims to deal with the post-conflict security problem that arises when ex-combatants are left without livelihoods or support networks, other than their former comrades, during the vital transition period from conflict to peace and development. Through a process of removing weapons from the hands of combatants, taking the combatants out of military structures and helping them to integrate socially and economically into society, DDR seeks to support ex-combatants so that they can become active participants in the peace process. In this regard, DDR lays the groundwork for safeguarding and sustaining the communities in which these individuals can live as law-abiding citizens, while building national capacity for long-term peace, security and development. It is important to note that DDR alone cannot resolve conflict or prevent violence; it can, however, help establish a secure environment so that other elements of a recovery and peace-building strategy can proceed.<sup>1</sup>

### DISARMAMENT

Disarmament is the collection, documentation, control and disposal of small arms, ammunition, explosives and light and heavy weapons of combatants and often also of the civilian population. Disarmament also includes the development of responsible arms management programmes.

### DEMOBILIZATION

Demobilization is the formal and controlled discharge of active combatants from armed forces or other armed groups. The first stage of demobilization may extend from the processing of individual combatants in temporary centres to the massing of troops in camps designated for this purpose (cantonment sites, encampments, assembly areas or barracks). The second stage of demobilization encompasses the support package provided to the demobilized, which is called reinsertion.

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1 United Nations (2006), Integrated Disarmament, Demobilization and Reintegration Standard (IDDRS), New York, p.1-2.

## REINSERTION

Reinsertion is the assistance offered to ex-combatants during demobilization but prior to the longer-term process of reintegration. Reinsertion is a form of transitional assistance to help cover the basic needs of ex-combatants and their families and can include transitional safety allowances, food, clothes, shelter, medical services, short-term education, training, employment and tools. While reintegration is a long-term, continuous social and economic process of development, reinsertion is a short-term material and/or financial assistance to meet immediate needs, and can last up to one year.

## REINTEGRATION

Reintegration is the process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process with an open time-frame, primarily taking place in communities at the local level. It is part of the general development of a country and a national responsibility, and often necessitates long-term external assistance.<sup>2</sup>

## **The illegal Small Arms and Light Weapons (SALW) in Macedonia and the attempt to disarm the population**

### **The illegal Small Arms and Light Weapons ( SALW) in Macedonia**

In order to gain a complete perspective regarding the illegal SALW in Macedonia we need to make a retrospective search that will point out the major factors for the presence of illegal SALW in the country. The Yugoslav breakup and the bloody warfare was the beginning of the circulation of illegal SALW in this region. Large quantities of SALW from the arms depots of the former Yugoslav National Army (YNA) ended up in the hands of the local population and combatants in South Eastern Europe and found their way onto the black market.

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2      *ibid* p.2.



That was the period when the so-called “domino effect” began. Unfortunately one of the last cubes of the domino was Macedonia. The first serious quantities of Illegal SALW in Macedonia were observed after the end of the war in Bosnia and Hercegovina (1995) (Table1). Further this problem gained intensity, the main factor being the crisis in Albania (1997) when the arms depots were looted and many of the Albanian army’s SALW found their way into Macedonia and Kosovo.<sup>3</sup> After the NATO intervention in Kosovo, a large part of SALW began to flow into Southern Serbia and Macedonia. According to the Macedonian MOI, there were 300 000 – 350 000 pieces of various types of SALW originating from the military depots in Albania, mainly of Chinese origin, and around 150 000 pieces of new weapons in the region procured from Western European and Asian sources.<sup>4</sup>

Table 1: SALW and ammunition confiscated by Macedonian authorities, 1991–2001.

Year	Peices of SALW	Pieces of Ammunition
1991	48	/
1992	220	38000
1993	152	8532
1994	59	4000
1995	76	15269
1996	1103	26936
1997	1725	70442
1998	1274	100253
1999	2610	127113
2000	1514	158738
2001	3278	/

Source: Macedonian MOI

- 3 Nevertheless it is true that the looting of approximately 650 000 SALW from arms stores in Albania during three months of political turmoil in 1997 acted as a major source of SALW proliferation across South Eastern Europe, including Macedonia. In 1997, a Kalashnikov cost as little as \$15 on the streets of Albania. Many of these weapons found their way into Kosovo and played a role in the KLA uprising. Due to the mountainous terrain along the border it was sometimes easier to bring guns into Kosovo via Macedonia rather than directly from Albania. Weapons caches were established in Macedonia along the Kosovo border to keep them out of reach of the Yugoslav security forces.
- 4 Matveeva,A.,Hiscock,D.,Peas,W-C.,and Risser,H. (2003), “Macedonia: Guns, policing and ethnic division”, Safeworld and BICC, p.32.

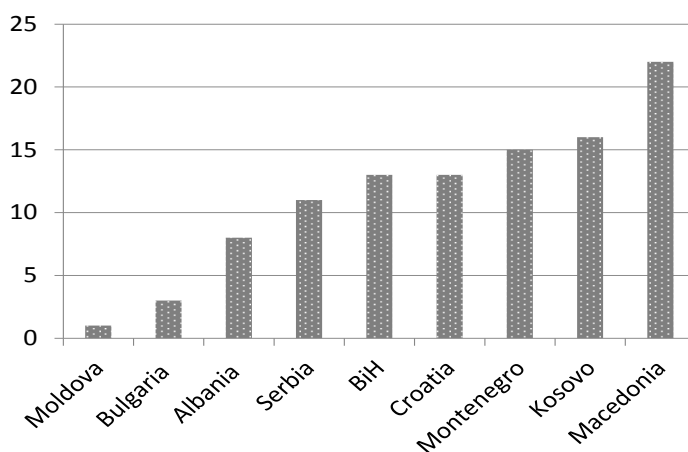
Table 2: *Illegal SALW in Macedonia*

Levels of confidence	Guns per owner	Lower Treshold	Upper Treshold
<b>HIGH</b>	1	<b>100 000</b>	160 000
<b>MEDIUM</b>	1.5	220 000	300 000
<b>LOW</b>	2	340 000	<b>450 000</b>

Source: SALW Survey: *A Fragile Peace* (UNDP 2004)

According to various estimates today in Macedonia there are between 100 000 and 450 000 pieces of illegal SALW (Table 2).<sup>5</sup> It is also estimated that at least 170 000 people posses illegal SALW.<sup>6</sup>

Figure 1: Illegal SALW per 100 people (2007)



Source: SEESAC estimates

According to the SEESAC estimates (2007), Macedonia is a leading country in the region regarding the possession of illegal SALW (Figure 1).<sup>7</sup>

5 United Nations Developing Programme (UNDP) (2005), "Assessing Demand and Supply of Small Arms and Light Weapons in Macedonia", p.16.

6 United Nations Developing Programme (UNDP) (2004), "A Fragile Peace: Guns and Security in Macedonia", p.19.

7 United Nation Office on Drugs and Crime (UNODC) (2008), "Crime and its Impact on the Balkans", p.82.

Considering my own research regarding the smuggling routes/circulation of the illegal SALW in Macedonia I can state that there are at least eight different routes (Figure 2), some of them more frequent, some not so frequent. This research is part of my MA paper - "The Consequences of Presence and Usage of the Illegal Small Arms and Light Weapons in Relation to Personal and Public Security in Republic of Macedonia".

Figure 2: SALW smuggling routes



These smuggling routes are registered across the borders from Macedonia to Albania, Kosovo, Serbia, and Bulgaria. From Albania there are at least two smuggling routes- the first one located in the Ohrid lake region i.e. near the Border Cross Point (BCP) Kjafasan, and the second one located in the Debar region up in the highlu inaccessible mountain terrain. From Kosovo there are at least two routes. There are two mitigating factors for SALW smuggling from Kosovo: the longtime unresolved status of the Macedonian-Kosovo border line, and the demographic structure in that region where ethnic Albanians live on both sides of the border. The first route is located around the Shara Mountain villages that are near the border, and the second route is located in the north part of the Skopje valley. From

Serbia there are at least two smuggling routes, the first one located in the Lipkovo region, and the second route located in the eastern part of the Kumanovo region. From Bulgaria there are registered at least two smuggling routes located near the BCP. Data evince that the first five to six routes have been intensively used in the last 15 years.<sup>8</sup>

The next tables will present the data on the prices (in euros) of SALW on the Macedonian black market. Table 3 presents the data published by Macedonian MOI (2002), and Table 4 presents the data that is a result of my own research.

Table 3: *Illegal SALW prices*

Type of weapon	Year: 2002
Kalashnikov	100-200
Gun (9mm)	50-400
Hand grenade	10-15

Source: Macedonian MOI

Table 4: *Illegal SALW prices*

Type of weapon	Year:2005	Year:2008
Kalashnikov	200-300	350-450
Gun (9mm)	200-400	300-400
Hand grenade	15-10	15-20

Source: own research

One important point that we need to stress regarding the disclosure of the problems as well as the quantity of illegal SALW in Macedonia, is that the violence in 2001 directly disclosed the illegal SALW in the country. This does not mean that the country before the 2001 was not facing this kind of problem, but that there is a difference in the intensity of the problem. One of the main reasons for this problem is the absence of early warning instruments.

8 The data regards the SALW smuggling routes are obtained from a members of Macedonian MOI.

## The attempt to disarm the population

During the last decade there have been three significant initiatives to disarm the population in Macedonia: two SALW collection activities (“Operation Essential Harvest” and “Weapons Amnesty”) and one SALW awareness activity (SACIM Project).

### “Operation Essential Harvest” (27 August – 26 September 2001)

This mission was undertaken by NATO, on 27 August 2001, two weeks after the OFA signing. The main purpose was to disarm the Albanian rebel groups and to destroy their weapons. Approximately 4500 soldiers from eleven NATO member countries participated in this mission.<sup>9</sup> This mission was conducted in two phases. After the termination of the mission on 26 September 2001, the result was the following: collected 3875 pieces of SALW, 400 000 pieces of ammunition and a certain quantity of explosives.<sup>10</sup>

### “Weapons Amnesty” (1 November – 15 December 2003)

The second SALW collection activity was initiated by the Macedonian government, led by MOI with UNDP support. This action was conducted in three phases with a duration of 45 days, i.e. from 1 November till 15 December 2003. This action actually is a result of the previous adoption of the Law on Voluntarily Surrender of Weapons, Ammunition and Explosive Materials and Legalization of the Weapons (June 2003). The action was very well organized and included having lottery tickets handed at 123 SALW collection points all around the country. The final result from this initiative was: collected 7571 pieces of SALW, 100 000 pieces of ammunition and 165 kg of explosives. Some 5204 requests were submitted to legalize the illegal weapons, and approximately 3000 of them were approved.<sup>11</sup>

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9 Britain led contributions with 1400 armed forces. Next was Italy, with 800; France, with 550; Germany, with 400; Greece, with 400; Canada and the Netherlands, each with 200; Spain and Turkey, each with 150; the Czech Republic, with 125; Belgium, with 100; Hungary, with 50; Norway, with 12; Poland, with 6; and Denmark, with 1.

10 Kim, J. (2001), “Macedonia: Country Background and Recent Conflict”, CRS, p.12.

11 United Nations Developing Programme (UNDP) (2004), “A Fragile Peace: Guns and Security in Macedonia”, p.28.

## **SALW awareness activity**

Despite the few insignificant awareness-raising activities undertaken by NGOs, the priority of this kind of activity was given to UNDP led Small Arms Control in Macedonia (SACIM) Project. This project was conducted in two phases SACIM I and SACIM II. The SACIM I Project officially began on the 19 May 2003 and ended on 31 March 2004. One of the goals of the project was to increase social awareness and public education of the risks of SALW proliferation, and the main activity regarding this goal was the awareness campaign conducted for the 2003 amnesty. The SACIM II Project started in April 2004 and has focused primarily on Safer Community Development, but has also involved awareness activities. These have included the distribution of a newsletter circulated with newspapers, a six-month media campaign on national and local TV and radio to increase the awareness of the risks of weapons proliferation and a newsletter distributed to encourage safer behaviour during the New Year's Eve celebrations.<sup>12</sup>

## **Unidentified armed groups after the OFA signing**

A short period after the OFA signing the Macedonian government claimed that it demobilized the police and the army reservists, while the NLA leaders claimed disbandment of its combatants. This was an official announcement regarding the demobilization in the country, but the dilemma still exists... was it a real demobilization, ...or just a regular protocol implemented under the pressure of the international community. In the last decade the Macedonian society was faced on a number of occasions with unidentified armed groups. These groups have had different goals, threatening the security in the region, undermining the ethnic relations and the economic development. The emergence of this kind of armed groups is a result of an inadequate post-conflict peace-building process in the country, namely, the "rapid and confusing" process of the OFA signing without establishing a plan for concise and decisive peace-building. Unfinished disarmament, an unstable political situation, ethnic tensions, a high rate of unemployment, unintegrated ex-combatants, and many more factors had an impact and contributed to the presence of unidentified armed groups in the country. The most obvious cases like Kondovo, Brodec, Blace, Tanushevci etc. (Box 1), confirmed the unfinished tasks of post-conflict peace-building. It is irritating that

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12 South Eastern Europe Small Arms and Light Weapons Monitor (2005), p.101-102.

officials compare these groups with criminals and claim that they are not a threat to the multiethnic society. The fact is that very few criminals around the world use SALW used by these criminals (anti-tank missile launchers, anti-aircraft missiles, rocket launchers, mortars, etc.). One decade after the 2001 violence, people in Macedonia still live in fear of the re-emergence of some unidentified armed group that will threaten their future.

### Box: I

#### Kondovo (December 2004)

*The village of Kondovo (Skopje) at the end of 2004 was used as a stronghold for a couple of hundred unidentified armed people that were a potential threat for the security and stability of the capital. According to available information, this armed group consisted of Albanians from Macedonia and Kosovo. The main reason for occupying the village was the discontentment on the part of the Albanians from Macedonia regarding the amnesty and post-conflict reintegration. Most of these armed people were former members of the Albanian rebel groups in the region that have a serious criminal background. It's important to note that they were fully equipped for warfare (light and heavy arms). This armed group was threatening to attack the vital strategic targets (the main sources of Skopje water supply that are positioned in that area) if the officials did not fulfill their demands. Considering the severity of the situation the main Albanian politicians as well as the international representatives in Macedonia got involved in resolving the issue. After three weeks of negotiations the so-called Kondovo crisis was solved under very suspicious circumstances.*

#### Brodec (November 2007)

*The village of Brodec (Tetovo) at the end of 2007 was used as the stronghold of an unidentified armed group that was operating in that area (Shipkovica, Veshala). This group consisted of Albanians from Macedonia, Kosovo, Serbia and Albania, and most of them were people with a criminal background. The people that live in that area were exposed to constant threats. Moreover, the presence of this armed group was a potential threat for the security in that region. On November 7, a huge operation (so-called Mountain Storm) was undertaken by Macedonian police forces in order to neutralize and sanction this armed group. The result of this police action was the following: 6 people from the armed group were killed and 13 were arrested, and one policeman was injured. It's important to note that the large quantity of SALW and other sophisticated military equipment were seized.*

## **Society challenge - “reintegration of ex-combatants”**

The reintegration of ex-combatants is usually the most complicated part of the DDR process and requires a long time frame, much financing, political will, and efforts. In the Macedonian case something strange happened in that direction, namely, part of the NLA combatants that at the beginning were terrorists/extremists, later human rights fighters, “overnight” become government functionaries. For international supervisors this was a brilliant story/success, and very often you can read that the reintegration process in Macedonia is one of the best in the region. However, the reality is something else. After the OFA signing that provided the amnesty for NLA fighters, followed with the alleged process of disarmament and demobilization, the process of reintegration of ex-combatants occurred. Yet, the reintegration was selectively provided. Only part (leadership) of the NLA was reintegrated, and the other “ordinary” fighters are still waiting to be reintegrated. Many of these people live on social assistance, in poverty, marginalized, seeking asylum in the EU. On the opposite side, the Macedonian security forces that took part in the 2001 conflict face the same situation, namely, part of the police and army reservists that were rapidly mobilized in 2001 are still waiting to be reintegrated. The disbandment of the “Lions” (a police rapid reaction unit used in the 2001 war) was a serious problem for the members who were not transformed in the other security units, and they still struggle for their rights.

## **Conclusion**

The most rational choice regarding the use of social resources in a post-conflict society is investing in the DDR process. The DDR of ex-combatants is a complex process, with political, military, security, humanitarian and socio-economic dimensions. It aims to deal with the post-conflict security problem that arises when ex-combatants are left without livelihoods or support networks, during the transition period from conflict to peace and development. Seemingly the Macedonian case is a “brilliant success story” with respect to implementation of the DDR process. Right after the OFA signing there was a disarmament action (Essential Harvest) that was to be the start of this post-conflict activity. Statements from the warring sides that they disband their fighters followed. The final stage of the process was completed through the transformation from combatants (NLA)



to government members. However, none of these phases was fully implemented. For example regarding the disarmament of former NLA soldiers, NATO leaders themselves said that the action had a symbolic meaning in terms of inter-ethnic trust building. The emergence of unidentified armed groups with extremist backgrounds that threaten the country deny the claims of full disbandment of armed forces from the Albanian rebels. The most significant examples for that are the cases of Kondovo, Brodec, Brest, Blace etc. The reintegration process was completed only for a part of the NLA members (leaders) and partly for the Macedonian forces. Namely, the NLA leaders that formed the political party (DUI) were entirely integrated in the society, and the rest of the NLA fighters are still marginalized people, most of them live in misery and hope for a better tomorrow. On the opposite side the situation is similar, parts of the mobilized forces were transformed into regular security forces and the rest of them still struggle for their rights. Unfortunately a decade after the OFA signing, the real process of reintegration of ex-combatants in Macedonia is still based only on political campaign promises.

In Macedonia there are different perceptions regarding the DDR process, each ethnic community has their own view about the issue, and every DDR phase is a unique question. The Macedonian community considers that the first two phases of DDR should concern only the Albanian community. Macedonians believe that the disarmament and demobilization must be conducted, but disagree on the reintegration process of the NLA fighters. On the other side, the Albanian community totally disagrees with these perceptions, as they consider that the disarmament and demobilization is already done among the Albanian population and that there is no dilemma regarding reintegration of ex-NLA fighters. Thus, the DDR process in Macedonia is only a catchy phrase, a “buzzword”. The direct and indirect consequences of the unfinished DDR process are manifest in everyday life (a high rate of criminal activities, threatening the public and human security, an unstable political scene, a bad image of the country, low rate of outside investments, etc.). All these dubious segments of post-conflict peace-building in Macedonia put the people on the margins between the past and future, and for almost a decade now have been slowing down societal development.

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# What lessons can be drawn from the negotiation process leading to the Ohrid Framework Agreement?

Marko Savković

## **ABSTRACT**

With our mind set on future mediators, from the negotiation process leading to the Ohrid Framework Agreement (OFA) – an example of a complex peace settlement, which included many features of power sharing – we draw five specific “lessons”. The first is centred on the presumption that the leadership of any peace process must be credible and undisputed. Second, power sharing becomes plausible only after key stakeholders themselves become aware of the limitations of elite accommodation as a governing principle. Third, a negotiated settlement is far more likely to be implemented if there is an existing record of previous cooperation between key stakeholders. Fourth, no stakeholder should see a political benefit in prolonging the conflict. And fifth, to prevent discontent and ease implementation of what was agreed, public opinion must be made aware of all aspects of the peace agreement, no matter how difficult they may be.

## Introduction

In the decade leading to the conflict of 2001, analysts and decision makers alike repeatedly singled out Macedonia. They did this because, throughout the 1990s, Macedonia remained a stable political entity, despite being the only country in the region where governance was effectively shared between different ethnic communities. Since this stood in such sharp contrast with events which unfolded in Croatia, Bosnia and Serbia (Kosovo), researchers and decision makers alike adopted the expression “success story” (Vankovska 2006: p. 1) in order to describe this unique feature of the Macedonian political system.

Macedonia was however, experiencing significant difficulties well into the first decade of its independent life. It had a struggling economy, which, despite experiencing a short period of growth in the mid 1990s, was not creating enough jobs.<sup>1</sup> After the launch of the NATO air campaign against the Federal Republic of Yugoslavia, within nine weeks, the country received a total of 344,500 ethnic Albanian refugees, a 15% increase of its total population. With the assistance of the international community, the Macedonian government managed to coordinate and provide immediate assistance (Donev et al 2002, p. 184-5).

For the better part of the decade preceding the conflict, Macedonian citizens of Albanian ethnicity remained underrepresented in state administration (Lebamoff and Ilievski 2007, p 15). Since higher education in the Albanian language was all but nonexistent, Macedonian Albanians’ chances for employment were limited. Although accounting for more than one quarter of the country’s population, Albanians were, by Constitution, only a national minority. Their political representatives therefore demanded to be granted the status of a constituent nation. These bitter complaints, a matter of public knowledge ever since the adoption of the Constitution, were however left unanswered.

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1 As a matter of fact, up to 30% of population in Macedonia would remain unemployed for the better part of this decade as well. Unemployment rates become even higher, when only young people (up to 30 years of age) are taken into consideration. See: Government of the Republic of Macedonia, 2009, “Report on the Progress Towards the Millennium Development Goals”.

In February 1999, the mandate of the UNPREDEP operation, which was deployed in order to monitor developments in the border areas of Kosovo, Serbia and Macedonia, was not renewed.<sup>2</sup> Armed individuals freely traversed the border, using villages in the north of Macedonia as safe havens. This area became a transit point for arms sent to the Kosovo Liberation Army (KLA). In 2000, weapons were bound for Albanian insurgents in the Presevo Valley, some 30 kilometres to the northeast. The KFOR mission, deployed in Kosovo in 1999, lacked any mandate to respond other than informing its counterpart in Macedonia (Naegele 2001, p. 1-2). Since in these border areas Skopje could not muster authority for years, its first attempt to intervene resulted in a violent confrontation, which left three police officers dead. The event in Tanusevci marked the beginning of an armed conflict between Macedonian security forces and the National Liberation Army, an armed group formed in part from men and materiel left from the KLA. Escalating through a series of incidents, by June 2001, the Macedonian crisis came close to an all out civil war.

The compromise was reached in August, after difficult negotiations. For months leading to the signing of the OFA, numerous deals were made behind closed doors, with key stakeholders resorting to violence every time they considered further pressure as necessary. In the meantime, the international community – led by the European Union (EU) – had to devise policy options as well as identify actors which needed to be represented at the negotiations table.

Several factors made peace plausible. For the EU and the United States (US), Macedonia ending up in flames was too much of a risk, especially against the backdrop of successive positive developments in Serbia and Croatia. Second, Macedonia's political system had just enough legitimacy and internal stability left in reserve, so that it could handle the challenge presented by the armed rebellion. To put it simply, for the greater majority of the population, there was no other country in store. This had to coincide however with key stakeholders realising how there is no political benefit in prolonging the armed conflict. Also, since political representatives of ethnic Macedonians and ethnic Albanians had a record of previous cooperation, a negotiated settlement was far more likely to be achieved. And finally, there was one common political goal all sides aspired to: EU and NATO membership. We will further elaborate on these facilitating conditions, using insights and reports provided by researchers, journalists, decision makers and mediators.

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2 Ethnic Macedonian political elites were fighting their name dispute with Greece, when Taiwan approached them with the idea of establishing diplomatic relations on the basis of mutual recognition. In retaliation, China temporarily broke off its relations with Macedonia, and more importantly, decided not to vote in the UN Security Council for extending UNPREDEP mandate. See: Jan Oberg, 2001, "How the UN was forced out of Macedonia".

## **I. Leadership of any peace process must be credible and undisputed.**

Criticized for failing to properly address the break-up of former Yugoslavia, the EU had invested significant effort in steering the Macedonian crisis towards a peaceful resolution. In doing so, it utilized, to the greatest possible extent, its well-known “stick and carrot” approach. Since it was only after the Zagreb summit in November 2000 that the EU actually formulated a viable policy for gradually enlarging to include the Western Balkans, and Macedonia, in effect, became its testing ground.

The first direct attempt by the EU to influence the peace process was its mentorship of the “Common Declaration” of the ethnic Albanian parties, which was agreed upon on March 20, 2001. Signed by prominent political leaders Arben Xhaferi and Imer Imeri, this document condemned the use of force by the NLA and called for all groups to leave arms (Vest daily newspapers, March 21, 2001). It was in line with how the international community perceived the actions of the NLA. At the time, EU High Representative Solana called for “isolation of extremists” while NATO Secretary General George Robertson spoke how their activities should be “neutralized”. Several weeks earlier, Head of the OSCE Mission to Skopje Carlo Ungaro went as far as saying how any “reasonable answer of the armed forces and police, with the aim of regaining control over the situation will be understood and supported” (Balalovska et al 2002, p. 20).

Yet by May 2001, international stakeholders’ understanding of events in Macedonia was changing, as it became evident how no quick “neutralization” was possible. The EU (personified in the High Representative, later his Special Envoy, as well as Ambassadors of the United Kingdom and France), the US (Ambassador and Special Envoy) and NATO (Secretary General) were becoming vocal in their support of a political solution; one which would entail a government formed of four leading political parties. To stress the true reason behind his visit to Skopje, and in reaction to a statement made by Minister of Interior Ljube Boskovski, Solana remarked how he is travelling to Skopje to speak not of “a state of war” but “peace” (Nura 2001, p. 1). In line with this change of policy, the leader of the Party of Democratic Progress (PDP) Imeri agreed to join in making this coalition only after US State Secretary Colin Powell made a direct phone call (ECMI 2001, p. 2).

For the peace process to get on track several events were crucial. First, on May 22, 2001 an agreement was signed between leaders of the DPA, PDP and the



NLA in the presence of Robert Frowick, Personal Representative of the OSCE Chairman-in-Office. Frowick, a seasoned US diplomat had previously received detailed instructions on bringing the NLA into the political dialogue. With the agreement signed, the NLA became a recognized stakeholder of the peace process. Thus, the government's strategy to isolate and destroy terrorists became pointless. From there on, every time DPA and PDP representatives sat at the negotiating table, they would consider the position of the NLA as well. Critical provisions of the "Prizren document" – cultural autonomy, language and education rights – were incorporated in the first draft of the Framework Document, which the international community had presented in July 2001. These provisions will eventually find their way to the OFA. The meeting in Prizren, and the document produced were "trial balloons" of sorts, "released" by the international community in order to assess reactions of the Macedonian political elites.

Second, on June 25, 2001, Solana asked Prime Minister Georgijevski to end offensive operations against remaining Albanian fighters in the village of Aracinovo (Vest daily newspapers, June 25, 2001). Had the total "neutralization" of NLA fighters been allowed, on-going negotiations would most likely be suspended. Soldiers and policemen from Macedonian security forces could only watch their enemies being evacuated by buses to the closest village under control of the NLA. The Macedonian public immediately revolted, but President Trajkovski urged the peace process along, and chaired negotiations. Unlike many of his countrymen, he saw in this "evacuation" the "commencement of a plan to resolve the crisis with the help of NATO and the entire international community" (Vest daily newspapers, June 27, 2001).

When the peace process got stalled due to Macedonian opposition to police reform aspects of the FA, the EU intervened again. In order to keep the momentum of negotiations, Solana brought to Ohrid, on August 5, Ukrainian Minister of Foreign Affairs Anatolij Zlenko. This was a clever move: Ukraine had originally provided the bulk of the weapons used by Macedonian security forces to fight the NLA.<sup>3</sup> Zlenko simply had to say that Ukraine was no longer prepared to assist Macedonian authorities (Popetrevski and Latifi 2004, p. 33).

The final challenge to the peace process was presented by the emergence of the Albanian National Army (ANA), a splinter fraction which claimed responsibility for two raids on convoys transporting Macedonian reserve forces.

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3 The list of equipment provided by Ukraine includes Su-25 ground attack aircraft and Mi-24 attack helicopters.

The first of these attacks had occurred on August 9 on the Skopje-Tetovo road, and second on August 10, near the village of Ljuboten. These two attacks combined resulted in the death of seventeen men (Vest, August 9, 2001). In retaliation for the attack, Macedonian Special Forces troops entered Ljuboten and indiscriminately targeted civilians, killing seven ethnic Albanians. In Prilep, a mob raided an army barracks, shouting how they were going to arm themselves and join the fight against “terrorists” (Vest daily newspapers, August 10, 2001). Just when it seemed that any deal was off, EU and US envoys Francois Leotard and James Purdue intervened, telling Xhaferi and Imeri how they will hold them personally responsible if the peace process fails. On August 13, FA was finally signed.

Arguably, international stakeholders lost several precious months in deciding on how to approach the crisis in Macedonia. Yet, once the armed solution to the problem became improbable, the EU, US and NATO agreed on granting the NLA a seat at the table. They achieved this not by inviting the NLA directly, but by acting through DPA and PDP as intermediaries. When necessary, they “twisted arms” of both sides. Two political figures, Solana and Trajkovski stood out in an effort to present the gravity of the situation to the public.

## **2. Power sharing becomes plausible only after key stakeholders themselves become aware of the limitations of elite accommodation as a governing principle.**

The concept of the state as it was laid out in the 1991 Constitution was incompatible with the multiethnic reality of Macedonia. Taking into account how underrepresented Albanians were, it was not surprising that they could hardly feel any connection to the political entity set by the Constitution. They accounted for less than 10% of government employees. Therefore, when in early April 2001 NLA posted its first announcement to a web site, it was no surprise that it read: “(a) Macedonia would become a country of two nations, instead of one; (b) Albanian language would be recognized as the second official language; (c) any ethnic community would be entitled to use its national symbols freely; (d) discrimination in state administration and economy should be eliminated; (e) discrimination in the political system, decision making, and rewriting inter-communal boundaries will be eliminated, so the will of the people would be respected; (f) all political

prisoners should be made free, and the right of return will be recognized to citizens who have been prosecuted because of their beliefs or had left Macedonia and had been living in exile” (Rusi 2002, p. 21).

NLA demands coincided with those of the DPA and the PDP. Yet, this announcement, which in effect was an open call for negotiations built around the platform of a two-nation’ state was mostly ignored. Ruling VMRO DPMNE was so impressed with the performance of security forces on the Tetovo front in early March 2001 that any negotiations were quickly dubbed out of the question. President Trajkovski was no different in his outlook, proclaiming how “there will be no negotiations with terrorists” (Balalovska et al, p. 22). At this stage of the conflict, he expressed absolute belief in the capacities of forces under his command.

Two months later, with the Prizren document signed, leader of the DPA Xhaferi would outline the position of the Albanian side, shedding light on some important new developments. He said how, in his opinion, the Macedonian public was deceived; “Albanian revolt (according to Macedonian account) included a handful of individuals who came from abroad; in fact, it is a crisis with causes rooted deep in history [ ... ] second, again according to Macedonian account, what was agreed in Prizren presented a declaration of war [ ... ] while we believe it is an initiative for peace that will guarantee three basic principles: integrity, unity of the state and a pro-western course for Macedonia. Finally [ ... ] representatives of the Macedonian side want to discuss issues of corridors and demilitarization, while they know all too well, that it is not upon me to stop the war or bring the peace, since it was not me who started the conflict in the first place. To end this war, they should talk with the ones who started it, which is the NLA” (ECMI 2001, p. 2-3).

Crucial terms of the OFA were those stipulating the formal recognition of the Albanian language and decentralization of government. In this regard, the OFA and the protocols which followed it called for the revision of municipal boundaries under international supervision. Also, in order to address complaints against an ethnically biased police force, it was agreed that local heads of police would be elected by municipal councils, from a list of candidates proposed by the Ministry of Interior. As Macedonian remained the official language of the state used in international relations, Albanian had become the second language recognized as official. This was possible because the OFA insisted on granting official status in one municipality to any language spoken by more than 20% of the population. Although the language in question was never named (as there is one municipality where the Turkish language is also recognized) ethnic Macedonians saw these

provisions as concessions to Albanians, that were brought to existence because of the NLA's armed pressure.

Also, the constitutional amendments of November 2001 stipulated that in a number of areas of legislation – culture, use of language, education, personal IDs, use of symbols, local self-government – consent of a majority of the deputies representing all non-dominant groups is required. This system of a double majority, known as the “Badinter principle” in Macedonia requires a majority of all MPs who have declared themselves’ members of a minority community.

Establishment of a decentralized system of government, equitable representation of different ethnic communities in the army, police and other branches of public service, enhanced linguistic rights and free use of flags and symbols required the adoption of over seventy laws in the course of four years. The fact that the FA was in great part written to address complaints of the Albanian side in terms of access to employment, representation in law enforcement agencies and armed forces, as well as use of language and national symbols only show how Macedonia, in order to become viable as a state, first had to become more “Albanian”.

### **3.A negotiated settlement is far more likely to be implemented if there is an existing record of previous cooperation between key stakeholders.**

Political representatives of Albanians in Macedonia were members of consecutive governments since 1991. This was not because they all somehow shared a presumption that a multi-ethnic government would better serve the interests of Macedonia. It was because Social Democratic Union of Macedonia (SDUM) and VMRO DPMNE were fierce rivals from the onset of political pluralism, and therefore more willing to enter coalitions with ethnic Albanian parties. Once they had their place in government, DPA and PDP leaders found a personal interest in keeping the character of the state unchanged. They saw no need for creating parallel structures of governance, as Albanians in Kosovo had done during the 1990s. What SDUM and VMRO DPMNE leaders were prepared to offer was a better deal: a “free hand” in municipalities ethnic Albanian parties

ran. In turn, DPA and PDP would promise to keep extremists under control. In this way, the coalition between VMRO DPMNE and DPA even managed to sail through such a crisis as the mass arrival of refugees from Kosovo was.

This may have also contributed to the relative ease by which the NLA transformed itself into a (successful) political party. With the cease of hostilities, and NATO operation Essential Harvest was in full swing, Ahmeti remarked how his sole interest was to reintegrate former fighters into Macedonian society (Rusi 2002, p. 31). Only after the failure of his attempt to herd DPA and PDP into a “Coordination Council”, he founded the Democratic Union for Integration (DUI). After the new party won the majority of the Albanian vote in September 2002 elections, SDUM invited Ahmeti to form a new ruling coalition (Dauti and Jovanovski 2002, p. 15). By doing so, Branko Crvenkovski simply followed the pattern of governance inherited from the 1990s.

#### **4. No stakeholder should see a political benefit in prolonging the conflict.**

The Kosovo War stands as a proof that, if actions are determined and limited, violence may pay off to political groups, just as long as it can provoke an armed intervention. This however did not apply to Macedonia in 2001. Fresh in the driver’s seat, the new Administration in Washington was not prepared to continue policies favoured by their predecessors, especially after two complex years of presence in Kosovo. Also, the NLA name sake in Presevo, Medvedja and Bujanovac (PMB) was not nearly as successful in military terms. The regime in Belgrade had changed; the newly instituted government chose a different course of policy action, and handled the crisis in PMB with full consent of the international community (Balalovska et al, p. 13).

Initially, the National Liberation Army (NLA) had called for self-determination (secession). However, their political leader, Ali Ahmeti was soon prepared to accept a role in power-sharing in return for cessation of hostilities. It was a rational political decision. First there was the political and material cost of leading a prolonged conflict. No side was prepared, or had the necessary support to launch an all out war against its opponent. Second, as the number of casualties had started to rise, the Macedonian public became painfully aware of how inadequate its

security forces were. Far superior in set battle, they were still incapable of defeating the insurgency. A citizens' opposition to conflict had therefore lead political and military leaders to revert once again to some sort of inter-ethnic settlement.

## **5.To prevent discontent and ease implementation of what was agreed, public opinion must be made aware of all aspects of the peace agreement, no matter how difficult they may be.**

The OFA was arranged by elites, as they have reached limits of mutual accommodation. It was inspired by the international community, which either provided incentives or exerted pressure on elites' weak points, weakest of which was Macedonia's Euro Atlantic aspiration. The citizens of Macedonia had only partial information of what the OFA stipulated. Their most immediate concern was personal security, which was greatly endangered by June 2001. On the other hand, the OFA addressed the issue of language, one of the founding elements of national identity, as well as territorial decentralization, clearly with the intention to form more municipalities with an Albanian majority. Also, it became evident that inclusion of non-majority groups to police, armed forces and state administration had to be done at a faster pace, with pre-determined quotas reflecting the overall population of Macedonia.

On the eve of the signing of the OFA, in his address to the Macedonian public, President Trajkovski said how "many of the problems we are facing today are not new. Their roots can be found in the negative legacy of former Yugoslavia, as well as some of the solutions adopted after 1991 [...] Ask yourselves why observatory missions were established in Macedonia by the UN, OSCE and Council of Europe. I would like the public to know that when this crisis began, armed forces of the Republic of Macedonia were under-equipped and armed. We all know that in parts of our country the legal state was not functioning. [...] I want to say this very honestly, in decisive moments the political body in Macedonia had shown little or no degree of political unity. In such moments it was difficult to show leadership and create a strategy for leading the country out of the crisis [...] I therefore invite political leaders of the Republic of Macedonia and particularly those who signed the OFA, to take their part of responsibility and explain to the

citizens of Macedonia why we are doing all this and what will be the consequences in the coming days” (Balalovska et al, p. 53).

As for the right wing elements within the ethnic Macedonian side of public opinion, as the NLA became a recognized stakeholder, their opposition to the settlement grew. They could not understand how the ones who had started the conflict could be “rewarded” for their actions. But in reality political commentators and journalists could only watch former NLA fighters being demobilized and integrated into the Macedonian society. In the years to come, their single greatest effort to block the application of the OFA would become the 2004 referendum, which called for the purpose of preventing the Law on Territorial Organization being implemented. The referendum failed, as it was denounced by key political figures. The international community intervened again by strongly advising against the referendum.

However, few opinion makers were prepared to admit that prior to 2001 something was essentially wrong with the system of governance in Macedonia. For them, the call for greater participation of non-majority groups (or group) was no surprise; they were more surprised how it was not asked sooner. Still, these objective voices were disappointed with the way that solutions had come about. Armed pressure of one side had cast a shadow of doubt on future implementation of the OFA. Some insisted that the engagement of external actors was never motivated by peace and prosperity of Macedonia, but plain face-saving (Vankovska 2001, p. 1-2).

Although it is possible that concessions granted by the FA in 2001 prevented the country from disintegrating, many Macedonians had shown little enthusiasm for the agreement’s implementation. Part of the reason for this was presented by Aleksandar Damovski; at the time one of the editors of daily newspapers Dnevnik. “I believe that the constitutional changes were necessary and how they contribute to building a state for all citizens. The main problem is that all this came to be because of the aggression of Albanian terrorists in Macedonia, therefore the agreement signed in Ohrid came as a result of these activities” (Engström 2002, p. 11-12).

Damovski was not the only analyst who felt this way: “FA deserves our attention, because its contents are related to justified reasons of the discontent of Albanian population in our country. However, the methodology of its preparation, undemocratic manner in which it was negotiated and signed (behind the back of

the Macedonian public and its citizens), the overall social atmosphere in which it was created and many other elements are a solid foundation for scepticism when it comes to its implementation [...] it was more about restoring NATO and EU credibility than making peace” (Vankovska 2001, p. 2).

## Conclusion

The OFA was not unique, with respect to the approach of the international community, built on the premise of elite accommodation; it had already been tested in Dayton. In the 1995 Accords, the future relationship between ethnic communities became part of the constitution (or the treaty establishing it). From a regional perspective, the novel features in the FA were the placing of emphasis on matters of policing, decentralization and cultural autonomy.

Furthermore, the OFA actually formalized many of the rights ethnic communities already had in the past, when Macedonia was part of the Yugoslav federation. Albanian language, with some exceptions defined by the Macedonian Parliament, became official in parts of the country where this community stood at more than one fifth of the total population. Personal documents, again with certain restrictions, could be issued in Albanian; better access to national, state controlled media was guaranteed once again; proportional representation in state institutions was secured and so on. Even the most difficult of arrangements, the rewriting of inter-communal borders was implemented after the protracted referendum of 2004.

Macedonian citizens were to pay a price for the unwillingness of their political elites to push their society toward true democratization. This unwillingness was obvious throughout the first decade of Macedonia’s independence. Had the reforms been implemented, the OFA would not come at such a cost: in fact, it would not be needed at all.



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# PART III

## Geopolitics and the Ohrid Framework Agreement

# Bulgaria and Greece as Catalytic Factors for the European Future of the Western Balkans

*Boyka Boneva*

## **ABSTRACT**

Regardless of their undoubted progress, none of the countries of the Western Balkans have managed to fully meet the EU accession criteria. However, the Balkans are no longer an area of conflict, thus improving the countries' prospects of becoming peaceful and democratic. This paper concentrates on Bulgaria and Greece, analyzing the political and economic factors, respectively, and the ways in which the European integration of the region will be influenced by them. Sofia has demonstrated ambitions to assume a leading role in the neighborhood, serving as a source of experience and know-how by making use of initiatives and instruments provided by the EU. Adversely, the Greek debt crisis impedes the development of the countries' economies, which in turn delays the completion of the accession criteria. Apart from the full political support granted by the government, its economic difficulties and their effect on the Eurozone have shifted EU's enlargement priorities.

## Introduction

Without doubt the Western Balkans belong to Europe both geographically and politically. After more than sixty years of evolution the European Union formulates and modifies itself, strengthening members' security, economic prosperity and social development. This paper focuses on the current situation in the region of the Western Balkans on one hand, and on the state of affairs in the EU on the other, pointing at Bulgaria and Greece as the two catalytic, yet controversial factors for the immediate European future of the seven non-EU countries in question; namely Albania, Bosnia and Herzegovina, Croatia, Kosovo<sup>1</sup>, Macedonia, Montenegro, and Serbia.

## State of affairs

When discussing the European future of the region, it is automatically assumed that the European Union, and the whole integration process it entails, is desired by all countries. What does the EU offer to its potential members? Why is the EU attractive? Although perceived by the majority as presenting these countries' citizens with the legal opportunity to leave their homes in search for a better future, EU accession suggests living in accordance with European standards at home through stabilization and democratization, through the construction of a sustainable economic system, pushing forward for the region's overall development.

During the past decade after the end of the last violent conflict in 2001, the transformation of the Western Balkans, driven by the processes of their integration to the European institutional framework has been dynamic and unprecedented for this region (Sanfey, 2010). From a geographical area to a definition of the powder keg (Todorova, 1997) symbol of destabilization and war, currently all seven countries are subject to integration into the global markets represented by democratically elected governments. In other words, as various high officials have

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1 As defined by the UN Security Council Resolution 1244/99.

often implied the region is “on the positive move” (Biscevic, 2011) and “clearly on the move” (Barroso, 2011).

With three member states (Bulgaria, Greece, Romania), four candidate countries (Croatia, Macedonia, Montenegro, Turkey) and four potential candidates (Albania, Bosnia and Herzegovina, Kosovo, Serbia), all of them in an active interaction with the EU, the wider region of the Balkans is not a synonym of war anymore, although serious post-conflict problems such as the prevalence of corruption and organized crime persist. However, the countries of the Western Balkans albeit performing at varying living standards and demonstrating varying levels of integration with Europe, appear to be the most underdeveloped in Europe both regionally due to their remaining bilateral issues and in European terms due to delayed implementation of reforms (Biscevic, 2011). Sixteen years after the Dayton Peace Agreement, ten years after the Ohrid Framework Agreement and three years after the unilateral proclamation of Kosovo’s independence, the biggest threat to the stability of the region is its economic backwardness, featuring high rates of unemployment and low levels of foreign investment. And this is where a vicious circle comes into sight.

Emerging market economies generate growth through the attraction of foreign investments. But foreign investors are reluctant to invest in a region where impartial justice and transparent public administration are subject to dispute. (Barroso, 2011) Stability is a key factor in investors’ decision making, thus, the fastest way for reaching relative stability is to pursue EU reforms with determination. The attraction of the EU derived from the power of its example (democracy, market economy, human rights and social justice) represents a model for all applicant states (Zielonka, 2006) which contributes to the consolidation of democracies and benefits the socio-economic development of candidates and potential candidate countries.

## Why does the EU care?

It is universally accepted that stability profits all, thus stabilization in the region appears of interest not only for the countries of the Western Balkans but for the EU and its member-states as well. For achieving stability the European Union applies one of its most effective foreign policy instruments, the enlargement policy (COM 2009, 533), whereas its commitment to the integration of these countries is reflected in central EU documents: the Thessaloniki Agenda (2003), the

EC Communication on the Western Balkans, the EC Enlargement Strategy and the Main Challenges 2006-2007 and the latest Enlargement Strategy 2009-2010 which underlines a shift from enlargement rounds towards future accessions based on achievements and reforms and policies focused on the completion of the established criteria rather than on non-binding stabilization (Rehn, 2009b).

One of the conclusions that came up during the Sarajevo Summit in June 2010 was that the EU's global reputation at which the Union aims, starts with Europe's stability and forces the EU to take regional actions first (Marini, 2010). The Western Balkans region, sharing all its external borders with the EU represents a strategically important area that bridges central with south-east Europe (Minchev, 2010). This is why with a 23 million person additional population and vast potential for growth, the European Union – will have a better probability for facing new and emerging global actors in the future. Moreover, the enlargement policy becomes ever more important in times of economic and financial crises, an exit from which European leaders are searching out vigorously. Hungarian Prime Minister Viktor Orban recognized the fact that the Western Balkans have other alternatives for integration, if the EU doesn't seem to be committed enough or is controversial in actions (European Parliament, 2011). At the same time, EU's indisputable attraction of the early 2000s now seems a more abstract idea. (Minchev, 2010).

## **Bulgaria – aspirations for regional leadership**

While preoccupied with its own European agenda during the years of preparation for EU accession, Bulgaria is at present a member of the European Union and declares full support for the Thessaloniki agenda and the process of European integration of the region through stabilization and development. With the failure at the start of Bulgaria's membership, with the freezing of funds and the inability to fully comply with the pending issues upon accession, like the judicial reform and the fight against corruption and organized crime, Bulgaria aims at constructing an image of a strategic partner among its neighbours. It tries to develop its foreign policy in line with the EU's strategic goals in the area, getting more actively involved in the Union's common policies. As EU integration is not just a matter of economic development but of political maturity as well, the country's recent EU accession offers a set of lessons with regards to the transformative power of the EU and its influence over the transition countries in South Eastern Europe.



Coping with the consequences of the crisis and emerging from its deepest economic slump after the 1996-97 financial collapse, Bulgaria expects a growth of close to 3 % of GDP for 2011 and higher for 2012 (European Economic Forecast, 2011: 85-87), thus asserting readiness to get actively involved in regional foreign policy. While seeking for mechanisms to implement the objectives of the Thessaloniki Agenda and to facilitate the region's socio-economic progress, Bulgaria develops good-neighbourly relations with all countries of South-Eastern Europe. In the duration of the conflicts in former Yugoslavia and afterwards Bulgaria managed to maintain a well-balanced and constructive approach, indicating certain levels of political maturity. But for acquiring a role in the Union rather than simply participating in the European single market Bulgaria needs to strengthen its European diplomacy and mainly to start using the possibilities provided by the EU membership. A step towards that direction was the proposal made by Foreign Minister Nikolai Mladenov and President Georgi Purvanov during meetings with European Union leaders in February 2010. Mladenov offered Bulgaria's experience and assistance for the implementation of the EU's policy and strategy in the region in a meeting with the EU's High Representative for Foreign Affairs and Security Policy Catherine Ashton while Purvanov claimed a co-coordinating function for Bulgaria with regards to European economic strategy in the Western Balkans during his meeting with European Council President Herman van Rompuy. Both proposals are based on the idea that new member-states might help accession countries through clarification of the benefits and requirements for EU membership.

As part of Bulgaria's strategy for foreign policy Minister Mladenov has repeatedly accentuated Sofia's ambitions for a leading role in the Union's engagement in the Western Balkans putting forward the country's priorities that can be implemented bilaterally or through the instruments of European policies. In support of this statement he launched a Western Balkans tour in May 2010, visiting Macedonia, Serbia, Montenegro, Kosovo, Bosnia and Herzegovina and Albania. After evaluating Bulgaria's relations with each of the countries he declared support for their European integration and eagerness to share Bulgaria's experience.

Confirming its capability to act as a regional expert and a mediator between the Western Balkans and the EU, Sofia managed to keep good relations with Serbia after Bulgaria's recognition of Kosovo in March 2008, together with Croatia and Hungary. Despite the potential for the emergence and preservation of a frozen conflict, from Bulgaria's standpoint, this decision constitutes an opportunity for Serbia-Kosovo relations, as Kosovo remains a major obstacle to Serbia's European integration (among others Larrabee, 2005). Giving credit to the prevailing emo-

tions in Serbia, evoked by the decision of the International Court of Justice<sup>2</sup>, Sofia maintains that time is a crucial factor and the lost opportunities for both Kosovo's and Serbia's strategic priorities should be compensated in favour of their common goal – EU membership. Using the incrementalist approach there is a great deal of minor issues not connected to the recognition of Kosovo that renders cooperation with both countries possible. Adapting to the European institutional framework is an opportunity for communication and exchange between Belgrade and Pristine based on the real needs of the population throughout this region. One additional reason for Bulgaria's implication in assisting and supporting the EU candidacy of Serbia is the issue of Bulgarian minorities<sup>3</sup>. The European institutional framework is considered the only way for solving the issue, protecting the rights and the economic interests of these people.

Based on the assessment of its own mistakes and their severe consequences during the pre-accession period and on its aspiration to reach out to the countries of the Western Balkans, Bulgaria has recognized three main accents for membership, subject to greatest attention and commitment on its foreign policy agenda: implementation of European legislation, regional cooperation and good neighbourly relations.

The effective implementation of the European legislation is the most important factor in the actual process of integration, whereas the membership to the European Union should be regarded and pursued as a course of actions, undertaken by the countries themselves and not as a goal per se (Minchev, 2010: 128). The challenges in front of the region will not disappear on the first day of eventual accession, but the process of adopting reforms, making good use of the full range of pre-accession tools with the engagement of Bulgaria in this process will give the citizens tangible results and will reinforce their support. While Bulgaria experienced the constraints of the Cooperation and Verification Mechanism, this served as a negative example and EU officials have continually insisted that each country has its own tasks to accomplish in order to reach European standards. It is important that everything inside these countries becomes subject to change and reform: the quality of democracy, the political values, the economy, the legal system, the society, all under the umbrella of institutional reform (Mimica, 2010).

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2 On 23 July 2010 the International Court of Justice in Hague (after Serbia's request for opinion in 2008) stated that Kosovo's unilateral proclamation of independence on February 17 2008 does not violate international law and thus is not illegal.

3 According to the 2002 Serbian census the Bulgarian minority numbers about 20 000 citizens; information available online at <http://www.stat.gov.rs/zip/esn31.pdf>. According to Bulgarian statistics, the minority is much bigger, between 40 000 and 60 000 unofficially.

Second appears Bulgaria's promptness to assist in regional cooperation, which has been recognized by the EU as a tool contributing to political stability, economic growth and, ultimately, security (Stability Pact, 2008, para. 6). Infrastructure investments are an important pre-condition for sustainable socio-economic development and stability in the Western Balkans and also an excellent starting point for establishing regional cooperation of multilateral benefit. But, new infrastructure in candidate and potential candidate countries needs to be constructed in accordance with EU standards. (Rehn, 2009a) In order to achieve this, the infrastructure projects in the region need not only financial aid, but EU coordination, a task that may be accomplished by Bulgaria due to its geographic position. In that context, it participates in all regional initiatives and organizations while its territory is crossed by five of the ten Trans-European infrastructure corridors.

In a proof that regional cooperation is not a substitute but a prerequisite for EU membership in February 2008 the objectives of the Stability Pact for SEE were transferred to the Regional Cooperation Council (RCC), based in Sarajevo. Administering this transition the countries of the Western Balkans assumed increased ownership of the process (Annual Report of the Secretary General of the Regional Cooperation Council on Regional Cooperation in South East Europe, 2010), thus demonstrating commitment to the objectives and purposes of the RCC. The number of regional initiatives and task forces has been increasing progressively in the last decade, reflecting the region's awareness that regional cooperation on a number of projects will accelerate reforms pace, bringing the region closer to the Euro-Atlantic structures (Regional Cooperation Council, 2010: 40).

However, regional cooperation is not only abstract words. It may be seen in practice, starting from trade and investment, thus giving evidence of its numerous benefits. With the promotion of the inter-regional trade and the improvement of the infrastructure, the size of the local market will grow, creating investment opportunities, boosting the trade flows, and facilitating the adoption of new technologies. Also, in the short run, the construction of a regional market will contain the impact of the economic crisis, thus providing a basis for reconciliation and fertile ground for European integration in the long run (Sewel, 2011). In this context, Sofia has given examples of regional cooperation initiating joint meetings between Romania, Greece and Bulgaria to consolidate their positions on the stability and the future of the region, or to consider common actions. In December 2010 the foreign ministers of Serbia, Greece and Bulgaria met in Sofia to initiate a new form of cooperation, aimed at giving support for the European integration of the countries in the Western Balkans.

Good neighbourly relations fall into the EU criteria for accession and lie in the foundations of regional cooperation. In the region there are still some unresolved bilateral conflicts referring to ethnic and minority issues and to border disputes. As the populations of these countries are mostly mixed, any instability or unrest in the region will have immediate consequences for all the countries. The sensitive nature of interethnic conflict needs to be anticipated with tailored made solutions, different than the EU's implication in other post-Communist countries in the past. The peoples of the Western Balkans face a dilemma, which should be solved in view of their common goal – the EU membership. Otherwise, any internal or bilateral confrontation will reinforce the social, political and economic backwardness of the region (Fotiadis, 2010b). Good neighbourly relations have been demonstrated by Bulgaria through its efforts to strengthen control at its borders with non-EU countries. The recently signed agreement with Macedonia on the establishment of mixed teams for fighting against smuggling and illegal immigration and for the creation of a Joint Contact Center for police and customs cooperation is an action of mutual benefit, bringing Bulgaria a step closer to its accession into the Schengen zone.

Deficiency of any of the three accents cultivates the big plague for the region – corruption and organized crime. Nurtured by the unresolved bilateral regional disputes, by Kosovo's unresolved status, by the competing layers of the government in Bosnia and Herzegovina, corruption and organized crime present a problem whose solution requires a region-wide and long-term approach, not only because it's a condition posed by the EU, but because the region cannot otherwise combat it. The countries cannot deal with all these issues separately, as organized crime knows no borders and appears a major problem in all progress reports including Bulgaria and Romania. It is a serious obstacle before the EU accession of the countries, but even without the EU perspective of the region it impedes any kind of economic development as business environment without impartial administration is doomed to failure and incredibility (Rehn, 2009b). Corruption and organized crime are recognized as "scourges" for the economies not only of these countries, but for the security of Europe as a whole. Regional cooperation appears to be the answer to these twin threats, as the economic strategy of the EU, the World Bank and the IMF in the form of financial aid proved to be insufficient for tackling them so far (Gallagher, 2005: 184-185).

Furthermore, it should be recognized that widespread corruption undermines the attractiveness of enlargement for EU citizens, "sometimes in a disproportionate way" (COM 2009, 533: 5) and makes every accession perspective for

the Western Balkans countries ever more remote. It is notable that the highest rank in the Corruption Perception Index for 2010 designed by Transparency International on a scale to 10 (clean from corruption) is 4.1 shared by Croatia and Macedonia among the Balkan countries (Table 1). All three EU members score lower.

Table 1: *Corruption Perception Index*

Country	Albania	Bosnia-Herzegovina	Bulgaria	Croatia	Greece	Kosovo	Macedonia	Montenegro	Romania	Serbia
CPI 2010	3.3	3.2	3.6	4.1	3.5	2.8	4.1	3.7	3.7	3.5

Source: *Transparency International 2010*

## Greece – The economic factor

Despite the full political support successive Greek governments have been granting to the integration of the Western Balkans to the EU, the ongoing Greek debt crisis exercises an adverse impact on the processes of their integration to the European institutional framework. The inevitable direct outcome refers to the countries' economies, especially the ones with the closest ties to Greece like Macedonia, Albania, Montenegro, and Serbia. The drop in external demand, limitations of capital inflows and strengthening of financing conditions affected harshly the development of these economies (Arandarenko & Golicin, 2010) which in turn delayed their completion of the EU pre-accession economic criteria. Another indirect effect of the Greek debt crisis is the relative shift of priorities in the EU, which along with the infamous "enlargement fatigue" within the Union may lead to further toughening of the accession criteria, due to EU's experience with the members' non-compliance with the economic criteria, premature accession and the region's history of conflict and instability.

In the early 1990s the combination of three factors presented Greece with the opportunity to exercise regional leadership and Greece did not waste time to seize that chance. It was the only non-Communist country in the Balkans with an established market economy and fully integrated into the Euro-Atlantic com-

munity. With respect to its military, Greece's annual defence spending was bigger than the GDP of Albania and Macedonia, and Greece's aspirations to promoting regional multilateralism attributed to the country's role as a regional leader (Gallagher 2005: 4).

With the opening of the borders Greek entrepreneurs promptly acknowledged the opportunities in this new space for expanding their economic activities through interaction and cooperation, and started to export and invest intensively (Keridis, 2006). The potentials for high growth and the saturation of the local market combined with low labour costs in the host countries and their geographic proximity gave rise to the Greek economic presence which was gradually organized and supported by the Government's economic diplomacy (Tsardanidis & Karafotakis, 2000). The fast expansion of big telecommunication and financial companies, especially in Romania, Bulgaria and Macedonia, encouraged other small and medium-sized firms to invest there too (Larrabee, 2005: 413). In 2009 Greek investments in the entire region amounted roughly to € 20 bln, 3500 Greek companies, employing 200 000 people of which 23 000 were in the banking sector with about 20 subsidiaries and 1900 branches (Droutsas, 2010).

## The challenge of contagion – weak economic recovery

In view of the above, it is reasonable that these economies will be deeply influenced by the reduced economic activity in Greece and its mounting fiscal and economic problems. Although not fully integrated into the global financial and trading environment, the underdeveloped Balkan economies move along the tendencies of the European and global markets, although a delay of about one year is discernible. While the worst year for Europe was 2008, the Balkan economies anticipated the deepest slump in 2009 (Lessenski, 2010). Sharp fall in GDP and growth rates, obstructed access to foreign capital and shrinking remittances flows were included in the list of pre-existing problems, as were the high unemployment rates and corruption in the public sector.

The first spillover effects of the Greek crisis started appearing on the financial markets with aversions to demand for securities emitted by Romania, Serbia, Bulgaria and Turkey, due to the fall of the Greek 10-year bonds. (Bastian, 2010). Similarly, the issuing of state bonds planned for April 2010 was suspended

by Albania, Croatia and Macedonia. Despite their small financial needs compared to Greece and the other European economies, the fact that Greece was declared insolvent could prevent them from obtaining funds for financing their national debts (Szpala & Daborowski, 2010).

## Greek banks

Next, the contagion threatened the Greek banks and their subsidiaries, which occupy a significant market share thus playing an important role in the Western Balkans' economies. In a swift response to the economic expansion throughout the region that took place in the 1990s, Greek banks started opening subsidiaries and acquiring some of the local banks. In that way, as large volume of the investments were of Greek origin, the investors preferred to cooperate with an already well known creditor, as well as the banks - to work again with acquainted partners, resulting into a cooperation of mutual benefit and trust, and spreading out of Greek banks over the region.

After the initial fear on the markets that west European banks, including those from Greece, could face difficulties due to their exposures to the developing economies of Central and Eastern Europe, in early 2010 this fear was transformed into serious concerns that Greece's economic problems could cause contagion in the Balkans through the banks (Greek contagion, 2010), halting their recovery. In 2008 after the Greek government offered a support package of €28 bln to domestic banks, the Central Bank of Greece asked Greek commercial banks to withhold from large openings outside Greece. The reduced availability of liquidity in Greece could impact Greek lending operations in the Balkans, resulting in loss of market shares. The Greek banks' subsidiaries have higher loan-to-deposit ratios than in Greece, having relied mainly on funding from Greece rather than on local deposits. Thus, the economies of the Western Balkans could face difficulties if Greek banks followed the restricted lending policy and refrained from making new loans on the one hand and if they tried to raise the local deposit base on the other. According to the majority of analysts, annual lending growth of 60-70 % across the Balkans from the mid-2000s belongs to the past; although a "catch-up factor" compared to Central Europe with higher growth rates still appears on their forecasts (MacDonald, Hope, & Bryant, 2011). Greek banks participated in the "Vienna Initiative" 2009 declaring continuity for their activities in the region, although systemic risks are still present (Piroska, 2010). Keeping in mind that the total market share of the Greek banks across the Balkans reaches 20% (Kekic, 2010), it is believed that they will be reluctant to retreat from a region with long-term potential or to damage their credibility.



## Effects on the real economy

Before the crisis of 2008 most Western Balkan economies were performing at a growth rate between 5% and 7% (Table 2), much higher than the EU average of about 2% for those years (Lessenski, 2010). The recession reduced Greece's demand for goods from the Balkan countries and the negative trend will persist till 2012 which is expected to be the first year of positive GDP for Greece since 2008.

Table 2: *Growth per country (% change)*

GDP by countries	2007	2008	2009	2010	2011*	2012*
Albania	5,9	7,7	3,3	3,5	3,4	3,6
Bosnia-Herzegovina	6,1	5,7	-3,1	0,8	2,2	4,0
Bulgaria	6,4	6,2	-5,5	0,2	3,0	3,5
Croatia	5,5	2,4	-5,8	-1,4	1,3	1,8
Greece	4,3	1,0	-2,0	-4,5	-3,0	1,1
Kosovo	6,3	6,9	2,9	4,0	5,5	5,2
Macedonia	6,1	5,0	-0,9	0,7	3,0	3,7
Montenegro	10,7	6,9	-5,7	1,1	2,0	3,5
Romania	6,3	7,3	-7,1	-1,3	1,5	4,4
Serbia	6,9	5,5	-3,1	1,8	3,0	5,0
Turkey	4,7	0,7	-4,7	8,2	4,6	4,5

Source: International Monetary Fund (IMF), *World Economic Outlook*, April 2011

\* GDP projections

Nevertheless, the economies of the Western Balkans with the exception of Croatia experienced positive growth even in 2010, although levels of growth are not expected to reach the pre-crisis levels soon. According to European Bank for Reconstruction and Development President Thomas Mirow, an important consequence from the shock after the emergence of the Greek debt crisis reflects on the region's recovery pace, which is "weaker than elsewhere in eastern Europe" (as cited in Krasnolutska & Cerni, 2011). According to EBRD forecasts the Balkans will expand 1.9 % in 2011, but in combination with the political instability of the region this growth rate may be jeopardized, thus interrupting the processes of catching-up in economic development and welfare with the rest of the European countries (Lessenski, 2010: 15).



Emerging from centrally planned economic systems, undergone through wars and financial downturns in the 1990s, the economies of the Western Balkans have been highly dependent on foreign capital flows. In the years before the crisis the share of foreign direct investment (FDI) as a percentage of the GDP in some of the countries exceeded 20%, with Bulgaria and Montenegro reaching 29.7% and 20.8% respectively. After the eruption of the crisis these percentages diminished presenting even more obscure forecasts for the coming years (Table 3). Due to the global crisis, the competition for access to foreign capital and FDI is likely to become harder for the Western Balkans in comparison with the years of “ample liquidity” and in comparison to other regions of Europe (Rehn, 2009b). Investment flows from Greece decreased sharply in 2009, although well established companies are reluctant to leave the region.

Table 3: *Foreign Direct Investment (Net, % of GDP)*

Net FDI	2005	2006	2007	2008	2009	2010
Albania	3.2	3.5	6	7	7.7	6
Bosnia-Herzegovina	5.6	5.8	13.5	5.7	1.5	1.6
Bulgaria	14.4	24.7	29.7	19.2	9.8	3
Croatia	3.4	6.5	8.2	6.7	2.6	0.7
Greece	0.3	2	0.7	1.3	1	-
Kosovo	3.6	9.3	12.6	8.9	7.8	-
Macedonia	1.6	6.8	8.5	6.1	2.6	2.6
Montenegro	21	21.7	20.8	17.9	30.2	10.5
Romania	6.5	9.5	5.8	6.8	3.8	3
Serbia	5.9	13.5	4.4	5.4	4.4	3.5
Turkey	1.9	3.6	3.1	2.1	1	1

Source: Eurostat, ECFIN, EBRD

For the sake of objectivity there is one more point that needs to be addressed here and it is the positive effect from the Greek crisis. Investment agencies in the region assume that due to the increased taxes in Greece, healthy companies may turn to investing outside Greece where production costs are more competitive (Jankovic as cited in “Greece’s economy”, 2010), which explains the already increasing Greek exports. According to latest estimations by the Greek statistic service, Greek exports have reached in March 2011 € 1 756, 3 mln against € 1 420,

6 mln last March, which is a rise of 23.6% and. Greek entrepreneurs are seeking for partners and clients outside the ever diminishing local market, although after the sharp fall of 2009 they haven't reached the levels from before the crisis yet.

The third most affected component of GDP with severe consequences on the real economy is the fall in remittances. For all the countries in the region remittances and other private capital inflows comprise an essential part of the GDP, sometimes reaching 20%, even 30% (Table 4). Kosovo and Albania are the most affected as Kosovo is one of the top 20 remittance receiving countries in the world (Armitage, 2009) and Albania is among the top emigration countries for 2010 with 45.4% of its population working abroad, half of which is in Greece, followed by Bosnia-Herzegovina with 38.9% and Macedonia with 21.9% (Migration & Remittances Factbook, 2011). According to Morgan Stanley's estimations from the 12% that the workers' remittances contributed to the GDP in Albania, USD 900 mln or 8 % have come from Greece. With Greece having sent remittances on the order of USD 1.8 billions in 2009 and BiH, Serbia and Albania among the top remittance-receiving countries with 13%, 13% and 11% of GDP respectively, it is natural that the difficulties faced by the Greek economy directly influence the receiving economies. Their remittances flows are already decreasing but even before the publication of official statistics, more than half the households – receivers expected large reductions (Armitage, 2009).

It is important to point at the twofold effect of this fall: first, the depressed domestic demand, hence a direct drop in GDP and liquidity levels of the respective economy-receiver, hindering the development of small business (Sanfey, 2010) and second the phenomenon of the so called reverse migration. The migrants, who lose their jobs in the host countries due to the economic crisis, are returning back to their home country, increasing unemployment rates with all the subsequent difficulties for the Government. Here, another vicious circle appears: High unemployment rates together with the burden on households and governments encourage grey and black economic activities, which in turn leads to political discontent and tensions in inter-ethnic relations (Sewel, 2011).

Table 4: *Remittances inflows (USD millions)*

Remittances, in USD mil- lions	2003	2004	2005	2006	2007	2008	2009	2010*
Albania	889	1.161	1.290	1.359	1.468	1.495	1.317	1.285
Bosnia-Herze- govina	1.749	2.072	2.043	2.157	2.700	2.735	2.167	2.228
Bulgaria	1.718	1.723	1.613	1.716	1.694	1.874	1.558	1.602
Croatia	1.085	1.222	1.222	1.234	1.394	1.602	1.476	1.545
Kosovo	-	-	-	-	-	-	-	-
Macedonia	174	213	227	267	345	407	401	414
Montenegro	-	-	-	-	-	-	-	-
Romania	124	132	4.733	6.718	8.542	9.381	4.928	4.517
Serbia	2.661	4.129	4.650	4.703	5.377	5.538	5.406	558

Source: *World Bank, Migration and Remittances Factbook 2011*

2010\* - expected amount; Remittance data are not currently available for Kosovo and Montenegro.

Refuting the initial fears that the region will drag down the banks with positions in the region, all the economies of the Western Balkans started stabilizing in 2010, recording slow growth. Mainly due to the mature behavior of the Western Balkans governments (Sanfey, 2010), the external financial support (Bastian, 2011) and despite the slower recovery of the region the impact of the Greek crisis had limited impact on the economies in the region so far, although the consequences will be felt for years.

### *Effects of Greek crisis on EU and the enlargement momentum*

The European perspective of the Western Balkans is a major political priority of all the Governments, a strong stimulus for reforms and a stabilizing factor. However, the timing for further enlargements both to the EU and the Eurozone experiences the effects of the ongoing crisis. The shifts in global balances impose upon the EU more serious engagement with enlargement policies but the Greek crisis is modifying the internal conditions for any further enlargement.

For the countries' part their governments were preoccupied, dealing with the crisis and could afford neither resources, nor energy for the implementation of the reforms. Major privatization projects in Montenegro and Croatia were put on hold due to lack of investors (Sanfey, 2010: 12). In addition, the sharp fall of GDP and the slower economic recovery added to the poor image of the region (Fotiadis, 2010a; Perio, 2011), which has not been outlived despite the relative submergence of the Balkanization paradigm (Jano, 2008). For the public in the rest of Europe, Greece's fiscal problems, poor tax collection and huge public debt complete the widely discussed high levels of corruption, present in all the countries, without the exception of the EU member-states. All of the above highlight a picture of a region economically and politically unstable.

On the other hand, the EU's predisposition for integration and enlargement depends on the economies of its members and their influence on the global markets. In difficult times protectionist policies are a bigger concern for the Union than further integration (Keridis, 2006). In order to preserve its own economic power the EU may take a more rigorous position on the subject of economic conditionality of membership and become more cautious about enlargement in general (Bastian, 2010). Right now the EU's first priority is to stabilize its own currency, though entailing unexpected costs to the member-states and to the tax-payers. This raises some questions about European solidarity (Bieber as cited in Fotiadis, 2010a) and may reinforce the reluctance to further enlarge the EU in certain member states. It may also weaken the political will and support for this process on both sides. A successful completion of Croatia's negotiations and eventually accession could make EU member states more prone to further enlargement. For the rest of the candidates and potential candidate countries this may provide for more active engagement in reforms implementation (among others Szpala & Daborowski, 2010).

With the purpose of leaving the problematic image of the region behind, the transition agenda should be implemented (Snoy, 2011), starting with the improvement of the business environment, aiming at stronger and safer growth, completing the market reforms, to trade integration in the region, to financial integration with the West and to the political integration for all EU and non-EU countries (Sanfey, 2011). Greece on the other hand has managed to establish credibility in this region, represented by its governments and private sector. It is in their own interest now to exploit this political capital and to make an effort to maintain Greek economic presence in the region, countering the crisis without losing economic opportunities (Bastian, 2010).

## Conclusions and recommendations

Starting with a point of common interest, which is the efforts to prevent the spread of instability, the economic recovery of the Western Balkans is an indispensable requirement for the normalization of inter-ethnic relations (Gallagher, 2005: xi). As has been repeated many times, along with the “unequivocal commitment” of the EU to the region, local political elites together with the citizens themselves are those who are responsible for the stabilization and progress in meeting the criteria. Yet, the countries of the Western Balkans are still very weak both economically and in an institutional sense, lacking the necessary administrative capacity to deal with all the issues on their own. As Greece’s role as a donor and a regional player has been limited by the impact of the economic crisis, its role as a supporter of the region’s integration would be restrained too (Fotiadis, 2010a). Thus, Bulgaria is in a position to actively get involved in European policies, managing the risk of losing enlargement momentum evoked by the fiscal crisis in Greece and the aforementioned consequences, since this risk will eventually pay off. Being the weakest economic region of the continent, it has great growth potential. Given its strategic location, the three sectors and crucial factors for the future of the Western Balkans, which are particularly interlinked and are in direct need of investment and moreover have the largest prospects for a return of capital are: infrastructure, energy and tourism.

The development of the region’s infrastructure will connect the Western Balkans with the rest of Europe, which is necessary for the creation of channels for trade and development. The improvement of the infrastructure, especially the transport routes, is vital for supporting economic activity, and for the further development of the tourism sector. (Transition Report 2010: 133). The disconnection of the Greek railway network from the rest of Europe in early 2011 and its transformation from a railway hub into a railway island presented a negative example of that and has been a direct consequence of the crisis. The lack of a modern communications infrastructure, which is a catalyst of development (Snoy, 2011) distorts the connections between the countries and between the countries and Europe (Minchev, 2010).

Energy and the smooth supply of energy resources appear to be a major issue and a source of dependency for Europe. Increasing the capacity and attracting more investment in the region’s energy system should be pursued through policies that promote further market opening and interconnectivity among the neighbouring countries which in turn will gradually provide for political influence. The

tourism sector in the economy will always be a source of liquidity that is necessary for the developing economies. Given the unexplored tourist areas on the Adriatic Coast and around, there is a huge potential for further elaboration.

All three sectors demand coordinated planning, multilateral networking and increased investment flows. Bulgaria's proposals for assistance through implementation of European legislation, regional cooperation and good neighbourly relations will bring the countries closer to their ultimate goal for European membership and will give Bulgaria the opportunity to transform itself from a Balkan country in the European Union into a European country in the Balkans.

Through the achievement of the Western Balkans' EU membership Europe stands a better chance to position itself as a powerful global factor. Although in the years before the crisis the EU accession appeared in academic literature as the countries' "only credible and realistic external objective" (Anastasakis, 2005: 82) and the integration processes were deemed "irreversible" (Jano, 2008: 66), a certain shift from this paradigm can be observed nowadays. In order to regain its attractiveness the EU needs a strategically differentiated approach (Minchev, 2010: 129) rather than a large number of initiatives. Assisting in overcoming the economic crisis in Greece and in the wider region through cooperation, stepping on political stability and consolidation of good neighbourly relations, will eventually lead the candidates and potential candidates to European membership, thus stripping the notion of Balkans of all but its geographic aspect.

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# Ohrid Framework Agreement and its implications for the Balkan geopolitical status quo

*Plamen Dimitrov*

## ABSTRACT

This report considers the (up)rising of the Albanians in the Republic of Macedonia in 2001 as a part of a more significant process in the progress of which the Albanians living in the disintegrated Yugoslav Federation has turned into an independent geopolitical factor of increasing importance. The 2001 armed conflict in the Republic of Macedonia can be regarded as a repercussion of the 1999 Kosovo events. The thesis that the West is unwilling to let the Macedonian Albanians follow the example of the Kosovo Albanians is backed with arguments. The Ohrid Agreement is an expression of the EU and USA endeavor to treat the ethnic conflict in the Republic of Macedonia with the two traditional medicines of liberalism: decentralization and including the minorities in governance at all levels. In subsequence of the fail of the classical liberal-democratic model, followed in the Republic of Macedonia in the period 1991-2001, the West by means of the Ohrid Framework Agreement has imposed on the country the so-called consociational democracy which is believed to be a more suitable one for the deeply divided societies. The goal of the West was to artificially establish a balance in the participation of the two main ethnic groups in government. This balance is subject to periodical reconsideration and negotiation, owing to the high degree of the demographic and political dynamics of the Albanian minority. Nevertheless the OFA proved to be a strong enough framework which has for 10 years already kept the ethnic conflict in Macedonia far away from the phase of a further armed conflict. Since both ethnic groups in Macedonia are of pro-Western leanings, geopolitical objectives like being admitted to NATO and the EU have turned into some of the few shared aspirations of the Albanian and Macedonian political elites of the country.

## Introduction

In June 2011 pre-term parliamentary elections were held in Macedonia. In the election campaign the pre-election platforms of the four main parties of the Macedonian Albanians contained statements like these: The Democratic Party of Albanians insists on “full implementation of the Ohrid Framework Agreement (OFA) and its spirit”, The Democratic Union for Integration requires a “new political agreement between Macedonians and Albanians”, the Democratic Renaissance Party wanted “a new treaty under which Macedonia will become a bi-national state”, while Imer Selmani’s New Democracy promoted the idea of “building over the foundations of the OFA” (Dnevnik, 09/05/2011). All these requests show that ten years after the OFA was signed it still remains the starting point of all political debates on the inter-ethnic relations and status of the Albanian minority in the Republic of Macedonia. The OFA is a legislative and political framework to which the more moderate Albanian politicians would like to attach additional effect and which the more-radical ones would like to expand.

This article focuses on the geopolitical aspects of the events that took place in the Republic of Macedonia in 2001 and tries to establish their place in the context of Balkan history and the present day politics. I consider the (up)rising of the Albanians in Macedonia in 2001 as a part of a more significant process in the progress of which the Albanians living in the disintegrated Yugoslavian Federation have turned into an independent geopolitical factor of increasing importance. The prerequisites for the origin of the inter-ethnic conflict in the Republic of Macedonia will be analyzed as well. This article does not claim to offer a detailed account of the events related to the armed conflict in Macedonia in 2001 and the subsequent signing of the OFA.

## **Contextualisation of the conflict. Albanians in the Republic of Macedonia before 2011**

The Republic of Macedonia declared its independence in 1991 but to this day its name has not been internationally acknowledged due to objections of Greece. Macedonia is a small, predominantly mountainous country with no outlet to the sea. Its economy was integrated within the common market of the Yugoslav federation which disintegrated in the early 1990s. One of Macedonia's distinctive features is the lack of ethnic homogeneity. According to the latest census conducted in 2002 64,18% of the Macedonian population determined themselves as Macedonians, 25,17% – as Albanians, 3,85% – as Turks, 2,66% – as Roma and 1,78% – as Serbs (Census of Population, 2002: 34). The ethnic pattern of Macedonia is not only variegated it is also unstable. The birth rate of the Albanian population is much higher than that of the Macedonians; therefore their share of the population of the country is permanently increasing. Albanians were 13% of the population of the People's Republic of Macedonia in 1961, 17% in 1971, 19,8% in 1981 and 22,67% in 1994 (Kiselinovski: 104-105).

The political situation in the Republic of Macedonia after the independence can not be understood without an insight into the country's historical and political context. The relatively big ethnic heterogeneity of Macedonia has its roots in the past. In the second and third decades of the 20th century the eastern part of the Balkan Peninsula went through a process of enforced ethnic homogenization. The three major wars (The two Balkan wars and WWI), which took place in that period, resulted in the expulsion and exchange of population, based on the principle of ethnic affiliation. Not being an independent political unit at that time, Vardar Macedonia was not affected very much by ethnic homogenization. The establishment of Vardar Macedonia as an independent political unit coincides with the rule of communism in Yugoslavia which at least in its early stages did not encourage any aspiration toward ethnic homogeneity. Though during the period of Tito's Yugoslavia the Macedonians were the titular nation in the Republic of Macedonia, an important percentage of ethnic minorities, the biggest of them being the Albanian one, had been living on this republic's territory. The Albanian minority was given no role in the governing on the country until the last decade of the twentieth century. The ethnic pattern of the Macedonian capital, Skopje, is nearly an exact copy of the ethnic pattern of the country itself (Census of Population, 2002: 34). The Albanians are about one fifth of the population of Skopje and live as a compact group on the eastcoast of the Vardar River. Still, the role of the capital and its ethnic composition is far too important in centralized states where the capital is not just the biggest town but also the one and only important center of political life.

In the first years after the declaration of independence there were expectations that the very existence of the country could be contested by Belgrade. However, the Serbs were gradually entangled in a number of armed conflicts in Croatia, Bosnia and Kosovo, and they ceased to be a threat for the independence of Macedonia. From the mid-nineteen nineties on, the Albanians represent the main factor challenging the existence of Macedonia as a unitary national state of ethnic Macedonians. Throughout all the years of the Republic of Macedonia's independence there have always been Albanian parties participating in its government. However, before 2001 that participation was not an expression of a recognized necessity for proportional representation of the main ethnic minority in the state's authority but rather a pragmatic politico-technological approach by means of which the leading party in the camp of the ethnic Macedonians was able to successfully secure for itself a purely arithmetical parliamentary majority.

For a long time the Albanians were excluded from participation in the state administration of the country, which let them occupy some specific economic niches of their own<sup>4</sup>. The occupation of the Albanians living in villages, situated in the Western part of the country, is agriculture. A part of the representatives of this ethnic group, however, is involved in semi-legal or illegal business activities<sup>5</sup>. This pattern has roots from the time of Tito's Yugoslavia. Nikolaos Bizziouras (2005: 19-20) notes that during the Yugoslav times within state employment in Macedonia there was a strong institutional bias for the recruitment of Macedonians: higher literacy rates, better language skills since Macedonian had become the official regional language, and greater access to Skopje-based Communist Party leaders. The majority of Macedonian Albanians began to specialize in private-sector small-scale entrepreneurial activities, large-scale seasonal labor migration both within Yugoslavia and in the near abroad, and last, but not least, the continued use of small-scale, non-collectivized, family farming. In the long run the difference in the structure of labor employment between Macedonians and Albanians has remained the same. It's one of the driving forces of the conflict. Albanians were almost completely excluded from the privatization process in the Republic of Macedonia since there were no Albanian managers who would get actively involved in the privatization of any social enterprise (Zeqiri: 92-93).

4 The best representation showing the big difference in the structure of labor employment between Macedonians and Albanians can be found in the brilliant ESI report: Ahmeti's Village. The Political Economy of Interethnic Relations In Macedonia.

5 According to Robert Hislop the mass entry of Albanians in criminal organizations is explained by seven factors: communist repression in Tito's Yugoslavia; the culture of the omerta; terror in Kosovo under Milosovich's regime; anarchy in Albania in 1997; wars in Yugoslavia; Albanian connections with the Mafia in the Caucuses; violation of international sanctions imposed on Yugoslavia in 1992. (Hislop 2002: 12-14)



Macedonian Albanians are mobile and have a highly developed sense of ethnic and clan solidarity (Zhelyazkova 2001: 47-48). The proximity of Albania, the country in which they are the main ethnic group does not prompt them to emigrate there because the standard of living in Albania is lower than that in Macedonia.

The above-mentioned specifics determine ways of political representation of the Albanians in Macedonia. There has always been more than one party, representing the Albanian minority in Macedonia. Since the Albanian minority is a quarter of the population in the Republic of Macedonia, there is no threshold, whatsoever, which might prevent the presence of more than one Albanian Party in the Parliament. This fact predetermines the pluralism within the Albanian minority; it intensifies its inner dynamics and creates a space for the invasion of political radicalism. The Albanian politicians in Macedonia compete on two levels – first, for a leading position within their own ethnic group and then, for a better position on the national political stage. The political sector of Macedonia is divided into two ethnic segments. In practice there are two political elites in the country – Albanian and Macedonian, they enter into negotiations with each other but they never mix with each other. The same kind of relations exist between their electorates – the Macedonians and Albanians live in the same country shoulder to shoulder but there is a wall of mistrust and differences in culture and lifestyle standing between them. Something particularly significant is the nearly full absence of mixed marriages between Macedonians and Albanians. Throughout the whole of the year 1999 only 16 such marriages were registered in the country (Brunbauer 2002).

The two wars at the verge of XX-XXI centuries - the War in Kosovo in 1999 and the armed conflict in Macedonia itself in 2001 - were both a consequence and catalyst for strengthening the ethnic mobilization of the Albanians in Macedonia. In the first war the mass flow of refugees from Kosovo to Macedonia consolidated the sense of unity between the Albanians from Kosovo and those from Macedonia and alienated even more the latter from the central authority in Skopje (Zhelyazkova 2001: 46-63).

In conclusion - the Albanian minority is not happy with its position in the country and sees no ways to change the existing situation by political means.

## **Geopolitical explanation of the conflict in 2001**

Geopolitics usually engages in explaining the balance of forces on a global level. However, the logical constructions applied to explain the rivalry among the Great Powers are applicable to the smaller Balkan geopolitical stage too and even to an individually viewed state like the Republic of Macedonia.

At the end of the XX and the beginning of the XXI centuries the Albanians are a rising power in the Balkans. There are several reasons for it. At the root of the relative rise of the Albanians is the demographic factor. During the whole second half of the XX century the birth-rate among the Albanians was higher than that among the neighbouring Slavic nations. To make it more precise: the 1994 data for the Republic of Macedonia showed that the birthrate of the Albanians is nearly twice that of the ethnic Macedonians. (Dragovic, 2004) The sociologists and politicologists have noticed for a long time that the presence of a large percent of young people is a destabilizing factor, especially if many of them are unemployed (Huntington: 164-172). This conclusion is fully applicable to the Albanian community of former Yugoslavia and in particular to the Albanians in the Republic of Macedonia.

During the years of the Cold War, owing to the nature of the established international order, the recurring of regular intervals of outbursts of Albanian discontent were treated as an internal problem of Yugoslavia, and Belgrade was free to handle it any way it thought best. After the dissolution of Yugoslavia, though, and especially after the bloody ethnic cleansing in Bosnia and Herzegovina, minorities' rights once and for ever ceased to be just a domestic affair. The international community began to apply pressure on the governments of the Balkan states requiring that they observed the Western standards in regard to minority rights. Albanians profited from it more than any other minority as they had been the predominant minority in Serbia and the Republic of Macedonia.

The third factor to give a serious boost to the Albanian geopolitical rise was the patronage of the USA. The USA identified Slobodan Milosevic as enemy number one to their vision of order in the Balkans even before 1998. Afterwards, during the escalation of the crisis in Kosovo, it was nothing but logical that the USA should take the side of the Kosovo Albanians who were adversaries of Milosevic. So far as the relations between the Kosovo Albanians and the Macedonian Albanians had always been very close it could have been expected that the

American support to the Albanian revolt might be subsequently transferred to the Republic of Macedonia as well.

Because of their belated national development the Albanians established their own state later than the majority of the Balkan nations. That state was not very successful in its attempt to unite all the Albanians living in the Balkans. Nearly half of the Albanian population remained in the state of Yugoslavia. In the second half of the 1990-ties Serbia desperately tried to stop its national and territorial implosion and Kosovo was actually the focal point of all efforts in that respect. Though from a military point of view the Kosovo Liberation Army was much weaker than the Serbian military and policy forces, at that time they already were a “rising” power while Serbia was a “failing” one. That was why the existing status quo was absolutely unacceptable for the Albanians after the autonomy of Kosovo was renounced in 1989 and the repressions applied. Halford Makinder, one of the founding fathers of geopolitics, held that “the great wars of history ... are the outcome, direct or indirect, of the unequal growth of nations” (Kennedy, 1989: 693). It should be reminded that these words were referred to the major players on the world stage but the described scenario was also confirmed by the development of the events in the Balkans.

In 1999 Kosovo turned into a contagious case, demonstrating how under favorable coincidence of international factors a separatist movement can be successful by means of armed struggle. In view of all this the 2001 rebellion of the Macedonian Albanians can be regarded as a repercussion of the 1999 Kosovo events. After the historic success of 1999 it would have been illogical for the geopolitical advance of the Albanians to stop at the border between Kosovo and the Republic of Macedonia, even more so since that border was particularly unrestrictive.

The Republic of Macedonia was a much weaker state than Serbia but it was also much more democratic than the regime of Milosevic. That was why the Albanians in Macedonia needed an additional incentive, the one coming from Kosovo, in order to start insurgencies against the authorities in Skopje. The very fact that the indisputable leader of the National Liberation Army (NLA), Ali Ahmeti was also one of the founders of the Kosovo Liberation Army (KLA) shows that the struggle of the NLA can be viewed as a sequence to the battles fought by the KLA but on the territory of another state. According to Daskalovski (2005: 119) the NLA was an umbrella type organization comprised of nationalist, drug smugglers, dissatisfied Macedonian Albanians, ordinary peasants and foreign mercenaries. The same can be said about the KLA. Anton Parvanov (2011, under print) brings

to light the fact that in 2001 the NLA received significant financial and moral support by the Albanian diaspora in the USA and Europe, just as had happened with the KLA two-three years earlier.

The above are reason enough to define the events of 2001 in the Republic of Macedonia as a subsequent stage in the Albanian geopolitical advance moving from the Western outskirts of the Balkan Peninsula towards its more central parts. If in the times of the Ottoman Empire that advance was only ethnic-territorial and demographic, by the end of the XX century it adopted a political character and its target was a revision of the existing state borders. The ethnic motive had the main part in establishing the ground for the Albanian territorial claims. However, it was much stronger in its expression in Kosovo where just before the war of 1999 the Albanians constituted nearly four fifths of the population of the area. The situation in the Republic of Macedonia was quite different – there the Albanians were approximately one fourth of the total population and were scattered on an arc-like patchy territory, beginning at Lake Ohrid and spreading across to reach Kumanovo. In contrast to Kosovo that territory had never been a separate administrative unit and in some of the Macedonian communities the Albanians gained in number only in the last two decades of the XX century. That was why the separation of the Macedonian Albanians in an independent state looked unrealistic before and after the OFA was signed. If separatism was the objective number one for the Kosovo Albanians, theoretically in 2001 there could have been only two objectives for the Albanians in Macedonia: annexation of the future independent Kosovo by division of the Republic of Macedonia or alteration of the very nature of that state. According to the most pessimistically minded Macedonians the creeping territorial and demographic expansion of the Albanians to the East will wedge between the Republic of Macedonia and Serbia (on the other side of the border the population in the Presevo Valley is also Albanian) and thus the strategic line of communication Belgrade – Skopje will be severed. However, such speculations are too far fetched and imply the existence of an integrated general strategy for Albanian expansion in the Balkans. Such a strategy though does not exist. All attempts made by researchers to define the objectives of the Albanian insurgency in the Republic of Macedonia in 2001 end with finding them dependent on the strength of the counteraction exerted by the Macedonian security forces and more than that, they depend on the position of the international factor represented by the USA and the EU.

Of course, the events that brought about the OFA could be regarded from the aspect of the personal rivalries inside the political camp of the Macedonian Albanians. Contemplating the motivation of the Albanian insurgents, James Pardew,

the special American representative for the conflict in Macedonia in 2001 finally concluded: "I think they are seeking greater political influence inside the Albanian community both in Macedonia and Kosovo" (Daskalovski, 2005: 121).

The armed conflict between the Albanians and the Macedonian security forces in 2001 did not bring about ultimate victory to any of the sides and did not eliminate the reasons for the conflict. This was a war for territory, masked under a demand for protection of minority rights. The actions were accompanied by ethnic cleansing – the Macedonians were driven away from many villages of Northwest Macedonia, and a small number of Albanians – from the towns in the central part of the country. Actually, Macedonia went through the process of ethnic homogenization, which had taken place in the Eastern part of the Balkan Peninsula in the first half of the twentieth century. The paradox is that ethnic homogenization occurred mainly in the Western regions of the country and was detrimental to the title *ethnos*.

When viewing the Albanian insurgency of 2001 in the Republic of Macedonia in the context of the general Albanian expansion in the Balkans, it is logical to ask how long this expansion will last and whether the OFA was its culmination. The Albanians, though with serious delay, are following the model of demographic development of the other Balkan and European nations. The apogee of the Albanian demographic boom has already passed in history. In the recent years the birth rate of the Albanians has been declining though it is still higher than the average birth rate in Europe. That is why it is logical to expect that the dynamics of the Albanian pressure on the neighbouring Balkan nations will slowly and gradually decrease. At the same time a fact not to be ignored is that now in the beginning of the second decade of the XXI century the Albanians have nearly reached in number the two main Slavic nations in the Balkans – Bulgarian and Serbs (6,5 – 7 millions). The disparity concerning the dimensions of the territories occupied by these three nearly equal in number nations is obvious. While Bulgarians and Serbs (Serbia proper and Bosnian Serbs) live on territories slightly above 100 000 sq km each, the joint territory of Albania, Kosovo and the districts of predominantly Albanian population in the Republic of Macedonia and South Serbia is no more than 45 000 sq km. Therefore, the Albanian pressure for settlement to new territories will continue even if there is no chance for alteration of the existing state borders. Since the number of the Albanians in South Serbia (Presevo Valley) and Montenegro is negligible, it is reasonable to expect that in the future the Albanian territorial pressure will continue to be applied mainly on the Republic of Macedonia. It is a natural immanent process, rather of chaotic than of controlled nature.

The armed conflict of 2001 and the OFA marked an important change in the geopolitical environment in which the young state of the Republic of Macedonia was placed. The relations with Kosovo and Albania and not those with Serbia, Bulgaria and Greece are now becoming crucial to the fate of the country. If until the end of the XX Century the main geopolitical pressure on the Vardar Valley was coming from East, North and South, now it has changed direction and is coming from the West and North-West. The dramatic fate of the former Yugoslav republics after 1991 brought about the formation of a new political zone, called Western Balkans. Since the beginning of the XXI century it became clear that Bulgaria and Romania would be admitted to the EU, and the old term “Balkans” when used in the international geopolitical discourse, actually now refers to the Western Balkans. From a geopolitical point of view the EU and NATO membership turned Bulgaria into a part of the West, though from a civilization point of view it does not differ from the Republic of Macedonia and Serbia. Thus a paradox was created: in the East the Republic of Macedonia borders the West while on its Western frontier it feels the pressure of the Albanians who the Macedonians consider an Oriental nation.

## **The USA passed the Balkan baton on to the EU – the Conflict in the Republic of Macedonia and the Redistribution of the International Responsibilities**

In global aspects the armed conflict of 2001 in the Republic of Macedonia demonstrated the new redistribution of responsibilities which the West was prepared to undertake for establishing peace in the Balkans. Russia had neither the necessary instruments nor political will to get involved in the conflict. That was why the main burden of the international involvement in it fell on the USA and the EU.

During 1999-2000 the Americans took direction of the so-called cordon strategy aimed at isolating Milosevic entirely. With different degrees of willingness, Bulgaria, the Republic of Macedonia, Albania, Bosnia, Croatia, Hungary, and Romania became part of a thick, pro-American political belt around Yugoslavia. During the war in 1999, the objective of the cordon was to stop any possibility of Belgrade receiving Russian aid from the air. After that the main objective was to transform the outside isolation into tension within the country itself which in the end would explode and wipe out Milosevic himself. From the crushing military

defeat of Yugoslavia to September 11th, the USA maintained a relatively constant military and political presence in the West Balkans. In this period the “Bondsteel” was built – the biggest American military base constructed after the Vietnam War.

The Macedonian crisis of 2001 proved that Washington, under the new administration of George W. Bush Jr., was not inclined to commit itself in new serious engagements in the Balkans. For a long period the Americans not only could not decide whether to take significant action in the Vardar area in the same way that they did in Bosnia and Kosovo but they also did not have a clear position in regard to who is to blame for the conflict. True enough, the Ohrid Agreement between the main political powers in the Republic of Macedonia was achieved with the active participation of Washington’s envoy James Pardue, but his intervention was bleak in comparison to the role Richard Holbrooke played in ending the war in Bosnia and speeding the outcome of the Kosovo crisis up.

The main dilemma the Americans faced in 2001 was how to show to the Albanians that their expansionism would not be encouraged anymore and at the same time not to spoil the relationship with allies they had amidst Kosovo Albanians. As a matter of fact the crisis in the Republic of Macedonia was the last Balkan conflict in which the USA played the most decisive part. The events of September 11th 2001 changed America’s foreign affairs priority. After a short period, necessary for contemplating the terrorist attacks and their consequences, the question “What are we doing with the Balkans?” transformed into “What are we doing on the Balkans?”

To compensate for the decreasing American activity directed to the Balkans the conflict of 2001 turned into the first event to determine the leading role of the EU in the Balkans. After learning the hard way from its experience in the war in Bosnia, in the Republic of Macedonia the EU appeared as a decisive factor making both sides in the conflict to respect the Union.

On 31st March 2001 Operation Concordia began – it was the first military mission in the history of the EU. Its original operational term was till 30th September but later on, at the request of the Macedonian government, it was extended to 15th December 2003. As an immediate and comparatively small neighbour of the EU, the Republic of Macedonia was well suited for the first military step made by the Union in the old Continent. While carrying out Concordia the EU was admitted to NATO capacity and possibilities, the mission thus becoming also a practice test in application of the Berlin Plus agreement. The main objective



of the mission was to be instrumental to the stabilization of the situation in the Republic of Macedonia as creating a stable and secure environment was to render the international military presence ultimately unnecessary.

In the period from the summer of 2001 to the beginning of 2003 NATO carried out three missions in the country. Originally NATO controlled the disarmament of the Albanian insurgents and then protected the international monitors and helped with the reconstruction of the Macedonian army. Even at the beginning of NATO's operation Allied Harmony in December 2002 it was planned that it might be terminated earlier and the international military mission transferred under the EU. That was what actually happened.

## **Consociational Democracy on the Balkan ground - the Republic of Macedonia after the OFA**

The Ohrid Agreement is an expression of the EU and USA endeavor to treat the ethnic conflict in Macedonia with the two traditional medicines of liberalism: decentralization and including the minorities in governance at all levels. In subsequence of the failure of the classical liberal-democratic model, followed in Macedonia in the period 1991-2001, the West by means of the Ohrid Framework Agreement has imposed on the country the so-called consociational democracy which is believed to be a more suitable one for deeply divided societies. Owing to a combination of a number of cultural, historical and economical reasons the Albanians have not been able to integrate as individuals within the Macedonian society, that is why they are now trying to achieve the same as a community. After all, in 2001 the West showed willingness to support that aspiration of theirs on the condition that no violence will be applied for its achievement. In that sense the OFA is an attempt (so far successful) to "tame" the Albanian expansionism and get it into the peace-frame.

However, the predominating ethnic group of the country is not satisfied with the model of community integration, putting forward the argument that it is in variance with the principles of classical liberal democracy. That is why the Ohrid Agreement cannot be considered as a final settlement of the conflict between Albanians and Macedonians. Besides, through it the Macedonian society would rather turn into a bicultural rather than a multicultural one.



The goal of the West is to artificially establish a balance in the participation of the two main ethnic groups in government. This balance is subject to periodical reconsideration and negotiation, owing to the high degree of the demographic and political dynamics of the Albanian minority. The consolidation of the institutional infrastructure in Macedonia may limit the influence of the pre-modern mechanisms for a distribution of power and resources, such as the clan and family ties among the Albanians. At the same time, the consociational democracy more often than not strengthens the opposite tendency – the one of self-isolation of the ethnic communities and its use of the ethno-elite as a mediator in the contacts between the individual and the state. In the first several years after the OFA the adoption of an imported political model and the permanent interference of the EU and the USA in order to maintain it, turned the Republic of Macedonia into a semi-protectorate. Thus the sovereignty of the state has been simultaneously limited from below (by the ethnic minorities) and from above (by the international factor). In a situation like this, it would be extremely difficult for the Macedonian state to become a center of gravity, necessary for the formation of a joint political identity of all citizens in the country.

The Albanian formations always participate in elections independently and never try to identify themselves with any of the classical ideologies, such as socialism, liberalism or conservatism. Their only and one credo is ethnic nationalism. Albanian political parties' participation in the ruling coalitions in the Republic of Macedonia are not determined by any ideological proximity with the coalition partner but only by the percentage of votes obtained in the elections. The leaders of the Albanian minority in the Republic of Macedonia do not accept the idea of a civic nation. In that respect it is comparable with the behaviour of the Turkish minority in neighbouring Bulgaria and its political party, the Movement for Rights and Freedoms (MRF). Similarly, the Albanian parties in Macedonia in times of elections MRF rely on the ethnically motivated vote. Nevertheless the MRF energetically denies it is an ethnic party and defines itself as a "liberal" political formation.

At the end of 2002 in his lecture delivered to university students in Sofia, an irremovable leader of MRF Ahmed Dogan said: "Our integration into Europe goes obligatory through returning to the authentic Bulgarian values ... I have always said that we need moderate Bulgarian nationalism. This is not ethnic nationalism." (24 Casa, 11/29/2002). The position of the long-time leader of the Macedonian Albanians, Arben Djaferi is precisely at the opposite pole. In an article in "Fakti" newspaper he wrote: "The Albanians in Macedonia shall never accept the idea of a political nation and call themselves Macedonians ... The Albanians away

from the mother-state have never accepted the political concept of nation, only the ethnic one.” In general, Djaferi rejects the political nation as such. According to him, it results in assimilation of the ethnic minorities (Dnevnik, 11/29/2002).

The possibility to form a political nation in the Republic of Macedonia is denied not only by the Albanian minority, but also by many members of the ethnic majority. The views of the Macedonian ethnic nationalist radicals were most clearly expressed in April 2003 by the Macedonian ex-Prime-minister, Lyubcho Georgievski. In a program article in “Dnevnik” newspaper he stated that Macedonians and Albanians could not live together and, because of this, they must divide between themselves the territory of the Republic of Macedonia. Georgievski prefers his country to be smaller, but with entirely Macedonian ethnic makeup. (Dnevnik, 04/28/2003).

The major problem with the interethnic relations in the Republic of Macedonia is that from 2001 on they have been attained through the intercession of the political parties. Grass-roots initiatives for inter-cultural dialogue are extremely rare. The number of ethnic Macedonians with any knowledge of the Albanian language is negligible. The Albanian parties themselves have been monopolizing the role of a mediator between their electorate and the state. Therefore the creation of a real citizens’ nation similar to the one of the USA in the RM looks, at least for the time being, impossible.

The character of the Macedonian state and the Macedonian political nation is an extremely sensitive issue for the title nation of the Republic of Macedonia. Historically, for many decades the Macedonian identity was renounced by Bulgarians, Serbs and Greeks. Only a decade after that identity was securely accommodated into the new independent state of the Republic of Macedonia, it turned out that it should be redefined. The post-OFA Republic of Macedonia is no more a state of ethnic Macedonians and ethnic minorities to be entered in the column marked “other”. In the Pantheon of the Macedonian national heroes place must be made for Albanians too. Ten years after the OFA was signed any tourist visiting Skopje would perceive this new reality. On the two opposite banks of the Vardar River two symbolic heroes of history look down, mounted on their bronze horses – Gotze Delchev and George Kastrioti Skanderbeg.

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# The Role of Organized Crime in the Eruption, Management and Resolution of the 2001 Conflict in the Former Yugoslav Republic of Macedonia

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## **ABSTRACT**

The conflict in 2001 has been often characterized as an interethnic one and, arguably, this is how it is going down in high school history books. However, the role of international war profiteers was equally important as a cause of the eruption of violence as was interethnic grievance. Organized crime constituted the means that was used for maintaining conflict through increasing the profit margin for diverse groups. In that context, I will test two hypotheses regarding conflict management, on the one hand, and conflict resolution, on the other. First, I will claim the Ohrid Framework Agreement was unsuccessful at institutionalizing an effective framework within which the underlying causes of organized criminality could be tackled, thus, sustaining a conflict prone parameter in the Macedonian society. Secondly, I will suggest that while FYROM has been successful at fighting organized criminality in accordance to EU criteria, both the Union and the country's governments have failed to address its root causes that perpetuate the threats of organized crime and conflict, namely unemployment, regional marginalization and corruption.

## Introduction

The eruption of violence in the Former Yugoslav Republic of Macedonia in 2001 constituted the last large-scale armed confrontation in the region. Despite the fact that the hostilities did not escalate to the levels of the conflicts in Bosnia and Kosovo, the so called mini-war in FYROM depicted all the problematic particularities of the Western Balkans area. Due to its short duration and comparatively limited bloodshed the war in 2001 constitutes a relatively clean cut case study of which an analysis can provide defensible generalizations on the patterns of interethnic conflict prevention, management and resolution in the region. The present paper will try to shed light on the role of organized criminal networks in the eruption, escalation and diffusion of the conflict, on the one hand, and the EU integration prospect of FYROM, on the other.

In that context, I will first utilize the existing bibliography in order to support the claim that despite the fact that organized criminality has stimulated the outbreak of violence in 2001 and has diachronically hindered the country's transition process; the Ohrid Framework Agreement was unsuccessful at institutionalizing an effective framework within which its underlying causes could be tackled, thus, sustaining a conflict prone parameter in the Macedonian society. Secondly, official data and documentation on organized crime inducing factors, namely limited security forces capacity, unemployment, regional marginalization and corruption, will be presented and assessed in order to evaluate the country's pertinence at meeting EU criteria and establishing a sustainable long term security policy. In particular, I will test the hypothesis that while FYROM has been successful at fighting organized criminality in accordance with EU criteria, both the Union and the country's governments have been unsuccessful at accentuating and addressing the root causes of the phenomenon that perpetuate the threats of organized crime and conflict.



## Theoretical background

The theoretical thesis that I will defend in the present paper is drawn from Paul Collier's, Anke Hoeffle's and Dominic Rohner's work and particularly their "feasibility hypothesis" regarding interethnic conflict. They suggest that "where the rebellion is feasible it will occur". Motivation is derived from individual greed and the profit potentials an interethnic conflict provides rather than from existing ethnic grievances. The pretext is irrelevant and is adopted in a remote manner or as it is characteristically put by Collier, Hoeffle and Rohner "being supplied by whatever agenda happens to be adopted by the first social entrepreneur to occupy the viable niche, or itself endogenous to the opportunities for illegal income". After war profiteers, driven by greed, mobilize populations and galvanize violent conflict; ethnic grievances are aggravated and, sequentially, the conflict is escalated and perpetuated. Any viable policy against the eruption of civil strife necessitates narrowing down its attractiveness or in other words increasing the risk of rebellion. In that context, I will accentuate the role of organized crime as a colliding factor for heterogeneous beneficiaries that substantiated interethnic strife by improving profit potentials through minimizing the risk of arrest. Later, following the same scholars' rationale regarding interethnic conflict restraint, I will examine FYROM's policy effectiveness at addressing it.

The reasons for the increased gravity of organized crime in certain political, economic and social contexts (that will be also widely used in the present paper) will be derived from the typology, provided by Francesco Strazzari, on the causes for the proliferation of the phenomenon. There are three substances of organized crime that determine the level of its penetration into society: criminal groups as a security threat, as an icon and as a safety net. The latter refers to the capacity of organized crime to provide the means for survival to groups or individuals that are not protected by the official State. When Strazzari refers to organized criminality as an icon he accentuates its role in the process of State building in order to bring forward the manifold and endemic interconnections between elites and criminality. Finally, organized crime as a security threat refers to the capacity of criminal groups to challenge the State's monopoly over the use of force (Strazzari, 2002).

## **Organized crime and conflict: interaction and codependence**

The conflict in 2001 that took place between Albanian guerillas and the Macedonian armed forces was indisputably expressed in interethnic terms. However, a growing segment of conflict analysts in the region suggest that it was only partially interethnic in origin (Kemp, 2004: 49, Tomovska, 2008: 1, Hislope, 2003). Since the disintegration of Yugoslavia, FYROM was characterized as the only success story for the international community in the region or what was described, in a rather over enthusiastic manner, an “oasis of peace” in the Western Balkans (Jackobsson – Hatay, 2005: 12, Hislope, 2001: 3, UNDP (ed.), 2004). Macedonian society, since the country’s independence, was characterized by interethnic division which, however, was rarely expressed violently.

One factor that drastically contributed to the relative homogeneity of FYROM’s post independence can be found in the political stance of Yugoslavian leadership. Milosevic’s regime, during the 1980’s, tried to suppress Albanian identity throughout the country<sup>1</sup>. Albanian Macedonian elites estimated that its role of representing its peoples could be easier and more effectively and flexibly played in a weak state where it constituted the largest minority and its consensus was vital for the country’s unity and viability. Therefore, the establishment of common interests of the Albanian and Macedonian elites was the ‘glue’ that held Macedonian community together. In fact, Robert Hislope, a leading expert who has thoroughly analyzed the conflict in FYROM, as well as Liotta and Jebb, has taken this argument one step further. They have supported the thesis that endemic corruption at political level since the country’s independence has fused the interests of the ethnic political elites of both groups and have therefore prevented violence. Another reason for the country’s peaceful transition during its first decade had to do with the presence of the United Nations Preventive Deployment (UNPREDEP) mission. UNPREDEP, carried out successfully its mandate since 1993 and greatly contributed to strengthening the State’s military capacity and rendering a potential rebellion highly hazardous for the insurgents, thus, reducing its feasibility.

The question that unavoidably rises is: what changed in 2001? With regards to interethnic elites’ common interests that prevented the eruption of conflict during the first decade of independence, one could argue that they were

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1 It is rather characteristic that the Yugoslavian constitution voted in 1989 did not recognize Albanians’ rights as minorities noting that: “Macedonia is the national State of the Macedonian people”.

largely affected by the rise of new competitive elites that benefited from instability and an alteration of the existing balance of powers. The participation of the most popular nationalist ethnic Albanian Party (Arben Xhaferi's Democratic Party of Albanians) in 1998 VMRO/DPMNE Macedonian nationalist government left a political vacuum in the right wing of the Albanian society. Extreme rhetoric was unavoidably alleviated despite the fact that it constituted a unifying factor for large segments of the population. This vacuum was exploited by extremist leaders who utilized the Greater Albania pattern and coiled those who objected Xhaferi's stance (Bellamy, 2002: 130). Given that Kosovar Albanians refugees widely supported nationalist organizations, radicals were strengthened after 1999.

Two other events further reinforced extremism: the degradation of the humanitarian status at the Albanian populated North and Northwest regions of the country due to the influx of Kosovars and the retraction of UNPREDEP<sup>2</sup>. The latter deprived FYROM from a useful and effective conflict prevention tool and it enhanced the feasibility of a potential insurgency (Bellamy, 2002, Jakobson-Hatay, 2005). The former, minimized the attractiveness of maintaining stable interethnic relations in the process of eventually meeting Euro-Atlantic accession criteria and transferred popular support towards more dynamic measures for the improvement of the region's humanitarian status in the short term, thus, increasing regional non-institutional elites' mobilization capacity. The country became painfully "involved" in a rally of nationalist outbidding, thus, minimizing the popular support for moderates as well as the common ground for a viable interethnic understanding that would settle the legitimate grievances of the Albanian population (Kemp, 2004).

Additionally, the interaction of regional and socio – economic parameters with widespread organized criminality and corruption further reinforced extreme nationalist rhetoric and the viability of a rebellion (Strazzari, 2007). The infiltration of "professional" fighters from Kosovo who found themselves obsolete in a peaceful context but also connected to and supported by smuggling networks (Hislope, 2001: 29) resulted in the creation of a flexible and well trained armed force that constituted the backbone of the NLA. On the other hand, the weakness of the Macedonian State together with endemic corruption regardless of ethnic origin provided fertile ground for criminal activity. These factors contributed to

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2 The withdrawal of UNPREDEP was a result of a mismanagement of the Macedonian government that caused China's veto to the prolongation of the mission in the Security Council (due to a commercial agreement signed by Skopje and Taiwan that aimed at mobilizing economic growth),

the escalation of conflict by facilitating the capacity of extremists to manipulate the existing institutional framework (political parties, security forces and the judiciary) and influence the decision making process<sup>3</sup>.

Furthermore, during the mini-war in 2001, organized crime constituted the medium that substantiated the convergence of interest of diverse influential groups. A vicious circle was introduced where as long as organized crime fuelled the rebellion through logistic support; the insurgents would maintain conflict and provide criminal groups with a safe environment for extending their businesses (Tomovska, 2008: 4, Kemp, 2005)<sup>4</sup>. This nexus between organized criminality and extremism was reinforced by three factors; first, the uncontrollable circulation of illegal weaponry in the region since the collapse of the Albanian state in 1997 that increased the number of entrepreneurs whose economic survival depended on perpetuating instability. Secondly, the existence of a wealthy Albanian Diaspora (at least partially involved in heroin trafficking that would be facilitated by the abolition of the Rule of Law at the Western Balkans' transition hubs (Bellamy, 2002, pp. 123-125, Hislope, 2001)) that could provide the required funds for fuelling and maintaining the conflict<sup>5</sup>. Thirdly, the connections of illegal networks that controlled smuggling during the embargoes in the 1990's with state officials and civil servants at all levels and among both ethnic groups that were easily re-activated for providing artillery once the profit potential rose through instability (Among others: *Ethno-barometer* (ed.), 2002: 91 – 92, Strazzari, 2007, Giatzidis, 2007: 334 – 337). Despite the legitimate grievances of the Albanians, the painful inertia of the international community and the government in Skopje at addressing them, the coincidence of different groups' interests in fuelling conflict and the mass influx of Kosovars that aggravated the humanitarian conditions at the Alba-

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3 Here it is characteristic that when Xhavit Hasani, a mafia affiliated individual from Aracinovo, was arrested, armed Albanians, connected to the NLA, kidnapped four Macedonian soldiers and demanded Hasani's release. Following the pressure the judges released Hasani. Reversely when Rumi Osmani mayor of Gostivar was arrested for flying the Albanian flag outside a public building, no violent reaction was generated despite the fact that this incident depicted a central grievance of the Albanian population (Bellamy, 2002)

4 According to rebel Commander Xhezair Sakiri, also known as Hoxha: "The Mafia only cares about money. If you have the money, you get the weapon" (Hislope, 2001, p. 36, UNDP (Grillot, Paes, Risser, Stoneman), 2004).

5 Despite the inability of measuring organized criminals share in financing the NLA due to the clandestine nature of such transactions; the participation of the KLA in the conflict, whose connections with criminal networks is generally accepted (according to US congressional report 30-50% of KLA funding was provided by criminal activities, Hislope, 2001, p. 29), leaves little room for questioning that a large amount of monies used for the equipment and the maintenance of the NLA came from criminal networks in Western Europe.

nian populated North; the eruption of violence would have been averted were the means, i.e. the weapons, missing.

All of the above mentioned reasons interacted and upgraded organized crime's gravity for FYROM in all three aspects of Fransenco Strazzari's typology. The implication of organized crime in the conflict labelled the NLA as a serious threat to the security of the State and the region thus, increasing the rebels' leverage for being included in the conflict management process and legitimizing them in the eyes of the Albanian population as defenders of the Nation (Bellamy, 2002). The fact that the NLA seemed capable of substantiating its threats reinforced the NLA's attractiveness. As Opposed to other guerillas with limited military equipment (e.g. the Albanian National Army) the NLA raised both popular support and international attention; if the rebels had not gotten hold of such a powerful arsenal in such a short period of time this would not have occurred, thus rendering armed confrontation unfeasible and illegitimate.

Moreover, the inequalities against the Albanian minority in terms of social, economic and political status greatly contributed to the vertical increase of popular support for extremists while the diachronic marginalization of certain regions further facilitated the creation of non-institutional political, economic and social elites<sup>6</sup>. The impoverishment and the limited employment prospects of the Albanian youth that saw war as a way out of their misery provided extremists with an easily mobilized human resource pond. These populations became supportive of ultra-nationalist ideas propagated by the same individuals and groups that capitalized on conflict and were largely financed by trafficking activities. On the other hand, generalized illegality in certain regions of the Albanian populated North of the country<sup>7</sup> and the porous borders with Kosovo<sup>8</sup> increased wealth among individuals who partly invested illegal income for substituting the State (in terms of supporting underprivileged populations), thus, raising popular support on both sides of the border and rendering themselves central figures of the rebellion in 2001.

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6 The main pretext that released the conflict was the fighting that took place between security forces and armed extremists at Tanushevi following the denial of armed men wearing KLA badges to allow a TV channel conduct a report on the condition of the region. Also see footnote number 2

7 More importantly the Aracinovo region and the infamous town of Tanusevci that constituted heavens for weapons and narcotics

8 According to an often cited interview with an NLA member on pertinence of border controls: "the Americans (KFOR forces) look at the stars when we go by" (Nordland, 2001), thus, rendering the transfer of any illegal shipment into the safety of Kosovo, effortless.

Consequently, widespread organized criminality combined with the State's limited capacity and constraints had more than a little to do with improving the feasibility of conflict and facilitating the eruption of violence in 2001. However, as it was underlined, organized criminality does not constitute an independent variable of the conflict. On the contrary, in FYROM's case it was the outcome of six factors: the consistent funding of the rebellion, the close cooperation between insurgents' military and criminal "branch" at the Northern mountainous terrain, the marginalization of certain North Western regions bordering Kosovo, massive unemployment especially among Albanian populations, endemic corruption within both groups and the States' limited operational capacity at confronting organized crime.

Given that the former two parameters cannot be measured effectively and cannot be tackled through enhancing policy making; they will not constitute parts of my evaluation of FYROM's conflict management and resolution. Reversely, I will look into the latter four factors, starting from the cessation of hostilities, in order to underline governments' effectiveness at diminishing the feasibility of the conflict through curtailing organized crime's capacity to refuel interethnic strife. In the next chapter, I will provide a short evaluation of the Ohrid Framework Agreement as a benchmark for the conflict resolution process, based on Collier's, Hoefle's and Rohner's arguments on managing interethnic strife <sup>9</sup>.

## **The Ohrid Framework Agreement and the conflict resolution process**

The Ohrid Framework Agreement (OFA) regarded the armed conflict in 2001 as an interethnic one caused by the legitimate grievances of the Albanian population and the ineffectiveness of the Macedonian majority at addressing them. In that context, it enacted the use of Albanian language in parliament, it increased voting capacity for national minorities in the parliament and the percentage of public posts reserved for national minorities and it dictated a revision to the constitution's preamble and the naming of other churches and faiths in the constitution. On the other hand, it provided for the cessation of hostilities, the disarmament of the NLA and the reaffirmation of Macedonia's territorial integrity. It should be noted that the signing of the OFA took place under severe multilateral political pressure while heavy fighting was still taking place. Under these circum-

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9 See the second page of this analysis

stances, it was quite successful. A well-balanced document was produced that institutionalized legitimate claims of the Albanian population while settling potential reactions of the Macedonian majority by timely playing the card of financial assistance through signing the Stabilization and Association Agreement with FYROM.

The OFA managed to successfully defuse the conflict. Drawing largely from Lebamoff's and Ilievski's comprehensive analysis, the Agreement stimulated political cooperation between ethnic elites by constituting cooperation "sine qua non" for government formation. Moreover, it provided for decentralization of decision – making. It shifted conflict towards regional elites and not interethnic ones, thus changing the focus of political debate and defusing the conflict. On the other hand, it attempted to cultivate interaction between communities at civil society level by applying the Badinter principle <sup>10</sup> as well as by increasing minority representation at public offices.

However, the OFA failed to look at the eruption of violence as a symptom and treated it as the underlying cause of chronic challenges of FYROM's economy, society and politics. It failed to look at the conflict as an opportunity for addressing chronic hazards such as educational disparities, unemployment, corruption and the porous borders with Kosovo that severely affected the function of Macedonia's democracy and economy. Arguably, the role of OFA was not addressing all problematic aspects of the Macedonian society (Lebamoff, 2008). Nevertheless, these oversights contributed to the prolongation of popular mistrust towards political elites and provided fertile ground on which war profiteers could be re-mobilized, once the moment was ripe.

First, the OFA did not manage to institutionalize a common standard between communities for the access to tertiary education and failed to reach a settlement with regards to the equal recognition of monolingual minority University degrees. The latter, undermined the recognition of Tetovo University's degrees as well as the access of well educated Albanians to the upper echelons of the labor market, thus maintaining socio-educational discrepancies between the two communities <sup>11</sup>. Secondly, despite regulating the disbandment of the NLA, it failed to integrate into the Agreement similar concessions by other rebel/terrorist groups

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10 According to the Badinter principle administrative services in regions where minorities constitute at least 20% of the overall population, have to be provided in both languages.

11 In as much as statistics can be tactless, it is claimed that if all of the ethnic Albanians with higher education were employed in the public administration across Macedonia in 2001, Albanian representation would have increased from 10.2 percent to 10.7 percent (in Lebamoff and Ilievski (draft), p. 15)



such as the ANA. Thirdly, attracting foreign direct investment is vital for addressing unemployment and restructuring conflict ridden societies. In that context, the OFA did not provide for a massive reformation of the malfunctioning public sector (especially in the neuralgic fields of judiciary and security services) thus maintaining the State's poor regulatory quality and, sequentially, escalating political risk for doing business in FYROM. Fourth, it further encouraged the "ethnification" of politics and, therefore, the division of political elites in ethnic rather than civic terms. In that way, nationalism as a mobilizing instrument was maintained and, arguably, reinforced while the creation of a civic state was undermined. Finally, through avoiding finalizing and institutionally addressing the (indeed sensitive) issue of the border with Kosovo, the OFA maintained a source of unrest in the region.

Overall, it is true that the Ohrid Framework Agreement does not constitute a 'quick fix' or a 'forced marriage' as was the case with other contemporary peace agreements. Conversely, it is a successful document that managed the conflict. However, it did not resolve it (Lebamoff, 2008). Consistent and multilateral efforts on behalf of all communities in FYROM as well as from the international community are needed in order to create the framework within which armed confrontation will be rendered unfeasible and, thus, will be easily marginalized.

## **FYROMs achievements and shortcomings in fighting organized crime since 2001**

Since the signing of the OFA on 13 August 2001, consequent governments of FYROM have consistently worked on fighting the implications of organized crime. However, due to the increased demand for illegal products, the enhanced logistic and technological support of criminal networks and the loose international borders; an effective confrontation of criminal activity necessitates a structural reformation in order to break the chain of supply and demand. In the present chapter an analysis of FYROM's effectiveness at addressing these structural challenges will be conducted again based on the model provided by Francesco Strazzari.



## Organized Crime as a Security Threat: Building Operational Capacity

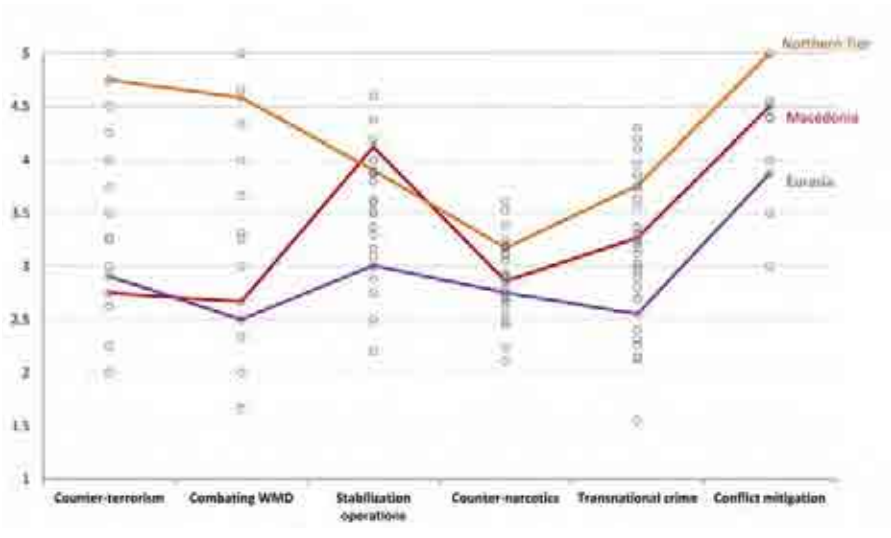
FYROM's determination for addressing chronic security challenges has been remarkable. Figure I indicates that one of the greatest achievements of FYROM after 2001 has to do with stabilization operations and security forces reform. In fact, it performs better than the average of Northern tier EU countries<sup>12</sup>. These reforms are interconnected to other encouraging indicators such as the minimization of threats deriving from organized crime and conflict (figures I, II). Functional and effective security forces are a vital means for addressing chronic problems of FYROM e.g. the porous borders with Kosovo or the consequent proliferation of trafficking illegal drugs and human beings. In that context, security forces reform carry a central role in the country's effort for post-conflict reconstruction, conflict resolution and democratic transition.

In addition, customs regional cooperation (primarily with Bulgaria, Serbia and Kosovo) has been improved, operational and organizational effectiveness has been enhanced (EU Commission (Progress Report), 2010) while there have been consistent efforts for readjusting the legal framework for addressing different brands of organized crime (EU Commission (Progress Report), 2009, 2010). Despite certain shortcomings in the fields of judiciary independence and coordination of certain units for fighting organized crime and corruption, FYROM; according to the European Commission, the country has achieved good progress with respect to enhancing its operational effectiveness.

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12 Northern Tier CEE consists of Estonia, Latvia, Lithuania, Poland, Slovakia, Czech Republic, Hungary, and Slovenia; Southern Tier CEE consists of Romania, Bulgaria, Croatia, Serbia, Bosnia and Herzegovina, Montenegro, FYR Macedonia, Albania, and Kosovo; Eurasia consists of twelve countries of the former Soviet Union less the Baltic state

Figure 1: *Peace and Security Comparison*



Source USAID: Europe and Eurasia Bureau: Macedonia gap analysis, Strategic planning and analysis division

Table 1: *Global Peace Index*

Year	2007	2008	2009	2010	2011
Macedonia, FYR*	82/121	87/140	88/144	83/149	78/153

Source: *Global Peace Index*

\*The first number indicates the country’s position in the Global Peace Index and the second the number of countries evaluated

## Organized Crime as an Icon: Fighting Corruption

In FYROM's leadership fight against corruption, the results are mixed. According to the Global Corruption Barometer of Transparency International the majority of people regard civil servants as corrupt, especially in the neuralgic sectors for fighting organized criminality i.e. the judiciary (3.9), the police (3.3) and the political elite (political parties 3.7, parliament 3.5) (Figure VIII). However, FYROM scores a striking 4.1 on the corruption perception index (Figure III)<sup>13</sup>. This is largely an effect of remarkable efforts on behalf of the government for fighting corruption. Despite the fact that the situation has not dramatically improved, the government's commitment is duly praised as the single most important parameter for an effective combat against corruption in the long term.

It is also characteristic that corruption perception is higher than actual corruption (Figure V) and that the majority's evaluation of governments' effectiveness at fighting corruption is positive (figure VI). The latter two sets of numbers indicate public doubts over the overall feasibility of the task of fighting corruption given that according to the majority of the population the phenomenon is escalating (Figure VI). Moreover, they depict political apathy and frustration on behalf of the people who regard corruption as an integral characteristic of Macedonian society that spreads regardless of political will and effectiveness due to its endemic nature. Perpetuating such mentalities can severely undermine potentially beneficial initiatives and can render ineffectiveness at fighting corruption a self-fulfilling prophecy.

Overall, corruption is far from diminished. However, the committed effort for countering it has two results: on the one hand, it manifests that, according to international assessments, downsizing corruption is a feasible and politically profitable task. On the other hand, it constitutes an alternative point of convergence and a convincing vision for both Slavo-Macedonian and Albanian-Macedonian political parties that can redefine their relations from maintaining corruption to fighting corruption.

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13 FYROM shares with Croatia the first place in terms of transparency in South East Europe

Table 2: *Corruption Perception*

COUNTRY	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
FYR MACEDONIA			3.3				2.3	2.7	2.7	2.7	3.3	3.6	3.8	4.1

Source: *Transparency International*

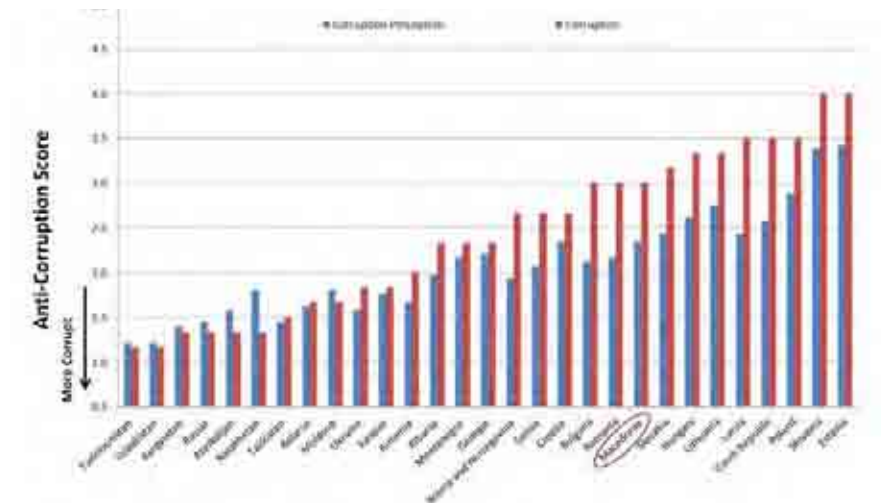
Table 3: *Corruption*

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
FYR MACEDONIA	5.0	5.0	5.5	5.5	5.0	5.0	4.75	4.75	4.5	4.25	4.0

Source: *Freedom House, Nations in transit 2010*

Scale 0-7, 0 being not at all corrupt and 7 being extremely corrupt

Figure 2: Corruption and Perceptions of Corruption in Central and Eastern Europe and Eurasia



Source USAID: Europe and Eurasia Bureau: Macedonia gap analysis, Strategic planning and analysis division

Table 4: Question: In the past three years how was the level of corruption in this country affected?

Country	...Decreased%	...Same%	...Increased%
FYR Macedonia	25	29	46

Source: Transparency International

Table 5: Question: How would you assess your current government's actions in the fight against corruption?

Country	Ineffective%	Neither%	Effective%
FYR Macedonia	34	13	53

Source: Transparency International

Table 6: Question: To what extend do you believe the following institutions in this country to be affected by corruption? (1-Not at all corrupt, 5-extremely corrupt)

	POLITICAL PARTIES	PARLIAMENT	POLICE	BUSINESS	MEDIA	JUDICIARY	NGO	RELIGIOUS BODIES	MILITARY	EDUCATION
FYROM	3.7	3.5	3.3	3.0	2.8	3.6	3.9	2.6	2.1	3.4

Source: Transparency International

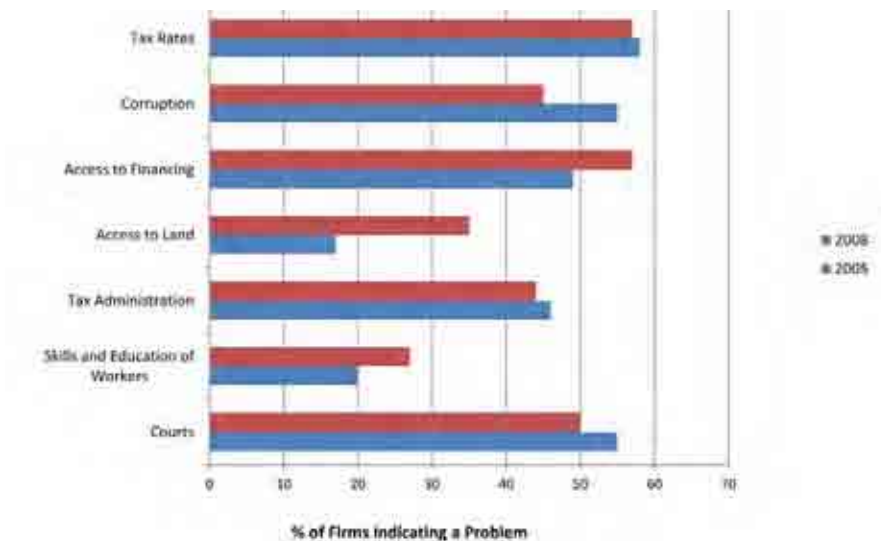
## Organized Crime as a Social Safety Net: Fighting Unemployment and Social Disparities

FYROM's poorest scores are recorded in its crime prevention policies, particularly in the fields of unemployment and social disparities. According to Figure IX, there has not been any remarkable progress on fighting unemployment throughout the past decade. Thus, an inhibitory factor for curtailing the attractiveness of illegality has been maintained. In order to fight unemployment, galvanizing growth is imperative. FYROM has made great efforts and has indeed managed to achieve good scores with regards to its business environment. Between 2009 and 2011, the country has jumped 37 spots in World Bank's Doing Business Index and throughout 2010 the government has passed a series of laws for providing investors with a more flexible framework in terms of taxation (World Bank, 2011). However, these efforts have not yet born fruits. It appears that business climate improvement has not satisfactorily stimulated investment (Figure XI). This can be explained by the long existing culture and the sizable proportions of gray economy that constitute legal business less attractive. With regards to foreign investment, FYROM's limited success can be looked for in the increased political risk for doing business (particularly due to corruption and regional instability) while the limited access to funding is a shared problem for domestic and foreign investors (figure IX, World Bank, 2011).

Table 7: Unemployment Rate (% of Labor force)

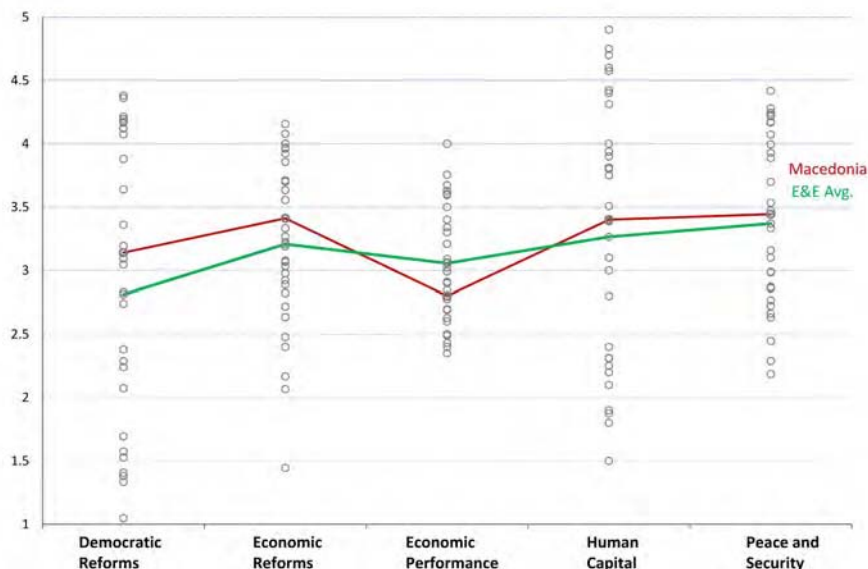
	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
FYROM	31.9	36.1	34.4	32.4	31.7	30.5	31.94	36.6	37.1	37.2	36.03	34.9	33.7	32.1	32.1

Figure 3: Business Problems as Indicated by Firms in Macedonia



Source USAID: Europe and Eurasia Bureau: Macedonia gap analysis, Strategic planning and analysis division

Figure 4: Macedonia's Development Profile/ Regional Comparison of Five MCP Indices



Source USAID: Europe and Eurasia Bureau: Macedonia gap analysis, Strategic planning and analysis division

Discouraging performances are noted in the fields of education (figures XII, XIII) and regional integration. Starting from the latter, FYROM's uneven distribution of central funding and public offices as well as its severe shortcomings at creating a decentralized civic state and an interethnic civil society has perpetuated division. On the other hand, the generalized feeling of autonomy of populations from marginalized regions especially in the North West also contribute to FYROM's negative performance at regional integration <sup>14</sup>. The roles of Tanush-evci and the Preshevo valley in the 2001 conflict, taught scholars and practitioners in the Western Balkans that the potential threat produced by the marginalization of certain regions is overwhelming. Maintaining hubs of volatility perpetuate the risk of eruption of violence given that underground groups lack neither the means (weapons from 2001) nor the financial capacity (through trafficking activities) for utilizing ultra-nationalist rhetoric and generating instability.

14 According to USAID statistics collection from EBRD, the World Bank and Freedom House, FYROM scores 2 out of 5 in terms of domestic inequality (1-5 scale, 5 indicates the lowest level of inequality).



With regards to the education gap, it appears that primary and secondary education scores of FYROM have either remained stable or aggravated throughout the previous years primarily due to the governments' ineffectiveness at enlarging its network of schools and providing equal access of minority population to secondary education as well as the high number of dropouts among minority populations (UNDP (ed.), 2004, 2010) (figure XIII). On the other hand, education discrepancies are largely related to the Macedonian governments' neglect of Albanians' request for equivalent recognition of Tetovo University's degrees until 2004 and its unwillingness to invest in the post-secondary education of minorities. Finally, both the low level of education throughout the country and the educational disparity record are aggravated by FYROM's inability to effectively integrate other minorities, primarily Roma populations (figure XIV) <sup>15</sup>. Education gaps and educational disparities undermine the attractiveness of FYROM for foreign investment and preserve dichotomy in Macedonian society. The former reduces the quality of the country's workforce and, thus, curtails foreign investment. The latter, prevent minority populations from pursuing employment in the upper offices of the public sector; create distinct roles for each community thus undermining the development of a common civil society and exposing minority members to informal employment.

Table 8

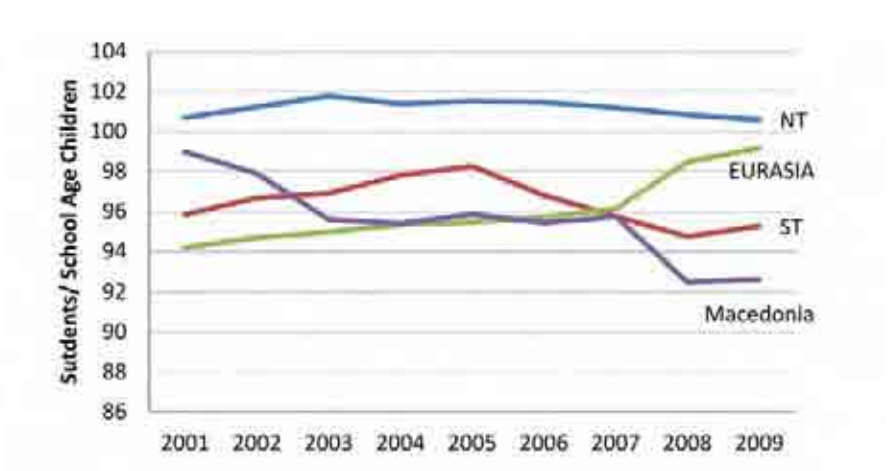
	2000	2005	2006	2007	2008	2009	2010
Mean years of schooling (adults) (years)	7.0	7.6	7.7	7.8	7.9	8.0	8.2
Expected years of schooling (children) (years)	11.9	12.1	12.2	12.3	12.3	12.3	12.3
Combined gross enrolment ratio (%) (both sexes)	69.5	70.1	70.1	70.1	70.1	70.1	70.1

Source: *Human Development Index 2010*

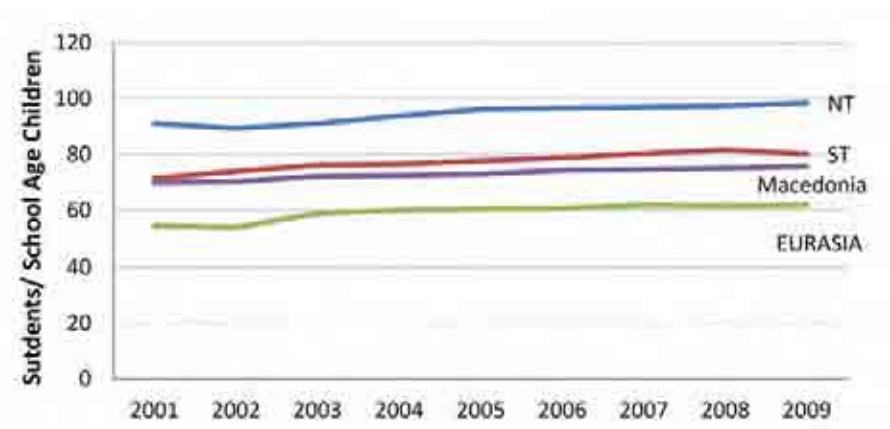
15 The average student-teacher ratio in primary education is characteristically uneven among populations: Macedonians: 15:1, Albanians 17:1, Roma 30:1 (OECD, 2004)

Figure 6: Education Overview

Gross Primary Enrollment Ratio



Gross Upper Secondary Enrollment Ratio



Source USAID: Europe and Eurasia Bureau: Macedonia gap analysis, Strategic planning and analysis division

Table 9: *Participation of ethnic groups by level and percentage*

	Macedonian	Albanian	Turkish	Roma	Vlach	Serbian	Other
Primary Education (%)	59.0	30.2	4.2	3.0	0.2	1.1	2.3
Secondary Education (%)	79.2	15.6	1.6	0.5	0.3	1.3	1.5
Tertiary Education (%)	89.2	5.5	1.1	0.1	1.0	1.9	1.2

Source: OECD, *Review of National Policies in Education – Macedonia, 2002*

## Eu membership as an impetus for fighting organized crime

An effective confrontation of transnational organized crime has diachronically constituted a benchmark for FYROM's EU accession prospect. The Union has consistently and, largely, successfully applied the "carrot and stick" approach by utilizing the principle of conditionality. According to the latter, EU funding is conditional upon successful completion of the previously agreed reform agenda. In that context, EU Commission reports have consistently underscored the necessity of fighting organized crime as a point of reference for membership. Particular emphasis has been put on the field of trafficking of illicit drugs (EU Commission Progress Reports, 2003, 2004, 2005). After the conflicts of the 1990's in Yugoslavia, FYROM has constituted an important transition hub primarily of heroin trafficked from Afghanistan into Europe. However, an analysis of progress reports starting from 2002, manifests a striking change in the gravity that the European Union puts on organized crime. The European Union has consistently praised the country's efforts for fighting organized crime and has noted drastic improvements. The reason for this is rather simple: according to the EU Commission Progress Report, the Former Yugoslav Republic of Macedonia is "well on track" in the process of fighting organized crime; at least in EU terms.

The European Union has set new age security threats such as organized crime and terrorism on the top of its post 9/11 security agenda (EU security strategy 2003, 2008, The Hague Agreement 2005-2010, 2004). However, it is

questionable whether or not the EU policy of securitization in the effort for fighting organized crime is the way to go. The EU security agenda has been an internal point of friction. Obviously the EU security policy is not a matter to be discussed in the present paper; however, it should be noted that scholars and practitioners have continuously noted the need to alter EU targeting for fighting transnational organized crime. They argue that it is unviable to address international contemporary realities such as loose borders, increased technological capacities of criminal groups and increased demand for illegal products solely by increasing operational capacity and border controls (Athanassopoulou, 2005). A more pragmatic and creative policy is needed rather than building “fortress Europe” that will nurture aging populations and sign Europe’s demographic conviction (For instance: Burne, Noll and Vedsted (eds.), 2002).

Besides, the European Union seems to be unable to draw lessons from past mistakes and address the shortcomings of the principle of conditionality. The European Commission continues to impose typical criteria for assessing atypical phenomena and is projecting its own priorities to third countries whose problems are similar in their consequences but dissimilar in their causes. The “freeze” of EU funding to Bulgaria on the grounds of its ineffectiveness at fighting corruption and organized crime in 2008; despite the fact that one year earlier the country was deemed to be in compliance with EU accession criteria, constituted a characteristic example of the shortcomings of the principle of conditionality to address endemic, deep seated phenomena. As it was manifested, in the process of integrating countries where the processes of democratic and economic transition have been hindered by corruption and criminality, the main hazards derive from within rather from without. This incident managed a painful blow to the credibility and the image of the European Commission and promoted a notion of palinode. However, no remarkable alteration is observed in EU policies towards candidate and potential candidate countries of the Western Balkans.

In that context, FYROM’s security agenda has to be set in line with EU’s need of security policy diversification. The country’s political choices in the field of organized criminality bare the risk of applying EU’s typical standards but, essentially not addressing the root causes of the phenomenon and, thus, transferring criminal activity into the Union with the blessings of EU technocrats. EU progress reports have duly focused on criminal activity as a pathogenesis of Macedonian society. Nevertheless, the root causes of organized criminality have not been adequately manifested. The reports have not been employed in bringing forward the interconnections between unemployment, regional marginalization and cor-

ruption with criminality and conflict. Reports have failed to exemplify the role of these parameters in the proliferation of crime and have compartmentalized the assessment, thus, disconnecting different aspects of the same problem that demand an all-encompassing solution.

Both FYROM and the European Union have to look at proactive measures for fighting criminality. Without disregarding the importance of crime persecution for diminishing the threat of crime and conflict in the short term, the exceptional importance of long term confrontation of organized crime has to be underscored. FYROM has to address the existing problem with organized crime in a sustainable manner and, arguably, beyond the European Union's norms. The latest accessions in 2004 and 2007 made it uncomfortably clear that the EU's approach towards new age security threats is rather sterile. In order for the Union to avoid integrating conflict and crime into the European Union by the eventual accession of the Western Balkans, both Brussels and domestic governments must first accentuate and then address underlying problems that can curtail organized criminality in the medium-term.

## Concluding remarks

The case of the 2001 conflict in FYROM, largely vindicates Collier's, Hoeffle's and Rohner's "feasibility hypothesis". Following the latter scholar's rationale and utilizing the case study of organized criminality as an enabling factor for the "mini war" in 2001, I have reached the conclusion that increased profit margins for multiple players carried increased gravity for the eruption of conflict. Systemic pitfalls that were present throughout the country's transition process and were aggravated by certain regional and international developments enabled war profiteers to mobilize Albanian populations' grievances and maintain conflict. In that context, organized crime constituted an important tool in rendering the rebellion viable.

Consequently, following Collier's, Hoeffle's and Rohner's hypothesis stating that: "in order for a conflict to be resolved, its feasibility should be reduced"; I looked at FYROM's effectiveness at curtailing four intervening variables that enabled organized crime groups to manipulate the conflict, namely limited armed forces capacity, unemployment, regional marginalization and corruption. I have concluded that while Macedonian elites were largely successful at addressing the first intervening variable; their results in the remaining three were mixed thus undermining an eventual resolution of conflict. FYROM's limited effective-

ness at fighting the underlying causes of organized crime constitutes an outcome of a wider security policy doctrine that is stipulated by EU norms and has bared limited fruits for both parties. In the next paragraphs, I will present some recommendations that could contribute to composing a more proactive policy for the mitigation of organized crime and its impact on interethnic relations.

Most of the measures and initiatives taken for fighting organized crime in domestic, regional and international levels are encouraging. The importance of having well trained security forces and a well balanced legal framework cannot be overstressed. However, in an era when criminal networks continuously evolve and are always one step ahead of persecutory instruments; it is crucial that both security forces and the judiciary are flexible and capable of catching up (Athanasopoulou, 2005). Fighting organized crime is a difficult task in organizational terms. Having numerous instruments at local, national, regional and international levels with overlapping mandates can obstruct rather than enable persecution.

Thus, given that organized crime is more a regional and transnational instead of a domestic phenomenon, it would be in the country's best interest to further invest in regional initiatives such as SECI (Southeast European Cooperation Initiative) or the Regional Cooperation Council. With regards to organized criminality, all countries of the Western Balkans have to deal with similar difficulties. The region as a whole constitutes a transition hub for illegal products that are later trafficked into the European Union. International networks from the Western Balkans are tightly connected, thus, constituting any segregated policy against them obsolete. It is crucial that the region as a whole is securitized given that in any other case FYROM or other frontrunners in the process of meeting EU accession criteria, no matter how committed their governments are; will be, at best, functional countries in a malfunctioning neighborhood. Should that be the case, the countries will be deprived of the benefits of a consistent fight against organized crime in terms of international investment and their attractiveness as a candidate member for the EU. To that end, it is equally crucial that Western Balkan countries invest in the creation of a common legal and persecutory framework for combating transnational organized criminality.

In addition, addressing three key underlying issues: unemployment, in particular long term unemployment among young population, regional and group marginalization and corruption; have largely to do with the creation of the appropriate framework within which organized crime can be confronted. Through addressing endemic unemployment among FYROM's youth it will be rendered pos-

sible to reduce popular support for nationalist rhetoric and practices. The hardcore of nationalist parties with maximalistic agendas originates in populations with lower living standards that hold legitimate political elites responsible for their unemployment and overall economic condition. The experience of 2001 manifested that illegal activity proliferates through turbulence and inequality and that people with limited employment potential are fairly easily mobilized for legitimizing and operationally supporting both extremism and organized crime.

Nevertheless, it is even more important that the structural reasons for the proliferation of unemployment are removed. Political risk for doing business in FYROM should be drastically reduced especially with regards to foreign investors while impetus should be provided for local underground business people to go legal. To that end, governments have to address political and systemic shortcomings of the country's market. The former have to do with diminishing the risk of terrorism by toughening the legal framework and the punishment of perpetrators and fighting corruption (the latter will be discussed below). The latter can be achieved through increasing the attractiveness of legitimate business for underground business people in order for the State to curtail shadow economy and profit from the severe broadening of the tax paying base.

In that context, it is essential that procedures for receiving loans are loosened while State funding for strengthening the banking sector is increased. On the other hand, the country will be an attractive destination for foreign investments. Indeed FYROM has numerous advantages in that respect including low labor cost, increased opportunities for structural investments and the fact that it is a small but largely unexploited market with an increasing number of well off consumers. Thus, improving business climate should not only be seen as a station in the process of meeting EU political and economic criteria but as an end in itself. It can positively affect the chronic pathogeneses of FYROM such as unemployment and poverty that have an impact on conflict mitigation, crime prevention and economic growth.

The second critical problem that has to be structurally addressed for fighting organized crime and the consequent conflict potentiality is regional marginalization. The liabilities that are derived from the underdevelopment of populations and regions are manifold. First, divergent growth and development levels between different areas maintain inter-communal grievances and, thus, prevent the creation of a civic state, perpetuate division and maintain conflict. Marginalized groups, given that they are not protected and included by the official State, create their own structures and legitimize antagonistic non-institutional local elites for defending

their interests. Given that marginalized regions are usually minority populated ones, the antagonistic elites that emerge are nationalistically oriented. Secondly, certain marginalized areas, since FYROM's independence, have constituted hubs of criminality. Through their favorable geographic location, they are controlling the lucrative business of heroin trafficking and, thus, are able to finance professional fighters and fuel conflict (for instance: Stoyarova, 2007: 106, Giatzidis, 2007: 337). Integrating these regions in the State can, thus, have sustainable results in terms of securitization and conflict and crime prevention in the medium and long term. Thirdly, incorporating underdeveloped areas and groups in a common civil society can have a positive effect on diminishing fear of the other, mitigation of nationalism and, eventually, resolution of conflict.

Integrating marginalized areas is not an easy task given that ethnic stereotypes are most deeply rooted in communities that have the least interaction with the "other"; besides, the regions' mass participation in the 2001 conflict has preserved interethnic hatred. The perpetuation of societal division constitutes a major setback with regards to the mitigation of conflict and organized criminality. First and foremost, addressing the education deficit of certain regions is imperative. This can be achieved by providing both the motivations and the infrastructure (e.g. secondary and tertiary educational institutions) for improving the records of education as well as by recognizing Tetovo University degrees' equivalence to Slavic-language universities in practice.

Populations from marginalized areas have to be offered further motivations for enhancing their position in the legal production process. Governments should invest in infrastructure in order to produce a sustainable framework within which legal businesses can profit. Moreover, it should enable loaning and subsidizing for doing business in marginalized areas (advantageous terms, low interest rate, tax holiday etc.). Finally, settling the long lasting question of the border with Kosovo is imperative for minimizing the attractiveness of transnational mobility that aggravates the feeling of autonomy and ethnic self-identification of North Western regions and perpetuates transnational illegal activity.

Endemic corruption running vertical at all level of public administration constitutes an important colliding factor for politics, crime and conflict. Moreover, it constitutes the vehicle used by all elites that antagonize the State's monopoly over the use of force such as extremists and criminal groups. On the other hand, it vastly contributes to the perpetuation and intensification of shadow economies that severely affect the country's growth. Similarly, corruption contributes to the



public's perception of generalized illegality that result in political apathy and legitimization of corrupt practices as a casual way of exchange. Finally, it fuels ethnic divisions given that citizens look at corrupt ethnic political elites as a medium for acquiring comparative advantages. In other words, corruption undermines the country in terms of political stability, economic growth and social cohesion, thus, severely impeding FYROM's sustainable development.

In the process of curtailing corruption, penalties should be toughened and laws as well as controls over hubs of corruption such as the security services, the customs and the judiciary should be inaugurated. However, a generalized change of perception is also essential. Again the role of civil society and of the Media is vital <sup>16</sup>. The public should be thoroughly informed not only about the damage caused by their implication in corrupt practices but also the importance of an effective policy against it. Through that process, breaking existing corrupt political ties must be effectively recognized and cherished by the public. Political determination is important but, as long as fighting corruption is not promoted as an integrating and politically beneficial task, little progress can be guaranteed. In that process it is important that the fight against corruption is effectively interlinked to EU accession, which is indeed a popular, unifying and attractive vision for both the people and the elites.

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16 In that context the recent shut down of TV station A1 and the arrest of its owner Velija Ramkovski constitutes a step in the right direction and a manifestation of government's determination for investing in Media impartiality and breaking the connection between Media owners and corrupt politicians.

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