

**Institute for Sociological, Political and Juridical Research
University “Ss. Cyril and Methodius” in Skopje**

Can Volatile Societies Support Stable States?

**Case Studies of
Bosnia and Herzegovina,
Montenegro, Kosovo,
and North Macedonia**

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FOREWORD

Dear Colleagues,

This monograph is a product of the research project entitled “Can Volatile Societies Support Stable States?” Namely, in 2021, a research team from ISPPI at Ss. Cyril and Methodius University in Skopje (UKIM) launched a research project under the original title “Can volatile societies support stable states - Case Studies of Bosnia and Herzegovina, Montenegro, Kosovo, and North Macedonia.” The team’s idea was to start a regional research that should provide an excellent analysis of the current societal situation in four countries – Bosnia and Herzegovina, Montenegro, Kosovo, and North Macedonia. This monograph presents the results of the project and the work done by the research team, even though the papers were prepared individually. These papers include acquired knowledge, authors’ positions according to their arguments, and answers concerning the main research question.

The first chapter, written by Professor Petar Atanasov, is named “Social conflicts preventing political integration – Comparison between Bosnia and Herzegovina and North Macedonia.” This paper elaborates on current obstacles with the political integration in Bosnia and Herzegovina and North Macedonia concerning the existing social (ethnic) conflicts in both countries. The main goal was to compare the negative impact of the existing social conflicts on the political integration perspectives of the two countries. Recent European history shows that if a model of a democratic society is developing, then usually universal categories (citizens, equality, political and economic rights) should support political integration on a state level. However, the Yugoslav authoritarian model of the state (one-party system, federalism) attempted to create social cohesion (class-based, ‘brotherhood and unity’) in these two societies but failed to reconcile the categories of cultural diversity (ethnicity, religion). The latter categories in the recent past contributed to the eruption of internal conflicts and the dissolution of the federal state. Even today, the manifestations of ethnonationalism prevent political integration in some of the successor states. The analysis is qualitative, using multiple published sources, thematically selective, and goes through two levels of elaboration of the problem: recent political history and dissolution

and the current democratization processes. The author argues that the ethnopolitical elites are still in the nation/state-building process and negatively influence political integration in Bosnia and Macedonia.

The second chapter, written by Professor Slavejko Sasajkovski, is named 'Bosnia and Herzegovina, Montenegro, Kosovo, North Macedonia - political-legal determinants of their state and their social disintegration .' These four states and societies are characterized, among other things, by strong lines of conflict and their disintegration, both as states and as societies. Some lines of social conflict are more pronounced and have a more significant, adverse effect on social integration, cohesion, and functionality. Some other lines are less effective in that regard. This problem of their weakness is quite deeply divided states and societies along the lines of internal diverse conflicting social interests and the absence of political will and political culture for their appropriate and necessary balancing and overcoming on the basis and within the general state and social interest, very easily and it is effectively multiplied by external state and national interests, which are very clearly publicly posed, suggested, argued and implemented as political and geopolitical interests. More specifically, this means, in the case of B&H as a (con) federal state, following the Dayton Agreement, that B&H is ultimately an undesirable option by any of the three constituent peoples and the two (con) federal entities in the state. In the example of Montenegro, that conflict refers first of all to its social and state crucifixion between the Montenegrin-Serbian national and state-building conflict. In the example of Kosovo, social and state conflict is primarily generated by the incomplete acceptance of Kosovo's international-legal and international-political legality, identity, and subjectivity. In the example of Macedonia, with current formal constitutional-legal and international-legal legality but not legitimacy, like North Macedonia, the Macedonian society and state are primarily conflict-crossed along the lines of two parallel destructive processes: the process of its (de/re) constitution as a binational Macedonian-Albanian state, and the process of destruction of the Macedonian national identity as historical-civilizational and cultural-civilizational original, self-made and self-important. The Macedonian national identity is (geo)politically heteronomous; it is imposed as a current and authentic identity, which means that some demographic collectivity lives in a relatively compact territory with such a current identity, but that national identity practically must not have its own ethnogenesis. At the same time, it must be accepted

that the Macedonian identities in North Macedonia and the Republic of Greece are historically-civilizational and cultural-civilizational, two completely different national identities.

The third chapter, written by docent d-r Driton Maljichi is named 'Comparative Analyses of Social Integration in Kosovo and Montenegro.' Kosovo is the second youngest country in the world, declaring its independence from Serbia on February 17, 2008. Fifteen years later, the country's political situation is among the most complicated, and still, parallel structures are operating in Kosovo and especially in the North. The ethnic and demographic dispute in Kosovo between Kosovars and Serbs in Kosovo has been extensively written about and varies between Kosovar and Kosovo Serbs' viewpoints. Almost every point made by one side is contested by the other, with both sides sometimes making similar arguments differently. In this research, the subject of analysis is the social integration in Kosovo after its independence and the internal social conflicts that are compared with Montenegro. Compared with Kosovo, Montenegro has avoided war and has not seen inter-ethnic relations damaged by ethnonationalist mobilization. This qualitative research aims to detect social factors that impact the social crisis and not creating a stable society, particularly between Kosovars and Serbs in Kosovo. The research methodology is based on secondary data from published studies. The social factors detected and analysed in this research are the following: historical perspective, orthodox cultural heritage, and new national identity. Montenegrin identity, linguistic identity, and orthodox cultural heritage are the factors that most affect inter-ethnic relations between Montenegrins and Serbs in Montenegro. The (re)building of trust and reconciliation between the two communities is a fundamental prerequisite for inter-community peace.

The fourth chapter, written by professors Pande Lazarevski and Dragor Zarevski, is named 'Divided Societies and Sovereignty Deficit – The Challenges in Building Sustainable States in the “Western Balkans” .'The social and political challenges faced by the “Western Balkans” in the last three decades represent a constant threat to regional security and a reason for slowing down the region's socioeconomic development. The history of “Western Balkan” peoples is indivisibly intertwined, directly or contextually. However devastating historical events were in the past, even now, their interpretations lead us to conclude that history lessons are not properly learned. Unfortunately, instead of mutual acceptance and synergy,

too often “Western Balkan” peoples, contrary to their own interests, are more than vulnerable to the inherited mutual antagonisms, intolerance, and mistrust as a result of foreign influences and internal politicizing of their different confessional, ethnic or cultural backgrounds. The area of the “Western Balkans,” fragmented into states and societies characterized by sub-fragmentation along ethnic lines, raises the dilemma of to what extent they have the political capacity to generate and make real the idea of “national interests” and to exercise state sovereignty at the internal and international level. It means that the capacity to overcome the destructive burden of the aforementioned negative interpretations of historical events and internal cleavages in these societies is. In this respect, in this paper, we explore the political capacity of regional initiatives for comprehensive cooperation among “Western Balkans” countries as a viable answer and option to overcome “the shadows of the past” to use the advantages of mutuality and to bridge the “time gap” until they accede to the EU.

We also have to thank our colleagues from the University of Sarajevo - Bosnia and Herzegovina, professor Šaćir Filandra, University of Montenegro, professor Srđan Darmanović, and AB University of Pristina – Kosovo, professor Nexhmedin Spahiu for their participation and contribution in the online conference where the results of the research were publicly presented. The transcript from the conference is the last contribution in the monograph from this, at least from our point of view, challenging project.

The research team included Petar Atanasov, Slavejko Sasajkovski, Pande Lazarevski, Driton Maljichi, and Dragor Zarevski. We hope you enjoy the book and the challenges that we have experienced.

Professor Petar Atanasov

Project Leader

SOCIAL CONFLICTS PREVENTING POLITICAL INTEGRATION—COMPARISON BETWEEN BOSNIA AND HERZEGOVINA AND NORTH MACEDONIA

Petar Atanasov

1.0 Introduction

This text was in its final re-composition when I read the article of Arianna Piacentini, “Trying to Fit In”: Multi-ethnic Parties, Ethno-Clientelism, and Power-Sharing in Bosnia and Herzegovina and Macedonia. It was a new motivation for my line of analysis of the political integration problems in Bosnia¹ and Macedonia². Namely, the interviews done by the researcher with participants actively engaged in two small political parties in Bosnia and Macedonia (Nova Stranka and Levica) pointed to three major obstacles faced by the parties in their attempts to represent non-ethnic communities: firstly, the power-sharing institutions and mechanisms, (making interethnic and inter-entity cooperation in Bosnia difficult), secondly, the overall perception of small and non-nationalist political parties as ‘too weak to be able to change things,’ and thirdly, intertwined with the previous ones, it was about the contrasting strategies used by the civic parties and the ethnonationalist one. The ethnonationalist party’s strategy provides voters with a sense of security - both identitarian and economic (Piacentini, 2019). Additionally, Piacentini stressed the crucial role of ethno-clientelist practices, particularly as it relates to economic opportunities, in explaining the lack of support for the civic parties.

Accordingly, if both the Bosnian corporate consociation³ and the Macedonian liberal consociation⁴ (Bieber, 2013) have strengthened ethnically polarized multi-party systems, where playing the ‘ethnic card’ and the campaign is often a more effective means of mobilizing

¹ Hereafter in this chapter Bosnia and Herzegovina will be named mainly as Bosnia.

² Hereafter in this chapter the Republic of North Macedonia will be named mainly as Macedonia.

³ Result of the provisions of the Dayton Agreement signed in 1995.

⁴ Result of the provisions of the Ohrid Framework Agreement signed in 2021

voter support, then the respondents have also pointed to the problems concerning ‘people’s political culture’—that is, the set of political values and attitudes characterizing the voting majority. This political culture is based on passivity, apathy, and distrust, and it is mirrored in voting for parties belonging to one’s own ethnic group, as well as the abstinence of voting attitude, particularly among young people (Piacentini, 2019). Simply said, the people are voting for ‘the devil they know’ and the devil that feeds them and provides jobs, services, and resources for their families. According to the Piacentini study, the Bosnian and Macedonian ethno-nationalist parties have been able to build, consolidate, and normalize ethno-clientelist alliances securing their political support. If the voters in the future continue to prefer to cast their votes for ethno-nationalist, even if they are unconvinced by ethno-nationalist ideology, then, the question arises, what political platform can convince them to support parties that will make proper changes that will bring their countries closer to EU standards, and, maybe, democratize their political system.

The main issue in this paper is how the two political elites of Bosnia and Macedonia can try to solve (or soften) their social (ethnic) conflicts which will enable their societies to support political integration. We will be focusing on two simple questions that will support our arguments: *How did we get here and what we should do next?* The beginning of the elaboration of the research theme is the reason for the establishment and development of national states in the region of Western Balkans. These sociopolitical processes have their own rationale and historical genesis. Let us now come to the fore of two levels of disclosure of the research problem—firstly, the recent political history, and, secondly, the current processes of democratization.

2.0 Political History

The Balkans were one of the arenas in which imperialist rivalries played out, especially during the 19th century as well as the beginning of the 20th century. According to Pijl, The United States, which at that point assumed the global responsibility for liberalism from Britain, set its sights on creating a cordon sanitaire of client nation-states to check the spread of revolution. In his address to the US Senate on 22 January 1917, President Wilson declared that national self-determination should be the guiding principle of a post-war settlement in Europe.

For the Western powers, national self-determination was a matter of having an organizing principle to dissolve the Habsburg and Ottoman empires. Nationalism was once again seen as the key force able to neutralize more radical popular demands. For the US and Britain, as well as for France, nationality was the trump card to play against revolution. The idea of having a state of their own was easy bait to hold before aspiring national elites. Also, the sweep that national emotions could achieve over a war-weary but emotionally aroused mass public, made nationality far easier to embrace than socialism with its far-reaching changes in the property regime, the role of the state, etc. (Van der Pijl, 2013)

The argument of the Pijl analysis is that the creation of the new states in the periphery of Europe was not the consequence of internal developments, but primarily the effect of Great powers' diplomacy. There was certainly a core Western axiom that capitalism (market economy) and liberal ideology (democracy) have fusion within the national states in the Western part of the world, and that the development of the New World lies in the hands of the rich and liberal states in the West. It seems that the world was adapting to its Democratic era – the supremacy of the Western model. The final direction of 20th the century was created in the document named as 'Atlantic Charter', signed in 1941 between leaders of the USA and UK, Roosevelt and Churchill, where was precisely stated that every nation should have the right to its freedom and self-determination in the post-Second World War time. That is how the British leader Winston Churchill, asking for the US involvement in the Second World War, had to sign the American 'written vision' for the New World Order, with the creation of new democratic states, and the process of decolonization of old Empires – including the British one. These political developments had an influence on the political history of Central, Eastern, and South-Eastern Europe, as well.

Historically in Eastern Europe, the disintegration of multinational states or empires was followed by the formation of national states. The process began in the early nineteenth century, and was not over until the breakup of Czechoslovakia and Yugoslavia, following the collapse of communism in 1989-90. The Bosnian conflict of 1992-95 raised nineteenth-century and Versailles-era questions about state formation and the definition of borders in the Balkans all over

again. It is possible to draw parallels between the efforts of the European powers to resolve the Bosnian question at the Congress of Berlin in 1878, and the negotiations over the future of Bosnia carried out at Dayton. (Burg & Shoup, 1999)

Today, we can witness that the states of Bosnia and Macedonia, and their territorial statuses that were discussed in Berlin in 1878, still cannot finish their state-building process due to similar internal and external factors. This has a big symbolism exactly in the Balkans and the examples of these two states. The argument is, again, that the creation of new countries on the outskirts of Europe was not a consequence of only internal incentives development, but primarily the effect of the action of Great powers. That is how first Yugoslavia was created as a fusion of two dimensions – one as Greater Serbia, after the first World War, and the other as a unification of Serbs, Croats, and Slovenes. But the wider influence of the communist ideology from the East was an important factor in the creation and life of Yugoslavia. The fact that second Yugoslavia, a socialist one, proclaimed already during the war in 1943, was born out of the antifascist struggle of “all Yugoslav peoples” became over time one of the main pillars of legitimization of the new state, subsumed under the motto of “brotherhood and unity”. Yugoslavia was a political phenomenon of its own. It has an inherent continuum of decreasing cascades from the erection, failure, liberation, communism, socialism, self-management, federation, and separation, and the ‘integrative’ idea from the outset was gradually worn out. As Tomic made his own argument, what apparently seemed a good compromise in dealing with the different national interests in Yugoslavia, set the legal or formal basis for the later dissolution of the state.

For decades, however, the communist political elite faced different problems while trying to solve the “national question”. The Yugoslav federal state was based on the premise of equality among the different nations. However, this meant abandoning the very premise of an integrationist Yugoslavia, as it was built out of the formal distinction between peoples (*narodi*), or titular nations of each republic [...] One of the effects of this solution was the creation of the first Macedonian state, as well as the consolidation of the Bosnian Muslims as a *nation* in the 1960s. (Tomic, 2014)

The formation of a separate state entity that would bear the name Bosnia and Herzegovina was not even a thought prior to WWII (Dzankic, 2016). However, just before the war's end the AVNOJ, when proclaiming the federal principle in 1943, included Bosnia and Herzegovina as the constituent Socialist Republics of the federation. The decision was taken on the basis of a general irredentism-prevention tendency that tried to put aside both the NDH legacy, and the idea of a Greater Serbia, two parts of Yugoslav history, that the League of Communists of Yugoslavia was not fond of.

The recognition of Muslims as a nationality within the SFRY was not welcomed by many political centres of power in the constituent republics for various reasons. By upgrading the status of the Muslim community from a vague, quasi undefined ethical grouping to that of a nationality every SR (*socialist republic*) [...] saw a potential threat to its ethical coherence and a disaccord with their national perceptions. The Bosnian party was gradually transforming itself -or at least was considered by rival political powers to be doing so- to the adherent of Muslim national identity propounding the cultural-religious factor as a sufficient base for the consolidation of nationality within the SFRY. (Dzankic, 2016)

In the case of Macedonia, Ulf Brunnbauer argues in (Re)writing History that until World War Two only a small circle of intellectuals had expressed the idea of a separate Macedonian nation. According to the dominant modernists, all the nationalist movements started with the ideas of the political elite. The new republic was constructed as the national state of the Macedonian nation in 1944. For the first time in modern era, the Macedonians had sovereign control over a particular territory, albeit within the Yugoslav framework. So, the republic was established, Brunnbauer argues, but the nation had still to be created. Tracing the origins of the nation became a primary task for historiography.

Since in the sources, "Macedonians", particularly as an ethnic group, are rarely mentioned, Macedonian historians employ a device equally well-known to their Greek, Bulgarian and Serbian colleagues, namely to replace the terms "Christians/Greek Orthodox/Bulgarian Exarchists", usually used for the designation

of the Orthodox population of the region during Ottoman times, with “Macedonians.” (Brunnbauer, 2004)

It was extremely difficult to make space for Macedonian national myths and narratives. ‘In the Macedonian case, there are few historical symbols utilized by the Republic of Macedonia that are not disputed by conflicting historical traditions in neighbouring states’ (Frusetta, 2004). Macedonian historiography was a latecomer. All significant events and personalities were already included in the national narratives of neighbouring countries Bulgaria, Greece and Serbia, which had substantiated their territorial claims to Macedonia by their particular interpretation of the history of the region and the ethnic identity of its population. ‘Any Macedonian national narrative was bound to come into conflict with these older historiographies. The Macedonians, in turn, had to begin from scratch in their efforts to present a long history of their nation’ (Brunnbauer, 2004).

The first generation of Macedonian historians traced the emergence of the Macedonian nation back to the nineteenth century. ‘Macedonian national history was traced to the nineteenth century, with its most prominent expression being the revolutionary struggle for freedom, equality and independence’ (Frusetta, 2004). Intellectuals began to articulate ‘Macedonian’ national consciousness. The ‘Internal Macedonian Revolutionary Organisation’ (VMRO), which was established in 1893, and the Ilinden Rising against Ottoman rule on 2 August 1903, were the first significant political manifestations of Macedonian national consciousness. Later, particularly to the efforts of the Communist Macedonian partisans during World War Two and the Communist Party of Yugoslavia, whose role was particularly emphasised by socialist Macedonian historiography, a Macedonian state in the form of the Socialist Republic of Macedonia was established within Yugoslavia. The official discourse created a semantic chain between the Ilinden Rising (2 August 1903) and the first session of the ‘Antifascist Assembly of the National Liberation of Macedonia’, (ASNOM) in 1944, which established the Macedonian Republic and also happened to take place on 2 August. ASNOM became perceived as the ‘Second Ilinden’ which would bring the unfinished business of the Macedonian revolutionaries to an end.

The first important shift in tracing the myth of origin by historians was the attempt to find the origins of the Macedonian nation further back

in history, namely in the Middle Ages. ‘Now, the medieval empire of Czar Samuil and his successors (969-1018), whose capitals were Prespa and Ohrid in Macedonia, was re-evaluated as a Macedonian state although existing scholarship had regarded it Bulgarian’ (Brunnbauer, 2004). The Macedonian historiography separated the Macedonian ethnogenesis from the Bulgarian one. During the second historiographical shift in the early 1990s, efforts were made to include the ancient Macedonians in the national narrative. The main claim was that the ancient Macedonians were not Greeks but different, non-Hellenic people who joined in the ethnogenesis of the Macedonian people by melting into the Slavs who had come to the region in the sixth and seventh centuries. They asserted that ancient Macedonians and ancient Greeks were completely different peoples. The discourse on the ancient Macedonians was intended to substantiate the Macedonians’ claims to a long national pedigree and also to a “homeland”. At last, on 8 September 1991, the year of the dissolution of Yugoslavia, the Macedonians voted in a referendum and proclaimed full sovereignty and independence. The journey was finished and the impression was that the Macedonians had created their ‘natural’ nation-state. This impression was not shared by scholars of the national narratives of Greeks, Bulgarians, and Serbians, who occasionally contested elements of Macedonian national identity (Atanasov, 2004).

According to Anderson, after World War II, Tito’s Yugoslavia, strengthened by partisan identity, initially prospered as a paradoxical and ‘independent’ communist country. Yugoslavia was flooded with foreign aid and projects given at extremely favorable rates, which supported the façade of a successful centrally planned economy. (Anderson, 2007) Yugoslavia probably lived its swan song, which lasted quite a long time because of the role of one man, Josip Broz Tito. But unfortunately, after long ruling as an authoritarian regime, the collapse of the federal state was approaching. Nevertheless, several important factors coincided with the deep economic crisis, strong Serbian nationalism, and the strengthening of regional nationalists versus previous integrationist ideas.

When the European Commission recognized the territorial claims of the republics and the dominant nationality within them, they abrogated the nationality rights, relegating these to minority protection. Germany did not even wait for minority provisions to be put in place when it moved to support Croatian secession, but with Bosnia, nation-state formation ran aground completely (Woodward, 1995). At the same time, the

disagreement of the Great powers led to a vague strategy from which nationalist structures profited in several of the republics. Bigger countries (the United States, and Germany) apparently had different plans with the small Balkan peoples. The internal fragility of the federation and barren political solutions has prompted some of the republic's elites to 'invest' in their ethnic/national identity.

Had these ancient hatreds really been as deep-seated and intractable as is claimed, it is hard to imagine how Yugoslavia would ever have been constituted after World War I, let alone reconstituted after the bloodbath of World War II. Those commentators who tout this explanation will usually claim that Yugoslavia was an artificial country, created not because of but despite the wishes of its citizens. Yet the historical and cultural record shows that the vast majority of leading South Slav figures supported some sort of Yugoslav ideology rather than more narrow nationalist ones. (Wachtel, 1998)

Thus, when the communist parties surrendered their monopolistic positions, ethnic politics did not newly burst onto the scene, as they already were ingrained in the politics of the region. It is thus little surprise that the political parties that emerged were organized largely along ethnic lines (Bieber, 2013). Another complementary is that the federal League of Communists for a long period encouraged the selection of its regional cadres according to what was called 'the national key,' or the proportional representation of the members of the republics' titular nations (included national minorities) that applied to all high-ranking federal and regional political offices. The same procedure was followed as well as for the general managers of the most powerful economic complexes, and even the presidents of cultural and educational institutions. When the federal government acknowledged the fiasco of self-management decentralization and demanded that the ministries and economic complexes abandon the national quota principle in favor of a merit-based and competitive selection, the autarkic regional leaderships resorted to the rhetoric of populist ethnic nationalism *for the first time* since World War II (Woodward, 1995). The Yugoslav National Army (JNA), already Serbianized⁵, was also against

⁵ By the narratives of the former officers of JNA from Macedonia, heard by the author while working in the cabinet of the Ministry of Defence in the Government from 1994-1999.

the economic changes, because they would lose the high privileges as a well-paid segment of society. As the Yugoslav federation was cracking, conflicts between and inside the republics multiplied. The dissolution was not with the same results in different republics. Even the conflict was not with the same intensity and consequences everywhere. The conflict in Bosnia erupted as a consequence of an entrenched disagreement over whether the state claimed by the Bosniacs should exist at all. The Bosnian Croats and Serbian communities opposed the emergence of such a Bosnian state (Akcali, 2009). The bloody war lasted three years from 1992-95. When Europe was not efficient with conflict management, the US stepped in and brought the Bosnian leader Izetbegovic to Dayton, Ohio, together with the leaders of Croatia and Serbia, Tudjman and Milosevic.

The obvious vulnerability of the common Bosnian institutions designed at Dayton to paralysis at the hands of one or another determined party reflects the failure of the Dayton plan to resolve the fundamental conflict over the definition of the state-indeed. In Bosnia, the international community was faced with the challenge of reconciling pluralist and power-sharing arguments, advanced by opposing nationalist leaders. The Bosnian government argued that its refusal to accept autonomy for the Croats and Serbs was based on its adherence to the pluralist principles of individual rights. Serb and Croat nationalists argued for their claims to autonomy, an ethnic veto, and ultimately, the right to form separate states. (Burg & Shoup, 1999)

Bosnia even nowadays continues to divide experts involved in finding ways to facilitate the implementation of the Dayton accords. All participants in Bosnian conflict, internal and external, had or have different answers to the question of what kind of Bosnia they ‘imagined’. The Croats wanted but did not get their own state, the Muslims were deprived of a truly unified Bosnia, and the Serbians established state-within-a-state. Some elites were rewarded, and some were not, considering the persistence of their ‘ancient’ national dreams. The German step, already mentioned, soon to be sanctioned by the European Community, also demolished the basis for Yugoslav citizenship as it transformed the internal conflicts into an open competition to obtain recognition of territorial claims based on ‘fictive ethnicities’ that suddenly occupied the centre-stage (Woodward, 1995). As it happened, the Slovenian and

Croatian secessions followed their national campaign for independence, but importantly, the events unleashed Serbian nationalism as well. The latter was directly accelerating, together with the previous ones, the dissolution of the state.

Following the tide of the third way of nationalism, it was again all about creation of national states that appeared as new entries on the world political stage. ‘The main issues resolved at Dayton were territorial and constitutional: the agreements separated the Federation and Republika Srpska by an inter-entity boundary line. Dayton also imposed power-sharing arrangements and mutual vetoes, without, however, any provision for improving interethnic relations. Dayton validated the existence of Republika Srpska, abolished the Yugoslav-originated Bosnian Republic that Izetbegović had led during the war, and enabled the ethnic nationalists responsible for the war to remain in power’ (Serwer, 2019). As Serwer points, the negotiated agreements necessarily involved painful compromises. Many of Bosnia’s post-war problems stem directly from the power-sharing arrangements.

Those nationalist parties that started the war are still in power, or have been replaced by similar political networks. The most problematic ones are those in the Republika Srpska, because they know that they would lose influence if the central powers of Bosnia and Herzegovina were strengthened in order to make the country a viable state. In any case, Bosnia’s main problem consists in the fact that clandestine groups manipulate the ethnic segmentation of the population as a shield for hiding their own material interests.’ (Promitzer, 2012)

It is time to consider the first of the two questions exposed at the beginning of this analysis: *How did we get here?* In the quote above, Promitzer mentioned the ‘clandestine groups’ that manipulate the ethnic segmentation of the population, with the goal to protect their own ‘material interests’. Something that reminds us and brings associations to the first accumulation of capital in the early stages of capitalism and the nation-building process in the West. Yugoslavia, according to many analyses, was an authoritarian political model. There was no democratic public to discuss the political developments in the state. Citizens and general society were in some ways passive and did not participate in high level political processes. Maybe, the political culture was inherited from

the previous regimes, and the rural and poor citizens were not used to participating in the political processes. Hence, Yugoslavia was one big balloon, that was pumped up and pumped out while the local political leaders were competing among themselves for resources, power, and cultural promotion. As far as the analysts, the issues of ethnic rights and their importance for democratic reforms in Yugoslavia were not a topic of discussion until the late 1980s. Additionally, as Devic comments on this, initiatives to amend the Constitutions of the Republics in the late 1980s were influenced by attacks from regional elites on federal government austerity reforms, which regional elites considered a threat to 'their' political power. Once the political elites (*the clandestine groups*) are established they enter the battle for power, resources, and influence.

In the late 1980s, the exclusive (and populist) rhetoric of Slobodan Milosevic started threatening both the regional elites in other republics and the universalistic discourse of the alternative grassroots initiatives. Robert Hayden and Susan Woodward observe that the 'velvet' self-abolition of the Yugoslav League of Communists in January 1990 was not inspired by the events in Eastern Europe alone. After all, Yugoslavia had not been in the Soviet zone of influence for many decades. The initiatives for amending the republics' Constitutions in the late 1980s were influenced by the regional elites' attacks on the federal government's austerity reforms that regional elites (rightfully) perceived as threatening their regional monopolies. (Devic, 1997)

Another moment worth mentioning is that the Yugoslav political narrative did not make its way out of or exit the ideological matrix. It certainly could, because it was outside of the Soviet zone of influence, and the West already supported it. After the Second World war, liberalism was showing more vital development and was increasing the standard of population, the rising of capitalism and economic growth, and enhancing democratic and cyclical changes of the political forces in power in Western Europe. Undoubtedly and obviously, changes were healthy for the systems themselves. The socialist federative state did not develop as much in any of these aspects as many of the European democratic models did. However, it proved that the Eastern and Western parts of Yugoslavia (catholic and orthodox ones) and the Northern and Southern discrepancies (rich and poor republics) could no longer find a common political denominator. The step towards a more liberal state was not achievable. Even though some of them had experience

with the multi-party model before WWII (Kingdom of Yugoslavia) Along with this, the economic crisis was a symptom that the country was not ready even for economic reforms. The independent position and sovereignty of the country were not used as a possibility for more democratic changes in the political model.

By Western standards and ideology, former Yugoslavia was a weak state. It lacked legitimacy with its people, its inefficient socialist economic system was creaking, and leaders of its multiple ethnic groups were developing separate ‘national’ cultural and historical narratives that competed with Yugoslav identity, which had a tenuous hold once Tito died in 1980. The fall of the Berlin Wall undermined the centralized authority of the Communist Party that still held Yugoslavia together, albeit tenuously. The dominant ‘Socialist’ ideology was cosmopolitan and multi-ethnic but still autocratic. Internal opposition to it was largely organized along ethnic lines, starting in the late 1960s. (Serwer, 2019)

In effect, then, by the early 1990s conditions were perfect for the breakup of Tito’s Yugoslavia. Given an internal situation characterized by diminishing belief in the Yugoslav idea, a moribund political system, dire economic conditions, and external circumstances that appeared to make smaller states increasingly viable (EU enlargement process), the elites of Yugoslavia threw their full weight behind the particularistic nationalisms that had always existed side-by-side with the Yugoslav idea. Yugoslavia ruptured violently. In its place appeared a series of uni-national or would-be uni-national states, only one of which, Slovenia, has answered its citizen’s hopes for a better future. As Wachtel analyzed the processes that accompanied the dissolution, stresses that other successor states had no place for members of other groups, and for every ‘elite’ the achievement of nationally pure states became the guiding obsession. The consequences were astonishing and devastating, firstly with the Serbo-Croat conflict and secondly, with the bloody war in Bosnia and Herzegovina.

As we have seen, the Yugoslav national idea was much more similar to the Italian or the German than it was to national concepts created on the basis of political expediency, like the Soviet. Although it is possible in hindsight to see why the Yugoslav experiment did not succeed, it would be an error to think that its failure was inevitable. Specific choices made by groups and individuals at various times

destroyed it, but different choices could have been made. Certainly, the fact that Yugoslav national consciousness had to be nurtured in its citizens is not in itself grounds for thinking that the idea was doomed from the outset. (Wachtel, 1998)

Wachtel is repeating the very known saying that, ‘We have made Italy’, said D’Azeglio, ‘now we must make Italians.’ And made Italians they have, even though the separate Italian regions in the 1870s were at least as divided as those of Yugoslavia: by language, economics, and historical and cultural traditions. Yugoslavs were made as well, in substantial numbers, and the catastrophic results of the country’s breakdown might lead one to believe that had even more been created the South Slavs would have been better off, argued Wachtel. It was simply not achieved. Maybe somebody was ‘planning’ not to be done, or the planners in meantime changed their minds. It is likely that ‘planners’ from inside instigated it, certain groups of people, political elites that had power, not destiny! Who were the planners from the outside, it seems today like a second factor among the many that can explain or try to explain ‘How did we get here?’ In any case, the only available answer is that the dissolution of Yugoslavia happened in the interconnectedness between strong internal and certain external factors. Let us now proceed with the second question – ‘What could be done?’ What could Bosnia and Macedonia do to prevent the negative impact of the protracted social (ethnic) conflicts on their political unity and, generally, their democratic perspectives?

3.0 Democratic Era

It seems that Socialist Yugoslavia was created according to the functionalist model, where each of the pieces contributed to the higher whole. During the time that function was changed, especially after the enactment of the Constitution of 1974. After this, the pieces mattered more than the whole. The country was surely not a democracy, but as mentioned previously it was an authoritarian model with a strong leader backed by one political party – the Communist party. The Socialist model, inherently, has already embedded anti-functionalist elements. Some republics were more self-aware of the differences between the ‘pieces’ and eventually strengthened the differences and waited for an

opportunity for bigger changes, maybe the re-composition or leaving the model that had ‘glue’ that evaporated during the time. This was the real essence of the worn-out ‘social contract’, previously sealed in the rock, while obviously some of the partisan’s successors were working on separate projects. Maybe the process was similar in the Soviet republics, where the regional communists promoted ‘republicans’ cadres at home and in the higher echelons in the nomenclature. These ‘particularistic’ communist elites during the time were building their own sub-structures within the federation of republics. The same happened in Yugoslavia. These communist ‘layers’ transformed into ethnonational the very same moment the conditions were inclined to ‘ethnic revival’.

The ethnonational conception of citizenship finally prevailed and fuelled violent conflicts over the redefinition of national borders within which the ethnonational states were to be formed on the basis of the absolute majorities of the core ethnonational groups. Democracy, on this view, was seen as workable only if it was essentially ethnonational. In other words, majority rule should not entail a division between an ethnic majority and an ethnic minority but rather should be practiced within the core ethnonational group with the majority/minority divide formed on the basis of ideological preferences. (Shtiks, 2010)

From this perspective, Shtiks argued, that a projected ethnonational state, territorially expanded in order to include most if not all members of the ethnic group, could be truly democratic only if the core ethnic group had an absolute majority and ethnic minorities were reduced to an insignificant percentage of the population. Additionally, most of the leadership in the republics had no real democratic experience. Thus, some of the new elites showed their not-so-democratic manners in the newly formed ‘national states’. What they achieved, in most cases, was the development of ethnic democracy, which Sammy Smootha’s classification reckoned as a lower quality or level of democracy.

Ethnic democracy is a democratic political system that combines the extension of civil and political rights to permanent residents who wish to be citizens, with the granting of privileged status to the majority group. It is a democracy that contains the undemocratic institutionalization of the dominance of an ethnic group. The

basic rule of this regime is the inseparable contradiction between two principles – civil and political rights for all and structural subordination of the minority in relation to the majority. The ‘democratic principle’ allows equality for all citizens and members of society, while the ‘ethnic principle’ establishes explicit ethnic inequality, privilege and dominance. (Smootha, 2001)

Such a system creates ethnic tensions and conflicts. Instead of losing their importance, the ethnic dimensions of Macedonian society are only becoming stronger on both sides, Macedonian and Albanian. The same system has similarities with the Bosnian model of two entities. In each entity, there is a model that can be named an ethnic democracy, in which there is a dominance of one ethnic group and its privileges.

Nevertheless, the states and their constitutive peoples went through a catharsis that engender the dissolution of the state in several steps. Firstly, the League of Communists of Yugoslavia in January 1990 collapsed, losing its power and unity as the strongest pillar of the state. Secondly, the first-time democratic elections were held in the Yugoslav republics during the spring and autumn of 1991, where the nationalists won with a big majority, considering insignificant exceptions. In Bosnia and Macedonia the winners of the first multi-party elections were nationalists too – SDA led by Alija Izetbegovic, a proponent of Islamism and author of the Islamic Declaration, and VMRO-DPMNE, a right-wing conservative party, led by Ljupcho Georgievski (won 37 MPs out of 120). Actually, the nationalist’s winner in one republic influenced the result in other republics. Even though VMRO-DPMNE could not form a Government due to their inexperience as a newcomer in politics. And, thirdly, these two events influenced the circumstances in the wider federation. The proponents of the hardliners of the former ideology of the country, and the Army, stood up with pro-Serbian cadres (Serbia, Macedonia, Montenegro, and Bosnia and Herzegovina). This became clearer in the following months of 1991. The result was a violent resolution. Shtiks stressed that democratization came to Yugoslavia via its republican backdoor and never reached its federal institutions. In the battle between ‘republics turned states’ (Slovenia and Croatia) vis-à-vis the one citizen one vote model – the Serbian version, that was pursued by pro-Milosevic ideologists, the republics with their secessionist attitude prevailed.

The civic conception of citizenship (all citizens of a given republic) was combined with openness towards residents who came from other republics and to whom the still valid federal laws guaranteed equality throughout Yugoslavia. In spite of this initial non-discrimination between republican citizens and residents (citizens of other republics), and in the context of the pending disintegration of the Yugoslav federation whose republics, all but one (*Bosnia*), had an ethnic base, ethnic solidarity began to dominate the Yugoslav political space. By the end of the 1980s, the partnership between Yugoslav republics had been tainted with different visions, bitterness, and opposing ambitions. (Shtiks, 2010)

The clandestine groups, the ‘great manipulators’ according to Wachtel, had taken apart the old system and built a new one with identical parts. Be that as it may, however, no use was found for one element of the former system: the Yugoslav history and idea, born in the heady days of romantic national awakening, revived and refined a number of times in the twentieth century, appears definitively to have completed its life cycle. The world list of the national states has its new contributions. The era of big powerful ideas was over (fascism, socialism, communism - liberalism was, anyhow, late to this region) at least in this part of the world. But, was it worth it to ruin so much to get so little?

For an outside observer, it is hard to see what has been gained by the dismemberment of Yugoslavia. Perhaps if one is a true Croatian or Serbian nationalist it is possible to convince oneself that the sacrifices—political, economic, and moral—have been worth it, but most others would probably agree that the ravaged economies, the millions of refugees, the thousands of rapes and murders, and the incalculable psychic damage sustained by both the victims and the victors were a high price to pay for the creation of five independent South Slavic states. This is particularly true given the fact that so little has actually changed in the new countries, for in great measure the new is merely a repackaged but far less creative version of the old. (Wachtel, 1998)

Once a positive and inclusive process in Western Europe, in 18-19 centuries, much needed for the creation of big capitalist states with unified markets, nationalism in the 1990s was back in a different part

of Europe, but with exclusive ideas that had no new specific directions in front of. The new nationalism was heading backward, to the past. To the golden times and dreams for their own national state, to the roots and primordial times, as Anthony Smith was deliberating. Having in mind what has been said so far, is this a consequence of skipping some phases of late national development in the outskirts of the continent, that cannot be substituted overnight, the processes of enlightenment, liberalism and democratization? Considering at least the modern historical processes. Do badly learned lessons by elective and ignorant politicians cause more harm than benefit, judged by the results of their heritage? When you don't have solutions for important questions better prepare your country for troubles. If you prepare for a long time for war it is easy to step into war activities, but if you don't preserve the peace by supporting it on daily basis, you will certainly one day suffer big losses. Certainly, when the war is over it takes time to reconcile and build peace again, if it is possible in the short run. Some claim that in Bosnia an 'earlier intervention could have resulted in the partition' of the state, comparing the visions between what was Bosnia before the conflict and what somebody would be wanted to be after the conflict.

This paradox is rooted [...] in the profound 'reality gap' [...] between the Western model of what Bosnia ought to be that has driven Western policies since Dayton, and what Bosnia has become in the aftermath of catastrophe. The Western model presumes respect for legal norms, the benevolent effect of enlightened self-interest in guiding social relations, and tolerance and understanding among different ethnic groups. It presumes that the multicultural ideal can be revived. But Bosnia has become a land characterized by a struggle for survival rooted in ethnic solidarity, disillusionment with ethnic coexistence, and the predominance of narrow ethnic self-interests over the commonweal. (Burg & Shoup, 1999)

This unresolvable question will become a long-term problem for Bosnia and Herzegovina. Even though the wounds started to heal, the missing experience and knowledge about how capitalism and democracy cohabit together is not an easy task for a fragile and war-torn country. Especially non-capable and non-efficient elites that cannot manage democratic processes and build a modern state. Yugoslavia was falling down piece by piece, and the damage was of huge proportions, even

in spaces where the nationalist rhetoric was not present before – in the ‘widely shared non-nationalist culture’. The people were minding their own business until the social and economic crisis as a juggernaut started to grind culture, sport, music, professional ties, and many other layers at the expense of ethnically infecting the institutions, and politics, and finally redrawing the borders. As Devic (1997) remarks, it was too late when liberal-oriented people (*intellectuals, students, artists*) realized that the crumbling state of Yugoslavia was ‘democratizing’ at the expense of the destruction of their all Yugoslav cultural space.

Political attitudes of ‘average Yugoslavs’ had not been affected by the ‘ethno-nationalization’ of official political discourse and the accompanying disintegrative political agendas. Up until the late 1980s, the rivalries between the leaderships of the various republics over the influence of the federal government and the language of mutual accusations were performed in an arena that was closed even for most journalists. The ‘average citizen’ was profoundly disinterested in matters of high politics, where he or she had no voice. (Devic, 1997)

Politics in Yugoslavia was not a career for non-ambitious people. A big share of people was not interested in it. There was plenty to do outside politics. That is why the space was conquered by skillful people, converted nationalists, previously communists’ apparatchiks. Meanwhile many things decreased in quality, the crisis increased, and the living standards of ordinary people dropped sharply. Other things strengthen such as ethnocentrism, nationalism, and national identity, promoted by the rich political elites. On one hand, the number of national flags multiplied, the living standard dropped, and democratic processes were very slow. On the other hand, the number of inhabitants of the new states in three decades decreased significantly, mostly emigrating to the Western countries. It is a proper correlation, but it can be also a causal factor.

In 2020s in the Western Balkan, the apathy and passiveness of the common man, in relation to an all-engaged ethnic-political elite, is spreading around. There are attempts on the continent to expand the basis for participation and strengthening democratic processes (i.e. member states of NATO and EU). Economy growth, democracy, and political model should support better living, and satisfied citizens, not just to please the elites. If you have democracy, you have a space to articulate

your values and interests. Democracy and inclusion go hand in hand because countries that are already governed by a more inclusive coalition will democratize earlier than exclusionary regimes that fight democracy tooth and nail. As Wimmer points out in his analysis, democracy doesn't build nations, but nations that are already built democratize more easily. And nation-building is becoming a never-ending process for Bosnia as well as Macedonia. When they are built there is no certainty that democratization will come at once. Even before, for instance, 'socialism' did not democratize, because its ideology was locked in highly controlled offices and media, and was not discuss in public.

There are two main aspects of nation building: the extension of political alliances across the terrain of a country (the political-integration aspect); and the emergence of a sense of loyalty to and identification with the institutions of the state, independent of who currently governs (the political-identity aspect). To foster both, political ties between citizens and the state need to reach across ethnic divides. In such inclusive regimes, intellectuals and political elites, as well as the average individual, will define the national community in broad terms to include all citizens equally [...] irrespective of their ethnic background. (Wimmer, 2018)

For example, cross-cutting alliances de-politicise ethnic divisions such that politics is not perceived as a zero-sum game in which ethnic groups struggle over who controls the state. Further, inclusive coalitions foster a sense of ownership of the state and promote the idea of a collective purpose beyond one's family, village, clan, or profession. Thus, citizens of inclusionary (national consolidated) countries will identify with and feel loyal to the nation, rather than their ethnic group, social class, or region. Reaching a higher level of democratization compared to some European countries is probably not a short-time project. But building social cohesion among the multi-ethnic citizenry is not an unknown process. This was seen in the Balkans in Yugoslavia, but it was still within a one-party system and it was static. Democracy is a model that is moving, upper or lower, it never stays in the same dimension. Can get better, but can get worse. Generally, in Bosnia and Macedonia people as we showed at the beginning of this analysis vote for the 'same devils' that took them into a not very prospective future, neither economically nor politically.

The Bosnian nations must overcome on one hand the mythic imperatives of “supranational brotherhood” promoted by the Socialist regime, and on the other those of “religio-national exclusivity” imposed by religious nationalists, with a common goal that would justify their cohabitation, such as economic progress, social development in general, or approaching the European Union. This process would, of course, take time and, only seven years after the Dayton Peace Agreement, it is definitely too soon to predict the course of future events. I think - optimistically, someone would surely argue - that a multinational and multireligious Bosnia-Herzegovina is possible because of its predominately tolerant and plural history. (Velikonja, 2003)

Regarding the recognition of the Macedonians as a people with sovereignty on the territory of the Republic of Macedonia, historical data tell us that the Republic of Macedonia was constituted in 1943-44 during the national liberation and anti-fascist struggle, thus this process of constituting the state of the Macedonian people received its own political-legal realization. Still, escaping the damage during the Yugoslav dissolution in 1991, Macedonia went through a minor conflict in 2001 that end with a peace agreement, named the “Ohrid Framework Agreement”.

The Ohrid agreement offered solutions both for the recognition of ethnic groups (named as communities in the agreement) and for fair participation in the institutions of the system, for the correction of disadvantages and equal opportunities for members of different communities, for the cultural promotion of the identity of minority groups, for the unitary character of society, the decentralization of government, etc. In short, for a balance between the politics of identity and group rights and the politics of individual rights. For a model of society that will stimulate political integration, but with elements of both liberal and corporate pluralism. (Atanasov, 2003)

The Ohrid Framework Agreement (OFA) provided for greater rights for the Albanian community and also transformed the institutions into a power-sharing system. However, the features of power sharing are less pronounced and rigid than in Bosnia (Bieber, 2013). The framework agreement has many elements and offers several solutions. It was an attempt to resolve important issues from the national agenda of the state. In the Macedonian society, the management of the “ethnic knots” had to

reconcile the two nationalisms, otherwise the “struggle” for resources and symbols between the Macedonians and the Albanians will strengthen the attachment to their own national (ethnic) identity, thereby strengthening the potential for disintegration of the society. This is one of those social (political) conflicts where compromise is difficult – if not impossible. Thus, the choice of solutions between two modalities is the most common rule. (Atanasov, 2008)

We entered the third decade of 21 century, and some Western Balkan countries are still bothered by the same ethnic narratives: to whom the land belongs, what is their primordial identity, and how many borders should delineate them. Usually, when people and societies are concerned, every long process experience ups and downs. But who runs the processes, structures or individuals? Choices are made by people! From where the nationalism draws its energy? Is the Balkan specific, concerning the political developments at the turn of the century? Is it the same political process when the nation states had built their habitat? Is this again a situation when you are protecting ‘your world’ from the “others”? Are nationalism and populism in fact two words describing the same phenomenon? Have Western scholars used “populism” to describe events in their countries, because ‘nationalism’ has been a term they have reserved for the East? (Kostovicova, 2019) In Western Balkans as well as in Western Europe, people also vote for nationalists, more populist, sometimes rightwing radicals, political parties, independently of legitimizing themselves as left or right. Europeans can live with those ups and downs, at least they did so far. Imagine how the voters in Bosnia and Macedonia decide for which party they will vote: in an unfinished nation-building process, having mostly clientelist political parties, and having a political culture that is a heritage from the Ottoman period. Not to mention the low-income per capita comparing to other OECD countries.

Bosnia and Macedonia have faced similar political histories and present with minor dissimilarities that do not change the rule. In Bosnia with its corporative multiculturalism, and in Macedonia with its more liberal multiculturalism. Bosnia with three constitutive nations, Macedonia with almost two constitutive (one constitutive and one want-to-be constitutive). Bosnia with one language and Macedonia with two completely different languages. It seems that slightly at the surface of realities Macedonia is in a better position. What is most strikingly at the same time, it is the ethnic democracy and ethnic loyalty that the

countries are burdened with, and because of this a proper democratic development cannot engender reform processes that will bring states closer to European standards – the Copenhagen criteria. In this direction, Macedonia is a candidate country ready for the beginning of the EU negotiation process, and Bosnia just got the candidate status after a long period of time. Essentially there are three main stakeholders: the state(s), the ethnic communities – peoples, nations, and the citizens, citizens with divided feelings about their families, identities, nationality, and the states they are living in.

What happens, however, when there is no *demos*, no political community that accepts a state (a territory with a government) as its own, because the population divides itself into different ethnic groups no one of which comprises a majority of the population and the members of each see their worst danger as subordination to the others? In such a case, can a constitution be imposed [...] Bosnia and Herzegovina has been the scene of an experiment in the imposition of what is supposed to be constitutional democracy in a territory inhabited by peoples who divide themselves and each other into different nations (Bosniaks, Serbs and Croats) whose members mistrust each others' collectivities deeply, with the majority of the latter two [...] rejecting inclusion in a Bosnian state in the first place. (Hayden, 2013)

It is complicated where in a territory in which the existence of multiple ethnicities precluded the creation of single *demos*, like in Bosnia. One such question is whether it is in fact possible to create a self-governing state when a very large percentage of its putative citizenry rejects inclusion within it (Hayden, 2013). In regard to Bosnia, the Office of High Representative's answer, on behalf of the international community, has been to proclaim the Bosnian population to be 'a people,' which they clearly are not, and then to claim that its own actions are democratic even if 'the people,' so proclaimed, do not accept them. One is tempted to call this system a People's Democracy, and indeed, the political system of Bosnia under the suzerainty of the High Representative does resemble that of the former Yugoslavia under the suzerainty of the League of Communists (Hayden, 2013). This opinion is weird but the resemblance is precise. In both cases, unelected governments have reported to politburos of unelected politicians who claimed to be making decisions based on

the highest principles of freedom, democracy, and human rights. In both cases, Hayden claims, ‘nationalist’ politicians have been disqualified from public life even though they would attract voters – or rather, precisely because they would attract voters. In both cases, the administrations have imposed laws and even constitutions without risking their submission to any form of public legitimation. Either democracy will take place or we will face more dissolution processes, Bosnia first among them. Because there is still no new ‘larger polities’ to control these peoples within one larger political structure (Hayden, 2013) – Ottoman Empire, Kingdom of Yugoslavia, Socialist Yugoslavia. In one bigger state structure, EU for instance, at least different ethnicities will be living in one big society – the Schengen society.

The events of the end of the 20th century, brought changes that were of enormous size for everybody. For the states emerging from former Yugoslavia, the transformation was a multi-faceted one: from state-centered socialism to free-market capitalism, from autocracy to liberal democracy, from war to peace, from ethnic nationalism that privileges one group over others to respect for minorities and individual human rights, and from corrupt cronyism to transparent and accountable governance. However attractive in theory, such transformations threaten domestic elites and traditional patronage networks, which resist (Serwer, 2019). Changes happened, people suffered, peace agreements were signed, the life still continued. Structures were established by the ‘will of the people’ and primarily by the ‘winning sides’. In Bosnia, there was no winner. Everybody lost something: a country, citizenship, a member of the family, a home or a house, etc. Ethnicities won over the ‘imagined’ citizenry and more borders were established not just between the republics, but within Bosnia, within regions, within cities, within intermarriages, and two half-states were erected.

Dayton favours groups over individuals, as politics is often framed ethnically. Currently, if an individual is outside one of the three main ethnicities, they may never be able to have a political role or obtain employment, disfranchising him or her of their rights in their own homeland, leading to political marginalisation. It is a programmatic mistake ‘made in Dayton’ that the Constitution of BiH provides that only ethnic Bosniaks, Serbs and Croats can be elected members of BiH Presidency and the House of Peoples.

Also, many feel that the name for anyone who is not a Serb, Croat or Bosniak as ‘Others’ (e.g. in the Preamble of the Constitution) is offensive and denotes them as second-hand citizens. (Kivimaki, 2012)

If one does not belong to one of the three constituent people, as the Fridrich Ebert Stiftung analysis argued, one cannot participate in political life on an equal footing. This is a harsh form of structural discrimination according to the democratic society standards, but is in accordance with the principles of ethnic democracy. The same time, in Western Balkans political corruption and clientelism is widespread and omnipresent. It is sometimes cross-ethnic as it was during the conflict. (Anderson, 2007) Probably North Macedonia is an exception or more liberal political model where the ethnic belonging is not a major prerequisite for participation in elections. This was several times used by different political actors that won cross-ethnic votes, thousands of them - in the elections for the President of the country in 2009, the parliamentary elections in 2016, and the local elections in 2020.⁶ Maybe in many cases it was simply a political bargaining. Still, by these examples, it is not anymore unusual an Albanian to be part of the Macedonian political party or its election candidate. The opposite case is very rare but time will tell whether the ideological divide will prevail and the ethnicity will fade out. Strange enough, corruption and organized crime are sometimes the best cases of cross-ethnic cooperation.

The negative daily encounters that citizens have with corrupt or inefficient state officials, on the other hand, foster their impression that personal connections remain the best way of ensuring that their demands to the state are processed in their favour. State-society relations in Bosnia are also characterized by the lasting significance of the three ethno-national collectives. This has persisted in post-war times and has been further institutionalized by the international actors who have based the Dayton power-

⁶ Stevche Stojanov finished his postgraduate studies at the Institute for Sociological Political and Legal Research with the thesis “The influence of ethnicity and multicultural society on voting behaviour in the Republic of North Macedonia.” The research done by the student found that ethnic belonging and multicultural society have an influence on voting behaviour in Macedonia. The phenomenon of non-ethnic voting was confirmed along when the voters followed the party identification as well as the dominant ideology.

sharing system and many of their later reforms on the fundamental idea of three separate population groups. (Bougarel, 1996)

The Macedonian model after Ohrid Agreement and constitutional amendments works, but it cannot solve the difficult problems. The benefits are only for the ethnic elites. According to this, integration processes have been turned into segregation and segmentary issues. The key moment is the issue of differences (language, religion, social habits), and “ethnic knots” make it difficult and prevent multicultural efforts from some segments of society (at least in the non-state sphere). The multicultural model is usually intended to make everyone (for the most part) equal. In the case of Macedonia, power-sharing relations between ethnicities (Macedonians and Albanians) define the dominant political and social order. In this way, the multicultural model leans toward ethnic rather than ‘multicultural democracy’⁷ (Atanasov, 2017). Today, there are three groups of demands that non-majority communities (mainly Albanians) constantly highlight in public and in the political struggle. The first group of questions refers to the demands for a higher political status of the Albanians within the state of the Republic of North Macedonia. The second group of questions is related to the requirements for the design of parallel institutions that would have specific competences within the policies of redistribution of resources. The third group of questions are related to the requirements for the historical role of smaller communities in the direction of inclusiveness and exclusivity of the political system itself. If the way of solving major state policies is not part of an inclusive process and a democratic model of governance, then no division, especially division along ethno-political and territorial lines, can bring a higher level of integration. On the contrary, the further division of a small state and society will only weaken the chances of building a political nation whose only task is to provide a better life for its citizens - regardless of belonging to different cultural, ethnic, religious or any other identities. (Atanasov, 2017) An example of the first group of demands is the status of Albanian language as official language in the state and the permanent position of deputy Prime minister in the Government. Example of the second group is the establishment of a separate Ministry for political system and relations between communities

⁷ The term ‘multicultural democracy’ was coined by van der Berghe, P. in 2002 in one of his known works named as ‘Multicultural democracy: can it work?’, published in *Nations and Nationalism*, 8(4): 433-449.

and employment of Albanians along ethnic lines. While an example of the third group of demands is a definition of the state not as a state that belongs to the Macedonians, but to all ethnic communities that live in it (the goal is to define the state that belongs to Macedonians and Albanians).

On the one hand, citizens, especially citizens from small recognized or unrecognized groups, are less direct beneficiaries of multiculturalism as rights or practices. Multiculturalism has one big flaw, it only stimulates the elites – ethnically/politically. On the other hand, multiculturalism by definition freezes ethnic differences and stimulates institutional solutions that destroy the mechanisms of democratic processes. Multicultural declarations only mask and hide the weak democratic capacity and encourage illiberal policies. The model that mainly exists does not help citizens individually to integrate into the social mainstream and leaves them powerless before the politico-ethnic elites, in whose hands is the power, decision-making, business and jobs. The model does not improve the living standard of citizens, on the contrary, it deepens inequalities and poverty (social, cultural). (Atanasov, 2020) Today, North Macedonia needs a model of civic nationalism, which would be a matrix for building an integrated society and investment in the political unity of the state. The space should be filled with cooperation and interactions. Citizens must be offered a platform and a secure future in a more stable society. Along with this, the processes of a fairer redistribution or division of wealth must be strengthened. (Atanasov, 2021)

In the gap between the values of liberal democracy and those of an authoritarian model, most of the countries in the region showed weak results in the past three decades. This paper argues that in the case of the Republic of Macedonia, in the “battle” between proponents of political ideology vis-à-vis individual benefits through political engagement, it is the latter which dominates. The process of participative democracy as higher political level of democracy has lower leverage than the acquiring personal benefits of being involved in the politics. (Simoska, 2016)

On the one side, the heritage of the communism does not allow the proper political parties to emerge via socially based interest groups. On the other side, the massive formal membership in the domestic politics, as it was in the golden days of communism, is one of the factors due to which the new political entities continued to support by “delivering the goods”

by patronage. This obstacle cannot be overcome, which has been proven by the existence of strong perceptions of high level of corruption in the highest echelons of the state structures. ‘Corruption is the symptom, but patronage is the sickness. Non-democratic values are prevalent as shown by our research. Above all, the authoritarian values have never really left the region. They are the corner stone of the Macedonian political regime, regarding formal acceptance of democracy that, one can say, is being suppressed before it has fully arrived.’ (Simoska, 2016)

In terms of social context pervasive feeling of deep distrust towards other people exists, though, still personal confidence is quite pronounced. But distrust of other people combined with the lack of opportunity of employment and advancement of capacity, and disrespecting the values, such as honesty, sincerity and diligence, contribute more to thinking about leaving the society at the earliest possible opportunity. Also, if there is no social development if there is no change that would create greater perspective and a specific lifestyle where individual differences would become evident, the youth will not have an opportunity for bigger individualization.

‘The choice of own life trajectory is impeded by socio-economic crisis in which members of the groups are still facing their cultural barriers and “think” ethnically or collectively, fighting for more resources for their group. Obviously, young people in society live in a context in which collective identities accompanied with socioeconomic crisis not allow more distance from youth creating their own identity as a feature of contemporary democratic societies. If there is no development in the state, the rule of collective identities is more present and will not disappear in a short run, especially on ethnic and religious identity.’ (Naumovska, 2016)

The omnipresent corruption in the Balkans refers to a situation in which private interests control and exploit governments. Comparatively, the Balkans is highly dependent on political party bosses and their patronage networks, some of which have entrenched themselves for decades. Their clientelist networks know well how to resist, and adapt to, whatever the EU tries to impose. Partitocracy limits the EU’s transformative power, enabling formal compliance while blocking serious reform and allowing corrupt practices to continue. Not surprisingly, this is especially the case

where domestic accountability—through either autonomous government institutions or civil society—is lacking. (Serwer, 2019) Unfortunately, the Bosnian middle class is very weak and there is no tradition of civil society engagement. The neo-feudal system of post-war Bosnia and Herzegovina has not brought any change to this pattern. As people are too much occupied with organising their economic survival, there is not much space for voluntary engagement in a society or a state that less than 30 percent of the population identifies with. The absence of civic awareness and missing civil society engagement of its people appear to be precursors of a failed state. (Kivimaki, 2012) Then, what are the prospects generally of moving ahead from the current pessimistic situation?

“So the mentality has to shift from zero-sum to positive-sum before productive and constructive politics can gain ground. Thus the objective of facing reality is to change reality. As that is a long term aim, all three actors need to stay committed for a longer period of time, since in BiH that aim has not nearly been reached. There is an urgent requirement for a reform agenda that will be focused on social inclusion. An inclusion agenda does not emerge merely from elections. Elections produce losers, which in the post-conflict society of BiH are then excluded. So, the three actors have to genuinely join forces to make the paradigm shift possible. (Kivimaki, 2012)

So, conditions must be created for a change or a better future in Bosnia and Herzegovina. The same can be argued for Macedonia. Politics is a dominant factor that decides which course of action the state will go. The people are disinterested. Thus, generally, there is no progress or positive development. In that direction, both countries did not go right towards the consolidation of their societies, especially, burdened with ethnic cleavages and corrupted politicians. An what about the heavy power sharing arrangements and their consequences. As Bieber argued (Bieber, 2013), while power sharing is a distinct form of democratic governance, the interrelationship between democratization and power sharing is complicated and not necessarily mutually reinforcing. The power-sharing settlements in place in Kosovo, Macedonia, and Bosnia are aimed at settling self-determination disputes and/or an interethnic conflict. While democracy is assumed, it is not the primary consideration of the peace agreements.

‘In the absence of alternative systems of governance short of redrawing state borders to create homogenous nation-states, power sharing appears to be the least bad alternative for the three countries discussed in this essay. This does not mean that much of the criticism of the current systems of power sharing is not justified [...] However, the institutional set-up is often a reflection of existing societal divisions that cannot be “engineered away,” and the weaknesses of the current system, especially in Bosnia, suggest that power sharing cannot create a working consensus democracy where no consensus over the state exists.’ (Bieber, 2013)

Is this valid for Macedonia, with at least some level of consensus for the state. The question arises whether the power-sharing system can be modified to allow for greater democratic pluralism. Especially in the context where there are very vivid tribal consciousness and predatory behaviors – the Balkans. We will try in the last part of paper to show the way out of this mission impossible. For both countries, that have so many things in common.

4.0 Social and Ethnic Conflicts between Pacification and *Destiny*

The main goal of this paper is to make a comparison of the negative impact of the existing social conflicts on the political integration perspectives in Bosnia and Macedonia. We argue that the ethnopolitical elites are still in the nation-building processes and these have a negative influence on political integration in both states. The preliminary analysis, that came out of this project, is published in the monograph by the Institute for Sociological Political and Legal Research and it was comparative regarding the subject of the analysis in the cases of Bosnia and Macedonia. Namely, in this analysis, main research question was the model of social integration in Bosnia and Herzegovina, three decades after internal conflicts and the disintegration of socialist Yugoslavia, compared to North Macedonia. The main objective of this analysis were the categories that are influential or dominant in the model of social integration or disintegration in both countries in terms of ethnic diversity. These research findings on Bosnia and Herzegovina identified problems in social integration concentrated on two levels – sociopolitical and

sociocultural. At the sociopolitical level, the focus was on national identity, while on the sociocultural level, the focus was on ethnic cleavages.

Concerning the sociopolitical level, the research argued that today's situation in the country called Bosnia and Herzegovina builds its political contemporaneity on several events that mainly took place in the Balkans during the Ottoman rule, but also that the country completed its statehood in the recent history related to the creation of Yugoslavia. Perhaps the most influential moment was the dissolution of Yugoslavia and the federal state. The conflict for new national identities (nations) was a major driver for the dissolution.

On the sociocultural level, the research elaborated on ethnic cleavages and dividing lines, which have an impact on people's lives and relations between different ethnic groups. The main divisive factor are the different confessions and religious differences, which are dominant in the relations between the three national groups in the past and especially today, with clear and dividing lines between Bosniaks, Serbs, and Croats. Additionally, national and ethnic issues and relations between peoples in Bosnia today are defined by the Dayton Agreement. This agreement brought peace, but in the long run, according to many experts, quoted in this paper too, it did not bring a more stable future for the country.

Summing up the sociopolitical and sociocultural factors, three key factors hinder internal integration and create social conflicts that affect the stability and position of Bosnia and Herzegovina - the continuous politicization of ethnicity, religious identification and disintegration processes that affect the stability of the state:

- The continuous politicization of ethnicity is among the most influential process or factor for the stability of society. This process of politicization emerges from three points of view that manifest as ethnic identification. In fact, there are three similar but still different relational nationalisms: the majority Bosniaks, the minority Croats, and the sub-national Serbs. These three nationalisms are constantly in conflict both centrally and regionally and are exclusively used by the main political parties in the service of the "national" interests. Political elites are consciously preventing greater social integration in society, not allowing decreasing in the importance of ethnic monopoly.

- The religious identity, as a product or legacy of the past, is still very strong compared to the state identity, which is rather fragmented. Today there are three strongly divided ethnic/religious blocs with different cultural characteristics. In order to overcome these divisions or to relativize their negative impact, political will is needed to work in the direction of building awareness for common living. Many activities are needed to bring Bosniaks, Croats and Serbs closer together, but with a focus on citizens as members of the ‘common’ state. The biggest challenge for the development of modernization processes is the de-ethnicization of the political model, which can stimulate the democratization of the state. The processes at a wider regional level are not helping them, especially with the new wave of populism/nationalism that has swept through Central and Eastern Europe.
- Political (dis)integration processes are manifested through political battles, but for three different ideas. The Bosniak political elite advocates for greater centralization of the state, as opposed to the current position of the entities. Serb political elites favor a frozen Dayton and Bosnia-Herzegovina, where Serbs from Republika Srpska prefer to live in their “own” part. The political elites of the Croats are in favor of a third entity or at least to maintain their influence in politics. “Bosnian” political elites have the power to influence the future of the state. Recent attempts to reduce the influence of ethnic factors in the political model through the electoral process have been fiercely opposed by most ethnic/political parties. The current position of the state and the future of its citizens ‘captured’ by powerful ethnic-political elites.

As a historical paradox, the undisputed common Slavic origin of all three groups and the similarity of their languages in Bosnia does not make the situation any easier. On the contrary, it is a country in which at least two of the three constituent peoples living in it do not “feel” it as their “fatherland”. Also, as professor Filandra stressed during the online conference while presenting the results of this research project⁸,

⁸ The presentation of the results of the project was held on 7 December 2022, on the online platform. At the conference besides the members of the team, there were participants from the University of Kosovo, professor Nexmedin Spahiu, University of Montenegro,

the paternalistic attitude of neighboring states, Serbia and Croatia, and Turkey regionally, makes the situation even more complicated and unsolvable concerning the social (ethnic) cleavages in the society. These influences just burden the Bosnian domestic politics and put more fire on the Bosnian fireplace. Citizens of Bosnia and Hercegovina rather continue with their emigration waves than to expect better times in their “homeland.”

The Macedonian model of social integration is heavily researched and known to the domestic and foreign academics and experts. The Macedonian case was also analyzed on two levels – sociopolitical and sociocultural. At the sociopolitical level, the focus was placed on the current national circumstances. At the sociocultural level, the model can also be considered through ethnic divide between citizens/communities:

- Concerning the sociopolitical level, the main findings show that the current position of the state of North Macedonia is built on several events that happened at the end of the 19th (1893-1903) and the beginning of the 20th century (1912-1918), but also that this country is building its statehood through the events of contemporary political history related to the creation of Yugoslavia in 1918 and 1943. As in Bosnian case, the most influential moment in the independence of the state was the dissolution of Yugoslavia and the federal state, which failed to build an integrated political model that would be sustainable.
- On the sociocultural level, the most prominent are the ethnic differences and divisions in society, which have a great impact on the life and relationships between the people and communities. The main dividing factors are the religion and language, that dominates relations between communities.
- Identity and national identification is another important factor. The relations between the communities in North Macedonia today are defined by the Ohrid Framework Agreement and

professor Srdjan Darmanovic, and from the University if Sarajevo, professor Shacir Filandra.

the corresponding constitutional amendments from 2001. This agreement brought immediate peace, and in the long run, it created opportunities for prosperity for society and a more stable future for the country after joining NATO in 2020. Macedonia is a candidate country for the EU, starting this year (2022) with certain conditionality due to previous problems with Greece and today's 'historical' problems with Bulgaria, the two EU members.

Analyzing the Macedonian model considering the socio-political and socio-cultural factors, we can state that the Macedonian political reality also gravitates around the ethnic categories. We have a permanent politicization of ethnicity, but perhaps after the Ohrid Agreement we can talk about softened ethnic/linguistic differences and as a result the processes of disintegration are today less visible and prominent:

- The same as in Bosnia and Herzegovina, in Macedonia the politicization of ethnicity is among the most influential processes or factor for the integration of society. This politicization constantly arises from two standpoints and manifests itself as Macedonian ethnic/civic nationalism and Albanian ethnic nationalism. These two nationalisms are in constant political opposition, both centrally and locally, at the state level and within their own 'ethnic' bloc. Political (ethnic) elites dominate most of political life and work and make efforts to invest in "ethnic business". In the end, politics boils down to who gets what from the resources when in power.
- With the changes and the Ohrid agreement, the 'ethnic' identity aspect flourished, but does not destroy the social content, because the power-sharing agreements allow the Albanians non-territorial central political power, as well as some other smaller communities to receive a share of the 'resources' through the state budget. The biggest challenge in developing the possibilities for modernization is the processes of integration in the EU. A small number of politicians openly support the de-ethnicization of the political model, which would stimulate the further democratization of the state. However, the softening of ethnic divisions and tensions

generally helps in the direction of social cohesion and the reduction of ethnic cleavages.

- Issues of disintegration are less prominent today and can only be seen during electoral processes when the debate is full of patriotic speeches about ‘ours’ and ‘yours’ national interests. The citizens have taken the opportunity, especially since Macedonian society has not gone through a major ethnic conflict, and working to strengthen their social position and the standard of their families. Currently, there is no other vision than the unitary Republic and the division of political power according to the Ohrid process. There are no serious political forces seeking disintegration. There are political parties that work hard to maintain privileges and personal interests within the strategy of ‘defense’ of the ethnic rights.

Macedonians and Albanians have different cultural heritage, different religions and languages, but nevertheless, they communicate and argue daily about ethnic cleavages, especially between elites and, with less intensity, between citizens in mixed regions. At the same time, the political elites are satisfied, but the citizens are not satisfied with the current situation in the society. There are also wider regional challenges, the Macedonians are closer to Serbia and the Serbs and the Albanians to Kosovo. This is the main line of regional position and it has its own influence. However, North Macedonia is a country in which at least two main national elites work together and decide on a better future. There are times when only solutions are important, not ethnic misunderstandings, because the problems faced by citizens are urgent and the same. North Macedonia has proven that it can be a “homeland” for all citizens of different ethnicity. Certain global threats and risks (the pandemic, the Ukrainian war, the energy crisis) have increased the awareness that all citizens have the same problems and fears for their future and may need to look for solutions together. Before most of the population emigrate to Western countries, we should notice that according to 2021 census in North Macedonia the total population has decreased more than nine per cent (9%) comparing to 2002 census.

This elaboration about the politicization of ethnicity, national identity problems, and integration/disintegration processes, will support our arguments on the main research question: ‘Whether the *unstable*

societies in the Balkans can support *stable states*? The internal ethnicity tensions and not consolidated nation-building projects are obstacles to political integration, and cannot change overnight the *social risks* in which citizens in these two small Balkans states live. Whether they ‘use’ as a political resource history, ethnicity, religion, language, or other sociocultural elements, the *ethno-political elites* of small countries in the Balkans do not create a *democratic context* to stabilize their societies, which could then support *political integration* that would build prosperity. Especially in the direction of the European integration processes and the ‘democracy on demand’. The elaboration so far emphasized the existence of two not completely consolidated and unstable societies. We think that we should add one more important issue in this elaboration.

Generally, in Bosnia and Macedonia, the powerful political elites rely on loyalists and party staff (sometimes in form of negative selection) that are easily controlled and do not call into question their ‘democratic’ governance. This is an example of the political rule that most of the successor states inherited from the former regimes (an Ottoman Empire and Yugoslav heritage), or more directly recalling the way the Communist Party governed – autocratic and collectivistic. Bosnia and Macedonia were also part of the former Yugoslavia as state-like entities. In the political reality of these two countries, there are traces of political/cultural heritage and influence from Ottoman rule that existed in the Balkans for a long period of time. It is a kind of hybrid ideology with the elements of authoritarianism on behalf of the elites supported by their ‘ethnic brethren’ and the absence of ideology and a clear political vision for their state. The ruling ethnic political elites have proven to be very good at sharing public institutions and resources alike – and particularly the financial ones. Ethnic power-sharing mechanisms and principles have, on the one hand, helped both post-conflict Bosnia and Herzegovina and Macedonia to reach stability and overall ethnic-collective equality, but, on the other hand, have been misused by ethnic oligarchs becoming instruments to seize the state institutions themselves (Piacentini, 2021).

It is a variant of illiberal democracy (close to the model of ethnic democracy) with the intention of freezing the current political establishment. There is no movement of ideas and values that will change something over a longer period of time. Somebody calls it a ‘captured state’, with little resistance from within the society. The argument of this study is to label the current reality in Bosnia and Herzegovina and

Macedonia as an unstable societies in line with the above-explained context and developments. For three decades after the breakup of Yugoslavia, there are no new cultural processes that will bring people together, within societies or regionally. There is more distrust and hatred than respect or closeness. There is more propaganda than objectivity. There are more myths and prejudices than truth and honesty. Newly created small countries rely more on foreign factors (and resources) than on their own potential. Although they are very successful in clientelism, corruption, and political patronage.

In the current circumstances, the “new collectives”, led by their “democratic leaders”, declaratively try to get closer to the liberal state model, but in reality, mainly trying to realize and sustain ‘their’ national/ethnic projects. Contextually, the relation between national political elites and the “citizens” and their role in the society must be juxtaposed vis-a-vis regional wider integration. The true context in which Bosnia and Macedonia are located in stratification terms seems to be a situation in which the middle class and liberal layers of societies slowly disappear and lose social power (by the decreased standard of living and, also, physically through emigration) and the result is a great social differentiation of small group of very rich people and increasing numbers of poor and very poor citizens. At the same time, there is a new wave of nationalism with an invigorated populist vocabulary implemented by the political elites. The big share of poor and disappointed ‘citizens’ are the biggest losers of the ethnic ‘revival’ of the late Balkan nationalism. Together with or without their ‘ethnic’ differences.

Namely, there must be a way to de-ethnicize politics (political parties), in the direction of softening the sharpness of the ethnic cleavages. Three decades after Bosnia’s independence, the ruling structures appear reluctant to find a model for state integration. In the past few years, it has been proven that things do not change if the status quo goes in favour of the political ‘elites’, which rule through nationalism (and populism), remain even more privileged. Can nationalism be defeated? Most will deny this option! It just got more distinguished and strengthen. From this perspective, maybe things in the Balkans can also move away from a dead-end street as evidenced by the events of the 2016 parliamentary elections in North Macedonia. Albanian citizens in huge numbers (some estimates are about 50 000 Albanians) voted for SDSM. The same was not repeated in the parliamentary elections in 2020. Certain ethnopolitical

forces or options in Macedonia will continue to work contrary to this concept, in the direction of ethnic territorial federalization. ‘Ethnopolitical’ structures and institutions consciously push “their” citizens inside their own ethnocentric matrixes of existence.

Over the past 20 years, the importance of ethnicity and the power of ethnic elites has continuously grown, by strengthening ethnic identity among Albanians, while ethnic tensions have “worked” to the detriment of the peaceful lives of citizens. Macedonians are prone to feel that their identity is rather a symbiosis of ethnic/cultural and national/state identification. It is up to Macedonian elites to find a space and inclusive approach for the ‘others’ to be incorporated into their common society. SDSM, as a political party, in the period 2015-2017, after the general dissatisfaction with the ten-year rule of the authoritarian regime of VMRO-DPMNE, began to create a new multi-ethnic political majority. This party, whose members are from different small ethnic communities (the majority are Macedonians, however), has begun to accept members and open municipal organizations in homogenous Albanian environments (Aracinovo, Zhelino). It was an incentive that things in Macedonia can change, and couple of Albanians were elected as SDSM members in the parliament. Unfortunately, in 2018-2019, SDSM slowly began to back away from this idea. Either the leadership of SDSM was afraid of this “historic” task and a major change in politics, or they did not understand what the ultimate goal of the concept of “one society for all”⁹ is, or why that line of political changes should be followed. The way for this was paved, both as programme and as politics. However, the intensity of political life and the daily trench political struggle in a turbulent period took their toll. When the National strategy for the development of the Concept of ‘one society’ and interculturalism was adopted in October 2019, as a Government strategy, the whole idea was already left by the social-democrat political elite. The leaders of most of the political parties (Macedonians and Albanians alike) do not praise multiculturalism as an idea, but during the parliamentary campaign in 2020, they showed that they are back in the ‘ethnic business.’ Time will tell how the ethnic cleavages and political integration will move and adapt to societal cohesion.

⁹ It was a slogan that was one of the main election promises for the campaign in 2016.

The analyst and good expert of the ethnic situation in the country, Harald Schenker, commenting on the situation in the Macedonian society¹⁰, in July 2020, will write that ‘in 2017, Zoran Zaev became Prime Minister on the card one society for all. With this, he propagated overcoming the ethnic borders of the country by actively seeking support among the electorate of ethnic Albanians. However, after the 2020 parliamentary elections, this concept has been dealt a blow that could prove fatal.’ According to Schenker, every potential coalition partner stands for the opposite, and SDSM is weak to impose this line alone. He says that “no other political structure followed Zaev’s socialdemocrats in trying to redefine society in North Macedonia, in trying to counter the nationalist discourse by offering a concept based on integration and solidarity.” After the experience of different ethnic communities supporting a new SDSM-led government in 2017, there is a possibility of creating new multiethnic political majorities, although not always in an easy way or sustainable. It is one way to directly support social integration that would lead to political unity and social cohesion. It is still not well researched and analyzed why it did not last as a political platform.

Another unanswered question is can the Bosnia’s governance be unblocked and become more functional? Some hope it might come from the country’s citizens. Dysfunctional and corrupt governance generated widespread protests and street-organized ‘plenums’ in the winter and spring of 2014, forcing the resignations of some cantonal governments. The protests had the great virtue of raising issues that transcend ethnic divisions, even if they occurred mainly in Bosniak-majority areas of the Federation. Nationalist Croat, Serb, and Bosniak politicians all tried to cast the protests as ethnically menacing, though they arguably demonstrated that Bosnian citizens of all ethnic groups want to be improved and less ethnically focused governance based on the creation of a “supra-ethnic citizenship identity of their participants” and a “‘secure space’ for participatory democracy” (Serwer, 2019). Since then, little has changed in relations between the three constitutive nations. A lot of election cycles have passed and after each of them, new political and ethnic cleavages occurred (the election results, the census, the government, the accusations from every side, and statements from paternalistic states).

¹⁰ <https://balkaninsight.com/2020/07/17/north-macedonias-dirty-election-only-deepened-societys-rifts/>

For both states, the EU perspective thus more or less produces its positive effects almost irrespective of the actual aid programs, policy instruments, and technical assistance linked to it. It is assumed that the transformation process in South-Eastern Europe will just take longer and be more arduous than its role model and predecessor in East-Central Europe (Wim, 2006). Bosnians (*and Macedonians*) need to look to themselves, to each other, to make a future better than their present. Bosnia today is an unhappy place, but for the most part it is not a deadly one, and certainly not a genocidal one. interethnic violence is rare. Only a single American peacekeeper was killed in Bosnia after the war, despite many challenges. A few hundred European troops remain in the country, spread around in militarily insignificant units. The economy needs reform and the society needs integration. Democracy provides lots of opportunity for change, but citizens need to exercise their options to get it. If they don't, that is for them to decide. That is democracy too. Could this persistently unhappy place return to war? Reversion of that sort happens in many countries. There is no ruling it out completely in Bosnia (Serwer, 2019). Democratic elections should attract different ethnic electoral segments to the political centre, encouraging politicians to build broad coalitions outside the group of voters who share the same ethnicity (Wimmer, 2018). Perhaps for both Bosnia and Macedonia, the exit is in the formation of new political parties that will reconcile both political polarizations in their ideologies, but also develop democracy, by maybe building political multicultural majorities.

The presented analysis of Bosnia and Herzegovina and North Macedonia, from the recent political history and collapse of the federation to the creation of new states with mostly poor and unprosperous communities, is an attempt to compare the two countries and their current political integration obstacles. This analysis had no goal to be comprehensive. It had an idea to be comparative. It had an idea to show where Bosnia and Macedonia stand considering they are facing the same or similar problems. At the end we shall draw some findings according to the presented argumentation and try to answer the main question at the beginning of this paper – Can volatile societies support stable states:

1. In this part of Europe, the Great powers supported the formation of national states, with the purpose of halting the spread of the communist revolution from the East. Socialist Yugoslavia was an unplanned state turned communist country and unfortunately

an unsuccessful model of national state(s) integration. Bosnia and Macedonia are (nevertheless their previous historical and ethnogenesis predispositions) products of the political division and re-composition of the Balkan borders starting from the decisions of the Congress in Berlin up to the end of the WWII. Yet, the Yugoslav communists had no long-term solution for the political unity and democratization of the federal state. Its dissolution was immediately supported by external forces (German recognition of Slovenia and Croatia), but also stimulative for the ethnonational elites that were searching for ‘their own nation.’

2. Two countries are similar in some aspects regarding issues related to social conflicts (ethnically based), but are in a different situations regarding the political integration. Both are states recognized by the United Nations. Macedonia is also a member of NATO. It has started the initial process of integration into the EU, unlike Bosnia that just recently acquired the candidate status. Bosnia is a political model with two state entities, mostly dysfunctional and expensive to manage. Macedonia is a unitary state, deeply ethnically divided but functional. They also share with certain intensity paternalistic behavior and influence from their neighbors, for Bosnia from Serbia and Croatia, and for Macedonia from Serbia, Bulgaria and Albania.
3. In Bosnia there are three competing nationalisms, in Macedonia, only two, more or less softened thanks to external factors. In Macedonia, there is cross-ethnic communication and a rising number of people who would prefer more democracy than nationalism or conflict. In Bosnia, the people in power (political-ethnic elites), primarily want to preserve their privileges and strengthen the ethnic boundaries. There are minimal efforts of communication, especially between Bosniaks and Serbs. We can argue that both are occasionally or permanently unstable societies, due to social (ethnic) conflicts.
4. In Bosnia and Herzegovina there is an open political conflict between the three constitutional peoples. In Macedonia, today, there is a continuous latent social (ethnic) conflict which has no potential to trigger a new ethnic conflict. Perhaps this is the result of satisfied political elites or the result of the support of external

forces to eliminate the causes of ethnic conflict. In Bosnia today, there are several political leaders who want a ‘final’ solution between ethnic groups. Perhaps in Macedonia, such political leaders are few and that gives some stability to the Macedonian current socially integrative model.

5. In Bosnia and Macedonia, we can argue that the ethnic diversities (identity, religion, language) are not prime driver for collision, but the social conflicts are directly instigated by the ethnic-political elites. They are actually creating a model of ethnic divisions that permanently provoke ethnic cleavages that push the citizens/clients to their flocks, making them obedient citizens through political clientelism and patronage on a level that is hard to transform. As we have seen at the beginning of this analysis, before any ‘cure’ for the corruption and clientelism might be ‘implemented’ in Bosnia and Macedonia, there must be an effort of fighting the devastating influence of nationalism (or ethnic democracy) with the public campaign by political forces based on cross-ethnic political cooperation. The European theory and praxis showed that nationalism cannot be defeated by another nationalism. So, it has to be some different ideology or political force that will counteract.

5.0 Conclusion without Delusion

In the third decade of twenty-first century, democracy is not a major ideology in most of the Western Balkan states. Definitely, it was proved that democracy cannot be sent by mail from Brussels. Macedonia today is stable but underwater there are forces that would like to follow Bosnian model of ethnic democracy and similar political future. Bosnians should work harder to get closer to the Macedonian current liberal multicultural model of crossing ethnic boundaries in politics and a more socially cohesive manner. Until the emigration rates do not reach apocalyptic numbers and before thousands of emigrant workers from the Near and Far East start to come and work in our economies and markets. After all, almost always emigration routes were moving from East to West and from South to North. This will be just another page of world migrants waves.

Different political forces are necessary to offer better models and policies, with fewer ethnic divisions and tamed nationalism, that will stimulate cross-ethnic cooperation between different social and national communities. Fortunately, the EU enlargement process is an alternative as a stimulative context, but firstly the domestic political and societal forces should educate and ‘invent’ more active citizens, less corruptive politicians, and enable cross-ethnic cooperation on a state and regional level. Civic democracy, well defined and elaborated in the theory, is a long-term possibility, and we have not many options. It is an obvious state of affairs, that we tried to give a lot of arguments for, that the social conflicts in Bosnia and Macedonia have a strong negative impact on political unity or integration. Political nations with a different name that it is not a replica of one of the living nations within are not an option either, at least not in the Macedonian case with a significant majority of the Macedonians; however, the new choices may come made by political elites that are ahead of our time, better sooner than later.

In meantime, below, “deep in the societies” through the negative selection exclusively according to party and ethnic criteria (articulated as maybe a common major social conflict), democratic processes are only set back. And that is how structural discrimination starts until the day some new revolution will spread its wing telling attractive stories and utopias. We did not have the space here to analyze in depth every category that was influential in the process. Still, one element was crucial for the analysis, the domination of the political elites filled with egoism and greed for power and privileges. Their transformation from loyal communists to feverous nationalists shows the real facade of this ‘historical determinism’, and that the powerful interest groups can manage small, even ‘great’ state projects. Especially, when sponsored and when it is in the interest of some bigger influential state. In order not to make big mistakes in this century the small Balkan states should immediately start to invest and educate their future political elites and fill the state universities with excellent staff. That is how the small states can develop in all directions and fit in and not risk the well-being of their societies.

In the end, I would like to share an episode of my first visit to Sarajevo 10 years after the war, in March of 2006. I had a project with the University of Sarajevo and spent one week with postgraduate students, and professors from the University. I have been through the city in the daytime and going out at the night with my colleagues. You could not

see anything from outside considering the people's minds. Some hosts said to us that there exist invisible lines that separate people from each other. Everybody knows 'where' should they drink their coffee, and with whom should go out. What you could see in the city were only some scars on the buildings that were not refurbished yet. On the way home I took a cab to the airport. On the way, I asked the driver in the Serbo-Croatian language how is it today, and what has changed from before the war. He was hesitating to answer, but after he asked me where I am from ('Macedonia I said'), he just smiled and said that nothing has changed, and for him, it is all the same. 'Only one thing is different from my aspect. Before the war, I drove to the airport children of previous high politicians, and now I drive to the airport the children of current high politicians, both on the way abroad to live and study there and spend what their parents have earned at home. For me, it is the same. Then and now I have much less money than the children of the politicians. This is what I know. I am not well educated to understand what happened in meantime.' We did not talk much after. But the words of the Sarajevo taxi driver stayed in my mind up till today.

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BOSNIA AND HERZEGOVINA, MONTENEGRO, KOSOVO, NORTH MACEDONIA-POLITICAL-LEGAL DETERMINANTS OF THEIR STATE AND THEIR SOCIAL DISINTEGRATION

Slavko Sasajkovski

1.0 Introduction

These are four states that are part of a (geo)political region formed precisely as a (geo)political construction, i.e. a region in which the construction includes countries that have very different, yet simultaneously very common, features. In this text, these states of problems, problems as states, but also wider and more essentially as societies, will be understood and analyzed by the parties of their political-legal and constitutional-legal orders, their operationalizations and practical conditions.

These political-legal and constitutional-legal orders, operationalizations and practical conditions are, as a rule, thoroughly and decisively determined and are a concrete expression of the action of powerful heteronomous political/geopolitical factors. These heteronomous factors are in any case superior to the autonomous/national power factors which have had, have and probably will have some power in the future. But it is very unrealistic to expect, to project and to plan that in the near and/or medium term these autonomous factors of power, with the quality and quantity of their power, will surpass the power of the heterogeneous political/geopolitical factors of power. Heteronomous power factors that project their and radiate it from the immediate regional neighborhood of these countries. But even more, much more essential and even more decisive heteronomous factors of power that project and radiate their power from the position of their global political/geopolitical, and total social power, as pillars of a certain global structure and constellation of power. Of course, strictly in accordance with their conceptualizing, defining and practical implementation of their own state/national interests.

Ultimately, the real problem of these, and with these, states, as well as their societies-their underdeveloped and cohesive societies, arises and consists in their status (perhaps as their destiny?!!) of inferiority in terms of possession of powers. Inferiority which allows the heteronomous

factors of power, primarily and practically the global factors of power and not the regional ones, to shape and manage the political-legal orders and in general with the functioning of these inferior states. Those constitutional-legal orders of the inferior states should be conceived and modeled strictly in accordance with the determinations and definitions of the state/national interests of the heteronomous power factors. And that, as a rule, they did as it was completely pragmatic and utilitarian in the given narrow moment of regional and global structure and constellation of power.

This conclusion unequivocally implies and suggests that the heteronomous pragmatism and utilitarianism as a rule was not at the same time pragmatism and utilitarianism valorized and measured (and) from the side of the state/national interests of these four problem states, of course also problem societies, with a low level of their integration and cohesion. Simply put, such heteronomous and decisive established political-legal concepts, models and orders are themselves sources, generators and catalysts of the disintegration of these states and societies problems, with a low level of their integration and cohesion, and fully in line with this low level of integration and cohesion, with a high level of conflict. As well as the dysfunction of these four states and societies, thus destroying their fundamental interests, their sovereignty and their territorial integrity. And of course, these four states radiate instability, non-consolidation and conflict in the region, which is a political/geopolitical construct in which these four countries and societies are housed by heteronomous factors of power.

In addition, in the introductory points of the individual parts of this text dedicated to each of these four countries and societies-problems, there will be specifically analytically explained political-legal determinants and vectors, but also indicators, of distortion of the necessary/functional level of their integration and cohesion. That is, these are the determinants, vectors and indicators of disintegration, conflict and dysfunction of these four problem states and societies. And then, in continuation, these determinants, vectors and indicators for each country and society will be analyzed separately.¹¹

¹¹ This text was written during March 2021.

2.0 Bosnia and Herzegovina

2.1 Introduction

BiH is a (con)federal state, certainly more confederate than federal, such as are rare in the modern world. The constitution of the state is particularly specific because it was agreed between three states under fierce international, primarily American, pressure and dictation. So, three states sign an international agreement for the constitution of a new state. A constitutionally new state, but not a new state under international law. B&H is the international-legal successor to the former state of the Republic of B&H. The Republic of B&H, together with two neighboring states-the Republic of Croatia and the F.R. of Yugoslavia (with the State Union of Serbia and Montenegro as its international legal successor and with the Republic of Serbia as the international legal successor of the State Union), is a signatory to an international agreement, which has other/international signatories, and with which Agreement the new state of B&H is constituted as the international legal successor of the state R. B&H. Moreover, the Constitution of the state of B&H is an integral part of that international agreement, namely its Annex IV. So, the Agreement/Dayton Peace Agreement/General Framework Agreement for Peace in Bosnia and Herzegovina not only determines and defines some basic principles and normative provisions, but it contains the complete Constitution.

This Agreement, known more broadly as the Dayton Agreement, signed in Dayton, USA, on December 14, 1995, will be elaborated and analyzed in an elementary and sublimated manner. The agreement is generally in fact a peace agreement, quite comprehensive, which was supposed to lead to the end of the war in the R. B&H, and indirectly in the region, including through the Constitution of the new state/B&H, the international legal successor of the R. B&H. It ended the war as a classic war, but, through the Constitution of the B&H, set the “script” and the “scenography”, also defines the institutional, indirectly even political actors, to continue the “Bosnian” tragic saga in a new kind. In a new “war”, as constitutional-institutional, domestic-political, international-political war. With the participation of international actors (for example, the High Representative and judges of the Constitutional Court), who

somehow as a rule work to impose and implement heteronomous political/geopolitical interests. With unforeseeable consequences for the daily life of the state citizenship, its prosperity and well-being. The B&H is indisputably a dysfunctional state, with a highly disintegrated society along ethnic-national and religious lines and with undisguised ambitions for its constitutional, and more hidden ambitions for its territorial reshaping.

2.2 (Geo)political determination of the non-functionality of the B&H Constitution

The constitution of the State of BiH is practically largely dysfunctional. Probably, or (almost) certainly because it is heteronomous and politically/geopolitically imposed. This constitution of the State was not desired by any of the three nations, i.e. by their political entities. The Bosniak side clearly wanted a basically unitary state, with certain elements of federalism, but only as a certain “hiding” of the unitary character of the State, the Serbian and Croatian side also explicitly wanted a complete disintegration of the State by joining an ethno-national Serbian and Croatian states/entities of their national states. But then at least two very big issues arise that actually and essentially imposed this existing (con)federal constitution of BiH. The first question is what the state of the Bosniaks, or directly the state of the Bosnian Muslims, might be, in circumstances when significant multilateral interests and influences from the Islamic/Muslim world entered during the war in the B&H. Both Sunni and Shiite. They came in due to the open calculations of the “western” political/geopolitical world to timely support (at least formally) the internationally legally accepted, majority Bosniak/Muslim government in Sarajevo. That lack of support was offset by support from the Islamic/Muslim world (“ummah”) (Sasajkovski 2002). The second issue mentioned above, which determined the existing confederate constitution of the state, is the issue of the high level of interference practically throughout the territory of the state of the three peoples. Although the relatively long course of the war led to a certain, even serious, movement of the population towards those parts of the country that to some extent were from previously ethno-national and religiously homogenized. Just as in this context we must not forget the dominant global commitment to the inviolability of the borders of the existing federal units of the former S.F.R.Y. With the exception

of the R. Serbia, i.e. F.R. Yugoslavia, to which the same “international community” imposed the stigma that it is an aggressor in the war, that it is guilty of the war and that it participates in the war with legal/international-legal and political/international-political illegal and illegitimate interests, goals and means (Kivimaki 2012).

The functioning of the Dayton political system, and the Dayton Constitution in general, at a very high level of dissatisfaction is nothing new and is no exception to a long-established political-sociological, political-scientific and constitutional-legal knowledge. Awareness that any kind of political system can function successfully only if there is a majority political will in the country for that functioning. Such political will of the leading political/political-party forces in B&H generally does not exist. None of these forces sees this political system and the constitution of the State in general and does not calculate them as relatively sustainable and permanent, in accordance with their mutually conflicting definitions of crossed national interests in the B&H (Szasz 1997).

And, in this context, another remark and conclusion is very interesting, important and significant. At the time of the proclamation of the Dayton Agreement, it seemed most realistically and objectively that it was, to a large extent, imposed on the Serbian state and national side, the Serbian political-party, military-security and religious entities. That is, the Agreement is largely inconsistent with Serbia’s fundamental and essential interests and goals explained and implemented in the B&H war (Cretu 2015). But from today’s political/geo-political point of view, analysis and conclusion, primarily from the point of view of the determinations and impositions of the “western” political/geopolitical world for the unitaryization of B&H as a solution to the dysfunction of its constitution, then the nature and provisions of the Dayton Agreement, the participation of the F.R.Y. as a party in its signing, the acceptance of the Agreement by the UN General Assembly and especially by the UN Security Council and the establishment of Republic of Srpska as a constituent entity of the confederation, are transformed into provisions that are of the greatest benefit for the ethno-national and state interests and goals on the Serbian side (Bildt 2015). In this context it can be concluded quite realistically and objectively that the Dayton Agreement, primarily the establishment of the Republic of Srpska, together with UN Security Council Resolution 1244/99, is a strong support for the political/geopolitical regional national interests.

2.3 Annex IV of the Dayton Peace Agreement/B&H Constitution

We said that Annex IV of the Dayton Agreement actually contained the entire BiH Constitution. At this point, several key determinants and specific provisions of the Constitution will be elaborated and analyzed, through which we will explain the specific, i.e. sui generis (con)federal constitution of the State (Savanovic 2013). A constitution that is practically largely dysfunctional.

The Preamble of the Constitution lists Bosniaks, Croats and Serbs “as constituent peoples (along with the rest)” as bearers of the sovereignty of the State, without stating who those “rest” peoples are, and then the Preamble continues “and the citizens of Bosnia and Herzegovina.”¹² It is quite clear the intention to strike, at least in the Preamble, a balance between the national and civic determinants of the holders of sovereignty. This civil determinant of the holders of sovereignty is practically only a formal constitutional-legal determination.

The State is made up of two entities, the Federation of B&H, which was previously agreed and formalized March 1, 1994, by the Washington Agreement,¹³ concluded between BiH Croats, represented by the Republic of Croatia and the Republic of B&H, as well as Republic of Srpska. The city/district of Brcko has a special status (Dahlman 2007). The movement of goods, services, capital and people is free and none of the entities will establish border controls.¹⁴

There is citizenship of B&H, but also of both entities, provided that the citizen of one of the entities also has B&H citizenship. For the protection of human rights and fundamental freedoms, guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols, establish a Commission, composed of the Ombudsman, the first Ombudsman appointed by the

¹² Opći okvirni sporazum za mir u Bosni i Hercegovini/General Framework Agreement for Peace in Bosnia and Herzegovina, 1995, https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/opci_okvirni_sporazum_za_mir_u_bosni_i_hercegovini.pdf

¹³ Washington Agreement, 1994, https://www.usip.org/sites/default/files/file/resources/collections/peace_agreements/washagree_03011994.pdf

¹⁴ Opći okvirni sporazum za mir u Bosni i Hercegovini/General Framework Agreement for Peace in Bosnia and Herzegovina, 1995, https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/opci_okvirni_sporazum_za_mir_u_bosni_i_hercegovini.pdf, Article I,2.

President of the Organization for Security and Co-operation in Europe, and then appoints the Presidency of B&H, and the Human Rights Council, with members of the entities and with international members appointed by the Council of Ministers of the Council of Europe, in accordance with Annex VI to the Dayton Agreement.¹⁵

Among the competencies of the State, among others, are determined foreign policy, foreign trade policy, customs policy, monetary policy and some other competencies. The right of the entities to establish parallel relations with the neighboring countries is especially important as competencies of the entities, but in accordance with the sovereignty and territorial integrity of B&H, they can conclude agreements with states and international organizations with the consent of the B&H Parliamentary Assembly, so that a decision of the same Assembly of B&H for concluding agreements in certain areas does not require the consent of that Assembly, all government functions and powers that are not directly under the jurisdiction of the state of B&H under the Constitution are under the jurisdiction of the entities, entities have Constitutions that should be in accordance with the Constitution of B&H, the state of B&H may have additional competencies if the entities agree...¹⁶

The B&H has a Parliamentary Assembly consisting of two houses: the House of Peoples, with 15 delegates, 5 Bosniaks and Croats from F. B&H and 5 from Republic of Srpska, and the House of Representatives, with 42 MPs, two-thirds of F. B&H and one-third from Republic of Srpska. A majority in both houses is needed to pass laws. Proposed decisions submitted to the Parliamentary Assembly may be declared harmful to the vital interests of any of the three peoples by a majority of Bosniak, Croat and Serb delegates and/or representatives...¹⁷

¹⁵ Opći okvirni sporazum za mir u Bosni i Hercegovini/General Framework Agreement for Peace in Bosnia and Herzegovina, 1995, https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/opci_okvirni_sporazum_za_mir_u_bosni_i_hercegovini.pdf, Article I, 7, a, Article II.

¹⁶ Opći okvirni sporazum za mir u Bosni i Hercegovini/General Framework Agreement for Peace in Bosnia and Herzegovina, 1995, https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/opci_okvirni_sporazum_za_mir_u_bosni_i_hercegovini.pdf, Article III.

¹⁷ Opći okvirni sporazum za mir u Bosni i Hercegovini/General Framework Agreement for Peace in Bosnia and Herzegovina, 1995, https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/opci_okvirni_sporazum_za_mir_u_bosni_i_hercegovini.pdf, Article IV.

The B&H presidency consists of three members: a Bosniak and a Croat, who are directly elected in the FBiH, and a Serb, who is directly elected in Republic of Srpska. The Presidents of the Presidency are elected by rotation. The presidency should strive to make decisions unanimously. Decisions can be made by two members if persistent efforts to reach a consensus are not successful. In that case, the member of the Presidency who remained in the minority may, within three days, call for endangering the vital interest of the people he represents. These decisions are then forwarded to the National Assembly of Republic of Srpska or to the House of Peoples of the Federation, depending on which member of the presidency has declared that the vital interest of the people it represents is at stake. The decision is annulled if two thirds of the deputies in the National Assembly or in the House of Peoples vote within ten days. The most important powers of the Presidency are foreign policy and the appointment of ambassadors, representation of the State in international relations, submits a request for membership in international organizations, concluding international agreements...¹⁸

The Council of Ministers of BiH. The President of the Council proposes the Presidency of BiH, and is confirmed by the House of Representatives. The President of the Council proposes the ministers to the House of Representatives, and a maximum of two-thirds of ministers can be nominated by the Federation of B&H.¹⁹ The Standing Committee on Military Affairs is elected by the Presidency. Each member of the Presidency has civilian authority to command the armed forces. The members of the Presidency are ex-officio members of the Existing Military Affairs Committee.²⁰

The BiH Constitutional Court has nine members, four of whom are elected by the Federation House of Representatives, and two by the Republika Srpska National Assembly. Three judges are elected by the President of the European Court of Human Rights in consultation with the Presidency of B&H, and who must not be citizens of B&H or B&H neighboring countries. Five years after the first appointment of

¹⁸ Opći okvirni sporazum za mir u Bosni i Hercegovini/General Framework Agreement for Peace in Bosnia and Herzegovina, 1995, https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/opci_okvirni_sporazum_za_mir_u_bosni_i_hercegovini.pdf, Article V.

¹⁹ Ibid.

²⁰ Ibid.

international judges, the Presidency may change the way these judges are elected. To date, the Presidency has not agreed to change this way. The court decides by a majority of votes.²¹ The Central Bank is also an institution of the State. We will not elaborate and analyze the position and competencies of this institution in this text.²²

2.4 High Representative for BiH, the Komsic Phenomenon, the (Dervo) Sejdic-(Jakob) Finci Case.

The Dayton Agreement establish, with Annex X, a position with considerable power for the High Representative for B&H for civilian implementation of the Agreement. He has the right to veto the decisions of the state institutions and the entities. Through it, in reality, a certain kind of very strong and powerful protectorate has been implemented over the State (Sancaktar 2018) including the political-party structure and the political life.²³

The Komsic phenomenon is a very plastic indicator of the problems caused by the election of a Bosniak and a Croatian member of the presidency by a vote of all citizens of the Federation, in which Bosniaks are in the majority over Croats, Serbs and others. The Komsic phenomenon is the crowning argument and proof of the Croatian side's demands for the formation of a third, Croatian entity. Namely, in the Federation, with a large majority of votes of the Bosniaks and with a small number of votes from the total number of votes of the Croats, a member of the Presidency is elected as a representative of the Croatian people. In fact, Bosniaks elect a Croat member of the presidency. The vast majority of Croats do not vote for him, but for the Croat candidate of the HDZ. Komsic is a member of the Social Democratic Party.

²¹ Opći okvirni sporazum za mir u Bosni i Hercegovini/General Framework Agreement for Peace in Bosnia and Herzegovina, 1995, https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/opci_okvirni_sporazum_za_mir_u_bosni_i_hercegovini.pdf, Article VI.

²² Opći okvirni sporazum za mir u Bosni i Hercegovini/General Framework Agreement for Peace in Bosnia and Herzegovina, 1995, https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/opci_okvirni_sporazum_za_mir_u_bosni_i_hercegovini.pdf, Article VII.

²³ Opći okvirni sporazum za mir u Bosni i Hercegovini/General Framework Agreement for Peace in Bosnia and Herzegovina, 1995, https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/opci_okvirni_sporazum_za_mir_u_bosni_i_hercegovini.pdf, Anex X.

The Sejdic-Finci case also fits into this wider context of the problems caused by the Dayton Way of electing members of the Presidency. Namely, the Dayton way of electing members of the Presidency determines that they are one Bosniak, one Croat and one Serb. There are other peoples living in B&H who cannot run for office and elect their own member of the Presidency. Therefore, Sejdic, a Roma, and Finci, a Jew, filed a complaint with the Court of Human Rights for violation of Article 14 of the European Convention on Human Rights, in conjunction with Article 1 of Protocol No. 1. 12.²⁴ The court ruled in their favor, and this ruling is one of the foundations on which constitutional changes should be based. But the constitutional changes require the consent of all international legal entities, or their international legal successors, who, at least formally, concluded the Dayton Agreement. Just as the consent of both the UN General Assembly and the UN Security Council is needed, because the Dayton Agreement have been accepted/adopted as their document.

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²⁴ Convention for the Protection of Human Rights and Fundamental Freedoms, Council of Europe, <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/005>

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3.0 Montenegro

3.1 Introduction

*There, over there... beyond those hills,
Ruined lies, they say, my
Emperor's palace; there, they say,
Once, heroes had gathered.
There, over there... beyond those hills,
Where sky of blue bends down her arch;
On to Serb fields, on to battle fields,
There, brothers, prepare to march!
There, over there... beyond those hills,
Lies there, they say, Miloš's grave!
There my soul eternal peace shall gain,
When (the) Serb is no more a slave.²⁵*

²⁵ This is an English translation from https://en.wikipedia.org/wiki/Onamo,_%27namo!

These are the first, fifth and eighth stanzas of the Montenegrin folk / traditional anthem “Onamo, ‘namo!/There, o’er there”. It is more than clear that this “There, o’er there!” is Kosovo/Kosovo and Metohija, glorified by an intertwined epic heroic fighting pathos, with almost “narcotic” and blinding emotionality and melancholy that instead of awakening apathetic restraint in reality it catalyzes heroic determination. The Kosovo, glorified as Serbian Kosovo, as Kosovo - the cradle and heart of Serbian spirituality, the Serbian culture and Serbian statehood, the Serbian state and national dignity, the Serbian state and national honor and the Serbian state and national identity. So, this is a Montenegrin national/traditional anthem in which Serbianness, not Montenegrin, is glorified. Or, more precisely, more specifically and truthfully speaking, the song exaltedly calls for a kind of awakening and starting a combat campaign of the army of the Serbian “Sparta”, the Serbian Montenegro, for the realization of the historical Serbian justice and for the preservation and security of what is only Serbian and no one else, where the foundations of the Serbian spirituality, the Serbian culture, the Serbian morality, the Serbian heroism and Serbian patriotism, the Serbian statehood and Serbian state are. In this sense, here is the second stanza::

There, over there... I see Prizren!
It is all mine – home I shall come!
Beloved antiquity calls me there,
Armed I must come there one day.

And here is the fourth stanza:
There, over there... beyond those hills,
Lies a green grove, they say,
Under which rises up Holy Dečani:
A prayer said within Paradise claims.²⁶

This is both a paradox and an absurdity, but it is also the most faithful and obvious indicator of the line of collision that divides the tissue of both modern Montenegrin and contemporary Serbian national identity. It is the conflicting line of division and disintegration of modern Montenegrin society and of modern Montenegrin statehood and state.

²⁶ Ibid.

“Onamo, ‘namo!” was sung in the youthful poetic-eruptive fighting rapture the later Montenegrin King Nikola I Petrovic (1841-1921), in 1867. The same king, formerly a prince, who for the modern Montenegrin identity and for the political-party and intellectual forces that establish and build that modern Montenegrin national identity and the modern Montenegrin state represents perhaps the most tragic historical and political figure. King who was dethroned at the end of World War I while in France at the controversial, or perhaps not, Podgorica Assembly/Grand National Assembly of the Serbian People in Montenegro, which met on November 24-29, 1918, and at which a decision was made for the entry/accession of the Kingdom of Montenegro to the new great South Slavic Kingdom, headed by the Serbian dynasty Karadjordjevic. The king died in Paris, where he is buried, because he was not allowed to return to the new country by his daughter’s nephew, regent and king of the new state Aleksandar Karadjordjevic. He, the grandson, grew up and formed as a person in the royal palace of Cetinje, with real parental care from grandfather Nikola and grandmother Milena.

The King Nikola, perhaps paradoxically or not, is today the largest personal symbol, along with the Montenegrin partisans/communists, of the Montenegrin national, state-building and state identity.

3.2 The Relational Nature and Character of Contemporary Montenegrin Identity

This conflicting line of conceptual, theoretical, ideological and political separation of the contemporary Montenegrin national identity from the contemporary Serbian national identity, as well as the emphasis and deepening of the conflicts of the historical and contemporary Montenegrin-Serbian national and state relations, essentially represents the fundamental line of conflict the contemporary state of Montenegro and of contemporary Montenegrin society (Kekovic 2016).

It was natural and inevitable in such historical-civilizational, cultural-civilizational, historical-state and political circumstances, and under their essential and direct influence to establish and develop the concept, i.e. the theoretical basis, of the modern Montenegrin national and state identity, of course in the inevitable and inseparable unity with its ideological and political rationalizations, determinations and positions, in relation to the Serbian national and state identity (Dzankic 2015). More

precisely, more specifically and truthfully speaking in opposition, in conflict and in distancing from the Serbian national and state identity. In this sense, conceptually and theoretically, the contemporary Montenegrin national and state identity is extremely easily recognizable as a relational state and national identity (Triandafyllidou 2010). An identity that, in order to be grounded, developed and established, simply in order to exist and be preserved, must be strictly and sharply differentiated from someone else, in this particular case the Serbian, the state and national identity. Therefore, all necessary conceptual and theoretical cultural-sociological and ideological-political operations must be made in order to establish as obvious and essential differences as possible between the two identities. In this sense, the state and national identity, which is historical-civilizational, cultural-civilizational and state-historical older, overshadows the bigger and more powerful and endangers the smaller such identity. That, larger and more powerful identity, by the smaller identity, defensively necessarily, must be characterized and accused of being a hegemonic, imperialist and neocolonial the state and national identity. (Calasan 2015).

On the concrete example of building, developing and establishing the Montenegrin national and state identity as a relational identity in relation to such a Serbian identity, it is very easy to notice several fundamentally important points/pillars on which the modern Montenegrin identity is placed. For example, the insistence on historical examples of hostile relations between the two national and state identities, the historical and contemporary threat to Montenegrin identity by the Serbian identity, both as a national and a state identity, the strong insistence on separating the two modern languages-the Montenegrin and Serbian, and as a specific language codification/norm and through the historical perspective of significant attempts to assimilate the Montenegrin language and overall national identity through the processes of acculturation (Karanovic 2020).

Probably, the process of establishment and development of the modern Montenegrin national and state identity at the most essential and most plastic level is manifested and can be understood through the question/component of the establishment and development of the modern Montenegrin literary language. Of course, as a Montenegrin identity in relation to the Serbian identity. Тој како јужнословенски јазик припаѓа на штокавскиот јазичен дијасистем. As a South Slavic language, it belongs to the Shtokavian language diasystem. It was internationally

recognized in 2017 when it received its own ISO code. In the 2011 census, disputed by Serbs in Montenegro - the census scheduled for this spring due the epidemic postponed to autumn, 37% of the population saying they spoke Montenegrin as their mother language. According to the same census, practically 50% of the population declared themselves nationally as Montenegrins, and almost 30% declared themselves as Serbs. It somehow logically follows that practically 13% of the national Montenegrins stated that they actually speak Serbian as their language. So, at that census, a total of practically 43% of the citizens of Montenegro stated that they speak Serbian as their mother language. The majority dialect spoken in Montenegro is the Raska-Zeta dialect of the Serbian language.²⁷

The Montenegrin is becoming an official language, in addition to four other languages in official use-Serbian, Bosnian, Albanian and Croatian, along with the equality of the Cyrillic and Latin scripts, with the adoption of the 2007 Constitution. Previously, the official language was identified as Serbian with an ijekavian pronunciation. In 2010, the General Education Council adopted the first Grammar of the Montenegrin language-authors are two linguists from the Republic of Croatia-Josip Silic and Ivo Pranjkovic. The year before, the orthography in the Montenegrin language was adopted- the authors are Milenko Perovic of Novi Sad, Lyudmila Vasileva of Ukraine, and the Croat Josip Silic. Two new letters have been introduced, as have quite a few Croatianisms and archaisms (Glusica 2011). By the way, the Ministry of Foreign Affairs now, instead of the Министарство спољних послова/Ministarstvo spoljnih poslova, is called *Ministarstvo vanjskih poslova*.

3.3 The Constitution of Montenegro, October 19, 2007, and the Law on Freedom of Religion or Belief and the Legal Status of Religious Communities, February 1, 2021

It must be immediately emphasized that the Constitution of Montenegro does not have its own “constitution of the constitution” which would decisively determine it as the constitutions of Macedonia/North

²⁷ Popis stanovništva, domaćinstava i stanova u Crnoj Gori 2011. Godine/Census of population, households and dwellings in Montenegro in 2011, CRNA GORA/MONTENEGRO ZAVOD ZA STATISTIKU/STATISTICAL OFFICE, [https://www.monstat.org/userfiles/file/popis2011/saopstenje/saopstenje\(1\).pdf](https://www.monstat.org/userfiles/file/popis2011/saopstenje/saopstenje(1).pdf)

Macedonia, Kosovo and B&H have. There is no domestic or international political or international legal act that would be a “constitution of the constitution”.

Therefore, in the continuation we will focus only on the elementary elaboration and analysis of the Constitution of the State, of course especially through the prism of those events through which the Montenegrin-Serbian line of conflict and disintegration of the modern Montenegrin society and state is manifested and recognized. Just as, in the same context and with the same meaning, we will refer to the Law on Freedom of Religion or Belief.

The Constitution does not have a preamble in which the bearer of sovereignty would be defined and identified. This is done in Article 2, which states that the holder of sovereignty is the citizen who has Montenegrin citizenship.²⁸

It is obvious on the basis of the definition and identification of the holder of sovereignty that the Constitution will be further built and developed through its other provisions as a principled civil Constitution. And there are no provisions in the Constitution at all that in a direct and obvious way refer to the line of the Montenegrin-Serbian disintegration of the Montenegrin society and state. In certain social and political/geopolitical circumstances this may be an advantage, but in certain such circumstances it may be a source of problems in achieving the optimal required level of integration, cohesion and functionality of the state and society. The problem arises when the constitutional/constitutional-legal framework makes an attempt to bypass or hide the real and objectively existing social contradictions and conflicts. As if they do not exist and as if they do not have the most realistic and objective impact on the functioning of the state and the social community, including on the daily implementation of the constitutional and legal provisions.

In this context, Article 8 is interesting, which provides for the adoption of special interim measures, which will not be considered discriminatory, to create conditions for achieving national, gender and overall equality and protection of persons who on any grounds are in an unequal position. It is clear that this is a matter of applying measures

²⁸ Ustav Crne Gore/The Constitution of Montenegro, 19.10.2007, <https://www.paragraf.me/propisi-crnegore/ustav-crne-gore.html>, Article 2.

of positive discrimination, including on the basis of national-minority affiliation.²⁹

We mentioned above what is the official language of the State, and what are the official languages in use. Оваа е еден од ретките членови, Article 13 is an article that indirectly mentions the Montenegrin and Serbian nationalities of the citizens, together with three other nationalities.³⁰

Then, Article 14 states that religious communities, without being listed individually, are separate from the State and are equal and free in the performance of religious affairs and religious rites.³¹

The Articles 79 and 80 provide for the protection of members of minority peoples and members of minority national communities, including from assimilation, without specifying who those peoples and national communities are, and guarantee the rights and freedoms, both on an individual and collective basis. Those rights and freedoms are concretized through 13 points. It can be concluded that the four peoples whose national languages are in official use in addition to the official Montenegrin language are considered minority peoples. It means that the Serbian people in Montenegro are also treated as a minority people. This constitutional-legal point is neuralgic in terms of the constitutional-legal treatment that the Serbian people in Montenegro refer to as their own constitutional-legal treatment.³²

The above-mentioned Law provoked fierce opposition from the Serbian Orthodox Church/SOC and the Serbian people in Montenegro. Moreover, the SOC, together with certain (pro)Serbian party-political forces in the country, as an organizational core managed to form a much wider and more numerous opposition bloc, overcoming the strict national-Serbian and Orthodox-Serbian frameworks. The bloc formed not only on national and religious, but also on socio-economic basis. In general, a bloc of dissatisfied with the exercise of power in Montenegro, as well as

²⁹ Ustav Crne Gore/The Constitution of Montenegro, 19.10.2007, <https://www.paragraf.me/propisi-crnegore/ustav-crne-gore.html>, Article 8.

³⁰ Ustav Crne Gore/The Constitution of Montenegro, 19.10.2007, <https://www.paragraf.me/propisi-crnegore/ustav-crne-gore.html>, Article 13.

³¹ Ustav Crne Gore/The Constitution of Montenegro, 19.10.2007, <https://www.paragraf.me/propisi-crnegore/ustav-crne-gore.html>, Article 14.

³² Ustav Crne Gore/The Constitution of Montenegro, 19.10.2007, <https://www.paragraf.me/propisi-crnegore/ustav-crne-gore.html>, Article 79, Article 80.

with the overall, on various grounds, social status, a bloc that is clearly a majority, but not very large or highly dominant, part of the citizenry.

In 2021, for the second time, the amendments to the Law were adopted, a Law adopted in 2019, in fact those changes that were the reason, or perhaps only the (most)immediate occasion for the quite massive and long-lasting protests, in fact church liturgies, with the leading slogan “Let us preserve our sanctities”.

Namely, the Law of 2019 provided for the church property built before 1918, primarily and practically the property of the SOC in Montenegro, for which the SOC has no evidence of ownership, to become state property. So, it is about church property, i.e. church buildings-churches, monasteries and other types of property, built before 1918, when Montenegro introduced its sovereignty in the Kingdom of Serbs, Croats and Slovenes, i.e. the Kingdom of Yugoslavia.

The Venice Commission was of the opinion that the State has the right to impose conditions for the use of the property of religious communities when it comes to cultural heritage, but also that it must provide effective safeguards in administrative and judicial proceedings to prove the right of ownership of religious communities. The Law stipulated that religious communities, and not the state if it disputes the property of a religious community, practically property of the SOC, in (special)administrative procedure, i.e. not in court proceedings, should submit evidence/title deeds. This provision was not even an integral part of the basic material provisions of the Law, but was included in the Law in the part of the Transitional and Final Provisions-Article 62, and then Articles 63 and 64. Ownership, or at least effective rule of property, long and several centuries, ownership of churches, monasteries... At the same time, religious communities had the duty to register in an administrative procedure (through the articles of Chapter II of the Law), which, especially by the SOC, was interpreted as deeply humiliating. Indeed, the global standard is that the traditional/historical/centuries-old religious communities-the Roman Catholic/Vatican, the Orthodox religious communities, the Islamic religious communities, the Jewish religious communities and other such religious communities-do not have to register, or if they do register, it should be done automatically by the competent state body, be it an administrative body or a court.

The Law of 2021, ie the amendments to the Law of 2019, practically protects the property of religious communities. Just as traditional religious

communities do not have to register with the governing body. And these are the essential provisions of this Law from 2021, i.e. amendment of the Law from 2019.³³

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³³ ZAKON O SLOBODI VJEROISPOVIJESTI ILI UVJERENJA I PRAVNOM POLOZAJU VJERSKIH ZAJEDNICA/Law on Freedom of Religion or Belief and the Legal Status of Religious Communities, 27.12.2019, file:///C:/Users/UserB/Downloads/Zakon%20o%20slobodi%20vjeroispovijesti%20ili%20uvjerenja%20i%20pravnom%20polozaju%20vjerskih%20zajednica%20(1).pdf; Zakon o slobodi vjeroispovijesti ili uvjerenja i pravnom položaju vjerskih zajednica/Law on Freedom of Religion or Belief and the Legal Status of Religious Communities, 01.02.2021, <https://me.propisi.net/zakon-o-slobodi-vjeroispovijesti-ili-uvjerenja-i-pravnom-polozaju-vjerskih-zajednica>

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4.0 Kosovo

4.1 Introduction

The basic line of conflict and disintegration of Kosovo/Kosovo and Metohija and of Kosovo society is essentially the intersection and interweaving of separate lines of the unfinished process of acquiring and developing its statehood and the sociologically traumatic interethnic (Albanian-Serbian) relations. This connection between the international legal status of Kosovo and the (in)quality of the Albanian-Serbian relations must be strongly emphasized. What will be the final solution to the

international legal status of Kosovo, will that status be completed as a true quality international legal status, whether Kosovo will retain its current territorial integrity, whether it will have any sui generis international legal status (according to the treatment of Kosovo independence exactly as sui generis status), would the status eventually be conceived in the context of a broader regional solution to a con(federal) union, whether the current international-legal status will be maintained for a long time-without admission to the UN (which at this moment seems to be the most probably), the direct quality of the interethnic Albanian-Serbian relations will depend on it most directly and most substantially. But also on the quality of the regional Albanian-Serbian interethnic, under certain conditions and interstate relations.

At the political-legal level, this whole structure of international-legal, constitutional-legal and interethnic relations is contained and determined through a certain set of international-legal and constitutional-legal acts. This text will elaborate and analyze the following such acts:

- The Ahtisaari Plan, which in fact has the de facto power of a “constitution of the constitution of Kosovo”, because it irrevocably determines the basic principles and norms of the Constitution, including the principles and norms relating to interethnic relations in Kosovo, primarily through the prism of the establishment, provision and protection of minority, primarily Serbian, ethno-national rights. Therefore, in this text, there is no real need for a separate elaboration and analysis of the Constitution. That would basically and essentially simply be a duplication of elaboration and analysis.
- The UN Security Council Resolutions relating to the status of Kosovo in accordance with international public law, primarily Resolution 1244/99, together with several other Resolutions, which will be specified later, and which precede Resolution 1244/99. In fact, Resolution 1244/99, in a certain thorough way, is a sublimation of these previous Resolutions.
- The Constitution of the Republic of Serbia, i.e. its Preamble, which in the most direct constitutional-legal way refers to the status of Kosovo.

- The Brussels Agreement of 2013, primarily through the prism of the envisaged establishment of the Association of Serb Municipalities in Kosovo.
- The Resolution of the UN General Assembly, A/ 63/ L.2, adopted at the request of Serbia, on 08.10. 2008, and addressed to the Court of Justice in The Hague, on the international legal status of the Declaration of Independence of Kosovo, adopted on 17.02.2008, and the Opinion of the Court, on 22.07.2010.
- The Hallstein Doctrine, and the strong specificity of Spain's position regarding the (non)recognition of Kosovo's independence, and comparatively regarding the recognition of Montenegro's independence.

4.2 The Ahtisaari Plan/Comprehensive Proposal for the Kosovo Status Settlement, 2 February 2007

The Ahtisaari plan, named after Martti Ahtisaari, the UN Special Envoy for Kosovo, is structured as General Principles and as 12 Annexes. The following Articles of the Plan are important for the topic of this text: Article 1-General Principles, Article 2-Human Rights and Fundamental Freedoms, Article 3-The Rights of Communities and their Members, Article 6-Local Self-Government and Decentralization and Article 7-Religions and Cultural Heritage.³⁴ The acceptance of this Plan and its implementation in the constitutional and legal order of Kosovo was a necessary condition for its international legal recognition.

As general principles are defined ten such principles, summarized presented here as: 1. Kosovo should be a multiethnic society, 2. Equality of all citizens, 3. Kosovo should adopt a Constitution as a constitution of high democratic standards, 4. Kosovo should to have an open market economy, 5. Kosovo should have the right to negotiate and conclude international agreements, 6. The official languages should be Albanian and Serbian, 7. Kosovo should have its own state symbols that will reflect its multiethnic character, 8 Kosovo must have no territorial claims or enter into alliances with other countries, 9. Kosovo must cooperate with all entities involved in the implementation of the Plan, 10. The international

³⁴ Comprehensive Proposal For the Kosovo Status Settlement, 02.02.2007, <http://pbosnia.kentlaw.edu/Comprehensive%20Proposal%20for%20the%20Kosovo%20Settlement.pdf>

community will have oversight, with all the necessary power to carry out that oversight, on the implementation of the Plan.³⁵

Even with a cursory look and analysis of the definitions of these General Principles of the Plan, it can be seen quite clearly and concluded that they should enable the constitution of the state, by accepting them as the main pillars of its Constitution, which strictly theoretically and conceptually satisfies practically all the basic principles on which the liberal-democratic states are based. With an appendix that refers to important forms and contents of consociational democracy, largely theoretically and practically characteristic of states that are (and) multiethnic states. In fact, Kosovo in accordance with this Plan should have elements of the constitution of a binational Albanian-Serbian state (Weller 2008). The thematic commitment of this text ends here, with this elaboration and analysis of the Plan. What is the real situation in the field of real social relations, primarily the Albanian-Serbian ones, as well as in the field of the specific functioning of Kosovo as a state projected by this Plan, that is the thematic framework for another text (and) as a continuation of this text.

The plan is not a legal act of any kind, so it is not an international legal act either, and it does not produce any legal action, so it does not produce international legal action either. It is a political document that was supposed to play the role of determinant of the Constitution of Kosovo. He set the guiding principles on which the Constitution is based, as the Constitution of a liberal-democratic state with a serious complement to consociational democracy. And a Constitution that should constitute such a state within a multiethnic society. Including a state with binational Albanian-Serbian constitutional elements. And, at the same time, the Plan was be a very strong argument, in fact a decisive argument, that the international/international legal recognition of Kosovo is a completely indisputable case from the point of view of fulfillment of all necessary liberal-democratic standards by Kosovo. And of course as a *sui generis* case. A case that does not have/should not have the power of precedent (Zaum 2009).

³⁵ Ibid.

4.3 The UN Security Council Resolution 1244/99 and the Preamble to the Constitution of Serbia of 2006

The UN Security Council Resolution 1244/99 was adopted on 10 June 1999. This resolution in a way summarizes and absorbs the WB Resolutions 1160/98, 1199/98 and 1239/99. It is crucial to know that this Resolution has been adopted in accordance with Chapter VII of the UN Charter, which also means that it is legally/internationally-legal binding. It is also crucial that in the Preamble to the Resolution reminds of the inviolability of the sovereignty and territorial integrity of the F.R. of Yugoslavia and all other countries in the region and reaffirms the call for the establishment of “broad autonomy and essential self-government for Kosovo and Metohija”.³⁶ It is worth mentioning, and it is very significant, among other things, the use of the name Kosovo and Metohija, a name that was an official name used then by F.R. Yugoslavia, and today it is used by the Republic of Serbia. It is also very important to know and keep in mind that there is no international legal problem that in Resolution 1244/99 we are talking about a state of FRY, and today a state with that name formally does not exist, because according to with the Constitutional Charter of the State Union of Serbia and Montenegro, from 2003, which is, in turn, the international legal successor of the state FRY, the Republic of Serbia is the exclusive legal/international legal successor of the mentioned State Union, i.e. the FRY. Therefore R. Serbia did not apply for UN membership, but exclusively inherited the place of the State Union.³⁷

The key and fundamental place that fully determines the international legal role and power of Resolution 1244/99 is actually contained in its Preamble, as elaborated above. But the Resolution also authorizes the UN to launch a political process to establish Kosovo’s future status.³⁸ This process started at the end of 2005 and was in fact interrupted by the announcement of the Ahtisaari Plan, the declaration

³⁶ Резолуција СБ УН 1244 (1999)/The UN Security Council Resolution 1244/99, <https://www.srbija.gov.rs/kosovo-metohija/19944>

³⁷ Уставна Повеља Србије и Црне Горе, 4 фебруар 2003/Constitutional Charter of Serbia and Montenegro, February 4, 2003,http://www.arhivyu.gov.rs/active/sr-cyrillic/home/glavna_navigacija/leksikon_jugoslavije/konstitutivni_akti_jugoslavije/ustavna_povelja_dzscg_2003.html

³⁸ Резолуција СБ УН 1244 (1999)/The UN Security Council Resolution 1244/99, <https://www.srbija.gov.rs/kosovo-metohija/19944>

of Kosovo's independence and the separate recognitions of Kosovo by a really significant number of countries. But not from all permanent member states of the UN Security Council, a fact that prevents Kosovo's accession to the UN, i.e. its full international legal and political recognition.

It is absolutely unequivocal that Resolution 1244/99 virtually guarantees the inviolability of the sovereignty and territorial integrity of the State, that the status of "Kosovo and Metohija" it determines is "broad autonomy and essential self-government", which may mean the establishment of a de facto "state within a state", but still, at least formally, within the sovereignty and territorial integrity of the State. In order to change these provisions of Resolution 1244/99, it is quite clear from international law that a new Security Council resolution must be adopted to repeal the Resolution 1244/99. Must once again very strongly be emphasized that Resolution 1244/99 is based on Chapter VII of the UN Charter, it is internationally legally binding and it is not time limited (Milano 2003).

In this sense too obvious that, in accordance with Resolution 1244/99, the decision on the status of Kosovo and Metohija, which it seeks, should in any case be "broad autonomy and essential self-government", but with respect for sovereignty and territorial integrity. This practically means that the future status, according to this Resolution, can in fact be "state within a state", Kosovo would have its own de facto independent constitution, legislature, executive, judiciary, economic system, fiscal and monetary system, football team (like Scotland, Wales, Northern Ireland...), but without formal international-legal subjectivity.

The Republic of Serbia may even be forced in certain political/geopolitical circumstances and recognize the independence of Kosovo, i.e. its international legal entities, to change its own Constitution, above all its Preamble, but, in any case, it will be necessary to adopt of a new resolution in the SC which would annul Resolution 1244/99. Internationally, it is completely useless for Serbia to be forced to do anything in this context, if there is no agreement among the permanent members of the SC.

The mentioned Preamble of the Constitution of the Republic of Serbia, dated 30.09.2006, also known as the Mitrovdin Constitution, reads: "Given the state tradition of the Serbian people and the equality of all citizens and ethnic communities in Serbia, Considering also that the Province Kosovo and Metohija is an integral part of the territory of Serbia,

which has the status of essential autonomy within the state sovereignty of Serbia and that from this status of the Province of Kosovo and Metohija arise the constitutional obligations of all state bodies to support and protect the state interests of Serbia in Kosovo and Metohija in all internal and external relations, the citizens of Serbia wear it...³⁹ So, Kosovo and Metohija is an integral part of the sovereignty and territorial integrity of the Republic of Serbia, in accordance with the Constitution of the Republic. With a direct obligation of all state bodies to protect the interests of the Republic in relation to the Province. And it is completely clear that without a proper constitutional change, any state body of the Republic will violate the Constitution if it recognizes, accepts, signs ... any domestic or international document that will determine and define a different status of the Province. And of course, such a move would be a serious crime. In fact, as in any other, there is no need to say-a normal state, a state that at least at the elementary level adheres to its constitutional order and maintains its state and national dignity and its state and national honor. In this sense, it can be expected that the pressures on the Republic to change the Constitution in this sense and in this context will be accompanied by compensatory promises for quick accession to the EU, i.e. those pressures will be followed by serious material and financial benefits. In fact, it has been done so far and it is still being done (Lehne 2012).

4.4 The Declaration of Independence of Kosovo (Declaration), of 2008, The Resolution A/63/L.2 of the UN General Assembly, of 2008, and the Opinion of the Court of Justice in The Hague on the Declaration (Opinion) of 2010

The Declaration of Independence of Kosovo is a document adopted on 17.02. 2008, in fact, by the Assembly of Kosovo, without the votes of the members of the Serbian people. It is very important to emphasize that the text of the Declaration does not state the name of the Institution that bears it. Certainly to avoid possible remarks that it is a matter of separatism by an Institution of the Province. Instead, the Declaration states that: “We, the democratically elected leaders of our

³⁹ Устав Републике Србије/The Constitution of Serbia, https://www.paragraf.rs/propisi/ustav_republike_srbije.html

people,...⁴⁰, and further: “Responding to the call of the people to build a society that respects human dignity and affirms the pride and aspirations of its citizens,...”⁴¹ Later, the avoidance of naming the state institution that carries the Declaration will be used by the International Court of Justice to give a concrete opinion on the international legal status of the Declaration. On this occasion, we will no longer dwell on the text of the Declaration, simply because it is based on the Ahtisaari Plan, i.e. its basic principles. In that sense, point 3 of the Declaration states: “We fully accept the commitments of Kosovo contained in the Ahtisaari Plan, and we welcome the framework that he proposes for the management of Kosovo in the coming years. We will fully implement those obligations, and the priority adoption of the legislation included in Annex XII, especially the one that will protect and promote the rights of communities and their members.”⁴²

The UN General Assembly Resolution A/63/L.2, these General Assembly Resolutions are not legally binding, adopted on 08.10.2008, in fact it is an acceptance of the request addressed to the General Assembly by the Government of Serbia to request the General Assembly opinion of the International Court of Justice (ICJ) on the assessment of the compatibility of the Declaration with international law.⁴³ Very strong attention should be paid to the fact that the Government of Serbia requested an opinion, thus formulating the request, for compliance with the international law of the Declaration as a document, as a “paper”, and not the specific act, as an act of established factual situation, as material act, on the separation of the Province from the Republic. This is a serious, incomprehensible omission. Earlier, the same government achieved remarkable diplomatic success by securing a majority in the UN General Assembly, which passed Resolution A/63 /L.2. Despite the opposition, for example, of the United States, Germany, France, Great Britain... An example can be the fact that Serbia actually secured that majority through the Non-

⁴⁰ Декларација о Независности Косова/The Declaration of Independence of Kosovo, 17.02.2008, <https://kryeministri-ks.net/sr/deklaracija-o-nezavisnosti-kosova-2/>

⁴¹ Ibid.

⁴² Ibid.

⁴³ Resolution adopted by the General Assembly on 8 October 2008 [without reference to a Main Committee (A/63/L.2)] 63/3. Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law, <https://undocs.org/en/A/RES/63/3>

Aligned Movement, with which, although Serbia is not a member, it has established very close relations and successful cooperation.

The International Court of Justice in The Hague issued its Opinion at the request of the UN General Assembly on 22.07.2010. The opinion is an answer to this question posed to the Court, it is extremely important to know this wording, among other things, and as a lesson for some future same or similar cases: “Is the unilateral declaration of the Provisional Institutions of Self-Government of Kosovo on February 17, 2008 is in accordance with international law?”⁴⁴ So, the question is whether the Declaration, we emphasize the Declaration, is in accordance with international law. The declaration as an act, as a “paper” with a certain content.

The Court explained in its Opinion that “...The Declaration does not constitute a violation of international law because it does not prohibit declarations of this kind as such, the authors of the Declaration did not act as temporary institutions of self-government, but as persons acting together outside the temporary administration ... “, as well as that “the court did not decide on the right to self-determination“.⁴⁵

Without going into whether the court worked and decided under some kind of political/geopolitical pressure or not, it is still worth repeating here, i.e. re-emphasizing two elements of the Case for which it gave an Opinion. And which he also emphasizes in the Opinion: that the Declaration was not adopted on behalf of any institution, but of a group of people-”elected representatives” outside any formal institution, and that the publication of such declarations as a document, i.e. as “ paper ”with certain content is not prohibited by international law. The declared independence, i.e. the declared separation of a part of the sovereignty and territorial integrity, does not represent an automatically realized separation and independence in factual sense. (Hilpold 2009).

⁴⁴ Accordance with international law of the unilateral declaration of independence in respect of Kosovo, 2010, INTERNATIONAL COURT OF JUSTICE, <https://www.icj-cij.org/en/case/141>

⁴⁵ Ibid.

4.5 The Brussels Agreement, 2013, and the Association of Serbian Municipalities (and Washington Agreements, 2020)

The Brussels Agreement was signed on 19.04.2013 in Brussels, under the auspices of the EU, in fact under pressure from the EU, and it is in fact the first agreement that refers to the principles of normalization of relations. Summarizing and analyzing the Brussels Agreement, it should be noted, in addition to the fact that it is status neutral, not even mentioning the name of the state-Republic of Serbia, that it provides for the establishment of the Association of Serb Municipalities (Association) of the north of Kosovo/Kosovo and Metohija/of the north of the Ibar river. The establishment was scheduled to take place after the local elections, it should be emphasized-in accordance with Kosovo laws, scheduled for November 3, 2013. As a counterweight and as a precondition for the establishment of the Association, in accordance with the Brussels Agreement, the security structures and judicial institutions of the Republic of Serbia in Kosovo were abolished. The regional police commander will also be appointed by the mayors. It is also envisaged that the Court of Appeals in Pristina will establish a Commission composed of a majority of Serbian judges, which would be competent for all municipalities with a majority Serb population.⁴⁶

The key and in any case probably the most essential problem regarding the actual formation of the Community is the problem of differences between the two parties to the Brussels Agreement as to whether or not the Community will have executive powers. That is, will it be a higher level unit of local self-government in Kosovo that will have certain legislative and executive powers, or will it in fact be just a forum for coordinating the activities and development of Serb-majority municipalities in northern Kosovo.⁴⁷ That is why the Association has not yet been formed. The Kosovo side additionally, outside the Brussels agreement, demands additional Serbian concessions, primarily political and diplomatic concessions. It is very important to emphasize the fact that if one insists on the formation of such a Association strictly on a compact territory in the North of Kosovo, i. e. north of the Ibar River, then it must

⁴⁶ Brussels Agreement, 2013, <https://www.srbija.gov.rs/cinjenice/en/120394>

⁴⁷ ASOCIJACIJA/ZAJEDNICA VEĆINSKI SRPSKIH OPŠTINA/The Association of Serbian Municipalities, EUROPEAN CENTRE FOR MINORITY ISSUES KOSOVO, file:///C:/Users/UserB/Downloads/serbian-report-ecmi.pdf

be known that the Serbs in Kosovo are not compactly distributed and in that case certain Serb communities will remain outside the Association. Just as the Serbian Christian/Orthodox buildings that are placed under the protection of UNESCO and for which the Ahtisaari Plan envisages a special regime of protection and management as objects in the canonical jurisdiction of the SOC-Church of Sts. Bogorodica Levishka in Prizren and the monasteries of the Patriarchate, Gracanica and Visoki Decani (Martino 2014).

The Washington Agreements, from 2020, in this text we will not elaborate and analyze because these are agreements that are the so-called status neutral documents. In a way, they completely bypass the issue of Kosovo's status and really do not have any essential point of contact with the topic of this text. These are agreements that, when they refer strictly to the relations between Serbia and Kosovo, contain only provisions for the establishment and development of cooperation between the two sides in a package of economic areas.⁴⁸

4.6 The Hallstein Doctrine and Spain's Significant Attitude Towards Recognition of Kosovo's Independence

The Hallstein Doctrine (Walter Hallstein) referred to the attitude of the Federal Republic of Germany towards the international legal status of the D. R. of Germany. Accordingly, it in principle determined the political-diplomatic attitude of the F. R. of Germany towards all countries that recognized the international legal subjectivity of the D.R. Germany. Following this doctrine, the F. R. G. severed diplomatic relations with the states that recognized the D. R. G. However, the strict severance of diplomatic relations in those cases proved to be irrational and non pragmatic when a number of countries began to recognize the D. R. G. Therefore, this doctrine is transformed from the severance of relations to the fierce diplomatic opposition to the recognition of the D. R. G. and to the reduction of the level of political and diplomatic relations with the states that have recognized the D. R.G. Diplomatic relations were re-established with countries that recognized the D. R. G.

Faced with the recognition of Kosovo, primarily by so-called large, influential and powerful countries, Serbia has decided not to sever

⁴⁸ Washington-Agreement-Kosova-Serbia, <https://www.new-perspektiva.com/wp-content/uploads/2020/09/Washington-Agreement-Kosova-Serbia.pdf>

diplomatic relations with those countries, and to intensify reactions (for example, expulsion of ambassadors such as the expulsion of the Macedonian ambassador) to be directed at smaller and weaker countries. But the focus of Serbia's political and diplomatic action, as a modified version of the Hallstein Doctrine, was to prevent Kosovo from joining the UN, and thereby achieving at least partial recognition of the new state. Serbia achieves this with its multi-vector foreign policy—close relations with China and Russia, commitment to EU membership and pursuing a strict and consistent policy of non-membership in formal or informal military blocs, which does not exclude certain types of cooperation with the US and NATO, but also with Russia and China (Maricic 2019).

The Spain's attitude towards the recognition of Kosovo is particularly significant. And not so much as a principled attitude towards the international legal order and the rules of international relations, but as an attitude towards their state and national interests. Spain is one of the few EU countries that do not recognize Kosovo's independence and thus block the Union's common foreign policy towards Kosovo and its international recognition. Spain invokes the Constitution of Serbia, which does not allow the declaration of independence of the Province. But it does so quite clearly because the Spanish Constitution also does not allow referendums on the independence of the Spanish federal units that want it, primarily Catalonia and Basque. And if Spain gives in to the case of Kosovo, then it will fundamentally violate the principle on which it stands in relation to the independence of the Catalonia and Basque.

This conclusion on the real reasons for the Spanish attitude towards the independence of Kosovo is confirmed (and) by the Spanish attitude towards the declaration of independence of Montenegro, based on the referendum held on May 21, 2006. Namely, the Constitutional Charter of the State Union of Serbia and Montenegro did not prevent the holding of referendums for secession from it. That is why Spain recognized Montenegro's independence without any problems. Therefore, it can be stated that Spain, at virtually no cost, will not recognize the independence of Kosovo unless the Constitution of Serbia is changed and if the independence of Kosovo, perhaps/probably as a new procedure, is not implemented in accordance with the changed Constitution of Serbia. These are facts that have a very strong pessimistic, even depressing impact on the prospects of international recognition of Kosovo and its European integration processes (Sarría 2019).

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5.0 North Macedonia

5.1 Introduction

The problematization of the integration and cohesion of the state with a formally official constitutional name the Republic of North Macedonia and the Macedonian society, i. e. the problematization of the functionality of the state and the social community, its stability and its consolidation, should in any case be sought and analyzed in relation to two processes that continuously and through several phases, take place in fact from the very beginning of the existence of the state of the Republic of Macedonia, on a formal constitutional-legal level constituted with

the adoption of the Constitution on November 17, 1991. The analysis of these two processes, in this particular text, will be conducted on the basis and within several fundamentally and essentially relevant political and legal acts, as well as social conditions, relations and dynamics that are in direct correlation with those acts. A fact that on an empirical level can never be questioned, simply because the reality was and is exactly like that, is the heteronomous genesis and the content of individual acts which was intervened in the Constitution through concrete amendments. Those political and legal/international-legal acts practically, or arose and followed the line of the internal Macedonian political and wider social conditions and dynamics, established and imposed basically as situations and dynamics of separate fait accompli, or those acts, also inevitably with heteronomous genesis and content, were promoted, proposed and in fact imposed as a kind of solution and response to individual regional problems and neuralgic state and dynamics. As a rule, more precisely, without exception, all this was implemented to the detriment of the urgent need to establish a stable and sustainable level of integration, cohesion and functionality of the Macedonian state and Macedonian society. And in favor, of course and very clearly, of the state and national interests of the heteronomous creators of those acts, interests defined and implemented by the state-political structures of the real creators and implementers of those acts. Implemented, those acts, without exception on the basis of radically asymmetric empirical possession and use of political, economic, military and any other kind of power. And with the exhaustion of the autonomous Macedonian role in its implementation of those amendments as setting/imposing that role, of course heteronomous setting/imposing on the basis of radically asymmetric distribution of power, almost exclusively of formal constitutional-legal execution through the corridors of the legislative and executive power.

The above mentioned and elementally two continuous processes with fundamental and essential impact on the level of integration, cohesion and functionality of the Macedonian state and Macedonian society, and which will be analyzed in this text on the basis and within the political-legal acts through which these processes are primarily conceived, set and implemented at the constitutional-legal level, are the process of continuous, at least as an anticipation, and basically dystopic, transformation of the Republic of Macedonia as a binational state, and the process of degradation of the Macedonian national identity, its honor

and dignity. These two continuous and stage processes are conceived and implemented as parallel processes, with their synergistic effect in relation to the achievement of the apparently ultimate goal, a goal with its heterogeneous nature in relation to the Macedonian state and national interests: establishment a regional order in which the state of the Republic of Macedonia, obviously at best for it-for its Macedonian state and national interests, can exist exclusively as the Republic of North Macedonia/North Macedonia. Practically and factually, at least at the level of anticipation, as a binational state in the started process of establishment and with Macedonian national identity, realistically and truly without its own ethnogenesis. Without ethnogenesis because when it comes to someone's national ethnogenesis, in order to play play and fulfill its role, it must be conceived and placed at least on a centuries-old, if not millennial, historical-civilizational and cultural-civilizational progressive continuum of beginning, development and maturing of the specific national consciousness. If the ethnogenesis of the current Macedonian national consciousness eventually begins in 1944, then practically, realistically and indeed this Macedonian national consciousness has no ethnogenesis, no ethno-national roots through the centuries or millennia of the historical-civilizational and cultural-civilizational progressive national continuum.

5.2 Process of Anticipated Transformation of Macedonia as a Binational State

This process will generally be elaborated and analyzed through the amendments to the Constitution of the Republic of Macedonia (the Constitution) that resulted from the Framework Agreement, signed/formalized on August 13, 2001, in Skopje. The Framework Agreement is not really a real agreement in a formal-legal sense. He, himself, does not produce any legal effect. He is not a legal act. It is not a legal act of either domestic Macedonian law or international/international-public law. In this sense he is a political agreement. However, its content structure is practically a typical normative structure. It is extremely clear that it is written in such a way that elements/norms of its structure can be integrally and automatically undertaken in formal and substantive legal acts. In fact, such a legal act that is in fact determined by the Framework Agreement is the Constitution of the Republic of Macedonia. The elements/norms

contained in the Framework Agreement, directly and integrally in the form of amendments through a formal constitutional-legal procedure, are introduced in the Constitution (amendments IV-XVIII of November 16, 2001). And without any possibilities through the formal constitutional-legal procedure to be able to propose and vote any changes in the content of the amendments directly and integrally undertaken by the Framework Agreement. In this sense, the Framework Agreement has the function, role and power of a determinant of the Constitution. That is, it has the function, role and power of the so-called “constitution of the constitution”. The Constitution is placed in a real and real position of dependence on the Framework Agreement and in a position of impossibility to change, of course if those changes are not in accordance with the Framework Agreement. Or, possibly/theoretically, the amendment could be additionally intervened in the content of the amendments, but only if they agree with the changes and if the signatories of the Framework Agreement necessarily participate in the change procedure, together with the consent and participation of the international structures that in a certain essential and very strong and powerful way guarantee the integrity and dignity of the Framework Agreement. Those international structures, of course, in fact guarantee, verify and valorize its consistent implementation, both as a vote on the amendments to the Constitution and as their practical implementation. Even in the Framework Agreement, it is specifically suggested which specific article of the Constitution should be in the form of an amendment replaced by which specific normative content from the structure of the Framework Agreement.

In the above elaboration we talk specifically about the amendments to the Constitution arising from the Framework Agreement, although it also provides for specific changes in specific laws. These legal changes, with the exception of extremely significant changes in the legislation regarding the concept and model of local self-government, and even more specifically and significantly in relation to the legislation on the territorial organization of local self-government, in addition to the Law on languages, adopted several years later, in 2018, (the problem of compliance of this Law with Amendment V which is a “framework” amendment), will not be included in this elaboration and analysis, simply because their elaboration and analysis would only burden this elaboration and analysis and nothing more substantial would be obtained that is obtained by elaboration and analysis of the amendments.

Certainly, the most significant law determined by the Framework Agreement and which lays the foundation for the emphasized anticipation of the process of transformation of the Republic of Macedonia as a binational state is the Law on Territorial Organization of Local Self-Government, adopted on August 11, 2004, and three times modified and supplemented-in 2005, 2008 and 2014. Of course in accordance with the Law on Local Self-Government, adopted on January 24, 2002 (Јазаревски 2001). But, before that, it is necessary to point out several principled determinations of the Framework Agreement which are most directly and most essentially, at least at the formal constitutional-legal level, related to these two laws. That is, these principles in accordance with the Framework Agreement, must be the basic principles on which the corpora of the specific norms of these laws are based. Thus, the Framework Agreement completely and unconditionally rejects the use of violence to achieve political goals. Only peaceful political solutions can guarantee a stable and democratic future for Macedonia. The sovereignty and territorial integrity of Macedonia and the unitary character of the state are inviolable and must be preserved. There are no territorial solutions to ethnic issues. The Framework Agreement determines a serious and substantial increase and strengthening of the competencies of the local self-government units (the city of Skopje and the municipalities). The Framework Agreement determines that the Law on Local Self-Government (LLSG) and the Law on Territorial Organization of Local Self-Government (LTO) cannot be adopted, and can not be further amended, without a qualified two-thirds majority, and there will have to be a majority of the votes of the representatives belonging to the communities (the so-called Badinter majority).

Now, before we move on to a slightly more detailed explanation, elaboration and analysis of the LTO, it should be noted that in this text we are not able to explain and analyze the Law on the Use of Languages (LUL), adopted on March 14, 2018. On another occasion, in any case, this law is worth and must be explained, elaborated and analyzed, precisely in relation to its constitutional-legal correlation with Amendment V, which is also determined by the Framework Agreement, and which replaces Article 7 of the Constitution. Although, a political-legislative move was made with the LUL, through practical legal equalization of the official languages of the Republic, which are (and) national languages, thus the Republic, legally/officially and quite explicitly, formally-legally and

practically, is transformed into a bilingual republic/state, i. e. bilingual (con)federation.

So we are concentrating on the LTO, because that law at the level of the highest significance shows how a very serious and far-reaching step has been taken on the path of, at least the anticipated, actual transformation of the Republic of Macedonia (and) into a binational state.

It must be immediately concluded that, in any case contrary to one of the most fundamental principles of the Framework Agreement, it is also a principle that is (daily)politically most exploited as evidence of the claims that whit the Framework Agreement, not only formally constitutional-legal, but also in fact the unitary character of the Republic is not violated, means, despite the principle that there are no territorial solutions to ethnic issues, with the delineated borders of the local self-government units with the LTO, the territorial integration of the municipalities with a majority Albanian population in the Republic of Macedonia has been achieved (Лазаревски 2002). At the same time, it has been achieved that those municipalities have local government/mayors who are ethno-national Albanians. Thus, all this area has national-Albanian government at the level of local self-government.

This integrated territorial whole is formed by the areas of the municipalities of Tetovo, Gostivar, Struga, Debar and Kicevo. The national-Albanian and Albanian-political compactness of this area, exclusively symbolically, is “hurt” only by the preservation of the small rural municipality of Vevcani. But, on the other hand, the survival of the municipality of Vevcani can (daily)politically serve as a kind of alibi and argument for (counter) thesis that with the specific territorial organization of local self-government is not actually formed Albanian-national and Albanian-political local self-government “State”.

Specifically speaking and analyzing what has been done in drawing the borders of the local self-government units within this majority Albanian-national space, in order to achieve an integrated Albanian-political government in the Republic of Macedonia at the level of local self-government. Local government, in general in Macedonia, this must be very strongly emphasized, with increased competencies obtained through the Framework Agreement, i. e. LLSG.

In this sense, the municipalities of Tetovo, Gostivar and Debar, even with the “old” municipal borders, had a majority Albanian ethnic-national population and had authorities/mayors who were ethno-national

Albanians. However, these municipalities are joined by smaller/rural municipalities with a new ethno-national Albanian population, which increases the proportional participation of ethno-national Albanians in the overall ethno-national structure of these three municipalities.

Now comes the real political problem, which as a very serious challenge was posed to the autonomous and heteronomous political/geopolitical power structures, that conceived, conceptualized, concretely defined and practically imposed and implemented the determinations and provisions of both the Framework Agreement and the laws that arose from it. In this particular case, the LTO, as well as the systemic LLSG. That political problem and that challenge were the previous territories of the municipalities of Struga and Kicevo. These municipalities with the “before the framework” territories had a majority Macedonian national population, because their territory was primarily based on the urban structures of the cities of Struga and Kicevo, where lived a population with a majority Macedonian nationality. That is why they had municipal government/mayors with Macedonian nationality. But, these two municipalities were (and are) municipalities to which they quite naturally gravitated, rather densely populated, rural territorial and demographic structures with a (dominant) majority Albanian ethno-national population. Exactly these rural territorial and demographic structures until then/”before the framework” were locally self-organized in separate municipalities. Including the quite large and realistically financially self-sustaining rural municipalities of Velesta and Zajas, as well as the municipality of Oslomej.

And, extremely “simply”, in order to achieve the desired goal: both the municipalities of Struga and Kicevo to get an “Albanian” local self-government power, the territories of the mentioned rural “Albanian” municipalities are connected to the previous territories of the municipalities of Struga and Kicevo. Thus, the “mammoth” municipalities of Struga and Kicevo were formed with a majority of “Albanian” population, with mayors ethno-national Albanians and were integrated in a local self-government space with Albanian ethno-national municipal government.

Basically, the same procedure is applied in relation to the city of Skopje, as a unit of local self-government with a complex structure composed of several municipalities. Namely, by adding rural areas that somehow naturally gravitate towards the city and which have a (dominant) majority population with Albanian ethno-national affiliation, the desired

political/geopolitical goal has been achieved: the city of Skopje as a unit of local self-government to contain at least 20% ethno-ethnic Albanians in the total population. And thus, in accordance with the principle of minority rights of the communities (ethno-national communities), set in reality and in fact on a collective-territorial principle (the famous 20%), and not on an individual principle, the city to become a bilingual Macedonian-Albanian city.

At the same time, one of the urban city municipalities, the municipality of Cair, received such borders that it became a majority “Albanian” municipality and accordingly it has a government/mayor ethno-national Albanian. The municipality of Saraj, however, is a rural municipality with a majority Albanian ethno-national population.

At this point it is easy to notice that outside the national framework of the territorial/territorial-political organization of the local self-government of the ethno-national Albanians in the Republic remain the ethno-national Albanians living in the Kumanovo region. Namely, there is a larger rural municipality (which includes a small urban part of Kumanovo) with a majority Albanian ethno-national population and which is not annexed to the municipality of Kumanovo, the largest municipality in terms of population in the Republic, according to the 2002 census. If that annexation had taken place, the municipality of Kumanovo would surely have had a 20% Albanian ethno-national population. It remains to be seen in the future why the political/geopolitical demarcators of the borders of the local self-government units did not do that.

In this context, it must be taken into account, as a kind of constitutional, legal and political balance with such a “delineated” territorial organization and a kind of political/geopolitical alibi, that the concept of local self-government in Macedonia/ North Macedonia, according to LLSG, is a concept of one-tier local self-government. This means that apart from the level of the municipalities as units of local self-government, there is no other, higher level of units of local self-government, which would be hierarchically superimposed on the lower level of units of local self-government. In this way, it is impossible-there is no constitutional and/or legal basis, the actual territorial-political compactness/unity of the “Albanian” municipalities to be formalized/legalized through the formation/constitution of a political-regional institution-(con)federalization of the Republic. In this sense, the planning

regions are not (con)federal units, they are not a higher level of local self-government units.

At the same time, speaking and analyzing, as another component of the above-mentioned balance, it should be emphasized that the new/increased “framework” competencies of the municipalities primarily and essentially refer to those social areas/activities, that is, segments of the whole of state power (primarily education and culture), through which the identity of the (ethno)national communities is actually expressed. However, even in these areas/activities of the entire state government which national identity significances, the municipalities do not have any legislative competencies. Regarding the executive competencies, the central government has the competence to supervise the legal operation of the municipalities and at the same time has the competence to temporarily suspend certain specific elements of the competencies of the municipalities, if the supervision determines that the municipalities continuously and essentially operated/acted illegally.

But, in the end, the conclusion remains that with the Framework Agreement, officially/legally, with all its conditionality, still in fact, certainly as a political/geopolitical determinant, a complete political-territorial entity has been formed at the level of local self-government with an Albanian ethno-national majority and an Albanian ethno-national government. Formally and de facto, the LTO has established a political-territorial entity that possesses the potential, perhaps even latency, at some convenient political/geopolitical moment to be the basis/nucleus for initiating and catalyzing political/geopolitical actions, and autonomous, but still, essentially heteronomous, using various means, for the constitutional-legal transformation of the Republic as a binational (con)federation (Сасажковски/Sasajkovski 2009).

Both a historical fact, but also a theoretical political-philosophical, political-sociological, political-political, legal, economic ... almost consensual conclusion is that exactly the binational (con)federations are immanently destined to be unstable even after a very short historical-political time of their existence to disintegrate, as a dissolution, of their constituent (con)federal units as new independent and sovereign states. Sometimes it happened with a really autonomous and voluntary political agreement, sometimes, maybe more often, it happened as a heterogeneously imposed project, sometimes that dissolution was not initially political, but, for example, it was a security crisis or a military fire, and then it

got, after rule heterogonous, political basis and framework. There are examples when there was dissolution and when the nations that made up the binational (con)federation did not have their own national/home states as independent and sovereign states. Dissolution also occurred when nations, or at least one of the nations (as an irredentist political expression), had another national/home state of their own. Exactly such, irredentist, is the projected danger to the sovereignty and territorial integrity of the problem North Macedonia, as a kind of final/”nuclear” option whose nucleus is in the anticipated process of transformation of the Republic into a binational state. It must be borne in mind that Article 5 of the Washington Treaty of April 4, 1959, which established NATO, protects member states (and not obligatorily by military intervention) from explosion, but not from implosion. This irredentist dissolution exists not only at the level of potency but also at the level of latency, especially when the ethno-national body of a nation is divided by state border/state borders. The Borders between his national/home country and the other country/countries in which part/parts of that people live/lives and which are binational states. As a theoretical and empirical rule, this irredentism increases to a maximum in cases when the people of a binational state that his another of its own/neighbors nation-state is equal in number or almost equal to the number of the other people, or when it is a minority, but in any case a large minority (Malbasic 2020). That is the case with the problem the Republic of North Macedonia-with its anticipated process of transformation into a binational state, really started still in the Republic of Macedonia.

Let us not forget that the Republic, since its establishment as an independent and sovereign state, in fact exists as a politically binational (con)federation. With two electoral processes, with an ethno-national basis and framework, with two winners forming a practically bi-national government, practically with two prime ministers. And regardless of the similarities or differences of ideological and political-program type. And regardless of the fact and the possibility to form a one-party government or a coalition government of some other type and with a different composition. The parliamentary elections in 2016 and the local elections in 2017 were obviously exceptions to the rule confirming that same rule. Just like the formation of the government after the elections in 2016.

When talking analytically about the process of anticipated transformation of the Republic as a binational state, one should

immediately look at how the Constitution defines and identifies the bearer of the sovereignty of the Republic. That is why we will elementally analyze the preamble of the Constitution. As a rule, the preambles of the constitutions do not have a normative/legal structure, they do not contain classical legal provisions and formulations, they do not produce direct and immediate normative-legal effect, even all constitutions do not have preambles. The constitutional preambles, as a rule, serve to satisfy two purposes: to determine and define the bearer and the source of the sovereignty of the state, which is the social entity that constitutes the state, as the first goal, and, as a second goal, to give a short but complete, direct and immediate intersection of the historical-state, historical-legal and historical-political continuum that precedes the state entity and the state constitution to which the specific constitution and its specific preamble refer (Orgad, 2010). The Constitution of the Republic of Macedonia/ Republic of North Macedonia from 1991 has its own preamble, which, to this fact, should be paid special attention in the context of the topic of this text, and which preamble is completely replaced by Amendment IV which is an amendment determined by the Framework Agreement. The preamble has been amended once, through Amendment XXXIV in 2019, but which does not refer to the definition and identification of the holder of state sovereignty.

But, before moving on to the explanation and analysis of the holder of the sovereignty of Macedonia/North Macedonia, it is necessary, at least elementary, to look at and analyze the movement of the content of the changes in the Constitutions of the Republic, starting with the Constitution adopted in 1946 to the 1991 Constitution. That is, how has the content of the definition and identity of the bearer of the sovereignty of the Republic changed. The 1946 Constitution does not have a classical preamble, but has an article in its normative part that has the content and form of a preamble. This means that in that article in a certain way is explained, defined and identified the holder of the sovereignty of the Republic. The Classical Preamble has the Constitution of 1963, while the Constitution of 1974 has a classical preamble in terms of its content and purpose, but the Preamble is placed as paragraph I the Basic Principles of the Constitution, and they, in turn, are part of the Introductory part of the Constitution.

We said that the Constitution of 1946 does not have a classical preamble, but Article 2 determines, defines and identifies the Macedonian

people as the bearer of the sovereignty of the state of the People's Republic of Macedonia: "Based on the results of its liberation struggle, and in the common struggle of all the peoples of Yugoslavia,... its people's state, the People's Republic of Macedonia,... and expressing its free will, on the fundamental right of every people to self-determination, including the right to secede and unite with other peoples, the Macedonian people have united (with other peoples, the author's remark) on the basis of the principle of equality ...".⁴⁹ It only remains to conclude what is more than obvious: the Republic is a people's state of the Macedonian people. The article of the Constitution does not state that the right to self-determination, including the right to secede and unite with other peoples, which is used by this Constitution, is definitely and irreversibly used, without the possibility of its re-use.

The Constitution of the Socialist Republic of Macedonia, from 1963, has a classic preamble: "Starting from the historical fact that the Macedonian people led by the working class led by the Communist Party, with their struggle united with the other Yugoslav peoples in the People's Liberation War and the Socialist Revolution... created their own state, the People's Republic of Macedonia, in which they achieved the historic the Macedonian people for national freedom and state independence, the nationalities-national minorities for equality and the working people for social freedom and on the basis of the right to self-determination, including the right to secession, have voluntarily united... which the people of Macedonia provides a comprehensive development of his creative forces... and that the working people of Macedonia with their own creative activity... expressing the sovereign rights of the people of Macedonia...".⁵⁰ This Preamble again determines, defines and identifies the Macedonian people as the bearer of the sovereignty of the Republic, which is its own state, as it explicitly states; mentions nationalities, i. e. national minorities and their equality; reiterates the right to self-determination, including the right to secede in the same context and with the same meaning as Article 2 of the 1946 Constitution; he then speaks

⁴⁹ Устав на Народна Република Македонија, од 1946 година/The Constitution of the People's Republic of Macedonia, from 1946, <https://www.slvesnik.com.mk/Issues/571D5D9AF0DB42A3A37F220F77476EB5.pdf>

⁵⁰ Устав на Социјалистичка Република Македонија, од 1963 година/The Constitution of the Socialist Republic of Macedonia, from 1963, [https://mk.wikisource.org/wiki/_\(1963\)](https://mk.wikisource.org/wiki/_(1963))

of the people of Macedonia, specifying that they are a working people, not a political people, something that is quite consistent with the previous determination, definition and identification of the Macedonian people as the creator of their own state and nationalities, their equality, with their apparent use as ethno-national identities. So, this Preamble speaks, determines, defines and identifies the terms people and nationality, as ethno-national terms, and the working people as a political-ideological term.

The Constitution of the Republic of 1974, i. e. paragraph I of its Basic Principles states: “Starting from the right of every nation to self-determination, including the right to secession, based on its freely expressed will in the common struggle of all peoples and nationalities..., the Macedonian people together with the nationalities with which they live, voluntarily united...”.⁵¹ So, in this article, which is a factual Preamble of the Constitution, the right to self-determination, including secession, is determined, defined and identified, in the same context and with the same meaning as in the previous Constitutions, and the Macedonian people, together with the nationalities, who have united..., quite obviously and clearly in the Federation of Republics that have their own Constitutions as one of the most fundamental and essential characteristics of state entities (socio-political community in accordance with this Constitution).

The 1991 Constitution has a classic Preamble: “Starting from the historical cultural, spiritual and state heritage of the Macedonian people and its centuries-old struggle for national and social freedom and the creation of its own state, and especially from the state-legal traditions of the Krushevo Republic and the historical decisions of ASNOM and the constitutional-legal continuity of the Macedonian state as a sovereign republic in the Federal Yugoslavia, from the freely expressed will of the citizens of the Republic of Macedonia in the referendum of September 8, 1991, as well as the historical fact that Macedonia is constituted as a national state of the Macedonian people which ensures full civil equality and permanent coexistence of the Macedonian people with Albanians, Turks, Vlachs, Roma and other nationalities living in the Republic of

⁵¹ Устав на Социјалистичка Република Македонија, од 1974 година/The Constitution of the Socialist Republic of Macedonia, from 1974, <https://www.marxists.org/makedonski/istorija/makedonija/ustav-srm1974/osnovni-nacela.htm>

Macedonia, and in order...“⁵² So, the Preamble determines, defines and identifies the Macedonian people; Macedonian state as a sovereign republic (“socio-political community”) within the SFRY; citizens of Macedonia who voted in the independence referendum (obviously in this place the Preamble speaks of citizens in order to emphasize that the voters in the referendum are not exclusively members of the Macedonian people as an ethno-national category); Macedonia has historically been constituted as a Macedonian national state; nationalities living in the Republic. It is obvious that, among other things, the Preamble distinguishes between the Macedonian people and nationalities living in the Republic, and which Republic in historically continuity is constituted and exists as a Macedonian national state.

The Framework Amendment IV completely replaces this Preamble with a new Preamble: “The citizens of the Republic of Macedonia, the Macedonian people, as well as the citizens living within its borders who are part of [...] equal in their rights and obligations towards the common good-the Republic of Macedonia.”⁵³ Later, in 2019, Amendment XXXIV changed the name of the country in the Republic of Northern Macedonia.

It is immediately noticed that in Amendment IV the state with constitutional name Republic (North) Macedonia is a state of its citizens, as a constitutional-legal and as a political-sociological category, they are bearers and they are the source of its sovereignty, and then to immediately explain and achieve a significant balance of the civic determinant with the national determinant, i. e. that those citizens are members of the Macedonian people, to pay attention to the capital letter, as a constitutional-legal and as a political-sociological category, and the parts of other nations living in the Republic, as a constitutional-legal and as a political-sociological category, where those parts of the peoples are written in lower case, including the part of the Albanian people. This determination, this identification-parts of a people living in a country other than its national or home country, is in fact a classic, typical, school and textbook definition of a national minority, or nationality, as actually done in the Amendment-The Preamble. Thus, the category of

⁵² Устав на Устав на Република Северна Македонија, од 1991/2019 година/The Constitution of the Republic of North Macedonia, from 1991/2019, www.sobranie.mk/ustav-na-rm.nspх

⁵³ Устав на Република Северна Македонија, од 1991/2019 година/The Constitution of the North Macedonia, from 1991/2019, www.sobranie.mk/ustav-na-rm.nspх

national minority, i. e. nationality is only substituted by a description of what constitutes a national minority, i. e. nationality (Pospisil, 2006). And the name of the state the Republic of Macedonia most directly and most obviously derives/originated and is/was determined by the name of the people, the Macedonian people, while the identity name of the state North Macedonia excludes the connection with the Macedonian people as a national identity and leaves, suggests, imposes only the connection with the territory/geography, and parts of other nations living within its borders do not participate with their national identity as a determinant in determining the name of the state. They, except perhaps the Roma, have their own other national or home countries that get their name from the name of the people whose national and/or home country they are. The Macedonian people, apart from the Republic (North) Macedonia, has no other national and/or home state, and in that sense the state the Republic (North) Macedonia mediates/does it really mediate(!) its constitutive nature as a nation state, is it really that(!), i. e. home country of the Macedonian people (Сасажковски/Sasajkovski 2016).

This above-mentioned balance between the civil and national determinant is expanded within the national determinant by introducing the general determinant communities in the normative part of the Constitution, with the meaning of national communities, where there, in the normative part of the Constitution, normative constitutional-legal the Macedonian people and the parts of the other nations are equalized, above all the part of the Albanian people, based on the determinant 20%.

The Amendment IV also emphasizes the importance of the referendum on the independence of the Republic of September 8, 1991 as one of the pillars of its statehood and sovereignty. In fact, with this, the part of the Albanian people living within the borders of the Republic of (North) Macedonia, voting through their elected political representatives in the Assembly for this Amendment, officially, constitutionally-legally recognized the constitutional-legal, international-legal, state-building and political validity and the relevance of the boycott of the Referendum, as well as and the adoption of the 1991 Constitution. It has in fact recognized the Constitution which in its Preamble/Amendment IV explicitly speaks of the Macedonian people and parts of other peoples (scientific-theoretical, primarily sociological/political-sociological, but also legal/constitutional-legal and international-legal, that are national minorities, nationalities) living on the territory of the Republic.

In this sense, the introduction of the constitutional-legal and political-sociological category of communities/national communities in the normative part of the Constitution, does not change essentially anything because those normative provisions in not way derogate, devalue, or completely annul the determinants and the definitions of the Preamble, i.e. Amendment IV (Сасажковски/Sasajkovski 2016). For the first time the category of community is used only in Amendment VI, and then emphasized in Amendment VIII. Both are “framework” Amendments.

If it can serve as a kind of consolation for all those well-meaning political/geopolitical factors who want real and optimally functional stabilization and consolidation of the region, the distinction between people/Macedonian people and parts of peoples (national minorities, nationalities, nationalities), including and a part of the people who with a minority with twenty per cent (20%) participation in the total population of the Republic, the Republic is not the “Switzerland of the Balkans.” Politically/geopolitically originally after Vancho Mihajlov. This means that it cannot, among other things, be cantonalized on a territorial-national basis. It can not be because, in the Republic live not only parts of nations that have their own other national and/or home countries, but live Macedonian people, who determined/no longer determined the name of the state, and live parts of peoples, including the Albanian people, peoples who have other nationalities and home countries.

They do not live in the Republic of Macedonia; they do not even live in the Republic of North Macedonia (!!): Macedonians-Bulgarians, Macedonians-Albanians, Macedonians-Turks, Macedonians-Serbs [...], without the Macedonian people living in that country!! In the Republic of Macedonia, even in the Republic of North Macedonia, in accordance with the Preamble/Amendment IV/Amendment XXXIV, Macedonian people live!!

Somehow by the way, Vancho Mihajlov lived during the Second World War in Zagreb, “the Independent State of Croatia”. On September 5 and 6, 1944, the Germans, brought him to Skopje through Sofia in order for him to form “The Independent State of Macedonia”. Probably/certainly something like “Macedonia as Switzerland in the Balkans”. But, practically after two days they return him to Zagreb, due to the obvious realization that in Macedonia there is no national, political or any other kind of necessary potential for that. It is a fact that only two months later,

on November 13, 1944, the partisan units, in essence a truly organized and led army, entered Skopje. (Требст/Troebst 2011).

5.3 Process of Degradation of the Macedonian National Identity

We will elaborate and analyze this process here through the Final Agreement to Resolve the Disputes Described in United Nations Security Council Resolutions 817 (1993) and 845 (1993), to end the validity of the 1995 Interim Accord and for the establishment of a strategic partnership between the Parties (Agreement), whereby in the first paragraph of the Preamble to the Agreement the parties are identified as follows: “The First Party, Greece (the “ First Party ”) and the Second Party, which was admitted to the United Nations pursuant to Resolution 47/225 of April 8, 1993, at the United Nations General Assembly (the “Second Party”), collectively referred to as the “Parties”⁵⁴, from June 17, 2018, and through the Agreement on Friendship, Good Neighborliness and Cooperation between the Republic of Macedonia and the Republic of Bulgaria (Agreement), from August 1, 2017.

3.1. The Macedonian-Greek problem for the name of the state with a constitutional name The Republic of Macedonia in its essence was/ is a deep and basic national-identity problem. This problem can only be formally understood and treated as a problem over the name of the state of the Republic of Macedonia, i. e. as a problem on how to change or supplement the name of the state in order to allegedly distinguish internationally between the historical geographical region of Macedonia and the state with the constitutional name the Republic of Macedonia. That is, with such a change or addition of the constitutional name in the international framework to emphasize, to make a difference, to understand and to be indisputably and crystal clear that the state with that constitutional name, the Republic of Macedonia, extends to only one part, that the northern, from the total territory of the historical geographical region of Macedonia.

If the nature of the problem is really that, then there is no problem, simply because the very constitutional name of the state, the Republic of

⁵⁴ Final agreement to resolve the differences described in United Nations Security Council Resolutions 817 (1993) and 845 (1993), to end the validity of the 1995 Interim Accord and to establish a strategic partnership between the Parties, <https://vlada.mk/node/17422>

Macedonia, unequivocally suggested that it is a constitutional name of a state with some precisely defined borders and based on those precisely defined borders, among other fulfilled conditions, that country became a subject of the modern international legal order, i. e. it was accepted as a member of the UN. The name Republic of Macedonia is a typical name for a state entity and not for a geographical region—a geographical region in its name cannot contain the determining state. On this basis, it is quite obvious that with the constitutional name of the state of the Republic of Macedonia and its precisely defined borders upon admission to the UN, a clear and precise distinction is made between a state and a geographical region, i. e. between a name of a state and a name of a geographical region.

However, it should be emphasize that this form of the problem is false, the problem in its nature is an immanent national-identity problem, and as such, it does not refer to and problematize only the concept of the modern Macedonian national identity, but, no less, this problem refers to and problematizes the modern concept of the identity of the Greek nation-state. A concept that includes (and) the exclusivity of the ancient Macedonian identity and its historical-civilizational, cultural-civilizational and historical-state heritage (Sasajkovski 2011, Sasajkovski 2014).

The International Court of Justice in The Hague generally held the same position, in its judgment rendered on December 5, 2011, and on the occasion of the application submitted by the Republic of Macedonia, summarized among other things: the Greece violated its obligation under Article 11 paragraph 1 from the Interim Accord; The Republic of Macedonia can use the constitutional name in international organizations when it speaks for itself; The Republic of Macedonia participates in the process of overcoming the name dispute with good faith and has shown a degree of openness, especially in the months before the Bucharest summit.⁵⁵

This basic conclusion about the fundamental identity nature of the Agreement can be verified (and) through, at least basic, if not more in-depth, its elaboration and analysis.

⁵⁵ Judgment in the case concerning Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece), INTERNATIONAL COURT OF JUSTICE, <https://www.icj-cij.org/public/files/case-related/142/16841.pdf>

The Agreement changes the constitutional name of the Republic of Macedonia, with the abbreviated and identity name Macedonia, in the Republic of North Macedonia, with the abbreviated and identity name Northern Macedonia (Article 1, item 3, paragraph a). The fundamental and essential identity problem in this provision is contained in the transformation of the geographical determinant North into a de facto state-identity determinant. The problem is that the determinant, although formally a noun/North in the made semantic construct North Macedonia de facto is transformed into an adjective Northern. That is why the translation into Macedonian is not North Macedonia but Northern Macedonia. When the de facto adjective is practically related to the noun, a semantic construct is formed that determines a new identity, in this particular case a state identity. This statement is confirmed by the insistence of the “first page” that the geographical determinant be strictly and exclusively before the noun Macedonia, and not before the Republic, Macedonia which was the identity name of the country, and by replacing that identity name with a new such name North Macedonia, where the noun North is actually transformed into the adjective Northern. Just like with the strict and exclusive insistence of the Greek side that the geographical determinant is in fact an adjective, although it is formally a noun. This insistence of the “second party” that the geographical determinant be before the name Macedonia, and not before the Republic, was because if the geographical determinant was before the Republic, then it would not change the identity of the country and the short/identity name would remain Macedonia. If the noun North is related to the noun Macedonia then that connection (and grammatically) can not be direct (North Macedonia), but (and grammatically) imposes the use of a conjunction between these two nouns-on/from. The use of the noun North in a semantic construct North Macedonia without being associated with a member would not change the identity of the state. Therefore the two nouns in that construct are not related to a member. And that’s why why the noun North is actually transformed into the adjective Northern. The goal is for that construct to lead to a change in the state identity. It would not be a problem, there would be no change in the state identity if the short name of the country remained Macedonia, even if the constitutional name was changed with a geographical determinant in the form of an adjective before the noun Macedonia. The short name is the identity name of the state because from that name are derived all kinds of identities of

the state, its institutions, bodies, institutions ... Or, in this case, they must be “of the Republic of North Macedonia” or “the North Macedonian” (exactly like that, as one word), and must not be “Macedonian”. This is directly regulated by Article 1, item 3, paragraph f: all adjectives derive from the short name of the state.

Also, the new name of the country with a geographical determinant as an adjective before the noun Macedonia, more precisely with its short/identification name, actually suggests that the identity name of the country originates only from the territory/geography, from the north of the historical territory Macedonia, where it is formed the state with the identity name North Macedonia. This is because the state identity name does not derive from the identity of the people, as an ethno-national determinant, which is the bearer of its sovereignty, as it is determined, defined and identified in the Preamble/Amendment IV of the Constitution. The Macedonian people, as an ethno-national determinant, can constitute its own national/home state to which it will give its national identity, only if that state has an identity name that derives from its national/ethno-national identity-Macedonia and Macedonian. Consistently, a state with an identity name Northern Macedonia, as its national state, can constitute only a nation that has its own ethno-national northern Macedonian identity. So, the Macedonian people, the one from the Preamble/Amendment IV of the Constitution, does not give its Macedonian national identity to the state with the identity name North Macedonia, but the identity of this country derives from the identity of the territory/geography, from a geographically determined part of/from that historical territory, on which that state is constituted. In this way, among other things, an additional and very important space is objectively opened for further reconstitution of the State as a binational Macedonian-Albanian state. This is a fundamental and essential, (and) sociological, conflict between the Constitution of the Republic, its Preamble/Amendment IV, and the Agreement, Article 1, paragraph 3, item a. It is very important to point out that this conflict exists even when the Preamble/Amendment IV, regarding the bearer of the sovereignty of the Republic, will be placed and interpreted in a civic context-the citizens as constituents of the Republic. But then we need to analyze the identity name of the country determined and defined by the Agreement, Article 1, item 3, paragraph a and paragraph b, as North Macedonia and the identification of nationality/citizenship of the Republic as macedonian/citizen of the Republic of

North Macedonia. So, that the citizens of the Republic with macedonian identity constitute their own state with the name North Macedonia. That is, with different nationality/citizenship and state identity. The citizens of the Republic have a Macedonian nationality/citizenship identity, and their country does not have the identity the Macedonia, but has North Macedonia. Furthermore, this means that the citizens of the state of North Macedonia have a macedonian nationality/citizenship identity, and the state institutions, bodies, public institutions ... of the same state do not have, in fact, must not have a Macedonian identity, strictly in a state/civic context and with the same meaning, and not in the ethno-national context and with the same meaning. And it must be known that it will be very difficult in everyday international practice to impose the appointment of citizens of the Republic as Macedonians/citizens of the Republic of North Macedonia, and not as Northern Macedonians, with Macedonian and not northern Macedonian citizenship. Таква е етаблираната меѓународна практика. And that practice over time will almost certainly be imposed in this case as well.

At the same time, the Agreement intervenes in the ethnogenesis of the Macedonian national identity, i. e. logically it changes. Namely, the “second party” of the Agreement politically and internationally-legally agrees, accepts and commits that the “chain” of ethnogenesis of the Macedonian national identity, the identity of the Macedonian people from the Preamble/Amendment IV, does not contain the Ancient/Ancient-Macedonian period. The “second party” agrees and accepts that this period is an exclusive part of the history, historical heritage and historical treasure of the “first party”. And when that ancient historical heritage and treasure, both ancient-Hellenic and ancient-Macedonian, is located on the territory/geography of the “second side”. And, in accordance with this provision of the Agreement, the “chain” of ethnogenesis of the identity of the Macedonian people, historical-civilizational, historical-cultural and historical-state, can begin exclusively with the (southern) Slavic “link”. All this is regulated in Article 7, item 1, item 2, item 3, item 4.

Indeed, this determination, definition and identification of the ethnogenesis of the Macedonian people is nothing new when it comes to the ethnogenetic concept that the modern Macedonian state has accepted since the very beginning of its formation, at the end of the Second World War. This concept was one of the main and key foundations of socialization, including political socialization. Although it should be

noted that practically in the first Macedonian constitution, the Rules/Constitution of the Macedonian Insurgent Committee, from 1878, in its Preamble states: “We all know that our unfortunate country Macedonia ... We rose up as supporters of freedom. With our blood that we shed through the fields and the mountains of Macedonia, we serve, like the Macedonian army of Alexander the Macedonian, for freedom with our motto: “Freedom or death! we decided to submit some rules from the Macedonian Insurgent Committee, i. e. the Constitution, according to which we will all be governed and we will all fulfill them until we liberate our entire homeland Macedonia.”⁵⁶

The Agreement fully and consistently formulates provisions that refer to the Macedonian language, of course as a supreme identity attribute, with special significance for the Macedonian national identity. Because the Macedonian language is the basic integrative cultural-sociological substance of the Macedonian national identity. By the way, religion and faiths are not, given the indisputable fact that the Macedonian national-identity fabric is actually divided along religious and faiths lines. And regardless of the quite pronounced asymmetry in the distribution of believers by separate religions and faiths. It is clear that a possible division of larger/”better” versus smaller/”worse” national-identity Macedonians cannot be made, based on their majority or minority religious and faiths affiliation. The Article 1, paragraph 3, paragraph c of the Agreement states that the official language of the Second Party shall be “Macedonian”, as recognized at the Third UN Conference on the Standardization of Geographical Names, held in Athens in 1977, and as as described in Article 7, paragraphs (3) and paragraph (4) of this Agreement. The difference between this formulation and the eventual formulation if only Macedonian language was written is quite clear. So without quotes. It is more than obvious that Language is treated as a kind of sociological-linguistic unnatural/artificial language, a language that is not a product of centuries-old sociological-linguistic and cultural-historical continuity. Rather, there is a treatment of Language as if it were the product of political and violent intervention in a certain cultural-historical and political-historical moment and in the same specific circumstances. The mere direct reference to the UN Conference at which

⁵⁶ Правила/Устав на Македонскиот востанички комитет, 1878 година/The Rules/Constitution of the Macedonian Insurgent Committee, 1878, https://mk.wikisource.org/wiki/Македонско_востание)

the Language was recognized, and the indirect allusion to the existence of an appropriate act at that Conference, quite clearly and obviously means that the “first party” recognizes in fact only the relevant act, the relevant decision of that Conference. And if the Conference did not exist, together with the act and the decision of the same Conference, then the language would not exist either, of course as a natural sociological-linguistic and cultural-historical identity. And then, in Article 7, paragraph (4) states that the Macedonian language (now without quotation marks) belongs to the group of South Slavic languages. Absolutely consistent and consequently with the national identity principle on which the Agreement is based, according to which the two national identities are strictly, fundamentally and substantially different, and according to which the national identity of the “other party”, including its language, not related to ancient cultural and historical wealth and heritage. The wealth and heritage for which the “second party” acknowledges and accepts that it belongs exclusively to the national identity of the “first party”, i.e. that it is part of it, on the “first party”, historical-national wealth and heritage. Overall, looking at and analyzing, it is more than obvious and clear that the Agreement is an international legal act whose subject matter has a fundamental and essential national-identity nature.

As for the Agreement with Bulgaria, it almost entirely contains provisions that have no national identity content and nature. However, the Preamble and its two articles contain provisions with a real negative, even destructive, effect on the Macedonian national identity. Thus, Article 14 states that the Agreement is signed in the official languages of the Contracting Parties-Macedonian language, in accordance with the Constitution of the Republic of Macedonia and Bulgarian language, in accordance with the Constitution of the Republic of Bulgaria. Binding the language to a political-legal act such as the Constitution has the same effect and meaning as elaborated previously in the section dedicated to the Agreement with Greece. Of course, with the same meaning and role of the Macedonian language for the existence, integrity and dignity of the Macedonian national identity. The certain symmetry in the formulation of the provision in the Agreement, ie the binding of both the Macedonian and the Bulgarian language on the constitutions of the states of Macedonia and Bulgaria, is only formal, superficial and false. Essentially, that provision is asymmetric to the detriment of the Macedonian language. Because there is an asymmetry in the denial of national identities between the two

parties to the Agreement. The provision would be symmetrical only if both sides symmetrically challenged each other's national identity. But in this case only the Bulgarian side disputes the national identity of the Macedonian party.

Then, in Article 8, item 2, of the Agreement it is stated that the parties will establish a Joint Multidisciplinary Expert Commission for Historical and Educational Issues (Commission), on a parity basis. The Commission should contribute to the scientific interpretation of historical events. The interpretation should be objective and based on authentic and proven historical sources. This provision openly suggests that so far historical events have been interpreted not objectively, an interpretation based on in-authentic and not evidence-based historical sources. This formulation, seen and understood by itself and as a provision that behaves symmetrically on both parties, does not contain/should not directly contain anything disputable, harmful and dangerous to the Macedonian national identity. However, the essential reversal of this provision after the integrity and dignity of the Macedonian national interest occurs when it intersects with Paragraph 9 of the Preamble of the Agreement. In this Paragraph is the phrase Common history, which connects/supposedly connected the two countries and their peoples. The core, the essence of the legal, sociological and historiographical problem in the Agreement, which has unforeseeable and immeasurable harmful and disastrous consequences for the integrity and dignity of the Macedonian national identity, consists in the absence of a concrete definition of the meaning of the phrase. This absence allows the Bulgarian side, on the basis of its stronger and more privileged position as an EU member, to impose on the Macedonian side the meaning of the phrase that directly, thoroughly and substantially degrades, devastates and deconstructs the integrity and dignity of the Macedonian national identity. Namely, the Bulgarian side imposes an interpretation and meaning of the phrase which suggests that it is essentially a common Bulgarian history of the two peoples, until 1944. Until then, when, according to the Bulgarian party, the new Macedonian authorities violently institutionally, starting from the First Session of ASNOM, politically and culturally-sociologically successfully formed a new national identity-the Macedonian. They allegedly did the same with the Macedonian literary language, allegedly formed on a part of the continuum of dialects of the Bulgarian language, as a basic national identity element and attribute of the new Macedonian national identity.

Thus, the work of the Commission is transformed into a work that has a fundamental and essential goal to change the Macedonian national identity, its integrity and dignity, based on the Bulgarian interpretation of the phrase common history. In essence, the origin, originality and self-sufficiency of the Macedonian national identity and the Macedonian language are denied. Of course, the Greek party has the same attitude. Practically, both the Greek and the Bulgarian parties accept that today there is a real and objective Macedonian national identity, it is a reality and it is an objectivity before which one cannot close one's eyes, but both sides claim that the modern Macedonian identity has no sociological-linguistic and cultural-historical origin, originality and self-sufficiency. Rather, it is the product of an artificial, political project of historical-civilizational and cultural-civilizational forcible formation of a new national identity. In any case without its own ethnogenesis. Because the Greek side with the Agreement with Greece received the ancient historical-civilizational and cultural-civilizational link from the chain of the Macedonian ethnogenesis, and the Bulgarian side on the basis of the Agreement with Bulgaria, primarily on the basis of the undefined meaning of the phrase common history in it, and through the work of the Commission, seeks to obtain all the remaining historical-civilizational and cultural-civilizational links of that chain of ethnogenesis of the Macedonian national identity.

6.0 Summary and Conclusions

These are four states that, among other things, are characterized by strong lines of conflict and their disintegration both as states and as societies. The overall constitutional order, including the political system, cannot function optimally if there is no political will and political culture for its/their optimal functioning. Social lines of deep opposition and conflict of real and diverse social interests, as particular social interests, including ethno-national relations as particular social interests, in the absence of an appropriate political culture and a total complex of political will, as a rule or almost without exception, they make impossible the democratic program definition and its practical daily implementation, realization and materialization. This problem in the cases of these states, their weakness as quite deeply divided states and societies along the lines of internal diverse conflicting social interests and the lack of political will and political culture for their proper and necessary balancing and

overcoming of the base and within the general state and social interest, very easily and efficiently multiplied by the external state and national interests, many clearly publicly set, suggested, argued and implemented as political and geopolitical interests. Political and geopolitical interests, both from the “reservoir” of regional and from the “reservoir” of the global structure and constellation of political and geopolitical interests, of course and (geo)economic and (geo)cultural, on the basis of their very real social superiority in relation the domicile state and national interests of these four states, manage to overcome the domicile state and national interests relatively easily and effectively, which as a rule, do not exist at the domicile political and geopolitical level as a determination, definition and concrete daily engagement of the domicile political establishments. A coincidence that in reality and essentially means their instrumentalization and abuse in favor of the heteronomous state and national interests. That overlap and that instrumentalization and abuse on the one hand is expressed and perceived through the constitutional-legal orders of these four inferior states, states that do not radiate but are subject to radiation of heteronomous influence, states that do not realize their project at strategic depth, but are an object/territory of realization of other , foreigne strategic depths. But also, on the other hand, it is precisely such constitutional-legal orders that gain autonomous social power in addition to at the constitutional-legal level to influence the deepening and multiplication of the lines of disintegration of the state and social tissues. At the very least, these constitutional-legal orders, (and) as extremely serious trump cards of influence of the heteronomous subjects of social power, effectively contribute to preventing the overcome of the domicile/autonomous lines of state disintegration, as well as of social disintegration. Overcoming disintegrations, which is of essential state and socially interest, is prevented. The mentioned lines of disintegration are at least formally domicile/autonomous, primarily in terms of their formal origin. The essence of the problem lies in their instrumentalization, their strengthening and acceleration by external state interests. Disintegration that sociologically necessarily and one-way legitimately represents the crucial and decisive entity and factor of power to prevent state and national social cohesion and functionality, inherently formed and developed as an essential state and national project around the pillars of basic state and national interests.

These general conclusions regarding the four countries can (and) be concretized in this way towards each of them:

- The B&H as a (con)federal state, under the Dayton Accords, is not an option desired by any of the three peoples in the State. For Bosniaks, B&H is desired as a unitary state, just as it is for the so-called international community (primarily USA), for Croats and Serbia an original national-political option is to join their home countries.
- The Montenegro as a state is crucified between the Montenegrin-Serbian national and state-building conflict. The concept of Montenegrin national identity is a typical relational concept of national identity in relation to and in conflict with the Serbian national identity. That is, the Montenegrin national identity can exist (only) as opposition, distance and distinction from the Serbian national identity.
- The Kosovo does not have (fully and qualitatively) accepted international legal and international political legality, identity and subjectivity. The Kosovo is not a member of the UN. The Kosovo's membership in the UN, as the end and as the crown of its international legal identity and subjectivity, in conditions of international legal effect of UN Security Council Resolution 1244/99, is possible only in conditions of re-establishment of a unipolar international order of power with the United States as the axis of such an order.
- The North Macedonia is disintegrated and dysfunctional as a state under the influence of two parallel destructive processes: the process of its (de/re) constitution as a binational Macedonian-Albanian state, and the process of destruction of the Macedonian national identity as a historical-civilizational and cultural-civilizational original, self-contained and self-existent identity. The Macedonian national identity is heteronomously (geo)politically imposed as a current and real existing identity, an identity of a demographic collectivity that really exists and lives in a certain relatively compact territory, but a national identity practically without its own ethnogenesis. That is, it allegedly has Bulgarian ethnogenesis. People who, with international agreements, voluntarily/"voluntarily" accepted that he will not/must not have a national minority, at least in two

neighboring countries-in R. Greece and in R. Bulgaria. That people, however, can have a diaspora, that is, they are allowed to have it.

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COMPARATIVE ANALYSES OF SOCIAL (DIS) INTEGRATION IN KOSOVO AND MONTENEGRO

Driton Maljichi

1.0 Historical Perspective

The Kosovo Conflict undoubtedly has much to do with history, as is generally acknowledged (Rogel, 2004). Most nations look at their past and identify particular events as defining moments in their national development. However, these events often lie well beyond the confines of what most scholars view as the beginnings of modern nations in the nineteenth century. In the case of Serbian nationalism, the battle of Kosovo on June 28, 1389, emerged throughout Ottoman rule and increasingly in the late nineteenth century as the fundamental mythical moment in the national past. The date the battle occurred, Vidov- dan (St Vitus's Day), subsequently became a critical marker on the Serbian national calendar (Bieber: 2002).

As Malcolm (1999) demonstrates, in Kosovo and the rest of the Balkans, political decisions are influenced less by what really happened than by the myths that have arisen from past events. It seems, therefore, appropriate to begin with a narration of the turbulent historical occurrences that this region has experienced in our attempt to trace the roots of this conflict. According to (Rogel, 2004), history has such a decisive role in this situation because both the Serbs and the Kosovo Albanians base the legitimacy of their claims concerning Kosovo almost entirely on historical myths regarding its genesis. The problem is that they have their own contrasting versions regarding many aspects that belong to the past.

On the 600th anniversary of the Battle of Kosovo, a prominent Serbian nationalist writer Beckovic (1989) said, "We have to announce that Kosovo is Serbian and that this fact depends on neither Albanian natality nor Serbian mortality. There is so much Serbian blood and so many sacred relics in Kosovo that Kosovo will remain Serbian land, even if not a single Serb remains there". In 1892 the Serbian Orthodox Church recognised the date of the Battle of Kosovo as an official religious holiday. The liberation/conquest of Kosovo itself followed in 1912 during the Balkan Wars, and the myth then gained new prominence and utility

in bolstering the legitimacy of the ruling Karadjordevic Dynasty (only enthroned as a consequence of a bloody coup in 1903) (Emmert, 1990).

The Kosovo myth itself is a complex construct comprising ideas, images, interpretations, and purposes centred on a single event – the battle on June 28, 1389, between the Christian armies under the leadership of the Serbian Knez Lazar Hrebeljanovic' and the Ottoman armies led by Sultan Murad (Mahajlcic, 1989). By neglecting the role of the myth as an instrument and being used by the agency represents a risk conceiving of it as the model of an embodiment of the Serbian nation, which is precisely the conception of the Serbian nationalist ideology, which is rejected in the texts as, for example, 'For a Heavenly Kingdom' by the Serbian historian Radovan Samardzic (Samardzic, 1989), where is described as below "Nations have their metaphysical core, with some this is impulsive and with others, it is hidden, sometimes even powerless. The Kosovo orientation is not [only] a national idea, but also a trait of character which makes a Serb a Serb."

The Kosovo Albanians point out that, while Kosovo was regarded as an integral part of the Serbian kingdom when the Yugoslavian state was proclaimed in 1918, it was not validly so. The 1903 constitution under which Serbia was operating required an agreement by the Grand National Assembly for any change to the frontiers of Serbia to become legal, and no such assembly was ever convened to discuss or ratify the extension of Serbia's borders to include Kosovo. It was not valid by the standards of international law either since it is required that when territory passes from one state to another by conquest in wartime the transfer has to be recognised by a treaty between the two states after the war, which never occurred according to Albanians. Conversely, the Serbs understand Kosovo Albanians' interpretation of Serbia's control over Kosovo after the Ottomans as Serbian occupation. They point out that rebellion from the Kosovo Albanian side existed openly against Serb authorities from the very start of Serbian rule.

Furthermore, they claim that a large-scale arrangement of colonisation existed that settled Slavs in areas inhabited by Albanians, a plan that included harassment in the form of confiscation of land from Albanian villagers intended to result in Kosovo Albanian emigration to Albania or Turkey. Indeed, many Kosovo Albanians did not mind the new Tito regime and its policies since it gave Kosovo a form of autonomy. They saw Tito as the man who reversed the Serbian oppression but claimed that

Albanians in Kosovo nevertheless had a second-class position during his reign (Malcolm, 1999).

However, the Albanians are equally convinced that, as descendants of the Illyrians, they are the original inhabitants of Kosovo. The Albanians consider theirs to be by far the stronger historical claim to Kosovo since their ancestors, the Illyrians, are known to have inhabited the area for several centuries before the arrival of the Slavs. The Albanian claim to Kosovo is also based on demography since they constitute more than ninety per cent of the population (Vicker, 1998). When ordinary Serbs learn to think rationally and humanely about Kosovo and more critically about some of their national myths, all the people of Kosovo and Serbia will benefit – not least the Serbs themselves (Malcolm, 1999). As Miranda Vickers (1998) writes: “Everything started with Kosovo, and everything will finish with Kosovo.”

2.0 Orthodox Cultural Heritage

Contrary to certain strands of secularisation theory, religion remains an important source of social identity and continues to have a significant presence in public life. Orthodoxy is a crucial component of the Serbian identity not only for the Serbs of Kosovo but for all Serbs around the world, and that is why it was given the status of special protected zones to orthodox religious sites. The Suffix of Kosovo - Metohija is a word of Greek origin meaning “the land under monastic administration”⁵⁷.

The Ahtisaari Plan (2007) also foresaw the establishment of special protected zones around key Serbian Orthodox religious sites to protect them from illegal construction and other threats. This special status has been particularly controversial in Kosovo, as its critics saw it as a form of extra-territoriality giving Belgrade direct control⁵⁸. Due to this situation, the government has been unwilling to pass the necessary legislation and, as a result, tensions between the authorities and Serb Orthodox churches and monasteries on the municipal plans that appeared to contravene the protected status.

⁵⁷ Metohija <https://historica.fandom.com/wiki/Metohija> Data Accessed: 07.01.2023

⁵⁸ Vetevendosje, “Letter to Quint Ambassadors” (September 8, 2012), at <http://www.vetevendosje.org/?cid=2,2,4973>; UN Security Council, “Report of the Secretary-General” (April 27, 2012)

The Ahtisaari Plan primarily protects the rights, identity and culture of Kosovo's non-Albanian communities, including establishing a framework for their active participation in public life. In addition, the plan sets forth provisions to safeguard the Serbian Orthodox Church in Kosovo. Protective Zones will surround more than forty critical religious and cultural sites to preserve their dignity. In addition, the Serbian Orthodox Church will be granted property rights, exempted from taxes and customs duties, and free to maintain links with the Serbian Orthodox Church in Belgrade.⁵⁹ The most important Orthodox religious places, such as the Decani monastery, enjoy an extraterritorial status and are under international protection. Four of these gems of world heritage - the Monastery of Dečani, the Patriarchate of Peć, Gračanica, and the Church of Our Lady of Ljeviš - are now all on UNESCO's List of World Heritage Sites in Danger.

Kosovo is not a member of UNESCO and has a problem requesting the introduction or change of the status of any of its monuments. All four Orthodox religious sites are registered with UNESCO at the request of Serbia. However, those in the highest world heritage organ are registered as Orthodox religious monuments.

The Serbian Orthodox Church in Kosovo and the Kosovo Government are at odds over the Church's claimed holdings. Cultural issues are particularly divisive due to their economic, historical and territorial implications. The Orthodox cultural heritage in Kosovo is an economic resource due to the crucial tourism opportunities it may generate. For many Albanians, however, "the [r]ecognition and inclusion of Serbs in the protection of these sites also [...] represent recognition of a Serb claim about the historic right over territory" (Lončar, 2016).

The discourse on Kosovo's Serbian Orthodox Church heritage sites inevitably draws on history and historical claims. Therefore, "while Serbs claim that Orthodox sites in Kosovo represent markers of the Serbian state and national identity, Albanians claim to be direct descendants of the Illyrians, " suggesting that they have a longer history in Kosovo than Serbs (Jelena, 2016). As most modern autocephalous Orthodox churches are national churches (such as the Serbian Orthodox Church)⁶⁰,

⁵⁹ Summary of the Comprehensive Proposal for the Kosovo Status Settlement <https://2001-2009.state.gov/p/eur/rls/fs/101244.htm> Accessed: 02.06.2021

⁶⁰ Encyclopaedia Britannica. Autocephalous Church: Eastern Orthodoxy. Available online: <https://www.britannica.com/topic/autocephalous-church> Data Accessed: 07.01.2023

some are limited only geographically and include the territories of several states. Annex V of the CSP has recognised the Serbian Orthodox Church in Kosovo as “an integral part of the Serbian Orthodox Church seated in Belgrade” and therefore is part of the religious institution, not the state. Although the emphasis on the Church as an institutional actor throughout SOC has subsided, interconfessional hostility persists. Among the Orthodox Christian community, in particular, this hostility is further amplified by disputes of ecclesiastic jurisdictions closely related to identity and nation-building (Aleksov, 2022). The Serbs’ relationship with the Orthodox Christian religion is one of the main elements of Serbian national identity, as mentioned by Perica (2004) when referring to religion as a landmark of national identities, in addition to the concept of ethno-clericalism in the Balkans.

Honour the Kosovo Institutions’ pledge that “the Serbian Orthodox Church will remain the sole Christian Orthodox organisation in the territory of Kosovo”. A few years after the declaration of independence and the solemn pledge of full implementation of the Ahtisaari provisions, the government reiterated the same promise in circumstances which led to what many observers consider as the most significant setback in the history of the country, that is, during the campaign for UNESCO membership. This time the pledge took the form of an official “Letter of the Institutions of Kosovo” addressed to the member states of UNESCO, dated October 7, 2015, and signed by the President of the Republic, the Prime Minister, the Speaker of the Assembly, and the Foreign Minister. The fact remains that the SRCH was the pivotal issue of what turned out to be the first confrontation of Kosovo with Serbia in the international arena. That should serve as a warning and a cautionary tale, as Kosovo and Serbia are now getting ready to face each other at the negotiating table to reach a historic “legally binding agreement” to normalise their relations. Among the renewed commitments made in the Letter, it is pertinent here to retain the following: the GoK stated that it “[would] continue to abide by the Annex 5 obligations of the Ahtisaari Plan [...] that provide the Serbian Orthodox Church constitutional protection of its identity, property and special relations with Serbia”; also that it “[would] consult with [...] the Serbian Orthodox Church [...] before amending the Law on Cultural Heritage or related regulations”; furthermore that “[t]he Serbian Orthodox Church [would] remain the sole Christian Orthodox

organisation in the territory of Kosovo, enjoying full legal persona, granted by the new Draft Law on Religion ⁶¹.

Regarding Kosovar perspectives on Orthodox cultural heritage, Drançolli (2010) speaks about the historical dimension of the development of religion in Kosovo. He suggests a chronological boundary of catholic and Orthodox sacral buildings in Kosovo that could be divided into pre-Serbs (buildings) (Ilirio-Arberore and Byzantine) and Serb (buildings) during the XIII-XIV century. (Surlic, 2017) states that this perspective can challenge “the existence of the rich cultural and historical heritage of the Serbs in Kosovo, with frequent new historical interpretations that the monasteries were built on the foundations of Illyrian temples [...]” even though he confirms for some of them to be built on the foundations of old temples but that “those were the remains of Byzantine-era churches, which is a phenomenon typical of the ‘Byzantine Commonwealth’”

3.0 New National Identity

The Albanian sense of victimhood became an important aspect of their collective identity during Milosevic’s leadership. Following the war in Kosovo and independence, the same thing is happening with Serbs in Kosovo: their collective identity is founded on victimhood, i.e., always attempting to blame one another for wrongdoings committed against one another. According to Ingimundarson (2007), the United Nations Interim Administration Mission in Kosovo (UNMIK) sought, from the beginning, to define Kosovo’s identity in terms of multi-ethnicity. However, the Kosovar Albanian political elite and Kosovar Albanians, who constitute ninety per cent of the population, never accepted attempts by UNMIK and the “international community” to make “multi-ethnicity” the defining political identity of Kosovars.

Two different theoretical frameworks about the conception of national identity are Anderson’s (1983) and Bourdieu’s (1994) notion of “habitus.” Beginning with the assumption that the nation is an “imagined political community” (Anderson, 1983), it is possible to see national identity as a construction that does not heed political borders, that it is a community that exists in the minds of those who believe in it. Anderson

⁶¹ Kosovo Institutions (2015), ‘Letter of the Institutions of Kosovo.’ Available at: http://kryeministri-ks.net/repository/docs/Letter_to_UNESCO_National_Delegations.pdf [Accessed on: October 14, 2022].

(1983) emphasised the ability of those within the imagined community to distinguish themselves from others and to be able to identify one another whether within the borders of the territory or not; this presupposes a collective culture to begin with and one that is constructed in the minds of those who belong to it. On the other hand, the theoretical understandings of nationhood and nation-building in Anderson (1983) and Bourdieu (1994) suggest that more is needed to assume that those living within a country's borders see themselves as members of that nation-state.

The struggle of Albanians in the SFRY, especially those in Kosovo, to have their national status recognised in federal terms and the political implication and subsequent denial of such status within the SFRY further strengthened the Albanian identity. Considering the political circumstances in the SFRY and the differences between them and the surrounding Slavic communities, the general Albanian identification was something natural and an uncompromising social and political element not only in Kosovo but also for Albanians living in the SFRY republics of Montenegro, Serbia, and Macedonia. In this context, Kosovar identity existed merely as a regional identity that Albanians living in Kosovo would use to emphasise a closer geographical identification between themselves. Albanian national identity was an element that kept the Albanians in the SFRY tied to Albania, at least in a virtual and often an emotional way (Mehmeti, 2017)

In order to understand Kosovo's ethnic groups today, one needs to consider the differences that construe Albanian and Serb identities in terms of religion and language. For Serbs, identity is primarily moulded around their Orthodox Christian religion, and the Orthodox Church is firmly entwined with what is now a Serb identity in the Balkans (Judah, 2008). For Serbs, language, however, is not identity-defining as Serbs use the same language as Bosnians and Croats, although with regional variations (Judah, 2008). For Albanians, culture and language are identity-defining as they are distinctive and unify Albanians throughout the Balkans. Religion, however, does not define Albanian identity because, although most Albanians are Muslim, there are also Catholic and Orthodox Albanians. In Kosovo, Albanians speak Albanian, and Serbs speak Serbian. Because of this difference, both Albanian and Serbian languages have been officially recognised as formal languages in the new Kosovo (Assembly of Kosovo, 2001)

The secession from former Yugoslavia and the declaration of independence in 2008 led to the creation of the newest national identity in Europe, the Kosovar Identity, as an overarching identity that gathers various ethnicities and religions. To provide a national identity free from ethnic references (especially for Albanians and Serbs), symbols of the new republic have all been neutrally designed. This includes a text-free anthem with only instrumental music, to exclude possible ethnic biases in wording. The flag is pale blue, resembling the European Union flag, with Kosovo's map at the centre to symbolise the territorial compactness of the country's fragile borders. The top of the flag is arched with six white stars, each representing a formally-recognised ethnic group in the country. As such, these important symbolic means of representation for the Kosovar identity provide a vague identification for all ethnic groups (Maloku. E Van Laar. C, 2016).

The dominance of the Albanian language, coupled with cultural and security issues, led Kosovo Serbs to perceive Kosovo as an Albanian state which hides behind multicultural and multi-ethnic discourses. Kosovo Serbs rely on Serbian institutions, which acquire a crucial role in their survival within the territory. The importance of Serbian institutions and their central role in the survival of the Serbian community in Kosovo. The interaction between history textbooks' narratives and the enclaved environment contributes to anchoring a Kosovo Serb exclusive identity based on territory and the orthodox religion. She shows that the Serbian parallel educational system participates in the emergence of a Kosovo Serb identity closely related to the Serbian one—the kin state—but divergent in some respects from it. This identity opposes the Albanian one but does not necessarily contradict a Kosovo identity, as Kosovo territory is central to the definition of a Kosovo Serb identity. The isolation and marginalisation that result from Kosovo Albanians' resistance to a multi-ethnic Kosovo engender a refusal from Serbs to identify with Kosovo as a formal entity and society that they perceive foremost as an Albanian entity (Fort, 2018).

Serbian educational parallel structures thus appear as a solid mechanism to resist what Kosovo Serbs perceive as a multi-ethnic Albanian state. Serbian history textbooks almost entirely neglect Albanians, which appear only a few times throughout the textbooks from fifth through eighth grade (Gashi, 2016). They also present Kosovo Serbs as part of the Serbian nation. Through the everyday use of Serbian textbooks in schools

(notably history and geography), Kosovo Serbs resist multi-ethnicity and their integration within the Kosovo entity but also perform an identity that diverges from the entity in which they evolve.

The previous developments show that the marginalisation resulting from Kosovo Albanians and Serbs' resistance to multi-ethnicity participates in the sustainability of a Serbian identity in Kosovo. However, a divergence arises between the sustainability of Serbian identity and those Serbs who mainly present themselves according to their religious identity to secure their survival and reach a positive categorisation within the Kosovo entity (Fort, 2018).

4.0 Discussion

Men often hate each other because they fear each other; they fear each other because they don't know each other; they don't know each other because they cannot communicate; they cannot communicate because they are separated.

Martin Luther King, Jr ⁶².

The primary purpose of this qualitative research is to detect the main factors that influence the impact of social integration or disintegration in Kosovo and Montenegro concerning ethnic differences. In this research, a comparative analysis will be made of these two multicultural societies and their challenges in social integration. The idea is to compare these two societies and elaborate on their similarities and differences. In Kosovo and Montenegro, we focus on identifying social integration problems, focusing on the socio-political and sociocultural aspects. In the socio-political aspect, the focus was placed on national identity, while in the sociocultural aspect, the focus was on ethnic differences.

There is a lot of literature on the ethnic and demographic conflict in Kosovo between Serbs and Albanians. It swings between Serb and Albanian perspectives, similar to Montenegrin and Serbs in Montenegro. Almost every point made by one side is contested by the other, with both sides sometimes making the same argument in different ways.

⁶² Martin Luther King Quotes <https://libquotes.com/martin-luther-king-jr/quote/lbq5d0v>
Data Accessed: 07.01.2023

The research confirmed that Kosovo's current state of affairs was built in the past when the Kosovar Albanians proclaimed that they were descendants of the Illyrians and were the original inhabitants of Kosovo. At the same time, the Kosovo Serbs were called to the Kosovo Battle during Ottoman rule.

At the sociocultural level, the research elaborated on the ethnic and cultural differences and lines of division that impact people's lives and the relations between ethnic groups. The main factor of the division is primarily due to the different perceptions of the past – the historical perspective about new national identity and religious differences, which are dominant in the relations between the Kosovars and the Serbs. National and ethnic issues and relations between the nations of Kosovo are regulated by the Constitution.

Kosovar society before and after its independence still cannot be considered a society for all, but a society divided between them and us. Except for Kosovar society being divided after the independence and especially between Albanian Kosovar and Serb Kosovar, Kosovo's independence has divided the world between those who have recognised Kosovo and those who continue not to recognise it and oppose Kosovo's independence. After independence, it resulted in creating a state identity, but Kosovo still does not have an international identity. One hundred seventeen (117) countries have so far recognised Kosovo, while Russia and China from the Security Council and five countries from the European Union, Spain, Slovakia, Cyprus, Greece, and Romania continue not to recognise Kosovo's independence. In Kosovo we have a clash between legitimacy, the legitimacy of the Albanian majority and attempt from the Serbs of Kosovo and Belgrade to deny that legitimacy.

Nevertheless, Kosovo and Bosnia and Herzegovina continue to be part of extended international protectorates. Kosovo continues its struggle for international recognition and its membership in the UN, and its orientation favours Euro-Atlantic structures. In Kosovo and other Western Balkan countries, such as Montenegro, Bosnia, Macedonia, and Croatia, good inter-ethnic relations depend on inter-state relations with Serbia. Kosovo and Bosnia are unfinished states because of their existential conflict with Serbia, especially because of the non-resolution of this state with Serbia.

Without a doubt, a country with good ethnic relations would be able to continually improve the cohesiveness of its people through

positive internal integration, lowering administrative and operating costs, enhancing the productivity of social and economic organisations, and increasing its economic capacity. Therefore, the situation can still be described as a frozen conflict.

Post-war and post-independence social conflict in Kosovo remains a hot topic in the country. Memories of the 1998-99 conflict are still fresh in people's minds, not to mention memories of earlier times. With local Serbs and Kosovars traditionally nurturing different memories of the recent and distant past, reconciliation has proven difficult. Most Serbs in Kosovo continue not to speak Albanian, as it is not taught in Serbian schools following the curriculum of Serbia—the only schools available in Serbian—and have little everyday contact with Albanians. As a result, not only is the segregation of the communities preserved, but Serbs have few opportunities in mainstream Kosovo society, reinforcing the divide. Unifying Kosovar curricula will promote interethnic relations by eradicating stereotypes and prejudices and, most importantly, preventing social conflict between Kosovo Albanians and Serbs.

Kosovo, as one of the youngest countries in the world, in terms of the constitutionality of regulating the functioning of minorities, is regarded as one of the countries that have controlled it best. On the other hand, the Ahtisaari plan (2007) and the Brussels Agreement (2013) had a more direct impact on Serb-Albanian relations, both through reserved seats in parliament for Serbs (called “positive discrimination”) and the integration of Serbian institutions into Kosovo institutions (which the Serbian community was not ready for).

According to the analysis of sociopolitical and sociocultural factors, several factors obstruct social integration that affects the position of Kosovo - beliefs about history, Serbian Orthodox heritage and the creation of a new national identity. Other factors that are part of the analysis in the discussion part are the association of Serbian municipalities that originates from the Brussels agreement, the influence of the dialogue between Pristina and Belgrade, the Serbian parallel and the living of Serbs in enclaves.

In terms of historical context, it has been examined how history and the production of myths are one of the primary causes of social conflict and non-integration. The struggle has been dubbed “the cradle of Serbian nationhood.” The Kosovo myth is a complex web of ideas, images, interpretations, and motivations centred on a single event: the

Battle of Kosovo in 1389. Regarding the historical aspect, Kosovars and Serbs have a significant conflict regarding their autochthony in Kosovo. The historical factor is one of the most critical factors in Kosovo's social crises, even though it is rarely accepted. Kosovars continue to believe that they are autochthonous people in their lands. The historical aspect for Kosovo Serbs is also related to their religious holidays, such as Vidov Dan. In addition to the historical aspect, Serbs are also connected to Kosovo in the emotional aspect. Kosovo continues to be a holy place of Serbian civilisation.

The Orthodox religion appears crucial in securing Serbian identity in Kosovo and Serbia. In non-Serbian majority places, it emerges as a fundamental identity around which Kosovo Serbs classify themselves. The Serbian Orthodox heritage of Ahtisaari's plan is related to its property. Kosovars and Serbs, apart from speaking differently, also differ religiously. 95% of the Albanians of Kosovo belong to the Islamic confession, while the Serbs are related to themselves as Orthodox and belong to the Serbian Orthodox Church. Even for this point, there was a judicial process in which the court came out with a decision that the property belongs to the Orthodox Church. Orthodox Cultural heritage is part of the Ahtisari Plan (2007). Its critics see this part as extraterritorial within the state of Kosovo. Kosovars think that during the time of Serbia, the property of its citizens was misused a lot, and many of their social and private properties passed into the ownership of the Church.

The Albanian identity in Kosovo remains strong, and it seems that it will continue to be so for a period of time, although one can never be certain that such an identity is not on the move. The nationalists' primordial ideological construction that the Albanian nation is a naturally given entity is seriously challenged.

Whether Kosovar identity will develop as a regional, political, legal or national identity depends on internal, regional and international political developments that may affect it. The position that Kosovar identity today is a national identity may be a premature conclusion mostly because Kosovo state is still in its initial phase of consolidation and has yet a long journey to develop as a sustainable independent state. Violent identity politics, including an episode of ethnic cleansing in the last Kosovo War, have constantly characterised the Experience of the Albanian population in the SFRY. The relevance of such experiences is mainly related to the strengthening of the Albanian identity. Meanwhile, the Serbian branch

does not aim to create a Kosovar national identity precisely because the Serbian government does not see Kosovo as a nation-state but as a part of Serbia.

The University of Oslo conducted an empirical study on the creation of national identities in 2011 in the Western Balkans (Nation Building: Kosovo, 2011). The findings were published in Albanian also. The survey of this study, conducted in the second half of 2011, engaged 1389 respondents of Albanian ethnicity. The survey found that 83% of respondents wished that future Kosovo were a fully independent state without any international supervision, 3% with international supervision and only 14% as united with Albania. On the statement that they agree that there is a Kosovo nation, 23% disagreed (fully or mostly), and 63% agreed (fully or mostly). However, respondents primarily identify themselves as Kosovo Albanians 55%, Kosovars 26% and Albanians 19%.

The Kosovar Institute for Policy Research and Development (KIPRED) published a study in 2016 on the impact of religion on ethnic identity, where they conducted a public opinion analysis. The survey engaged 1000 respondents of Albanian ethnicity. In the question, ‘Which from these categories describe best how you feel?’ 44% responded as Albanian, then Kosovar, 32% Kosovar then Albanian, 17% Albanian and 7% Kosovar. This change of public opinion in 5 years suggests that the existence of Kosovar national identity remains blurry due to Albanian identity being in a central position and due to the fact that Kosovo is still not consolidated as a stable political and economic entity (Peci A. D., 2016).

Based on data from the NGO AKTIV in the research done (Marinkovi & Milievi, 2020) on the Trend Analysis - Serbian Communities Attitudes. Below we can read some questions which are linked directly to our research.

DO YOU HAVE A PERSONAL IDENTITY DOCUMENT
ISSUED BY KOSOVO INSTITUTIONS?

4.1 Kosovo

The trend established in previous years, in the form of a steady increase in the number of inhabitants from the Serb community in Kosovo who have personal documents issued by the authorities in Pristina, was

confirmed in this year's survey. Only three years ago (2017), almost 40% of Serbs (mostly from northern Kosovo) said they did not have documents issued by Pristina institutions. Today (2020), that number has dropped to 10.7%. The data indicates that the de-stigmatisation of the trend that has long dominated the Serb communities in the north of Kosovo and was assessed as harmful to the interests of the Serb community is at work, which testifies to the growing institutional integration of the Serb community. The Kosovo Government in 2017 banned the use of ID cards issued by dislocated police directorates from Kosovo as well as crossing the border with Macedonia and Montenegro for persons holding a passport issued by the Coordination Director of the Ministry of Interior Affairs of the Republic of Serbia.

ON A SCALE OF 1 TO 5, WHERE 1 IS "EXTREMELY BAD" AND 5 IS "EXCELLENT", RATE THE CONDITION OF CURRENT INTERETHNIC RELATIONS BETWEEN COMMUNITIES IN KOSOVO

The trend of improving the ethnic relations between Serbs and Albanians this year is confirmed by a direct question to the respondents to rate them on a scale from 1 to 5. Thus, the average score from 1.95 in 2019 increased to 2.23 this year (Table 13). This shows that there is a positive trend but also that there is still plenty of room for improving ethnic relations in Kosovo. There is also an improvement in relations between Serbs and other ethnic communities (Bosniaks and Gorani).

The association is vital to the dialogue between Kosovo and Serbia, and the international community expects Kosovo to continue with the dialogue and to implement what it has already committed to. However, Kosovar Albanians think the Serb Association should be structured similarly to the existing Association of Kosovo Municipalities.

The Association of Municipalities is part of the agreement between the governments of Kosovo and Serbia in the Brussels Agreement (2013). Even after ten years, this agreement has not yet been implemented. Apart from being so politicised, the association has also polarised Kosovar societies, between those who have signed it and those who are against it. There was also a judicial process that concluded that the concept of association of municipalities is outside the constitutional, juridical and

political system, which would damage the Constitution of Kosovo. The intention of territorialisation is synonymous with isolation, and for an ethnic Serbian territorial continuity within Kosovo, through which Belgrade will continue to control the Serbs of Kosovo, the association can be seen as the Serbian Republic in Kosovo. The Association of Municipalities enables Serbs to feel safer and live more independently from Serbia.

The dialogue process between Pristina and Belgrade continues to be one of the most important topics for Kosovo and Serbia. The dialogue process has been politicised within the two societies and has always been part of the pre-election campaign of the political parties. The aim of the dialogue is reconciliation between Serbs and Kosovars and mutual recognition between the two states. Undoubtedly, as long as these people do not find a solution, this especially affects the Kosovo Serbs, who are still not integrated into the Kosovar society. In Kosovo, due to the bad relations with Serbia in the dialogue process, the Kosovo Serbs have boycotted all state institutions in Kosovo. Not finding a solution among these people is always referred to as a frozen or open conflict. This is one of the reasons why Serbs in Kosovo, without a final solution between Prishtina and Belgrade, don't know their fate. In the research about Citizens' perceptions on Kosovo and Serbia dialogue and Identity issues (2021) from Kosovar Center for Security Studies and Belgrade Center for Security Policy, citizens' perceptions are diametrically opposed. While 77% of the Kosovo citizens believe that the best outcome of the dialogue would be mutual recognition between Kosovo and Serbia in the existing borders, 48% of the Serbian citizens believe it should return Kosovo to Serbia with broader autonomy.

Parallel structure arrangements have had and continue to have negative consequences. Individuals in the northern part of the country are not safe. There is a lack of strong institutions, which therefore work at a reduced capacity. On the other hand, organised crime and population intimidation are rampant, as is a lack of freedom in many places and corporate extortion. Security and freedom of expression are also lacking in the northern region of Kosovo. Parallel structures are more prevalent in Kosovo's north, particularly in areas populated primarily by Serbs. Citizens interpret the establishment of parallel structures in Kosovo as Serbia's presence in Kosovo. Despite the fact that Kosovo is known as a state with positive discrimination, Serbian paramilitary structures still

operate in Kosovo in the framework of health, education and security. If it is analysed on a daily basis between the Serbs of the north and the Serbs of Gracanice (Fridman, 2015), we will see that those of Gracanice are more integrated within the Kosovar society. The northern Serbs are not integrated into the Kosovar society, and often this community is a victim of organised criminal groups. A significant number of Serbs are directly dependent on income from Serbia.

4.3 Montenegro

Montenegro is a country with no ethnic majority. Montenegro is defined as a civic state that is not ethnically limited to any ethnic group. In contrast to the rest of former Yugoslavia, Montenegro has avoided war and has not seen inter-ethnic relations damaged by ethno-nationalist mobilisation. For years, Montenegrin identity was defined by geography rather than nationality, but after the country attained independence in 2006, many citizens who had previously identified as Montenegrin declared themselves Serbian, and in some cases, Croatian. Another issue that confronted Montenegro at the time was the need to constitutionally establish the Montenegrin language as the official language and national identity.

One hundred eighty (180) countries recognised Montenegro as a sovereign state. Protests against the Montenegrin government's decision to join NATO have taken place on a wide scale. Montenegro has been a member of NATO since June 5, 2017, and his goal is to join the European Union. Montenegro does not face the same problems as Kosovo, and it isn't as important to Serbia as Kosovo. Compared to Kosovo, Montenegro is a member of the United Nations, a member of NATO and has a status of a candidate for the European Union.

The Balkans are synonymous with these bitter ethnonational disputes. While their roots lie in complex socio-historical factors, the exploitation of ethnonational differences in the region is a function of something more fundamental: national power and strategic orientation. By contrast, the tense stand-off in Montenegro shows that sharing a religion and having no recent history of fighting is no guarantee of ethnonational harmony – where there is no consensus on the over-arching order. For thirty years, Montenegrin society was divided on the basis of ethnicity and religion. One of the greatest obstacles to Montenegrins

moving forward is their history. The origins of Montenegro's two major communities, Montenegrins and Serbs, always have been seen differently. Montenegrins have traditionally desired to be distinguished from Serbs.

The Montenegrin case can also be analysed on two levels: the sociopolitical and sociocultural, as factors influencing Montenegrin society include the historical aspect, the national identity, the linguistic identity and the Orthodox cultural heritage. It's critical to look at current interethnic relations without returning to the past, particularly in a country like Montenegro, with its historical links to Serbia. The historical perspective is influencing the regulation of current inter-ethnic relations between Montenegrins and Serbs. The historical aspect became one of the key concerns, particularly after Montenegro's independence. From a Montenegrin perspective, they have always distanced themselves from the Serbs, something that the Serbs deny. Two major communities in Montenegro perceive the historical perspective differently.

As for the socio-political level, the main findings show that today's situation in Montenegro is built on several events from the past. In the 12th century, Montenegro was incorporated into the Serbian Empire. The Serbs were, however, defeated by the Ottoman Empire in the famous Battle of Kosovo in 1389, and Montenegro attained independence. Due to frequent confrontations with the Ottomans and Albanians, it formed an alliance with Russia in the 18th century.⁶³

In the Balkan Wars of 1912-13, Montenegro was a member of the Balkan League and fought against the Ottoman Empire⁶⁴. Later on, it was absorbed yet again into Serbia and became part of the Kingdom of Serbs, Croats, and Slovenes in 1918 (Yugoslavia from 1929).⁶⁵ In this new state, the Montenegrins belonged to "the other people" who were not mentioned in the state's name and who were not really asked about the founding of this new state.

At the sociocultural level, one can analyse ethnic differences and divisions in society, which have a significant impact on people's lives and relationships. The main factor of division, apart from the historical aspect,

⁶³ Constituent Republic of Serbia and Montenegro. Published: 16.05.2006
<http://www.britannica.com/ebc/article-9372526> Data Accessed: 07.07.2021

⁶⁴ <http://www.onwar.com/aced/data/bravo/balkan1912.htm>

⁶⁵ Montenegro - State is born. Published: 02.08.2007
http://www.transnational.org/SAJT/forum/meet/2006/Wiberg-Oberg_CG-born.html Data Accessed: 07.07.2021

is the linguistic, national and religious identity. The marginalisation of consciousness leads to its basic foundation of history, tradition, language and even religion being exposed to changes influenced by political interest, which can jeopardise the basic values and ways of life of each of them. Relations between communities in Montenegro are defined by the Constitution.

4.3.1 National identity

After the independence in 2006, deep division emerged within Montenegro between Montenegrin and Serbian. In Montenegro, the subject of identity is one of the most contentious. Serbs have kept this issue hidden as a secret identity. Following Montenegro's independence, charges against Montenegrins began. Is there a difference between them and the Serbs, or are they the same people? In Montenegro, there is a social conflict over identity concerns between Montenegrins and Serbs. The percentage of Serbs in Montenegro has increased while the percentage of Montenegrins has dropped. Most Montenegrins closely identify themselves, therefore, with the Serbs through common historical and cultural ties. Indeed, the majority of Serbs consider Montenegrins to be "Mountain Serbs", and most Montenegrins regard themselves as Serb in origin ⁶⁶. The reason for this is that they share many characteristics, despite some existing differences. Not all Montenegrins like to consider themselves identical to Serbs; many feel resentment towards Serbian efforts to minimise their national distinctiveness and have instead strong Montenegrin national feelings ⁶⁷. There are also those that regard themselves to be the noblest and bravest Serbs since the Montenegrins were the only clan amongst them that managed to defend their autonomy throughout the Ottoman period ⁶⁸.

Montenegro's inhabitants are in many ways divided into two factions, not always directly opposite to each other but still clearly

⁶⁶ Montenegrins - Orientation

<https://www.everyculture.com/Europe/Montenegrins-Orientation.html> Data accessed: 05.05.2021

⁶⁷ The People of Yugoslavia

<http://www.montenet.org/geograph/youpeople.htm> Data accessed: 06.05.2021

⁶⁸ Montenegro - State is born. Published: 02.08.2007

http://www.transnational.org/SAJT/forum/meet/2006/Wiberg-Oberg_CG-born.html Data Accessed: 07.07.2021

separate. This split is very evident when it comes to the Montenegrin Identity, that is, what it really is and means to be a Montenegrin. To be sure, many people living in Montenegro consider themselves Serbs in ethno – national terms. For them, “Montenegrin – ness” is a geographic – historical subcategory of “Serbian – ness”. On the other hand, many Montenegrins do share, for the most part, the same ethno – religious background as the Serbs. Separate “Montenegrin -ness” is, however, backed up by political history, a unique mountain lifestyle and a traditional society based on clan and tribe membership (Pavlović, 2008). A Montenegrin cultural identity can be said to have existed already for centuries. The Montenegrin government increasingly sought to differentiate the country from neighbouring Serbia. The Montenegrin identity is fused with and dependent upon an independent state incorporated into Western institutions. Montenegro cannot achieve this without wholesale reform, which depends in large part on achieving a formula for coexistence between the country’s two largest groups, Montenegrins and Serbs. The independent identity of Montenegrins, and the country’s sovereignty, rest wholly on incorporation into the institutions of the West. Without the Western anchor, Montenegrins can become a regional subset of the massively larger Serbian Orthodox population. In a public opinion poll conducted by the De Facto Consultancy agency for the needs of CDT in the period from September 16 to October 18 (2020) October on a sample of 1000 respondents, 64.1 per cent of respondents believe that Montenegro should be defined as a civil state, while 21.1 % of them would define it as a state of the Montenegrin people and other citizens living in it, 11.3 % as a state of the Montenegrin and Serbian people and other people living in it, 2.4 % as a state of the Serbian people and other citizens who live in it while and 1.1% have no attitude towards this issue ⁶⁹.

4.3.2 Linguistic Identity

When Montenegro finally gained Independence in 2006, language questions became one of the most challenging issues to resolve when drafting a new constitution for the country. Controversy over ethnic and linguistic identity in Montenegro is an ongoing dispute over the ethnic

⁶⁹ Two-thirds of citizens want Montenegro as a civil state: Published: 03.11.2020. <https://en.cdtnn.org/2020/11/03/two-thirds-of-citizens-want-a-civil-montenegro/> Dara Accessed: 05.05.2021

and linguistic identity of several communities in Montenegro, a multi-ethnic and multilingual country in Southeastern Europe. There are several points of dispute, some of them related to the identity of people who self-identify as ethnic Montenegrins, while some other identity issues are also related to communities of Serbs of Montenegro, Croats of Montenegro, Bosniaks of Montenegro, Albanians and ethnic Muslims of Montenegro. All of those issues are mutually interconnected and highly politicised. The overall language situation in Montenegro is complicated and difficult; the language question is very politicised, and declaring oneself a Montenegrin speaker is often considered a political statement. For them, being a Montenegrin speaker is more like a responsibility to their country and people.

4.3.3 Orthodox Cultural Heritage

Religion and national identity are particularly closely linked in the Western Balkans. This can lead to deep tensions and disputes. The Montenegrin government increasingly sought to differentiate the country from neighbouring Serbia. Language is obviously one element, culture and shared history. Religion can also be an essential part of how peoples and countries define themselves. This is particularly the case in many predominantly Christian Orthodox Countries. The Church often came to be intrinsically linked to the sense of nationhood. An institution that was once a unifying factor for a nation can become hugely divisive as separate states emerge.

For many in Montenegro who identify as Montenegrin, the lack of a separate Montenegrin Church is seen as an important cultural impediment to their political independence. For many Serbs in Montenegro, the effort to establish a separate church represents a political initiative aimed at severing deep-rooted historical and cultural ties that go back centuries. There is historical debate about nations and the historical and political movements all across Montenegro, but the Serbian Orthodox Church does recognise Montenegro as an independent state, resulting in an ongoing debate. Despite their growing cultural and political differences, religion remains the one area where the two countries, Montenegro and Serbia, remained interlinked. For many of those who identify as Montenegrin, the fact that the national Church remains part of the Serbian Orthodox Church is seen as a challenge to both their cultural and political independence.

In Montenegro, minorities make up more than 20% of the population, and Serbs perceived those minorities as the main factor that brought thought independence to Montenegro. Minorities in Montenegro have played a positive role in its independence to separate from Serbia, compared to the Serbian minority in Kosovo, which has been against and continues to be against its independence. However, it could be said that any practice that can contribute to the improvement of ethnic relations and to the protection of minorities could be considered a positive practice.

5.0 Conclusion

Interethnic relations in Kosovar society are generally better than they were after the war and after the country's independence in 2008. However, their relationship has been up and down (mostly down) over the last 21 years due to recurring incidents. The Serb community in Kosovo and the government in Pristina have a long history of distrust. Belgrade continues to have a strong influence over Serbian citizens, which is one of the main reasons Serbs do not integrate and do not see Kosovo as their state. The rebuilding of trust and reconciliation between the two communities are fundamental prerequisites for inter-community peace. The existence of parallel structures on Kosovo's territory obstructs the complete integration of Serbian society into Kosovo's institutions. Normalising relations between Kosovo and Serbia will have a significant effect on the Serb community's integration into Kosovo society. Mutual recognition between Serbia and Kosovo, named the "century deal," will have a significant impact on the friendly interethnic relations between Kosovo Serbs and Albanian Kosovars.

Montenegrin society is captured by political parties. The Montenegrin state is conditioned more by the ethnic principle rather than by that of the civic identity of its population. The conflict between Montenegrins and Serbs was political, not ethnic. The ethnic makeup of the Montenegrin population is not stable and has changed. The national identity of Montenegro has continuously resided on the conflict between Montenegrin vs Serb identity. The solution to the current political and ideological stalemate between Montenegro and Serbia depends on the dynamics of both domestic and international political processes and on strengthening the local economy. The turbulence, uncertainty and fluctuation surrounding the language question, identity and religious

aspects in Montenegro are not about to end soon. We may conclude that policies concerning identity, citizenship, and churches are components that exacerbate interethnic tensions.

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DIVIDED SOCIETIES AND SOVEREIGNTY DEFICIT – PERSPECTIVES OF INTEGRATIVE PROCESSES AND STABLE STATES BUILDING IN THE “WESTERN BALKANS”

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1.0 Introduction

The social and political challenges the “Western Balkans” faced in the last three decades are closely related to regional security and socio-economic development. The histories of the states and peoples of the “Western Balkans” are mutually intertwined. However, unfortunately, that fact rarely represents a bridge for mutual understanding between the peoples and too often represents a basis for mutual conflicts, antagonisms and deep mistrust among individuals and groups of different confessional, ethnic and cultural backgrounds.

Basing the object of analysis on the research of the mutual relationship “society - state - international political and legal order” of the “Western Balkans”, with a particular focus on the “states” of Bosnia and Herzegovina, North Macedonia and Montenegro as well as the territory of “Kosovo”, the dilemma arises regarding the capacity of the indicated “states” to practice national state sovereignty at the internal and international level and whether they are really functional states. This dilemma is present even though three out of the four of them are formally members of the UN, while “Kosovo”, the territory that, according to Resolution 1244⁷⁰ of the UN Security Council, is “de jure” an autonomous province of the Republic of Serbia, unilaterally declared independence in 2008. “Kosovo” is not recognized as a sovereign state by half of the UN member states, by two out of the five permanent members of the UN Security Council, by five EU members and by four NATO members.

Bosnia and Herzegovina, Montenegro and North Macedonia, nominally states-members of the UN, are based on deeply divided

⁷⁰ For the full text of United Nations Security Council Resolution 1244, see United Nations: United Nations Security Council Resolution 1244, 1999, Available online at: [https://undocs.org/S/RES/1244\(1999\)](https://undocs.org/S/RES/1244(1999)), Accessed: 17.12.2022.

societies with a disputed capacity to exercise the essential attribute of statehood (viz. sovereignty), which raises the question of whether they have adequate internal potential to function independently as states.

Bosnia and Herzegovina (B&H) was constituted according to the “Dayton Peace Agreement”⁷¹ of 1995, administrated by the so-called “High Representative for Bosnia and Herzegovina” as a kind of governor with executive powers appointed by the United Nations Security Council. In reality, Bosnia and Herzegovina is a loose (con)federation of two ethnically based entities⁷², “Republic of Srpska” and “Federation of Bosnia and Herzegovina”.

Montenegro was recognized as an independent state in 1878 and persisted until 1918. After the second declaration of independence in 2006⁷³, Montenegro was shaken by strong internal divisions in terms of identity (are Montenegrins a separate ethnicity or are they ethnic Serbs), as well as in the attitude towards the Serbian Orthodox Church, which is reflected in a large number of segments of social and political life, including support for joining NATO and being a member of that organization.

Macedonia declared its statehood in 1944 as a republic within Yugoslavia and declared its independence in 1991 in the context of the dissolution of the Yugoslav Federation. The deep internal ethnic conflict that culminated in 2001 with an armed confrontation between Albanian insurgents and Macedonian armed forces was partially overcome by the solutions contained in the so-called “Ohrid Framework Agreement”⁷⁴ in 2001. In addition to inter-ethnic disputes (between ethnic Macedonians and ethnic Albanians), there is a deep division inside the Macedonian

⁷¹ For the full text of the Dayton Peace Agreement (General Framework Agreement for Peace in Bosnia and Herzegovina, Dayton Agreement), see *General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Agreement)*, Available online at: <https://peacemaker.un.org/bosniadaytonagreement95>, Accessed: 02.12.2022.

⁷² For the critical provisions of the Dayton Peace Agreement and their meaning, see Derek Chollet: *The Road to the Dayton Accords: A Study of American Statecraft*, Palgrave Macmillan, New York, 2005, pp. 191-194.

⁷³ For the context of the referendum on the independence of Montenegro conducted in 2006, see Elizabeth Roberts: *Realm of the Black Mountain: A History of Montenegro*, Hurst & Company, London, 2007, pp. 468-476.

⁷⁴ For the full text of the Ohrid Framework Agreement, see Framework Agreement, Pravdiko portal, Available online at: https://www.pravdiko.mk/wp-content/uploads/2013/11/ramkoven_dogovor-3.pdf, Accessed: 21.12.2022.

ethnic majority, where differences in political party determination are often not perceived as a rivalry but as enmity. Within the framework of the analysis of the political complexity of Macedonia, an important point is the disputes about the “Macedonian identity” instigated by the Republic of Greece and, recently, especially fiercely by the Republic of Bulgaria.

The research is inevitably multidimensional since it focuses on the key question about the possibility of the “Western Balkans” countries, characterized by divided societies and “sovereignty deficit”, to build stable (functional) states. In addition, the impact of international influences on the development of fragile societies is another aspect we need to consider in our analysis. This aspect is closely related to the complexity of the network of bilateral and multilateral supranational initiatives within the framework of modern socio-political and economic tendencies conditioned by the acceleration of globalization processes and the construction of a multipolar world.⁷⁵

Although the initial assumption is that the subject of analysis will be the relationship “society - state” in the case of “de jure” states of Bosnia and Herzegovina, North Macedonia and Montenegro and the territory of “Kosovo”, the dilemma arises from the very beginning whether they are really “states” whatever definition of statehood will be applied. Therefore, the analysis could not be placed in an international-political and historical vacuum. On the contrary, the Balkans’ international-political context and history are highly relevant for understanding the current developments and perspectives for the future. In the same context, the impact of the interests and actions of local and regional actors and tectonic shifts on a global scale should be considered.

However, determination of what “sovereignty” historically means in general and in the modern world in particular, it is essential in our analysis to find to what extent attributes of sovereignty are present in Bosnia and Herzegovina, North Macedonia, Montenegro and the territory of “Kosovo.” In the international context, sovereignty means that the

⁷⁵ Taking into account that the “Western Balkans” is a region located in Europe and that the publicly proclaimed strategic goal of all the countries of the “Western Balkans” is the accession to the European Union, the radical weakening of the economic dominance of the large European economies concerning the economies of the large Asian states in the context of globalization is a complicating factor in the European integration process of the “western” Balkan states because the EU and the member states have less and less will and resources to support the Balkan states and are increasingly preoccupied with their own internal political-economic situations.

state makes its decisions independently, without external influence and coercion of actions. This would mean that the “sovereign state” has the authority and power to independently determine the system of government within its borders and to decide on international actions. However, if it acts according to the demands of external forces, then it is a so-called vassal “state” or “puppet” in the “puppet theatre” of powers that control “puppet states”. This is precisely the question, both in real and formal terms, whether the “entities” that cannot exercise sovereignty might be treated as “states” at all.

As mentioned before, to understand what is happening with the four entities of our analysis today, it is necessary to take into account the historical dimension, the historical context in which they appear and persist until now, as well as the interests of international actors in relation to the Balkans in general and to them, in particular⁷⁶. So, in addition to the “entities” on which this study is focused, the regional actors in the Balkans who are part of the bigger picture of such developments (especially those still active today) should be taken into account. The analysis is not situated in an international-political vacuum. As relevant factors that determine political dynamics, the interests and actions of local and regional international-political actors should always be considered, including the local implications of the current tectonic shifts on a macro-political (global) level. Here, we are primarily talking about the interests of the great powers in the Balkans and their perception of the role of the Balkans in their “grand strategies”.

This paper investigates and analyzes the networks among the norms and practices of state sovereignty, as well as the foundations and tendencies for the formation of political identities and supranational political initiatives in the current conditions of radical and comprehensive socio-political and economic transformations at the global level.

2.0 Stable States and Functional State Sovereignty

The “Western Balkans” is a region characterized by a high degree of ethnic and confessional heterogeneity, a consequence of the historical events through which it passed. The states from the “Western Balkans”

⁷⁶ For the interests and influences of the great powers on the political and security conditions in the Balkans, see Misha Glenny: *The Balkans: Nationalism, War and the Great Powers 1804-2012*, Penguin Books - Anansi Press, Toronto, 2012.

are continuously faced with internal unresolved historical confrontations and antagonisms with a solemn historical background that can be treated as “frozen conflicts” at a particular moment. Such “frozen conflicts”, in an extremely short period, such “frozen conflicts” can escalate into an open conflict due to a random incident or more often due to a tendentious, targeted destabilization triggered internally or externally. Despite the fact that for an extended period of time this region has been ravaged by social turmoil and social instability based on various confessional, ethnic and cultural divisions, the countries of the “Western Balkans” and their institutions do not express the desire or readiness to solve the existing problems and implement sweeping changes in the direction of overcoming the challenges. Neither the “states” from the “Western Balkans” nor have their societies so far managed to find the internal potential that would enable the establishment of positive political and economic dynamics. The “states” from the “Western Balkans” basically represent an example of weak states, states that cannot adequately regulate fundamental issues of public interest such as: rule of law; independent judiciary; institutional control over the entire territory of the state; protection of political rights and civil liberties; provision of institutional-legal assumptions necessary to enable economic prosperity; construction of modern infrastructure; quality public services including education and health care. The public sector of the “Western Balkans” countries shows a worrying level of opportunism, political mediocrity and corruption. The existence of a weak state with an unstable society results in an apparent deficit of state sovereignty. When it comes to the “states” from the “Western Balkans” (Northern Macedonia, Bosnia and Herzegovina, Montenegro and territory of “Kosovo”), the state sovereignty deficit is apparent and represents a serious source of social and political traumas that further deepen the crisis in these countries based on unstable, poor, internally divided societies. Blatant examples that will reflect the state of sovereignty deficit are:

- “Kosovo” is not a member of the United Nations Organization, represents a partially recognized “state” and does not have its own defense forces, but peace and security are guaranteed by international peacekeeping forces mandated by the UN (called KFOR or Kosovo Force). At the same time, “Kosovo”, with an acute sovereignty deficit, uses the euro as its official currency

(even though it is not a member of the Eurozone, nor does it have a general formal agreement with the European Union for the use of the euro as an official currency in its territory).

- In Bosnia and Herzegovina after the end of the civil war in 1995, according to the Dayton Agreement, a political-administrative institution called the “High Representative for Bosnia and Herzegovina” was established with extensive powers to impose laws that would apply on the territory of the country, as well as the right to veto the decisions of the legislative institutions of Bosnia and Herzegovina.
- In the last thirty years, facing international pressures, persuasions and encouragement, Macedonia agreed to change the country’s official name (2019), changed the country’s official flag (1995) and agreed to give up the care of ethnic Macedonian minorities in neighbouring countries.
- Montenegro does not have monetary sovereignty but uses the euro as its official currency, despite the fact that it is not a member of the Eurozone, nor does it have a formal public agreement with the European Union.

The success and functionality of future efforts to overcome the unfavourable political-economic and security conditions typical for the “Western Balkans” countries largely depend on their capacity to build institutions and public attitudes that will support attributes of state sovereignty adapted to the current global political-economic tendencies and security challenges.

3.0 Controversies Regarding the Concept of State Sovereignty

3.1 Classical Concepts of State Sovereignty (from the 16th c. to mid-20th c.)

Within the framework of the Western new-century intellectual-political-philosophical thought, in the period from the 16th century to the middle of the 20th century, the concept of state sovereignty is an essential

notion on which the theoretical basis of domestic law is founded and on which the principles of international law are based⁷⁷. The classical teaching on state sovereignty analyzes states as self-contained and inherently self-sufficient systems. According to the given intellectual viewpoints, the state has, or should have, the supreme and final authority in relation to internal legal and political issues, as well as with regard to its own positions and policies on the international level. The classical teaching on state sovereignty implies that the state is sovereign if there is no higher instance outside the organization of the state itself, whose authority it must respect, that is, whose will it must implement. It follows from the above that the sovereign state, has the inalienable right to establish, i.e. impose a legal framework that will be valid and respected in the entire territory of the state and by all its citizens, while the state, with the threat of force, takes care of the appropriate observance of the imposed laws. At the same time, the state has a legally secured monopoly on the use of repressive measures against those who dare to violate the imposed legal regulations. A state has the right to use force in international relations and has the exclusive right to declare war on another sovereign state for reasons it considers relevant and just. The sovereignty of the state government is comprehensive and manifested in all essential national or state interest activities. Within the framework of the Western new-century intellectual-political-philosophical thought, in the period from the 16th century to the middle of the 20th century, the concept of state sovereignty is an essential notion on which the theoretical basis of domestic law is founded and on which the principles of international law are based⁷⁸.

⁷⁷ The key provisions of the Peace Treaty of Westphalia (1648) represent the basis on which the supporting elements of the entire modern system of international relations based on the concept of the absolute external sovereignty of nation-states rest. According to the Treaty of Westphalia, whose basic principle was the equality of states as subjects of international relations - no sovereign of a sovereign state can be subordinate to a higher authority; no foreign or international factor has the right to intervene in the territory of a sovereign state without the permission of the sovereign of the given state; and it should not be possible to establish a hegemonic state that would place itself in a dominant position in relation to other sovereign states. See Pärtel Piirimäe: *The Westphalian myth and the idea of external sovereignty*; in Hent Kalmo - Quentin Skinner (eds.): *Sovereignty in Fragments: The Past, Present and Future of a Contested Concept*, Cambridge University Press, Cambridge, 2010, pp. 64-80.

⁷⁸ See more Dieter Grimm: *Sovereignty: The Origin and Future of a Political and Legal Concept*, Columbia University Press, Columbia, 2015, pp. 17-31.

3.2 Contemporary Concepts of State Sovereignty (from the second half of the 20th c. and the first decades of the 21st c.)

Contemporary social and political tendencies driven by globalization processes (the second half of the 20th century and the first decades of the 21st century) impose a need for political solutions that will enable the strengthening of the institutional economic, political, judicial, ecological and cultural cooperation between the people and the states on a global level. The inviolability of state sovereignty from a higher authority, as well as the general supremacy and politico-legal supremacy and superiority of the state over all individuals, associations and corporations located on its territory, are seriously questioned today, not only within the political-legal and philosophical thoughts and theories but also in everyday practice. Globalization implies overcoming geographical and administrative limitations. In general, the contemporary political reality leads to a silent erosion of states' “de facto” sovereignty. Accordingly, modern states often voluntarily give up certain segments of their fundamental sovereignty and cede it to certain supranational authorities. Modern states, through a network of international agreements and conventions for the regulation of mutual relations, i.e. by concluding numerous bilateral, trilateral and multilateral agreements with which they undertake certain interstate obligations, cede part of their sovereignty in the interest of preserving peace, economic, political and overall social prosperity on a local and global level.

3.3 Between Classical and Modern Concepts of State Sovereignty

From the above mentioned, it follows imperative to develop approaches and strategies to overcome the conflicting political-economic interests and security concerns of the “states” from the “Western Balkans”. Apart from the expectations to achieve absolute state sovereignty according to classical theories, it is also necessary to have a clear national development concept that recognizes and anticipates contemporary political-economic and security tendencies on a local and global level, which is a prerequisite for ensuring the long-term development of the states. Overcoming negative consequences of the interpretation of state sovereignty according to classical theories, in the “Western Balkans”

might have, in a predictable perspective, the construction of relatively strong institutions and functional state apparatus with the capacity to fulfil national interests in the best interest of their citizens, bridging historically rooted animosities and deep ethnic cleavages.

4.0 Regional Integration and Political Stability (B&H, Montenegro, Macedonia, Kosovo)

After the fall of the “Iron Curtain”, which represented a political border that during the Cold War period divided Europe into two ideologically opposed military-political blocs, an extremely traumatic decade followed for the countries of the region that today is often (inappropriately) called the “Western Balkans”. The traumatic times occurred primarily because the dissolution of the Socialist Federal Republic of Yugoslavia (SFRJ) was accompanied by military confrontations, whereas in the military clashes for the “Yugoslav heritage” that erupted all over the territories of the former Federation in the period from 1991 to 2001. The traumas of wars and suffering remain forever in the painful memories of the generations that witnessed them. In addition, the profound social frustration, political “dysfunctionality” and systemic corruption (characteristic of some of the newly-promoted independent “states” that emerged from SFRY) and the deep, almost existential, economic problems that some of the “Western Balkans” “states” are facing, threaten to seriously to undermine the possibilities of building conditions for a dignified life for future generations in this region.

The overall consequences of the “Yugoslav Wars”, including the mass emigration of young and educated people (“melting of the human capital”), left countries of the “western” Balkans far behind the European average and tangible “European perspective”. It will be necessary to pass decades for the region to come closer to the current economic and social standards of the European Union⁷⁹. From a strategic point of view, the effort to overcome inherited animosities among “western” Balkan countries and initiating close regional cooperation in all areas of mutual interest is relevant for “bridging the gap” with other European countries and regions. Regional cooperation and mutuality are not only a kind of “peace project” (because it might be treated as a “peace project”) or

⁷⁹ Tatjana Sekulić: *The European Union and the Paradox of Enlargement: The Complex Accession of the Western Balkans*, Palgrave Macmillan, New York, 2020, pp.101-103.

something like “wishful thinking” but a “wakeup call” for all stakeholders in the region to “ketch up” the shortcut for substantial sustainability of their societies and fulfilment of their EU aspirations.

Due to the traumatic historical legacy, which is often misused for the realization of separate (conflicting) interests of certain local and international actors, the ambitious ideas and plans for strengthening regional cooperation and integration are not realized with the planned dynamics or are entirely neglected. So far, the regional initiatives do not give the expected results. The reasons for the poor results in regional initiatives implementation might be different, including widespread corruption, the insufficient administrative capacity to support such complex initiatives and lack of sincere political will to make regional “dreams” become “true”.

The promotion of regional cooperation in the “Western Balkans” region in the past two and a half decades took place in rather specific circumstances. The original post-conflict forms of cooperation in the “Western Balkans” were initiated by certain institutions and bodies of the European Union or by organizations that are part of or are close to the pivotal Euro-Atlantic actors.

Regional initiatives were and are aimed at promoting multilateral cooperation that will benefit entities consisting of the region⁸⁰. Within the processes aimed at establishing a robust institutional framework of regional cooperation of the “de jure” sovereign states of the “Western Balkans”, transferring part of their sovereignty to supranational networks and initiatives was inevitable. They do so in the hope that they will more effectively deal with the challenges they face through regional cooperation. According to their official statements, Bosnia and Herzegovina, North Macedonia, Montenegro and “Kosovo”, are fully committed to the processes of regional cooperation as a step forward to their European integration⁸¹.

⁸⁰ Such cooperation should be the basis and prerequisite for encouraging: economic development, the development of a democratic environment in the “Western Balkans” countries and the strengthening of the institutional capacity.

⁸¹ Euro-Atlantic integration is declared as a national strategic priority, with one exception, Bosnia and Herzegovina, due to the position of the Republika Srpska (as one of the two entities that make the state of Bosnia and Herzegovina) that opposes NATO membership, advocating for the position of military neutrality.

In 1999, two extremely significant and ambitious geostrategic relevant initiatives were launched:

- The first initiative is called the Stabilization and Association Process, which, in the case of Macedonia, led in 2001 to the signing of the Stabilization and Association Agreement⁸² between the Republic of Macedonia and the European Communities and their member states⁸³, establishing a legal framework that regulates the relations of the Republic of Macedonia with the European Union.
- The second initiative, Stability Pact for South Eastern Europe, was a broad initiative managed and directed by influential international actors. That initiative was aimed at strengthening peace in Southeast Europe, strengthening democracy and advancing democratic processes and the appropriate political culture in Southeast Europe, promoting respect for human rights and improving the economy in the states of this region. In 2008 the Stability Pact was transformed into the Regional Cooperation Council (RCC). At the session of the European Council in Thessaloniki in 2003, it was confirmed that all the countries involved in the stabilization and association process are potential candidates for EU membership⁸⁴.

⁸² Stabilisation and Association agreements are part of the Stabilisation and Association Process (SAP) and European Neighbourhood Policy (ENP).

⁸³ The full text of the Stabilization and Association Agreement between the Republic of Macedonia and the European Communities and their member states (SSA), including the Decree on Promulgation of the Law on Ratification of the Stabilization and Association Agreement between the Republic of Macedonia and the European Communities and their Member States and Law on the ratification of the Stabilization and Association Agreement between the Republic of Macedonia and the European Communities and their member states, see Stabilization and Association Agreement between the Republic of Macedonia and the European Communities and their member states, Government of the Republic of North Macedonia,

Available online at: [https://www.sep.gov.mk/data/file/SSA/SSA\(1\).pdf](https://www.sep.gov.mk/data/file/SSA/SSA(1).pdf), Accessed 17.12.2022.

⁸⁴ The prospect for the membership of the “western” Balkan states in the European Union was confirmed in the strategy of the European Commission for the “Western Balkans” from February 2018, officially entitled “A credible perspective for enlargement and strengthened engagement of the EU towards the “Western Balkans”, as well as in the statements after the series of meetings between representatives of the European Union and the countries of the “Western Balkans”.

The process of the expansion of the European Union in its initial wave was primarily based on geographical criteria. If the candidate for joining the European Union is a European country, the satisfaction of all the remaining criteria represented a somewhat more complex technical issue. Over the years, in the period of future waves of enlargement of the European Union, the enlargement policy of the Union has evolved into a comprehensive and detailed process in which many institutions of the Union are actively involved.

It is a process based on a complex set of criteria that applicant countries should meet before joining the Union. Moreover, the comprehensive nature of the European Union’s upgraded enlargement policy required the active involvement of the Union in guiding candidate countries and assessing their progress towards membership requirements.

The European Union is, on the example of the “Western Balkans”, fully involved in the evaluation, assessment and guidance of the candidate states for the EU, whereby more sophisticated and complex methodologies are constantly being defined for precise and comprehensive monitoring of the progress of the candidate states⁸⁵. The process of European integration, in accordance with the principles of the Union, is also implemented by developing and strengthening networks of regional cooperation⁸⁶.

⁸⁵ Through indirect and direct involvement, the European Union prepares the countries of the “Western Balkans” for EU membership. In preparing the candidate countries, the Union shapes its own instruments for encouraging, conditioning, directing, encouraging and punishing the indicated countries according to their behaviour and their results in a certain period of time, which is subject to evaluation. The enlargement policy of the Union is multidimensional, highly complex and multi-layered. It involves different institutions and various centres of power. Candidates for membership in the European Union must meet the Copenhagen political criteria. As soon as a specific country receives candidate status, it moves through various stages of the process leading to joining the EU at a speed that largely depends on its achievements, results and progress according to the criteria, conditions and tasks set by the Union.

⁸⁶ One of the main goals of the stabilization and association process is to encourage the states in the region to cooperate on a security, economic, and political level and strengthen mutual cooperation in the field of environmental protection, promotion of culture, democratic values, etc.

4.1 The Integration Process of the “Western Balkans” to the European Union

Within the framework of the integration process of the countries from the “Western Balkans” to the European Union, the Republic of Macedonia submitted an application for membership in the European Union in 2004 and was granted candidate status in 2005⁸⁷. The dispute with Greece about the name of the state was overcome by the “Treaty of Prespa”⁸⁸, which agreed that the state’s official name would be the Republic of North Macedonia. The “Prespa Agreement” entered into force in February 2019. In July 2020, the Commission presented the draft negotiating framework to member states, fully aligned with the then just revised methodology for the enlargement of the European Union. The start of the accession negotiations of the European Union with North Macedonia and Albania, after the positive recommendation by the European Commission, was postponed for a certain period of time mainly due to the political issues between the Republic of Bulgaria as a member of the European Union and the Republic of North Macedonia as a candidate country for accession to European Union⁸⁹. After seventeen years of waiting for the date for the start of negotiations with the EU for joining the Union and receiving the status of a candidate state, in 1995 Macedonia, with the holding of the first part of the intergovernmental conference, officially partially started the negotiations of the RSM for joining the EU. At the same time, the

⁸⁷ For more details on the European integration process of Macedonia, see European Commission: *European Neighbourhood Policy and Enlargement Negotiations - North Macedonia*, https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/north-macedonia_en, Пристапено 27.12.2022.

⁸⁸ The full text of the Final Agreement on the Settlement of the Macedonian-Greek Name Dispute and Strategic Partnership, i.e. the full text of the Prespa Agreement officially titled “Final Agreement on the Settlement of the Differences Described in Resolutions 817 (1993) and 845 (1993) of the Council on the Security of the United Nations, on the termination of the validity of the Interim Agreement of 1995. and for the establishment of a strategic partnership between the parties” see: Government of the Republic of North Macedonia, Final Agreement for the Resolution of the Differences Described in Resolutions 817 (1993) and 845 (1993) of the United Nations Security Council, on the Termination of the Validity of the Interim Agreement since 1995 and for establishing a strategic partnership between the parties, Available online at: http://vlada.mk/sites/default/files/dokumenti/konechna_sporodba_makedonija_grcija.pdf, Accessed: 03.12.2022.

⁸⁹ They refer to extremely sensitive issues regarding the Macedonian language, history, and national identity.

representatives of the Union promised that the second part of the two-part intergovernmental conference will be held after the RSM will include the Bulgarian ethnic minority living on the territory of the state in the state constitution. In July 2020, the European Commission presented a draft negotiating framework to member states, the first to consider the “revised methodology for enlargement towards the ‘western’ Balkans”, published in February 2020. The negotiations for the accession of Albania and North Macedonia to the EU, following a positive recommendation by the Commission, officially began in July 2022, after several delays due to the already elaborate open issues between North Macedonia and Bulgaria related to the identity, language and history of the Macedonian people.

Montenegro applied for EU membership in December 2008. In 2010, Montenegro acquired the official status of a candidate state for admission to the European Union⁹⁰. Montenegro’s accession negotiations for joining the European Union began in 2012. Montenegro has opened many chapters within the negotiations for accession to the Union, while three of the indicated chapters have been temporarily closed.

Bosnia and Herzegovina (B&H) is a candidate country for EU membership since 2022. A Stabilization and Association Agreement was reached and signed in June 2008, its entry into force has been frozen, primarily due to the European Court of Human Rights issue. The methodology of strengthening the cooperation of the EU towards B&H, focused on the economic problems and challenges that Bosnia and Herzegovina is facing, enabled the entry into force of the Stabilization and Association Agreement in June 2015. B&H applied for membership in February 2016⁹¹. During 2022, B&H acquired the status of a candidate country for admission to the EU⁹².

⁹⁰ For more details on the European integration process of Montenegro, see: European Commission: European Neighbourhood Policy and Enlargement Negotiations - Montenegro, Available online at: https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/montenegro_en, Пристапено 27.12.2022.

⁹¹ In May 2019, the Commission published an opinion containing a list of 14 key priorities that B&H must achieve to start accession negotiations. One of these key priorities is ensuring the proper functioning of the Stabilization and Association Parliamentary Committee, the parliamentary dimension of the Stabilization and Association Agreement.

⁹² For more details on the European integration process of Bosnia and Herzegovina, see: European Commission: European Neighbourhood Policy and Enlargement Negotiations - Bosnia and Herzegovina, Available online at: https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/bosnia-and-herzegovina_en, Пристапено 27.12.2022.

“Kosovo”, province of the Republic of Serbia according to UNSC Resolution 1244, although only a partially recognized state even among EU member states⁹³, is treated as a potential candidate for entry into the Union. The future integration of Kosovo into the EU depends above all on the full normalization of relations between Belgrade and Pristine.

4.2 Regional Cooperation Initiatives

In order to show the political complexity in the region of “Western Balkans” and the intertwining among a large number of initiatives and mechanisms in that direction, three influential initiatives for the promotion of regional cooperation will be presented, which also aim to promote European integration processes: Regional Cooperation Council (RCC), the Berlin Process, and Open Balkan.

4.2.1 Regional Cooperation Council (RCC)

The Council for Regional Cooperation is a highly influential international organization that represents the operational body of the Southeast European Cooperation Process (SEECF), which has as its primary goal the promotion and support of the processes of strengthening and advancing regional cooperation in the area of Southeast Europe⁹⁴. The Council for Regional Cooperation is dedicated, first of all, to the processes of conceptualizing, promoting and directing regional cooperation in the “Western Balkans” and Southeast Europe⁹⁵.

The Council for Regional Cooperation was established in 2008 as a successor to the Stability Pact for Southeastern Europe and is an operational body of the Southeast European Cooperation Process

⁹³ Five states—members of EU (Spain, Slovakia, Romania, Greece, Cyprus) do not recognize “Kosovo” as an independent state.

⁹⁴ Regional Cooperation Council; RCC Participants, Available online at: <https://www.rcc.int/pages/96/participants>, accessed 30.11.2022.

⁹⁵ The primary tasks of the Council for Regional Cooperation are: developing regional cooperation through six priority areas such as economic and social development, energy and infrastructure, justice and internal affairs, security, strengthening human potential, parliamentary cooperation, as well as identifying projects of common interest. For the region’s countries, their networking and alignment with the plans and strategic determinations of the EU, especially in the programming of the multi-user component of the Instrument for Pre-Accession Assistance IPA, as the main framework for the functioning of the Regional Cooperation Council.

(SEECF)⁹⁶. The Council strives, according to its capacities and mandate to help and advance the reform process in the region⁹⁷. The approach and methodology for the realization of the goals⁹⁸ are based on an inclusive approach to regional stakeholders⁹⁹, whereby the Council encourages¹⁰⁰ their mutual cooperation, coordination and networking, as well as strengthening their collaboration in relations with international partners, donors and individual regional initiatives and institutions.

4.2.2 Berlin Process

The “Berlin process” is an intergovernmental initiative to promote regional cooperation between the countries of the “Western Balkans”. The initiative was established in 2014 as a platform for high-level collaboration between officials of the countries from the “Western Balkans”¹⁰¹ and official representatives of countries from the European

⁹⁶ види: Regional Cooperation Council, About Us, Available online at: <https://www.rcc.int/pages/2/about-us>; Пристапено; 11.12.2022.

⁹⁷ The Council for Regional Cooperation focuses its activities on six priority areas: - economic and social development; - energy and infrastructure; - justice and internal affairs; security; development of human capital and parliamentary democracy.

⁹⁸ The basic geostrategic goals of the Regional Cooperation Council are: (a) the promotion of stability, security, mutual respect and open dialogue between states and societies in the region; (b) the strengthening awareness of the need for regional cooperation, and appropriate valorization of the regional cooperation results achieved so far; (c) the initiation and selection of priority projects, especially when it comes to the EU’s multi-user instrument for pre-accession assistance (which also implies appropriate mediation in the relations between the Cooperation Process in Southeast Europe and the European Union); (d) strategic coordination of international political, technical and financial assistance for the region; and (e) providing a forum for dialogue between the region’s countries, international organizations and other partners.

⁹⁹ The Council for Regional Cooperation cooperates with all relevant actors from the region and the EU in the following areas: governments, international organizations, international financial institutions, the regional organizations, the private sector and - civil society.

¹⁰⁰ The Council for Regional Cooperation provides: - advisory and political support for regional social and economic initiatives aimed at promoting investments, - development of small and medium enterprises, - trade liberalization, - improvement of public health, - the social dialogue and - implementation of reforms in the employment policy.

¹⁰¹ Albania, Bosnia and Herzegovina, (North) Macedonia, Montenegro, Serbia and “Kosovo” (“de jure” part of the Republic of Serbia, but recognized as an independent state by majority of EU countries).

Union interested in support to above mentioned region¹⁰². European Union institutions, international financial institutions, representatives of the business communities, civil society and youth organizations from the region¹⁰³ are also involved in the implementation of the activities encouraged and promoted by the “Berlin Process”¹⁰⁴.

The “Berlin process” has several essential goals, namely: solving open bilateral and internal issues between the countries of the Western Balkans; achieving reconciliation within and between societies in the region; strengthening regional economic cooperation and laying the foundations for sustainable growth; achieving real progress in the implementation of reforms; making further progress on the issue of the rule of law; and other advances in security. The structure of the “Berlin Process” is exceptionally adaptable and flexible, while no central institutionalized mechanism for coordination, control and evaluation of achievements has been established. The “Berlin Process” drives the annual summits, supported by a series of meetings at lower levels. Within the framework of the “Berlin Process” initiative, the establishment of the Western Balkans Regional Economic Area has been conceived, with the aim, by removal of market barriers and reduction of trade costs, to support creation of an economically more competitive region, that will indirectly contributes to stability and development of the broader region of Southeast Europe¹⁰⁵. However, despite the fact that the “Western Balkans”

¹⁰² Austria, Bulgaria, Croatia, Greece (does not recognizes “Kosovo” as an independent state but as a part of the Republic of Serbia, according to UNSC Resolution 1244), France, Germany, Italy, Poland, Slovenia and Great Britain.

¹⁰³ Numerous regional and European partnerships have been established, including the region to the Trans-European Transport Network (TEN-T), the initiative for regional youth cooperation (Regional Youth Cooperation Office - RYCO) and the Transport Community Treaty (TCT).

¹⁰⁴ *The Berlin Process in a Nutshell*, Deutsche Gesellschaft für Internationale Zusammenarbeit, Sarajevo, 2018.

Marciaq, Florent: *The EU and the Western Balkans after the Berlin Process Reflecting on the EU Enlargement in Times of Uncertainty*, Friedrich-Ebert-Stiftung, Sarajevo, 2017

¹⁰⁵ The Regional Economic Area of the “Western Balkans” aims to develop an institutionalized system where goods, services, investments and skilled workers can move without obstacles:

- Concerning investment, the states agree to establish a regional investment agenda, which would include the exchange of information and established practices on investment policies and would identify policies that could be harmonized.

countries have established regulatory frameworks for competitiveness, the implementation is not always adequate and the effective policies for the region’s economic integration are missing.

Within the framework of the Process, the Multi-annual Action Plan for a Regional Economic Area in the Western Balkans (MAP)¹⁰⁶ was developed, which represents a structured agenda for multidimensional regional economic integration conceived by the Council for Regional cooperation to enable a common approach for the promotion of regional economic cooperation where particular attention is paid to the issues of promoting comprehensive trade integration, introducing a dynamic regional investment space, facilitating regional mobility and creating an agenda for digital integration. The action plan¹⁰⁷ for a “Common Regional

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- Regarding mobility, the parties agree on removing obstacles to the mobility of professionals, through regional agreements on the mutual recognition of professional qualifications and the removal of barriers to the mobility of students, researchers and academics.
 - This initiative’s digital dimension includes roaming and deploying broadband internet, cyber security and data protection, and relevant digital skills. The Digital Agenda of the “Western Balkans” aims to enable access to the digital economy by integrating the region into the pan-European digital market.

¹⁰⁶ Regional Cooperation Council, *Multi-annual Action Plan for a Regional Economic Area (MAP REA) in the Western Balkans: Diagnostic Report*, Sarajevo, 2020

¹⁰⁷ The new action plan for the common regional market to be implemented by the end of 2024 includes objectives and activities in the following key areas:

- regional trade area to ensure the free movement of goods, services, capital and people, including promoting cross-sectoral measures, in order to be in accordance with the rules and standards of the European Union and to open additional opportunities for companies and citizens (reducing the waiting time at the borders, removing the obstacles represented by work permits for transfers in companies and service providers, including selected professions among all “western” Balkan economies, establishing a regional e-commerce market, free movement across the “Western Balkans” with an ID card, establishing certificates and professional qualifications easily recognizable and recognized in all countries in the “western” Balkan region);
- alignment of the investment policy with the standards of the European Union and established international practices and promotion of the region before regional, European and global investors and multinational companies, establishing better investment policies based on the standards of the European Union, attracting potential investments in sustainable regional value chains;
- establishment of a regional digital area to enable the integration of the “Western Balkans” into the pan-European digital market and the establishment of a functional regional industrial and innovative area that would cooperate with the pan-European counterpart, which would enable access to the most modern internet infrastructure

Market”¹⁰⁸ (based on the “Regional Trade Area” as a first regional initiative of its kind) is a transformative tool for increasing the attractiveness and competitiveness of the region and for bringing the region closer to the markets of the European Union¹⁰⁹.

The establishment of regional networks of economic cooperation represents a step towards strengthening the competitiveness of the countries of the region on the European and global market¹¹⁰.

4.2.3 Open Balkans

“Open Balkans”¹¹¹ is an initiative to strengthen the mutual cooperation of the countries of the “Western Balkans” which was launched in 2019 by the leaders from three countries from the region,

for most households in the region, then lower prices for roaming with the EU and adequate 5G network coverage of industrial cities in the countries of the Western Balkans.

¹⁰⁸ Within the framework of the “Berlin Process” initiative, the “Common Regional Market of the Western Balkans” has been promoted. A common regional market is expected to represent the carrier of the deepening of regional economic integration and a path to the European Union’s single market. The common regional market aims to create a regional market based on the rules and procedures of the European Union and bring the “Western Balkans” closer to the single European market. The common regional market is a step in the direction of full membership of the Western Balkans countries in the European Union. It is planned that the implementation for the establishment of the common regional market will take place in parallel with the gradual approach of the countries from the Western Balkans to the European Union’s single market.

¹⁰⁹ European Commission: Common Regional Market, Available online at: <https://www.rcc.int/pages/143/common-regional-market>, Accessed: 04.01.2023

¹¹⁰ The action plan is composed of targeted actions in four key areas:

Regional Trade Area (free movement of goods, services, capital and people, including cross-sectoral measures for determining rules and standards harmonized with the European Union;

1. Regional Investment Area is foreseen (harmonization of investment policies with EU standards, best international practices and promoting the region to foreign investors);
2. Regional Digital Area (integrating into the pan-European digital market);
3. Regional Industrial and Innovation Area (transformation of industrial sectors, to shape the value chains to which they belong and prepare them for real business challenges).

¹¹¹ During its establishment in 2019, the initiative was known as “Little Schengen”. However, since 2021 the initiative was renamed in “Open Balkans”.

Albania, North Macedonia and Serbia¹¹². This initiative aims to establish a zone for the free movement of goods, services, people and capital according to the model of the European Union. According to the basic commitments of the host countries of the “Open Balkans” initiative, it should represent additional and substantial support for already existing regional initiatives such as “Council for Regional Cooperation” and the “Berlin Process”. “Open Balkans” is an economic and political zone that currently consists of three member states and it is open for enlargement with other countries from the region¹¹³. The Open Balkans is based on the political determination¹¹⁴ of the three countries to create a common market in the “Western Balkans”, following the model of the single market of the

¹¹² Dhimolea, Antonela: *Open Balkan - A step forward towards Common Regional Market*, Friedrich-Ebert-Stiftung, Tirana, 2022.

¹¹³ The “Open Balkans” initiative maintains an open-door policy towards the remaining three countries of the Western Balkans region Bosnia and Herzegovina, Montenegro and “Kosovo”, whereby their officials are promptly informed and invited to all official high-level meetings organized within the “Open Balkans” initiative.

¹¹⁴ Within the framework of the Open Balkans initiative, the following agreements have been signed (Влада на Република Северна Македонија: Отворен Балкан, The Government of the Republic of North Macedonia: “Open Balkans”, Available online at: <https://vlada.mk/Otvoren-Balkan>, Accessed: 01.02.2023):

- Memorandum of understanding on cooperation in the field of tourism in the Western Balkans
- Memorandum of understanding on the cooperation of the taxation administrations in the Western Balkans
- Memorandum of understanding on cultural cooperation in the Western Balkans
- Agreement on cooperation in the Western Balkans in the field of mutual recognition of diplomas and scientific grades issued by higher education institutions and other authorized institutions
- Disaster protection agreement
- Memorandum of understanding for import, export of goods
- Memorandum of understanding on free access to the labor market
- Agreement between the governments of North Macedonia and Albania on mutual recognition of approvals for authorized economic operator - safety and security (OEOS)
- Agreement on conditions for free access to the labor market
- Agreement on interconnection of schemes for electronic identification of the citizens
- Agreement on cooperation in the field of veterinary, food and feed safety and phytosanitary
- “Open Balkans” wine and food fair
- Agreement on food security mechanisms in the West

European Union, while the processes for the accession of the Western Balkans countries to the European Union are ongoing.

“Open Balkans” aims to enable the establishment of functional cooperation among the countries of the region to establish a common regional and single market without restrictions, without barriers, without borders and for its long-term development which will bring a better life for all citizens from the region¹¹⁵. From a political point of view, “Open Balkans” is aimed at accelerating the European integration of the countries of the “Western Balkans” and towards achieving their goal to strengthen their own capacities and economic performance.

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- Memorandum of understanding on cooperation in the field of understanding on cooperation in the field of cinematography and audio-visual activities in the Western Balkans
 - Operational Plan in the field of Civil Protection.

According to the existing dynamics of realizing the goals of the “Open Balkans” Initiative, new ambitious and complex initiatives are continuously promoted, such as: establishment of a joint agency for attracting investments in the Open Balkans area, promotion of the region as an attractive tourist destination and top wine and gastronomic climate, establishment of a regional theater festival of the Open Balkans, establishment of a regional film fund of the Open Balkans, establishment and organization of regional youth exchanges, schools and festivals.

¹¹⁵ The activities within the initiative have so far been aimed at ensuring and building conditions for free access to a single labor market in the region (i.e. the territory of the states that are members of the “Open Balkans” initiative); in ensuring immediate functional cooperation among participating states in the following spheres and areas of social, economic and political life:

- within the work of the Academician community, the efforts are aimed at the establishment of functional direct cooperation of the accreditation bodies from the region and mutual recognition of academic qualifications,
- within the framework of the culture, the cooperation agreement in the field of cinematography and audio-visual activities was also signed,
- within the framework of economic activity, efforts are being made to connect “electronic identification schemes”, and to introduce an adequate identification number which should enable the citizens of the member states to get a job in the private sector in any of these three countries, without diploma certification and administrative barriers.
- to establish functional cooperation in veterinary, phyto-sanitary and food and animal feed safety (The movement of agricultural and food products between the three countries goes significantly faster after the introduction of green lanes for trucks from the “Open Balkans” member states at the Tabanovce and Qafasan border crossings, through which the control mechanisms are implemented efficiently and are mutually recognized, so there is no longer a need for double or triple control, that is, there is no need for separate control in each of the three member states of the “Open Balkans”).

5.0 Case of Sovereignty Deficit Compensation in Supranational (EU) Association

Bosnia and Herzegovina, North Macedonia, Montenegro and the territory of “Kosovo” (according to UNSC Resolution 1244) are strategically directed in the process of accession to the European Union to find a solution or salvation for the most fundamental problems they face (and they consider that they do not have adequate resources and capacity to fight them) as which are poverty, divided society, economic backwardness, dysfunctional institutions, systemic corruption and environmental devastation. The experiences of a certain number of Eastern European countries--Poland, Czechia, Slovakia, Estonia, Latvia and Lithuania--bear witness to the transformative power of the European Union in strengthening democratic processes, building the rule of law and improving the economic potential of the candidate countries, i.e. the new members of The Union. Somewhat older but perhaps even more successful examples of the transformative power that the EU possesses in terms of encouraging the rapid and sustainable socio-economic development of its candidate states, i.e. member states with divided societies and recent traumatic history, are the path to the Union and accession to the EU of Greece, Spain and Portugal in the eighties of the 20th century. The very examples mentioned contribute to building and maintaining a firm belief among the key political factors and perhaps among all relevant political factors in Bosnia and Herzegovina, North Macedonia, Montenegro and the territory of “Kosovo” (according to UNSC Resolution 1244) that there is no alternative to the European integration processes within the tendencies of their communities for building stable, democratic economically prosperous societies. The opinion that the path to the EU is a path to building a legal state supported by a democratic and economically prosperous society, according to all relevant surveys of public opinion, is shared by the absolute majority of adult citizens of Bosnia and Herzegovina, North Macedonia, Montenegro and the territory of “Kosovo” (according to UNSC Resolution 1244).

After the tremendous economic or global financial crisis in 2008, the citizens of the member states of the European Union, and, above all, the citizens of the most influential member states of the EU, such as Germany and France, became openly sceptical and critical of the EU’s expansion policies, which of course has a significant influence on the

reconceptualization of the official policies of the European Union in the last fifteen years. The strong scepticism towards the policy of further expansion of the EU with new member states, which prevails among a large number of citizens and specific relevant and influential political structures within the European Union, apart from slowing down the process of EU expansion, it also immediately, and perhaps permanently, reduces the transformative potential of the Union in terms of its immediate influence in strengthening the processes of building democratic institutions, the rule of law and economic consolidation in the candidate states for joining the Union.

An essential question facing Bosnia and Herzegovina, North Macedonia and Montenegro (and the territory of “Kosovo” according to UNSC Resolution 1244) is in which direction their basic strategic determinations should be revised and reconceptualized - according to which the path to building a functional economically prosperous democratic society is based on their European integration process - in conditions of a crisis of confidence in the EU enlargement policies within the European Union itself. Significant indicators on which the future strategic decisions of Bosnia and Herzegovina, North Macedonia, and Montenegro (and the territory of “Kosovo” according to UNSC Resolution 1244) can be based are the level of transformation of their societies so far according to EU standards and the perseverance and sincere faith and commitment of the citizens of the unknown countries towards the accession process towards the EU, while the mood of the citizens can be relatively precisely determined by systematically conducting public opinion polls, while the extent of the transformation of societies in the direction of building more functional and stable institutions and encouraging economic development is already relatively precisely determined by the relevant researches of the World Bank and the United Nations, that is, the United Nations Development Program for determining the Human Capital Index and Human Development Index (HDI)¹¹⁶ at the global level for each

¹¹⁶ The Human Capital Index (HCI) of the World Bank is a systematic research that allows us to know the critical components of human capital development in different countries at the global level. The Human Capital Index emphasizes the importance of societies, that is, states, to immediately, systematically and continuously invest in the human capital of their citizens. Human capital is a prerequisite that enables people to realize their potential as active, productive members of society. If a particular society has more human capital, it directly contributes to a better standard of citizens due to the establishment of many well-paid jobs, more significant income for the country, and stronger cohesion in societies.

country individually - while for this research, the Human Capital Index (HCI) of the World Bank will be used.

It can be concluded that in the past two decades, Bosnia and Herzegovina, North Macedonia, Montenegro and the territory of “Kosovo” (according to UNSC Resolution 1244) have not achieved an essential step in the framework of their social transformation in the construction of functional institutions and a democratic, economically prosperous society, which, on the other hand, has not led to a decisive change of the mood of adult citizens of Bosnia and Herzegovina, North Macedonia Montenegro and the territory of “Kosovo” (according to UNSC Resolution 1244) in their support for the process of integration of their societies in the European Union. According to recent polls, 77 per cent of adult citizens of Bosnia and Herzegovina, 90 per cent of adult citizens living in the territory of “Kosovo” (according to UNSC Resolution 1244), 68 per cent of adult citizens of Montenegro and 64 per cent of adult citizens of North Macedonia express support for their countries’ accession to the EU, while against the accession to EU were 16 per cent of adult citizens of Bosnia and Herzegovina, 9 per cent of adult inhabitants living on the territory of “Kosovo” (according to UNSC Resolution 1244), 18 per cent of adult citizens of Montenegro and 14 per cent of adult citizens of North Macedonia.

Analyzing the trends of support for European integration within the states where the support for European integration is below 80 per cent, it can be concluded that there are specific oscillations in the mood and support of the citizens towards the integration processes, but there is no decisive trend for changing the mindset of the citizens in support of the integration processes for the membership of their countries in the European Union.

Human capital is a central driver of sustainable growth, increasing the well-being of society or reducing poverty in environments that still face the problem of slow social development. The World Bank Human Capital Index global survey measures the amount of human capital utilization within certain societies and countries, with the survey aimed at assessing the degree of nurturing and protection of essential innate potentials (health, knowledge, skills, power of reasoning, the consistency and coherence of the formed worldview) that a newborn child will develop and form until the age of eighteen. The Human Capital Index survey assessing the efficiency and functionality of the educational and health system determines the expected rate of productivity of the next generation of workers within a given society.

In Montenegro in 2007, 72 per cent of citizens declared that they supported their country's accession to the EU. With the strengthening of the social crisis in Montenegro during the period of large anti-government demonstrations and protests in 2020, the support for Montenegro's accession to the EU dropped to 54%, so that already in 2021, after the stabilization of the political situation, support for the European integration of Montenegro to rose to 70.5 per cent

In Macedonia, a continuous trend of declining support for European integration¹¹⁷ can be observed¹¹⁸ (80% support for the country's entry into the EU in 2014, 71% support in 2018 and only 64% support for the country's entry into the EU in 2022)¹¹⁹. Also, recent public opinion

¹¹⁷ Europe is in crisis. The impact on the public opinion in North Macedonia - IDSCS Public Opinion Analysis Paper No.2/2023 - February 2023 <http://www.idscs.org.mk> p.30: "The greatest influence from the EU was perceived in 2019 (45%) after the Prespa Agreement signed with Greece to resolve the decade-long dispute and the timely promises that the same agreement made for the complete unblocking of the process. In 2022, we see a halved perception (21%). It seems that in the eyes of the public, EU still cannot fully regain its credibility lost after Bulgaria's veto on the negotiating framework. EU did not manage to keep its promises to North Macedonia after the Prespa Agreement and the change of the name."

¹¹⁸ Public Opinion Analysis Paper No.03/2023 - February 2023 (Analysis of public opinion on North Macedonia's accession to the European Union 2014-2022), <http://www.idscs.org.mk> : The respondents highly value the opportunities provided by regional initiatives supported by the EU and Germany such as the possibility of long-term work in any country of the Western Balkans (59%), the possibility of freedom of movement within the Western Balkans (72%) and the acceptance of diplomas throughout the Western Balkans (72%). p.6

¹¹⁹ It should be taken into account that in the specified period massive anti-government demonstrations took place over several months; the citizens are witnessing an ongoing deep internal political crisis that continues even after governmental change. Furthermore, it is important to say that, under the influence of external pressure (so-called "name dispute" with the Hellenic Republic), the official constitutional name was changed to "North Macedonia". Now the European integration process of North Macedonia is blocked by the Republic of Bulgaria as a member of the EU due to the Bulgarian disagreement with the way in which the primary identity attributes of the country are defined and interpreted RSM and the Macedonian people.

analysis shows deep cleavages¹²⁰, almost completely opposite statements between respondents of Macedonian and Albanian ethnic origins¹²¹.

In Bosnia and Herzegovina, in the last three years, smaller oscillations of the public's support regarding the country's European integration process can be observed, so that in 2020, 75.6 per cent of the adult citizens of Bosnia and Herzegovina supported the country's entry into the European Union, in 2021 the support grew to 80.6 per cent, while in 2022 it can be noted that the support for B&H's European integration dropped to 77.4 per cent. In Bosnia and Herzegovina, the difference in support for European integration in the two entities that make up the state of the Federation of Bosnia and Herzegovina as a predominantly Bosnian-Croat entity in B&H and the Republic of Srpska as a predominantly Serbian entity in B&H is symptomatic. Support for the accession of B&H to the EU in the Federation of Bosnia and Herzegovina is expressed by 90.1 per cent of adult citizens, while support for the accession of B&H to the EU in the Republic of Srpska is expressed by 54.5 per cent of adult citizens

Despite a clear imbalance in Bosnia and Herzegovina following the demand for the state's entry into the EU between the public in the two entities, which certainly reflects the deep division of the Bosnia and Herzegovina society concerning several essential national and ethnic-confessional issues, it can be concluded that in the Republic of Srpska

¹²⁰ IDSCS Public Opinion Analysis Paper No.4/2022 - February 2022, <https://idscs.org.mk/en/2022/02/22/analysis-of-public-opinion-on-north-macedonias-accession-to-the-european-union-2014-2021/> p.4: "...here is an interethnic gap in the support for EU membership between the two biggest ethnic communities in the country, the ethnic Macedonians and the ethnic Albanians. • A very high number of ethnic Albanians (82%) support North Macedonia's membership in the EU • Among the ethnic Macedonians, the European integration of the country is supported by 63% of the respondents"

¹²¹ Europe in crisis. The impact on the public opinion in North Macedonia - IDSCS Public Opinion Analysis Paper No.2/2023 - February 2023 <http://www.idscs.org.mk> : Firm majority of 80% of ethnic Macedonians are against Constitutional amendments. Most respondents (53%) identified as ethnic Albanians who support these changes. • Two-thirds of the respondents (69%) consider that the current official language definition should remain as such; more precisely, it should be: The official language of the country is Macedonian and the one spoken by 20% of the population. • Ethnic Albanians have divided opinions regarding the wording of the official language definition in the Constitution. Almost half of them (47%) think that it should be changed to "official languages are Macedonian and Albanian". p.5

there is more than half support for the entry of B&H into the EU and taking into account that no relevant political party disputes Bosnia and Herzegovina's strategic decision to join the European Union, it can be concluded that the European integration process in B&H has the stable support of citizens, especially taking into account that on December 15, 2022, the European Council officially granted the EU candidate status to Bosnia and Herzegovina.

6.0 Conclusion

The comprehensive social crisis and the political challenges that "Western Balkans" societies have been facing for an extended period of time in continuity, which we can trace back through history since the 70s and 80s of the 20th century, represent a permanent danger to the stability of the region and directly affect a slowdown of socio-economic development of regional communities. The "Western Balkans" states basically represent an example of weak states, states that cannot adequately regulate basic issues of public interest such as: the rule of law, an independent judiciary, institutional control over the entire territory of a state, protection of political rights and civil liberties; provision of institutional-legal assumptions necessary to enable economic prosperity, construction of modern infrastructure, quality public services including education and health care. The public sector of countries of the "Western Balkans" shows a worrying level of corruption and political poltroonery. The existence of a weak state with an unstable society results in a clearly expressed deficit of state sovereignty. The economic, technological and overall socio-political backwardness of the countries of "Western Balkans" behind the European average is evident in almost all aspects of socio-political life, so that in case that even in the future all key participants from the "Western Balkans", as well as the relevant participants from the international factor, are committed wholly and honestly to development of the region, and at the same time show significant success and efficiency in the given commitments, many decades will be needed to pass for the region to come closer to the current economic and social standards of European Union. Considering that many people, primarily young and educated people, are moving out of the "Western Balkans" in search of a safer and better life, human, and thus total social potential of the countries of "Western Balkans" is visibly decreasing year by year. From a strategic

point of view, the indicated countries see closer regional cooperation as the flywheel of the future desired social development in closer regional cooperation, above all in the areas of economy and security, but due to a traumatic historical legacy, which is often abused for the realization of separate interests of certain local and international participants within the regional political and economic life, the ambitious ideas and plans for strengthening regional cooperation and integration are not realized with the planned dynamics and most of the time do not give visible results. Of course, widespread corruption in indicated countries and increasingly visible dysfunctionality of their administrative-state apparatus have their influence and responsibility for the poor results. The advancement of regional cooperation in “Western Balkans” took place in the past for two and a half decades in rather specific circumstances - the original post-conflict forms of cooperation in the “Western Balkans”, primarily those involving mutually antagonistic communities, were initiated by certain institutions and bodies of European Union or from organizations that are part of or are close to the core forces of Euro-Atlantic integration processes. The initiatives for promoting regional integration were and are still aimed at promoting multilateral cooperation, which should be the basis and prerequisite for encouraging economic development, the development of democratic relations in the countries of “Western Balkans” and strengthening of the institutional capacity of state institutions. Within the existing dominant matrix according to which the processes aimed at establishing a strong institutional framework of regional cooperation and regional integration in the “Western Balkans” are conceptualized, managed and realized, the states of the region transfer part of their sovereignty to supranational associations and institutions in the hope that through regional cooperation, as well as through pan-European and Euro-Atlantic integrations and cooperative coexistence, they will more effectively deal with large number of challenges they face.

Bosnia and Herzegovina, Kosovo (according to UNSC Resolution 1244), North Macedonia and Montenegro are strategically oriented in the process of accession to European Union to find a solution or salvation for the most essential problems they face, such as poverty, divided society, economic backwardness, dysfunctional institutions, systemic corruption and environmental devastation. Bearing in mind that according to a three-decade-long strategic view of “Western Balkans”, governments successful European integration is a guarantee for a stable and prosperous region,

an essential question facing Bosnia and Herzegovina, Kosovo, North Macedonia and Montenegro is in which direction they should reconceive or upgrade their basic strategic determinations in conditions of a crisis of confidence in EU enlargement policies within the European Union itself.

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‘CAN UNSTABLE SOCIETIES SUPPORT STABLE STATES: CASES OF BOSNIA AND HERZEGOVINA, MONTENEGRO, KOSOVO, AND NORTH MACEDONIA’¹²²

Transcript from the Online Conference

Petar Atanasov: Hello to everybody and welcome to our online conference! As a part of the team of this project, I will moderate today’s conference. Namely, in 2021, a research team from ISPPI launched a research project under the original title “Can volatile societies support stable states”. The research team consisted of five researchers - Petar Atanasov, Slavejko Sasajkovski, Pande Lazarevski, Driton Maljichi, and Dragor Zarevski. The idea of this team was to start a regional research that should provide an excellent analysis of the current situation in four countries – Bosnia and Herzegovina, Montenegro, Kosovo, and North Macedonia. We wanted to analyze these four countries in three contextual frames: existing social conflicts, the impact of global politics, and their legal-political determinants.

This is the second public presentation of the results from the research team. These elaborations include acquired knowledge, as well as the positions of authors according to the main research questions. In previous pages you could read about the findings of the researchers.

Let me begin this online conference with my presentation of the theme: **‘Comparative analysis of social integration in Bosnia and Hercegovina and North Macedonia.’** Most of the national states in the Balkans were established, among other important factors, because of and under direct influence of the Great powers that were trying to guide the Europe and the Western world towards the liberal model of states. The former Yugoslavia, organically speaking, did not produce a stable political model and the political practice did not find solution from the firm

¹²² The text is a transcript from the Online Conference held by ISPPI on 7th December 2022, under the title ‘Can unstable societies support stable states - cases of Bosnia and Herzegovina, Montenegro, Kosovo, and North Macedonia’. During the conference, besides the researchers from ISPPI, took part three professors Shachir Filandra, from Bosnia and Herzegovina, Sdjan Darmanovich, from Montenegro, and Nexmedin Spahiu, from Kosovo. Thank you to colleagues from these three countries that shared their experiences with us about our research topic.

ideological matrix. Consequently, integrationist Yugoslavia was never built and it was always on troubled water. The Communists in Yugoslavia tried but did not succeed to manage and resolve the “national question(s)” of the Yugoslav people and Yugoslavia itself. The republics of Bosnia and Macedonia were established because then it seemed like a good solution. Nationalism is a political request (i.e. an active ethnic group with a political agenda) that aims at building a nation and national identity as one of the most important projects of their national state. The national principle once started in western Europe had to be led to the end.

The same process was happening in the Balkans in the 19th and 20th centuries. The categories of national identity were cultural, but this time the catalyst was religion, in addition to the language and the ethnicity of the group as prime identifiers. In Bosnia, Islam was used for the politicization of the Muslim identity in the state. The choice of certain structures in Bosnia was the building of a separate national identity which was finally defined as the “Bosniaks” national identity. The culture is the subject of permanent transformation. It is important how the individuals will identify themselves. The ideas for ethnic identification are not fixed in some essentialized past. They are products of the continuous interplay of history, politics and power.

Many nations have roots in the existing ethnic groups. Ethnic groups have specific cultural collective identities. It consists of objective elements and subjective elements, such as the feeling of continuity and connectedness in the past. Many wars have been fought for the ethnic cause. The ethnic groups in the Balkans sometimes waged wars because of ethnic differences, and sometimes because of similarities. In Bosnia all ethnicities have the same language, they are culturally very close and belong to the same Slavic stock. They are divided only by religion. The rationale for the bloody conflict in Yugoslavia was a military-organized and violent interethnic war. The “pure” ethnic states were established. The democracy that followed was exclusively ethnonational. In new states, the “new” was repacked with an old, but less creative version of the old. Bosnia is a country with imposed constitutional democracy with three constitutive peoples. There is no single *demos* as a political community on the state level. Dayton was almost made not to be successful and the internal conflict destroyed more than they have built it up again.

The average citizens were then and now not interested in public politics and official political discourse. The ethnic divide must be overcome. There should be post-ethnic political alliances and loyalty to the state

should be built – not just winners and losers. Unfortunately, nationalism is still the dominant Balkan ideology! It still has the power to provoke political processes within, as well as between the states! Meanwhile, in recent years, the political forces in the Balkans have ‘managed’ to transform into “modern” political parties, but also to defend mostly “their” national interests.

Attempts to build a different political model that does not correspond to ethnic myths are doomed to fail. Social conflicts abound and exist, intertwining politics and ethnicity. The research on Bosnia and Herzegovina, in the context of identifying social conflicts, focused on two levels – socio-political and socio-cultural. Through this analysis of different influential factors, we distinguished a couple of factors related to the existence of social conflicts that today affect Bosnia and Herzegovina’s condition as a state – the politicization of ethnicity and the political disintegrative processes that prevents the higher level of social/state integration.

Endless politicization of ethnicity is the most influential negative process or factor for the stability of a society. This politicization is continuously emanated from three standpoints and manifested as particular ethnic nationalism(s). In fact, there are three similar but still different relational nationalisms: the majoritarian Bosniak, minority Croatian, and sub-state Serbian. Ethnic political elites dominate most of the time and obstruct greater integration of society, not allowing the decrease of ethnic monopoly and power.

Political disintegration processes manifest themselves through political struggle, but for three different ideas. Bosniak political elites are pushing for bigger centralization of the state, as opposed to the current entity’s position. Serbian political elites are advocating for the frozen Dayton Bosnia and Herzegovina. Croatian political elites are advocating for their own third entity and bigger influence. The attempts to reduce the influence of ethnic factors (privileges and personal interests) in politics are opposed by many political parties.

The biggest similarities in Macedonian society are identified in relation to the first social conflict – the politicization of ethnicity among Macedonians and Albanians. The second social conflict, namely political disintegration is less pronounced, probably because of different approaches to post-conflict resolution.

In Macedonia, also, there is more pronounced ethnicity in everyday reality, but this is less reflected in the laws, at least compared to Bosnia.

Still, three decades after the independence of the state, the governing structures do not seem to have the will to find an integrative model for social integration. Without it, North Macedonia will be neither democratic nor stable.

Speaking of change, it has been seen in the region for years that it is impossible to change things, especially if the status quo works in favor of the corrupted elites and their hybrid ideologies, and vice versa. But when only the citizens are dissatisfied, even though they are in the huge majority, then the chances for change are slim.

For both states, the eventual creation of new multi-ethnic political majorities (political parties or some political alliances) is an opportunity for a higher level of social integration and a more stable political model. We argue that only stable societies can support stable states. Ethnicity in politics should be de-monopolized through the establishment of new multi-ethnic political majorities that are ideologically based. Besides that, the significant social gap between the rich elites and poor constituencies has to be overcome. Bosnia has open political conflict vis-a-vis Macedonia which does have a social conflict, but not with the potential for war. Either Bosnia will follow the Macedonian example or Macedonia will become more and more federal in its essence like Bosnia.

Driton Maljichi: The research focuses on the social crises between Serbs and Montenegrins in Montenegro as well as the relations between Kosovars and Serbs in Kosovo.

Social Crises in Montenegro

Factors detected in our research in Montenegrin society are the historical aspect, national identity, linguistic identity and inter-religious relations. Serbs and Montenegrins have opposing views on what kind of state they want. Serbs wish to be a vast or federal Serbia, but Montenegrins and other minorities seek their own country.

Montenegrin Identity

In Montenegro, the subject of identity is one of the most contentious. Serbs have kept this issue hidden as a secret identity. Following Montenegro's independence, charges against Montenegrins

began. Is there a difference between them and the Serbs, or are they the same people? The percentage of Serbs in Montenegro has increased while the percentage of Montenegrins has dropped. The categories ‘Serb’ and ‘Montenegrin’ were not mutually exclusive and many of the people of Christian Orthodox faith associated themselves with both identities.

Most Montenegrins closely identify themselves therefore with the Serbs through common historical and cultural ties. Indeed, the majority of Serbs consider Montenegrins to be “Mountain Serbs” and most Montenegrins regard themselves as Serb in origin. The reason to this is that they share many characteristics, despite some existing differences. Separate “Montenegrin-ness” is, however, backed up by political history, a unique mountain lifestyle and a traditional society based on clan and tribe membership. Not all Montenegrins like to consider themselves identical to Serbs, many feel resentment towards Serbian efforts to minimize their national distinctiveness and have instead strong Montenegrin national feelings.

Linguistic Identity

In Article 13, the Constitution of Montenegro of 2007 stipulates that the ‘official language in Montenegro is Montenegrin’ and Latin scripts were equally valid, while ‘Serbian, Bosnian, Albanian and Croatian’ are ‘officially used languages’. The overall language situation in Montenegro is complicated and difficult, the language question is very politicized and do not like the fact that declaring oneself a Montenegrin speaker is often considered a political statement. For them, being a Montenegrin speaker is more like a responsibility to their country and people. Being a Montenegrin speaker means, for some people being a supporter of certain political parties. On the other hand they understand the need for a Montenegrin language – every nation should have its own language.

Inter-Religious Relations

The goals of the Montenegrin people to have their own state were accomplished in 2006; following that, the Montenegrins aspired to have their own Montenegrin language distinct from Serbian was accomplished in 2007, and the third aspiration was to have their own church separate from Serbian. The goal of having the Montenegrin Orthodox Church

separate from the Serbian Orthodox Church is facing obstacles and riots around Montenegro.

Despite their growing cultural and political differences, religion remain the area where the two countries Montenegro and Serbia remained interlinked. Not only was it seen as incompatible with its status as an independent country, many Montenegrins, including key figures of government, argued that the links between the Serbian government and the Serbian Orthodox Church meant that the church was a powerful way for Belgrade to continue to exert influence over Montenegro – especially the large part of the population that still identified as Serbian.

Social Crises in Kosovo

According to the results of the research, factors which are detected are Association of Serbian municipalities, Orthodox cultural heritage and the way of living of the Serbs in enclaves.

Association of Municipalities. To the Albanian community it is a fundamental issue of sovereignty and statehood. They perceive the Association as an offer given by Belgrade (not the Kosovo Serbs) that will be used to undermine and make their country dysfunctional. The way Belgrade controls Kosovo Serbs feeds their fears. For them Kosovo got nothing and Serbia got everything. To northern Kosovo Serbs in particular, a Community of what was agreed would be much less than what they have today. They understand it to be a way to survive without the protection of Belgrade as they are integrated fully into the Kosovo state. They want the Community to serve them only, preserve their way of living in practical terms. The lack of understanding of one another's concerns stands as a central obstacle to the formation of the Association.

According to Albanian Kosovars, the concept of association of municipalities is outside the constitutional-legal-political system, which would seriously harm the constitution of Kosovo. Kosovo politicians fear the Association and it is just a step towards creating Republika Srpska in Kosovo. Kosovo Serbs view an Association from a very practical point of view: a reward instrument for painful integration into Kosovo and a replacement for departing Serbian-funded institutions.

Inter-Religious Relations

The Ahtisaari Plan also foresaw the establishment of special protected zones around key Serbian Orthodox religious sites to protect them from illegal construction and other threats. This special status has been particularly controversial in Kosovo, as its critics saw it as a form of extra-territoriality giving Belgrade direct control. Due to this situation the government have been unwilling to pass the legislation that is needed and as result continually have been tensions between the authorities and Serb Orthodox churches and monasteries on the municipal plans that appeared to contravene the protected status. The land of the Serbian Orthodox Church is at the center of the dispute between the two ethnic groups and was the subject of a judicial proceeding where it was determined that the property in question truly belonged to the Serbian Orthodox Church.

Enclaves – parallel structures in Kosvo

Serbs in Kosovo are marked as a politically marginal community both in Kosovo and in Serbia. Serbs in North Mitrovica rejected the integration into new institution, resulting in creation of parallel system. During the period 1991-1999, when the Serbs were dominant group in Kosovo, or had the support of Milosheвич, Kosovo Albanians developed parallel structures in education and health care. At the time, Kosovar Albanians had little trust in the Serbian system and often complained of discrimination, violence, and a lack of access to healthcare and education. Serbs, especially those in the north, are repeating what the Albanians did previously.

A significant number of Serbs are directly dependent on income from Serbia. Most Serbs in Kosovo continue not to speak Albanian, as it is not taught in Serbian schools following the curriculum of Serbia—only the Serbian is available—and have little everyday contact with Albanians. As a result, not only is the segregation of the communities preserved, but Serbs have fewer opportunities in mainstream Kosovo society, reinforcing the divide.

Pande Lazarevski: Although the initial assumption is that the subject of analysis will be the relationship “society - state” in the “states” named in the title, the dilemma arises from the very beginning as whether

these are really “states”. This analysis must inevitably be multidimensional and must not be placed in an international political vacuum, but rather in the context of the history of the Balkans. In that context, the interests and actions of local and regional actors as well as local implications of tectonic shifts on a global scale should be taken into account.

Although at first glance it looks like it is a socio-political analysis of the internal conditions and processes in the countries named in the title, the geopolitical perspective and historical retrospect are inevitable for their understanding. Therefore, first of all, the need for an unambiguous determination of what sovereignty means, as a prerequisite for the treatment of “state”, is imposed. In the international context, sovereignty means that the state makes its decisions independently, without external influence and coercion of actions. This would mean that the sovereign state has the authority and has the power to independently determine the system of government not only within its borders, but also to decide on its international actions. If it acts according to the demands of external forces, then it is a so-called vassal “state” or “puppet” in the “puppet theater” of the regional or global powers. This is precisely what calls into question both the real and the formal framework of the current international order, where entities that do not have the capacity to exercise sovereignty are treated as “states”.

To understand what is happening today, it is necessary to take into account the historical dimension, the context in which the “states” mentioned in the title of this study have appeared on the “political stage”, as well as the nature of the relationship and the interests of relevant international actors related to them. So, in addition to the “states” on which this study is focused, the regional actors in the Balkans, should be taken into account as well. Also in the scope of our approach must be the background of the interest of great powers (former and current), with reference to the Balkans, in the context of the wider picture of their geopolitical positioning, geostrategic combinatory and mutual confrontation.

Without questioning the analytical weight of what was said before, the so-called “collective memory” is imposed as a special aspect in the effort to understand the analyzed “states”. The “collective memory” to a significant extent is profiled through the spontaneous or “directed” leaning of the “political myths” related to justification (or condemnation) of what happened and giving interpretation of the current situation and

suggesting to desired future. So, through the consistently established narrative, we face the phenomenon of construction of the “official truth” about the past that justifies the existence and actions of the “imagined community” today, as an introduction to the future to which such a “community” lays claim. We come to the point that the interpretation of the so-called “historical facts” (or more precisely, the reinterpretation and “retouching” of history) become a weapon of politics, that is, to the point that the selection and interpretation of the so-called “facts” are the main manipulative political tool and mobilizing force, the main source of “political energy”, which creates the collective identity. At the same time, the construction of the confronting difference is justified by the necessity of correcting the “historical injustices” (more specifically, the mythically colored interpretations of what already was and the course of events essentially changed it).

In addition to the role of the interpretations on which the confronted “political histories” are based, the questions about the role of external influences in the establishment of religious institutions and their politicization, as well as the codification of official languages in the creation and maintenance of the confronted identities, are also relevant. There is room here to puzzle out questions that will take us beyond what should be the subject of this paper. Therefore, now we return to the four “western Balkan`s states” mentioned at the beginning, following their historical path from the second half of the XIX century to the present day.

Dragor Zarevski: Social and political problems and challenges faced by the countries of the Western Balkans represent a constant threat to regional security and that they are a reason for slowing down socio-economic development of the region. Histories of the nations and states of the Western Balkans are mutually intertwined, but unfortunately, that fact rarely represents a bridge for mutual understanding between the nations.

Even though initial assumption would be that subject of analysis is relation between “society and country” of the entities mentioned in the title, at the very beginning there is a dilemma whether or not this is a case of valid “countries”. This dilemma is still present besides the fact that three out of four are formal members of the United Nations, so this assumption would be possible, however in the case of Kosovo even this basic element which is decisive is not completely present. Kosovo, with a status regulated by the Resolution 1244 of the United Nations Security

Council, “de jure” is autonomous province of the Republic of Serbia and despite the fact that in 2008 unilaterally proclaimed independence. Kosovo was not recognized as a sovereign country by half of the countries members of OUN.

Bosnia and Herzegovina, Montenegro, and North Macedonia are deeply divided societies with disputed capacity to practice the most important attribute of a country, it's sovereignty, which opens up the question if these countries are de facto entities that possess the full competence of an independent states.

Bosnia and Herzegovina is established in agreement with the Dayton Peace Agreement (1995), administrated by high representative, lookalike governor with executive power, set by the United Nations Security Council. In the case of Bosnia and Herzegovina, even though member of the United Nations, it represents a semi-functional community of two entities established on ethnic basis, constantly monitored by the high representative.

Montenegro even though independent country, recognized in 1878 (and governing as such till 1918 until it was absorbed by Kingdom of Serbians, Croats and – Slovenians. After the second independence proclaimed in 2006 there are strong inner divisions regarding identity as well as the relationship with the Serbian Orthodox Church that is also reflected in a large number of segments of socio-political life.

Republic of North Macedonia, with proclaimed its statehood in 1944, existed as a state (republic) in Yugoslav federation until Yugoslav dissolution. Macedonia declared its independence in 1991. Their deep ethnic cleavages were overcome with the solutions stipulated by (so called) Ohrid Framework Agreement in 2001. Analyzing political complexity of Macedonia, important moment are disputes regarding “Macedonian identity” challenged both by the Hellenic Republic and the Republic of Bulgaria.

The research is inevitably multidimensional when developing a concept of sovereignty in the context of internal complexity of indicated entities, as well as when analyzing a context of processes resulting from characteristics of population, territory and capacity of the central and local government.

The analysis is not located in an international-political empty space. As relevant factors that determine internal political dynamics, the interests and actions of local and regional international-political actors

should always be taken into account, including local implications of the current tectonic shifts on a global level. Here, above all, we are talking about the interests of great powers in the Balkans and their perception of the role of the Balkans in their “grand strategies”.

This paper investigates and analyzes the discrepancies between the norms and practices of state sovereignty, as well as the basic regularities and tendencies for the formation of political identities and political communities in the current conditions of radical and overall socio-political and economic transformations on a global level. Just as a reminder, this paper, in its final version, will emphasize, at least, the following questions:

- Could be treated as “states” (“countries”) entities without capacity to practice attributes of sovereignty in real world geopolitical surrounding?
- Is phenomenon of “defreezing frozen conflicts” exclusively immanent to internally divided societies or it is contextually defined depending of global geopolitical shifts?
- Is international law real legal instrument capable to regulate international relations or it is just a fiction, without substantial capacity to make order in international arena, or is it just a screen for measuring forces between states and supranational political and military alliances without clearly established and generally accepted legal and ethical norms?

Slavejko Sasajkovski: In relation to the Agreement with Bulgaria which is analyzed in the text, within the allowed ten minutes, I will try to shed a very strong beam of light on probably the most current issue in this complex of relations-the issue of changes to the Macedonian constitution, in view of the introduction of “Bulgarians in the Preamble of the Constitution”.

I call to direct all our attention to the dominantly used wording previously put in quotation marks-”Bulgarians in the preamble of the Constitution”. Purely theoretically, the Bulgarians can enter the current content composition of the Constitution as a people or as part of a people, that is, as a national minority, that is, as a nationality. Because the phrase “part of the people”, strictly sociologically defined, is reality is only a

description of the term national minority, that is, nationality. The fact is that the initiators and supporters of the inclusion of Bulgarians in the Constitution, whether domestic or external entities and factors, do not specify whether Bulgarians in the Constitution should, practically must, indeed why must (?!), be entered as people or as part of a people. I add an apostrophe: it is a fact that so far not a single possible version of the text of the respective constitutional amendments has been released to the public by the political structures that are conspirators and supporters of the specific constitutional changes. Neither as the most distant initial version, nor as the most non-binding possible anticipation. And in this problematic and analytical point is exactly the essence of the problem.

Just scratching the surface of that problem more than obviously reveals the complete improbability that the Bulgarian side will accept the Bulgarians to enter the Constitution as a part of the Bulgarian people living in the state of the Macedonian people and of all the parts of peoples that together make up it in the Preamble citizenship of the state, exactly as stated in the Preamble.

It is unlikely that the Bulgarian side will accept the Macedonian Bulgarians to enter the Constitution as part of the peoples, that is, as a national minority, simply because they have the previously mentioned Agreement with the phrase Common History contained in the Preamble of the Agreement. This syntagma Common History accumulates and concentrates the ideational, theoretical, conceptual and ideological subjectivity and identity of the Agreement. That phrase is the Spirit of the Agreement, the factor that decisively determines the wording, meaning and interpretation of the Agreement. The Agreement produces an international legal effect for the signatory parties, although, which is not a special issue of this elaboration, that Agreement with its Spirit, is completely realistic and objectively subject to review from the point of view of the general, universal provisions of the Vienna Convention on International Contract Law, in fact the same as the Final Agreement with Greece.

The phrase Common history, as interpreted by the Bulgarian side and as it seems to be established in international relations, including through the bureaucratic corridors of the EU and through the diplomatic offices and corridors of the key EU member states, implies and actually means that today on this geographical space of ours actually and objectively exists Macedonian national identity. And now comes the key

and crucial element: that identity does not have its own original, self-contained and self-important ethnogenesis. His ethnogenesis is Bulgarian. This is the essence of the entire Macedonian-Bulgarian problem today and here, so the Bulgarian side seems to have managed to impose and establish that essence. So, the essence is not whether today and here there is a Macedonian national identity or not, the Bulgarians, just like the Greeks, accept that there is, but that that Macedonian identity does not have its own Macedonian deep historical ethnogenesis. The Macedonian-Bulgarian problem has been imposed as an ethnogenetic problem. This practically means, this is the content of the problem that the Bulgarian side seems to have managed to impose: in fact, it is about one nation, which with almost unprecedented and immeasurable political violence and with brutal sociological engineering and divided into two peoples, into two national identities. But no violence and no engineering can erase their common history, that is, the Bulgarian ethnogenesis of the new Macedonian national identity. This is, I strongly emphasize, the essence of the Macedonian-Bulgarian problem, as it has been successfully imposed by the Bulgarian side. According to this essence of the problem, today's Macedonian Bulgarians are not and must not be treated as a part of the peoples, that is, as a national minority. Essentially and fundamentally, on the contrary, it is a Bulgarian position, they are the remnants of the Bulgarian people who, in the state established in 1944, did not succumb to all assimilationist brutalities and preserved their original Bulgarian national identity. Ethnogenetically, it is a Bulgarian position, in fact it is about two states of the same people, with one part of that people preserving its Bulgarian national identity, the one in Bulgaria, and a second part of that people predominantly did not escape assimilation, the one in Macedonia.

That is why the Bulgarian side will inevitably and with “steel” determined to the end demand and will not give in at any cost that the Preamble be substantially and thoroughly recomposed, to be placed on the basis of the phrase Common History. This syntagma does not have to enter the Preamble literally as such, but its content, its meaning, its spirit must enter, as the Bulgarian side seems to have managed to impose and establish them.

Because of all this, it is practically impossible to assume that the Bulgarian side would accept Macedonian Bulgarians entering the Preamble of the Constitution as a part of the people. And the content of

the relevant amendment should be laconic in that sense: just add “the part of the Bulgarian people”, together with the parts of the Montenegrin and Croatian people. It is a difficult illusion to expect the Bulgarian side to accept such an opportunity. Because it is essentially and fundamentally opposite and conflicting with the Bulgarian state-institutional, idea, academic, ideological and political-party position in the Macedonian-Bulgarian dispute, which the Bulgarian side seems to have managed to impose and establish.

On this occasion, I will not refer to the inevitable and most firmly determined reaction of the Macedonian Albanians if the Bulgarians enter the Constitution as a nation and the Albanians remain as a part of the people. To conclude, it is not realistic to expect the Bulgarian side to accept Macedonian Bulgarians entering the Preamble of the Constitution as a national minority, rather, they will imperatively demand that the entire Preamble be thoroughly revised on the basis of the phrase Common History and exactly as that phrase interprets it the Bulgarian side.

Petar Atanasov: Thank you to the members of the research team for their presentation. I have the pleasure now to introduce as the next speaker professor Srđan Darmanović. Let me remind you of his biography. He is a full professor at the Faculty of Political Sciences at the University of Montenegro in the area of comparative politics, the founder and first Dean of the Faculty of Political Sciences, Minister of foreign affairs in the Government of Montenegro 2016-2020, and ambassador of Montenegro in the USA 2010-2016. ministar vanjskih poslova u Vladi Crne Gore 2016-2020., ambasador Crne Gore u Vašingtonu 2010-2016. He is an author of many publications, scientific papers, and analyses, and a guest speaker at the „Džons Hopkins“ University, the University of Hamburg, and the University of Belgrade. Also, member of the International research group of Aspen Institute, a member of the Venice Commission, etc.

Respected colleague Darmanović, it is our pleasure to have you today as a rare opportunity to share your knowledge and experience with us. Could you inform us how are the relations between your society and your state? Is your society stable enough to support your state or what are your impressions from inside the country? You can also comment on what you have heard today. So, the floor is yours, as it is usually said.

Srdan Darmanović: Professor Atanasov, not only the floor is mine, but the pleasure is all mine that I am with you today, so it is my pleasure to have the opportunity to get involved in this extremely interesting project you have been working on. I read the abstracts I received and listened to very interesting presentations made, apparently, on the basis of rather long research done. Here is a key question: can unstable communities and unstable societies support stable states, i.e. stable institutions?

Montenegro has come into the focus of this issue, I would say, especially in the last two years. Before that, we had a fairly stable system with the so-called dominant party that was in power, mostly in coalitions it dominated, for almost three decades. Although the aforementioned research question, which is the focus of your project, in Montenegro became so visible after the dismissal of the three-decade government, it has actually been open for a long time. It is present through a social rift around national identity and over the state issue, and in fact, two competing national and state programs are confronted. I will try to illustrate to you through a brief reminder and a few obvious facts how deeply established this rift is in Montenegrin history.

Since Montenegro was recognized at the Berlin Congress in 1878, almost 150 years ago, it has changed its state status at least six times. It was first an independent state until its capitulation in World War I, i.e. from 1878 to 1916. After that, it disappeared as a state and became, to put it in socialist-self-governing terminology, a non-constitutive (we can freely say unrecognized) part and people of the unitary Kingdom of Serbs, Croats and Slovenes, i.e. a little later Zeta Banovina in the same Kingdom under the name of Yugoslavia. Then, after Tito's partisans settled the outcome of World War II in their favor, it partially regained its statehood within Tito's Yugoslavia and for almost five decades was one of the six federal republics. Similar status, but in fundamentally different circumstances and in a substantially smaller and different country, It was one of the two federal republics of Milosevic's Yugoslavia, from 1992 to 2003. It was then granted the status of a semi-independent state in a transitional confederation called Serbia and Montenegro, which lasted only three years, from 2003 to 2006. Finally, it became an independent state again after a referendum on independence in 2016. If we add to this two more occupations in the wars, the Austro-Hungarian from 1916 to 1918 and the Italian-German 1941-1945, as well as the fact that, before the unification into the Yugoslav kingdom in 1918, Montenegro was

formally, at least for only two days, annexed to Serbia and that it did not enter the first Yugoslavia under its own name, but under the name of Serbia, then the number of changes in state status rises to an impressive nine.

I've lived in at least four or five countries in my lifetime. First, I think, I was born in the Federal People's Republic of Yugoslavia (F.N.R.J.), then I lived in the Socialist Federal Republic of Yugoslavia (SFRJ), then in the Federal Republic of Yugoslavia (FRY), then in the Confederation of Serbia and Montenegro and finally in an independent state. You generally cannot hear such facts in stable countries in the West, and not even to such an extent in countries with such a turbulent and even tragic history, such as Germany and France. But in areas like the Balkans, all of this is not such surprising data. Based on this brief recap, it could be said that in Montenegro almost all history in the last 150 years has collapsed and concentrated on national and state issues. When there was no radio and television, as well as today in the age of the Internet and digital communications. Both under the authoritarian governments of princes, kings, or communist leaders, and even today in a multiparty system with fairly frequent elections.

Therefore, Montenegro is intensively living with these issues, except with a certain respite that occurred in Tito's Yugoslavia, where the issue was swept under the carpet, but, even then, not completely disappeared. If you take shorthand or various minutes from party forums from Socialist Yugoslavia, i.e. communist party forums from Montenegro, you will see that there was a discussion about this. Authoritarian systems also have a dynamic, not as public as democratic, but they have an internal dynamic. So in Montenegro political and scientific careers were lost on this issue, some people were leaving, removed from office, or, say, were pushed away from the party a little, others, again, profited from it, etc. So even though that discussion didn't exist too much in public, it was present to some extent. I remember, for example, that when I was a student in Belgrade in the mid-1980s, I read in the then Montenegrin party "Praksa", an article by a former high-ranking Montenegrin official in federal bodies, Veselin Đuranović, who was Yugoslav prime minister and one-year president of the state. The text was called, if I may remember correctly, "Podgorica Assembly – neither liberation nor occupation". I was 25-26 years old at the time and at that time I had very vague notions about what the "Podgorica Assembly" was. I knew something had happened, but I didn't exactly see

it as a historical event that is so traumatic in Montenegrin history. The episode regarding this text is a testimony that something happened in the party bodies as well.

The state and national issue in Montenegro has always come to the surface in the context of some major upheavals and events that were geopolitical in nature. Montenegro was created, i.e. recognized as a state, at the Congress of Berlin in 1878, therefore, in the context of a reshuffling of the great powers. She lost her statehood in 1918. in the context of the results of the First World War, and then partially restored statehood in the context of the results of World War II in socialist Yugoslavia. It became part of the two-member Milosevic Federation in the context of the disintegration of Yugoslavia and the end of communist regimes in Europe, and it restored statehood and independence in the context of the fall of Milosevic's authoritarian regime and the process of Europeanization of this area.

However, as the issue always erupts somewhere below the surface, it has erupted now and that says quite a lot. It actually supports the fact of your research that societies that can almost be subsumed as a textbook example under the Lipset-Roquek theory of social cleavages have great predispositions that their institutions and states are not stable. Now, in one of today's presentations, it was heard that Montenegro belongs to a country that cannot practice its sovereignty, that it cannot realize it... I'm not sure if this assessment is correct. Montenegro is now a member of NATO, as is North Macedonia. In doing so, however, these countries have shown that they can make some choices that are crucial not only to their foreign policy position, but can even affect internal stability. I could say with certainty that the big question is how the current political conflicts within Montenegro would take place if it were not part of the Atlantic Alliance. Of course, NATO will intervene militarily neither in Montenegro nor in North Macedonia because of the political choices they make in their domestic politics. It's not about that, but some facts, such as NATO membership, protect you indirectly. On the other hand, we could debate whether Montenegro and North Macedonia (for Bosnia it is quite difficult to talk about), can or cannot and to what extent they practice their sovereignty, but that this sovereignty is to some extent hampered, this is quite true. Because if you have a competitive national program, that is, a conflict of competing national programs in the same state, therefore not some small minority that exists in a territory, and is fighting

for its legitimate rights, but a competitive national program aided by a significantly larger neighboring state, then it is really justified to say that some attributes of sovereignty are, at least, difficult.

The question here is whether there is some glue, any glue, which can allow such states as ours, with such societies as we have, can still build and strengthen their institutions. You know, Spain, for example, has not always been a developed country, nor has it always been a member of NATO. It always had strong centrifugal tendencies, but the Spanish transitional elite after Franco's death simply agreed that the transition to democracy was more important than ethnic nationalism and eventual independence tendencies and that any such issues should be resolved within a democratic society. That nationalism does not disappear in democracies, or even in societies of relative economic well-being, has long been known. The UK is almost an exemplary case in this regard. It's the same with Spain. Although it became a member of the EU and NATO after democratization, some of the above-mentioned issues have surfaced in a very democratic and developed country. Let us remember that relatively recently we had a crisis with an unanswered referendum in Catalonia, which was resolved by a democratic state on a significant scale by repressive measures. In one of today's leading European countries, you mostly do not expect such a thing, but this is only proof of the strength of the so-called identity issues in areas much more developed than ours.

Bearing in mind the similarities and in many ways the common history in the Balkan regions is not accidental, therefore, when I listened to Professor Sasajkovski, as if he was talking about Montenegro, therefore, it is simply just to replace the terms. I can't add anything about it, because of the Serbian historiography and general... There is a rather broad consensus, especially in recent interpretations of history in Serbia, let's say somewhere from Milosevic's nationalist revolution onwards, that Montenegrins are part of the Serbian tree, that you can ultimately recognize them as a nation, which was fought, according to interpretation, only in socialist Yugoslavia. So, a very similar relationship that Professor Sasajkovski described between the Bulgarian and Macedonian syndrome, if I may call it that.

So, what is it in our countries that can exist as a connective tissue? Ethnic people living in our countries will not disappear, they will have some of their own political representatives, and at least a part of these political elites will certainly resort to ethnopolitics. Ethno-politics is the

cheapest and simplest policy to keep yourself as a political representative for years or even decades on the public stage. Danilo Kiš, after all, wrote that nationalism is actually an ideology of banality. It's relatively easy to deal with. You shout loudly enough that whatever you are, Montenegrin, Serb, Macedonian, or Albanian, and you will certainly have a certain, often significant, or even the highest per centage of votes in a country. Take a look at Bosnia after Dayton. How long has it been? Look at Serbia twenty-two years after Milosevic! Twenty-two years after Milosevic! Nationalism is as much a leading political doctrine as it was then. In relation to Montenegro, for example, we listen to everything we did twenty-two years ago. That Montenegrins are part of the Serbian tree, that they are actually ethnic Serbs, that they can ultimately be recognized as a nation, but that all this is a product of Tito's Yugoslavia, and that, therefore, it is a fictional communist construction. There is a very broad consensus on this in Serbian society and especially among political and cultural elites. Things are very similar to the relationship that Professor Sasajkovski described between the Bulgarian and Macedonian understanding of the Macedonian nation, its history, culture, and existence in the present.

This brings us back to the issue of connective tissue. I have to tell you that, despite all the limitations, I still think that apart from democracy we have no better support for these countries of ours, no matter how naïve it may sound. I don't see what else it would be. We had charismatic personalities, we had parties or one party, we had under the Karadžević the ideology of integral Yugoslavism, we had under the communists the ideology of "brotherhood and unity" between recognized different peoples... After all this, we again have ethnocratic political elites and the same kind of societies and states. That's why I don't see what else, other than the constant pursuit of democratization and democratic institutions, could take us somewhere. Maybe that's not possible, maybe democracy is simply powerless in front of our divided societies. I, however, start from a different belief. I have never believed in the otherwise widespread deterministic view that there are simply countries whose cultures, religions, histories, economic underdevelopment, or some other factors simply "do not allow" them to become or be democratic. It's almost as if you have a racist view that there are people who, because of some properties, do not have the capacity to develop the achievements that others can. I also refer to the claims that in our country, in the Balkans, a "firm hand" is the only efficient administration.

Are we really that complicated societies? Are countries like ours such difficult cases that there is no social and political order that can help them? I think that if we really get to this point in thinking, we should always remember India, for example. If India, or some other country like that, can develop and maintain a democratic system for decades, I guess they can be much less complicated. I simply believe in what is called “leadership matters” in America, i.e. political leadership, i.e. management elites, play a significant role. In countries like ours where Marxism has long been the dominant worldview, we are simply trained on a deterministic attitude that everything is in existing structures, that economic development is the main factor of political change, and that human activity plays a limited role here. That’s only partially true. The role of the elites is much greater than the aforementioned view is understood. Elites are being created, changed, some of them are taking some important steps forward. You have some EU countries, Portugal or Spain e.g. These were countries at the same level of development as Tito’s Yugoslavia. Salazar’s Portugal was even less developed than Yugoslavia. Franco’s Spain was at the same level as Yugoslavia. After their rather impressive transitions, they are today largely consolidated democracies, members of the EU and NATO.

There can be various policies that will contribute, weakening the call of national and nationalist, it will always be there, you cannot suppress it, but instead of being the fuel of populist policies and authoritarian leaders, you can probably turn it into a problem of a democratic society that is solved within democratic institutions and procedures and with which the democratic order can cope. Your research is sociological and I would say, more in-depth, and I spoke mainly from my political point of view and tried to contribute in this way to this interesting discussion.

Not to bother you too much with Montenegrin politics now, but we are currently in a deep political and constitutional crisis. If it were just a political crisis, it would be easier to come up with a solution. However, it is a crisis of key institutions and the blocking of the constitutional exit from such a situation. Despite everything, I believe that the crisis will not be fatal and that certain compromises must be made because we are a candidate country for EU membership. This factor will ultimately prevail. Also, I do not believe that political conflicts in our countries, in our region, can turn into major conflicts like the tragic 1990s. There will be political conflicts, of course, but they will take place mainly within the framework of the “rules of the game”. As far as Montenegro is concerned, an era is

over. I am referring to a system with a dominant party that has lasted for more than three decades. It is likely that in the future we should expect a system with mostly mixed governments that will be a reflection of certain compromises and that will not always be comprised of ideologically related parties. Thank you for your attention.

Petar Atanasov: Thank you, professor Darmanovich. Let us welcome our colleague, Nexhmedin Spahiu, from the AB University of Prishtina. In his rich biography, we can find that he is a mathematician and political scientist. He wrote the books *The Theory of Kosovar Nation* and *Towards the Kosovar Nation*, and many others concerning the Kosovo and Albania relations. He was a professor here in Tetovo, in Tirana, Prishtina, and Hamburg. His political analyses are known because of his critical approach and courage to debate delicate questions sometimes dangerous and hardly predictable. In 1999 he was one of the founders of Radio and Television 'Mitrovica'. He was President of the Assembly of non-governmental organizations of Kosovo. Professor Spahiu I give you the floor to tell us about the same topic in the context of Kosovo.

Nexhmedin Spahiu: It is my great pleasure to attend this conference. It is very interesting to me and I would like to contribute here with great pleasure. Looking at the concept of nationhood, I still see Bosnia as different from the case of Montenegro, Macedonia and Kosovo. In what sense? After the French Revolution, when, the beginning of the age of nations, those whom today declare themselves nationally as Bosnian Croats or Bosnian Serbs were considered Bosniaks. The national awakening among Serbs and Croats, earlier than among Bosniaks, made Orthodox Bosniaks Serbized and Catholic Bosniaks Croatized. What's left, i.e., Muslims, now make up a nation of Bosniaks. Of course, today's Bosniaks are not only descendants of medieval Bosniaks, but also Islamized Hungarians, Croats and Serbs. When, at the end of the 17th century, Austria occupied Hungary and Croatia, a part of the Croatian Muslims and Hungarian Muslims who were not killed or converted into Catholics fled to Bosnia and mixed with the Bosnian Muslims, and assimilated into Bosniaks. The same thing happened with Serbian Muslims after the Serbian Revolution in the early 19th century, who fled the revolution, from the rebels, and moved to Bosnia. They also mixed with the Bosniaks and became Bosniaks.

In the cases of Montenegro, Macedonia and Kosovo, in disputes that are being waged in political and academic circles, between Belgrade and Podgorica, and between Sofia and Skopje, I stand on the side of Podgorica and on the side of Skopje. National identity is a political identity, it is a political will, so whenever someone declares their identity, we have to respect that. In Montenegro, for example, I have seen a lot of families, where one brother declares himself as a Serb and the other as a Montenegrin. According to me, a Montenegrin is one who is attached to the Montenegrin state, and a Montenegrin Serb is one who is attached to A Greater Serbia, who believes that Montenegro should be part of Serbia. Yes, I have seen it in many cases that brothers from the same father and mother declare themselves differently, but it is still their right and must be respected.

I have never seen such a case in Macedonia, let's say that in one family one brother declares himself Macedonian and the other Bulgarian. In any case, however, regardless of the fact that the Balkan climate carries a common history and many things together in politics and culture, it is the right of everyone to determine their political will. And of course, this is also the right for the political will of Macedonians to be who they want and want to be.

The case of Kosovo is essentially similar to Montenegro and Macedonia, but the difference is that those who propagate Greater Albania are, in fact, not in Tirana, but in Pristina. While those who propagate Greater Serbia are in Belgrade or those who propagate Greater Bulgaria are in Sofia, here it is quite the opposite, because, during the Second World War, when Greater Albania was created, those who had power in Tirana were from Kosovo. This remains in the political memory of Kosovars, which is still strong and from which Kosovo society has not yet sobered up. Of course, this is a major obstacle to Kosovo's identity, which affects the weakening of the work of Kosovo institutions.

In the Balkans, nationalism is often harmful. Nationalism is the food of the nation. But when one person eats too much, he is not healthy. It's not healthy for people who don't eat enough either. A healthy person is one who eats healthy food as much as he needs. In the case of the Balkans, we have some nations that feed too much on nationalism, and some that feed too little on nationalism. In some nations, nationalism is more like a reflection of the other. Kosovo nationalism is different from Albanian nationalism. For example, nationalist outbursts of Albanians in

Kosovo are largely a reflection of Serbian nationalism. Such nationalism in the background has no substance, but it is expressed only as a trend. In fact, it is detrimental to Kosovo society. When I say Kosovo nationalism, I mean the nationalism of Albanians in Kosovo, not the nationalism of Serbs in Kosovo, which is nevertheless Serbian nationalism.

Petar Atanasov: Thank you, professor Spahiu. Let us welcome our colleague, Šaćir Filandra, from the University of Sarajevo. He is a sociologist, also, political scientist, and philosopher. He did his doctoral studies in political philosophy and was promoted to full professor in 2008. He teaches political philosophy, sociology of language, identity politics, and social philosophy in the Faculty of Political Sciences at the University of Sarajevo. He was the guest speaker at the Department of history of political sciences at Yale University in the USA, and the author of the books *Bosniaks after Socialism*, *Bosniaks politics in XX century*, and *Bosniaks and Moderna*, mainly about the Bosniak identity. Very active in the public and society, main editor of the publishing house 'Sejtarija', then president of Bosniak cultural community 'Preporod', etc. He was also a Dean of the Faculty of Political Sciences.

Well, professor Filandro, we saw each other at the Belgrade conference one month ago. Can you explain the situation in Bosnia and Herzegovina, the societal context, as well as the relation between the state and the societies, and the entities? If you have read the abstracts you can comment on any of the presented ideas from the research team. I am writing about a comparative analysis of North Macedonia and Bosnia and Herzegovina and would like to hear more from you about our research findings.

Šaćir Filandra: Thank you for the invitation to participate in the comments on your research, which was extremely interesting considering that these are ethnoreligious heterogeneous societies and all possible parallels between them are both scientifically and politically very relevant. The socio-political situation, if we are going to talk about these categories, in Bosnia at the moment is not as bad as the poor perception of this situation on the side. Namely, the Bosnian question in this post-socialist period is not sufficiently adequate and with quality communicated by domestic actors. There were periods, especially during the wars in the breakup of Yugoslavia when this issue caused great scientific and political

attention from both the regional and world public, but still, the impression remains that it has not been sufficiently communicated from a political point of view to date, so that gloomy tones in its portrayal prevail, which is always not true.

First of all, if we look at the period of the last three decades, all together in the region we are in a process of political and cultural definition and shaping of nations, as nation-states or states of nations, and at one time, marked by globalization and neoliberalism, which is in no way suitable with or adaptable for this process. Namely, in the ongoing process of globalization, then the processes of fragmentation of the world, the time of crisis of sovereignty, and the time of great integration of supranational character in which we find ourselves today, we in this part of Balkan perform national-political processes that are not compatible with this spirit of world integration. Bosnia has met this spiritual situation of time with many burdens inherited from the past period.

Namely, the two great integrating ideologies and political systems, the ideology of socialism, on the one hand, and the ideology of Yugoslavism and Yugoslav state practice, on the other hand, were determining ideologies that placed Bosnia and its ethnoreligious heterogeneity in a certain way in the focus of their interests, given that Serb-Croatian ethnic and political state-building concepts and interests were refracted and refracts across the Bosnian space. The end of these two ideologies, the end of socialism and the end of Yugoslavism, gave birth to the Bosnian state and political independence, but the unresolved issues of previous periods, primarily the question of state subjectivity and cultural identity of the Bosnian-Herzegovinian peoples, remained open.

So, on the current political and social scene, we have a process of pluralization of identity, which has, of course, a great democratic and political transition as its basis. We have the opening of new media of freedom, the opening of democratization, pluralization, and space for the expression of all formerly suppressed or suppressed identities, which all mean one great social pluralization. This pluralization today in Bosnian-Herzegovinian society is reflected in a way that at the social level, a whole range of ethnoreligious or religious-ethnically special associations has been established, from the non-governmental sector to special territorial-political units, such as the entity Republika Srpska, to specific scientific associations. The media are divided quite along ethnic lines, education is divided, religious communities are divided, cultural associations are

divided, rather even academic associations and the academic community are divided.

In fact, the democratization of society led to the blooming of an ethnoreligious heterogeneity, which in itself is not bad, since in earlier processes, in these two previous integrative ideologies of socialism and Yugoslavism, it was quite muffled. The problem, on the other hand, today is that each of the existing heteronomous units, whether cultural, political, and we mean the political and cultural expressions of the three Bosnian peoples – Serbs, Croats, and Bosniaks - each of these units seeks to absolutize its position and, in fact, to build its position in a way that respects the existence of the other, so that at the borders of these entities, cultural, political, linguistic, literary, religious, sparking occurs. These sparks are transferred directly from the social sphere to the political, i.e. state sphere, from which they essentially arise so that the state is still absolutely dysfunctional.

There are clearly profiled, although not always explicitly expressed, quite divergent and political goals of different Bosnian and Herzegovinian peoples and their key ethnic parties that are divergent in terms of understanding and defining Bosnian state sovereignty, which, by the way, is disabled, given that we also have the Office of the High Representative and that the international community through that office is a constitutive part of the constitution itself. These divergent political-national goals contribute to the further de-functionalization of the country and it is very difficult to work in a public space that is not an expression of some common, I am not saying a single, but a common political will. In three decades, a consensual or compromise-based common political will on important constitutional and legal issues has not been established, so in fact, the post-war situation is still on the political scene, the present is still predominantly an expression of unfinished processes in war, so that this conflict, as it is said in our sciences, is a frozen conflict.

Two things, meanwhile, have further complicated the situation. One was 9/11 in America, when there was an external politicization of the perception of a part of the Muslim population of Bosnia and Herzegovina. This process has contributed to diverting attention, from the real problems of the non-functioning of the state, to that part of the Muslim population in Bosnia, and by, to put it bluntly, certain anti-Bosnian forces. Especially abroad, this Muslim presence is instrumentalized in the wave of certain right-wing ideologies that arise in Europe and in the

world as consequences of neoliberalism and contribute to the creation of Islamophobic perceptions, so that moment has further complicated the situation. The second moment that is important in co-determining our situation, given that we are more than one country within which you are comparing, is the dependence of Bosnia on the international community and the will of its key actors. The aggravating moment, in fact, is that there has been fatigue in the process of European enlargement and this is now a common problem for all of us. This, of course, was mostly loaded in Macedonia itself, there was the fatigue of the process of European integration, the European Union itself, as an expression of this European political and general culture, has come to some stage of its own reconceptualization, we all know this, not to mention these recent processes regarding the global stage when it comes to the war in Russia. But mostly this reconceptualization of the European Union, its stagnation, the stagnation of the enlargement process, has contributed, in this fringe European area, to the development of Euroskepticism and, in fact, in some way, to the support of authoritarian ideologies and authoritarian regimes, i.e. authoritarian leaders. The Bosnians... And these are two, alike, important factors... in this sense, in fact, there is not enough foreign support.

The solution to the problem lies in the joint appearance of these countries, and this is not a phrase, our past is common, at least for the last two centuries, and our future is common. I think this fact is insufficiently operationalized in the political sphere. We are one region and one area, but each has, of course, its own identity, its own interests, and its future. Solving the problem is impossible without the help of outsiders, but not with the help of political dictators or the adoption of some measures beyond our participation, we need a stronger initiative, a stronger wind in the back when it comes to social reforms, first of all, I mean the reforms of society on the standards prescribed by the European Union for its members and candidates. Only with more serious reforms of society can we come to the opportunity to carry out political integration. By themselves, reforms are needed, even never reach the position of becoming a member of the European Union, but we need these reforms.

And, of course, the key problem of Bosnia and Herzegovina is its neighborhood, this geopolitical situation, which is a thing that could not be chosen, it is what it is. As for our western neighbors, we mean the Republic of Croatia, the matter is basically, in fact, resolved, since the

Republic of Croatia is a member of both NATO and the European Union, and any possibility of its negative interference, if it were from that side, in the Bosnian processes given the presence of the Croatian people and in Bosnia and Herzegovina is limited. The bigger problem, of course, is the openness of the border with the Republic of Serbia and the fact that the Republic of Serbia, metaphorically speaking, does not yet have its external borders defined, so with different terminological categories about the “Serbian world” to different other terms it performs certain reflections on the societies in the neighborhood and the surrounding countries.

In our country, the open and unresolved relationship between Belgrade and Pristina or Serbia and Kosovo are something that burdens the internal scene and, of course, the foreign political scene, given that this issue is kept open, latently open, the issue of Republika Srpska. Although this is a de facto and really solved issue, it is an administrative entity within the state of BiH, we are still, conditionally speaking, in the scissors of two surrounding nationalisms, which, as remnants of old ideologies, reside in certain segments of the surrounding states. Bosnia is a sovereign state, no matter what the capacity of that sovereignty is, the truth is not great, but it is, nevertheless, an internationally recognized subject and state, its destruction is, in my personal estimation, a matter of past failed hopes, which were not even realized in the last war, regardless of all the means that were used. However, now this logic is actually changing, this optics is changing towards Bosnia, now it is trying to institutionalize a paternalizing relationship with the authorities in Sarajevo and towards all the processes in Sarajevo and this paternalism from the surrounding is a new challenge, which makes it difficult to develop some integrative processes in the Bosnian society itself. This society is still very plural today, it has always been plural, it has always been very complex and complex, but it has always existed as it still exists today. I don't think that plurality is itself a big problem, of course managing these differences is a big deal and a big challenge.

Petar Atanasov: Thank you, professor Filandra. I would like to invite colleagues from the research team and our doctoral students if someone wants to ask a question or to comment on the presented material and input from our colleagues from Bosnia and Herzegovina, Kosovo, and Montenegro.

Slavejko Sasajkovski: I am always one who speak more than others. I would like to pay attention to one small case study. The intention is here, when we are already talking about the controversies of the conceptualization and definition of modern sovereignty, to problematize the issue of modern definitions of sovereignty on the example of the sovereignty of Montenegro in the specific case of the appointment of Savo Kentera as the director of the National Security Agency, and then his quite quick change. And in what specific circumstances was all that done.

Kentera was appointed director at the direct proposal and insistence of Ranko Krivokapic and Rasko Konjevic, leaders of the Social Democratic Party and Ministers of Foreign Affairs and Defense, quite clearly as representatives in the government of the interests of the Democratic Party of Socialists and the president of that party and President of Montenegro Milo Djukanovic. Of course, the public immediately raised the question of the sovereignty of Montenegro. Because Kentera, several years president of the Atlantic Union of Montenegro, almost explicitly presents himself as a resident of the American and British services in Montenegro. The explanation and justification of the setting was based on the fact that those foreign services really and fully have the status of strategic partners, which in any case have established control over the NSA, which is also an intelligence and counter-intelligence service. This appointment is one of the two essential sides of this example of a certain way of problematizing the sovereignty of Montenegro.

But immediately after the appointment of Kentera, Prime Minister Dritan Abazović and the majority of ministers, fully aware that Kentera should work very precisely and pragmatically politically for DPC and Milo Djukanović, basically political rivals of the Prime Minister, even though DPS enabled the achievement of the parliamentary majority and the vote of confidence to the government, they appoint Artan Kurti, a very close person of Abazović, as inspector general of the Agency. The Inspector General is completely independent from the director of the agency and controls the legality of the work of the agency and its director. But in return, the agency does not give a positive opinion for Kurti to receive a security certificate, because he is a legally convicted person. Not really for a crime against the constitutional order and national security, but for an act in the field of general criminality-street violence. And so Kurti cannot perform his function.

The time is coming to hold partial local elections, including in Podgorica, in which DPS is expected to achieve a poor result, and in those circumstances Kentera should help DPS, something similar to what was done on the eve of the 2016 parliamentary elections with the arrest of the opposition leaders at the time, accusing them of preparing a coup d'état and assassination of the president at the behest of Russia and Serbia. Then Kentera, security-wise and criminally targets none other than the prime minister, but not directly but through the prime minister's very close man Rade Milosevic, director of the Customs and Public Revenue Administration. It can even be concluded that there is a certain (criminal, smuggling) basis for Kentera's action. Allegedly, Kentera then wanted to include in the action Andrija Mandić and Milan Knežević, leaders of political parties that are the biggest competitors of DPS, something that Kentera denied during an interrogation in the Parliament of Montenegro. It was completely clear to the entire public that Rade Milosevic is not the ultimate goal, but that through him Kentera wants to reach Abazovic in the most successful and efficient way possible.

Now we come to the second side of the "story" about the controversies of the sovereignty of Montenegro. Abazovic, fully realizing that it is literally about his head, along with the majority in his government, simply forget Kentera's background as an American and British resident and replace Kentera with "unprecedented" courage. Thus, Montenegro should show that it is still a sovereign state. But in return, as a way of achieving a certain balance and giving a firm guarantee that the policy towards strategic partners does not change, more than thirty citizens of Russia and Serbia are declared a security threat to Montenegro and their entry to the country is prohibited.

Well, very briefly elaborated, these are the two sides of the controversy of the sovereignty of Montenegro on the example of the appointment and replacement of Kentera: a high level of problematic treatment of sovereignty in the appointment of Kentera and the show of courage of a still at least formally sovereign state to be replaced from such a position by a person with such a security and political-party background when the prime minister and the majority of the government will realize that the service is targeting them in terms of internal politics. Although, it must be pointed out, they themselves, with their euphemistically speaking controversial behavior, still gave Kentera some open space for

a principled and consistent security and criminal rationalization of his action.

Petar Atanasov: Professor Darmanović, would you like to comment on this?

Srdan Darmanović: Well, I'm not sure if that proves much now. Our political games have been without end over the past two years. But maybe we should switch to another field when it comes to sovereignty. When were our countries sovereign in that almost absolute way that sovereignty is perceived in our country? Well, probably only in the time of Tito's Yugoslavia. But even then, Tito took care of various balances. For example, he did not enter the Council of Europe when it was offered to Yugoslavia, because he thought that it would be tilting the pendulum too much to one side and that for Moscow would be too much. So, even he who legitimized his rule largely by the independence and non-alignment of the country had to balance. In a NATO member country, there is nothing illogical about naming someone as head of intelligence who has the support of allies and whom they perceive as a partner. The appointment of Kentera, in this sense, was logical. Someone will always be targeted to be on some side, and in Montenegro, it's not just about identities and identity issues. It is also something that has been quite typical for our Balkan countries throughout history, and that is the conflict between East and West.

Perhaps there is no better example to illustrate such a conflict than the debate in the Parliament of the Principality of Serbia at the time when Serbia was introducing the railways. The so-called pro-Western political forces were ardent advocates of development, and modernization, and the latter said that the original, traditional Serbian culture, nation, etc. would be destroyed. This conflict between East and West is almost constant in our region. In Montenegro, this conflict can also be detected. It should be borne in mind the fact that Montenegro, since becoming a member of NATO, and I think the same can be said about North Macedonia, has for the first time ever in its history become part of Western institutions. King Nichola, it is true, married his daughters in the West and in the East, but that is not it. Paradoxically, we were probably the closest to the West under the Communists, because Tito broke with Moscow. But we weren't part of western structures. Now we're doing it for the first time. If we

are also a member of the EU, it will be a round-up of institutionalization within what we call the political and cultural West. In this sense, all of us who strive for Euro-Atlantic integration voluntarily renounce one part of sovereignty.

Petar Atanasov: Thank you! Professor Spahiu, you wanted to comment on something?

Nexhmedin Spahiu: I have a question for Professor Darmanović. This, as among the communities in Montenegro, obviously for those who declare themselves as Montenegrins for what Dritan Abazovic did with the Orthodox Church, feels like a betrayal of national interest, as it is considered in Kosovo. I mean, betrayal of Montenegro's national interests at the expense of Greater Serbian, politics. I want to know how it feels among other communities, who are not... who do not declare themselves as either Serbs or Montenegrins, simply Albanians, Bosniaks, Croats, etc. What is their attitude towards this act of Prime Minister Dritan Abazovic?

Srdan Darmanović: Supporting or rejecting this act, signing the Basic Agreement with the SPC goes along these lines of identity and political rifts. You know how, Bosniaks and Albanians in Montenegro were probably one of the best examples in the region, minorities fully integrated into their country and loyal to the program in its independence. In Montenegro, they were in the most difficult, in the 1990s and they are now. But we cannot expect minority peoples in Montenegro to take responsibility for issues that, let's say, are not entirely theirs. And we can't pretend that they have to say everything. Politically, it felt that they were not thrilled with the act, but they did not wage a war that was not theirs. And that's understandable. I have to say that in all this, the behavior of Prime Minister Dritan Abazovic has been quite puzzling since he took over the government. This is a rather impulsive politician, not experienced enough, who may not realize that in politics many things cannot be achieved today and tomorrow.

In addition, there are some cryptic connections that need to be explained. Let's say, why this coincidence that some of his moves are so beneficial to Vučić's regime in Belgrade? It is true that he brought something into Montenegrin politics that was not typical, and that is that few perceived him primarily as a representative of his minority people,

but as a citizen of Montenegro. Montenegrin not in the ethnic sense, but a politician who can hold any office, after all. He also led a highly multiethnic party.

But that was quickly lost because the signing of the Basic agreement was the suicide of the Government, the suicide of him as prime minister, I mean in terms of a full mandate, causing a crisis of politics in Montenegro, without getting anything at all. Essentially, this contract is detrimental to Montenegro, and some future government will probably annul it, but I do not see what he, as a signatory of that contract, got there. He could have been prime minister until 2024, with various compromises, which are not easy but to somehow dictate the agenda. However, due to completely vague interests, he flew into one move for which it is not entirely clear what was achieved, and much has collapsed. Since then, we have had a constant crisis of government, a crisis of political agreement, and a crisis of the Constitution, and I think that he, and many others, have been somewhat lost in all this.

Petar Atanasov: I would like to ask professor Filandra a question about Bosnia...

Nexhmedin Spahiu: Can I have just one more short comment?

Petar Atanasov: Yes, you can...

Nexhmedin Spahiu: Just one short comment if you can. It's not about Montenegro, it's about Macedonia. It was a great pleasure for me when I heard in the media in Albanian in Macedonia for the first time from many politicians and intellectuals "our state", which refers to Macedonia. And this happened only after the new authorities in Macedonia, after the arrival of Zaev as the head of the Government and Pendarovski as president of the state. I think this is a big step for Macedonian society, and especially for the Albanian community in Macedonia, which is in the interest of fostering good relations with Macedonians, and not opposing the Macedonian community and the Macedonian state. Unfortunately, this was not the case from the end of World War II until this change of government. Thank you again.

Petar Atanasov: I would like to ask professor Filandra the same for Bosnia. What is happening in your country about decreasing the ethnic cleavages, the issues about crossing over the red ethnic line? Are you an optimist? For the integration and democratization of society, it is necessary for ethnicity to lose some of its significance. It is probably in the interest of the whole society, the whole state. Are there any examples of these? If there are any, could you please share them with us? Can we compare Bosnia with Macedonia?

Šaćir Filandra: The optimism I expressed at the beginning is not along the lines of Benjamin's saying that hope is for those without hope, but there are real indicators of it. In the daily reproduction of social life, at the level of local communities above all where contacts of people of different nationalities are normal, where they are frequent and where they are extremely efficient, there is this joint reproduction of social life for two and a half, three decades, which shows that the substance of what is a common interest and what are common values exists at the level of citizenship and at the level of everyday practice. Since the whole population is devastated by war both economically and demographically, peace and stability become a fundamental values, of course with this expected increase in living standards that never comes.

So, at this local level, at the level of local communities, at the level of, say, heads of municipalities in nationally mixed environments, and there are many of them, both in Republika Srpska and in the Federation of BiH, there is, life is going on quite normally. The problem is objectively national-political elites that are partly the legacy of the 19th century, partly a legacy of non-educated, for the most part, a legacy of corruption and their own material interests, lack of the rule of law, and equality of people before the law. They are a stronghold of deep corruption and are really abusing their positions for personal enrichment. So, I'm not, when it comes to reproducing that life together, pessimistic. But what do I expect, what would be good for us in Bosnia? It would be good if we had fewer of these paternalistic interventions from Belgrade and Zagreb and if we had a little more effective help from European political structures, which actually stand in this situation. Some retrograde historical processes can bring everything achieved so far into question, when it comes to the rights and forms of realization of the rights of peoples and states, these retrograde processes are no anymore possible. We simply have to move

forward and we will certainly move forward, it's just a matter of who will lead this process and what will be its pace.

Petar Atanasov: Our doctoral student in Sociology Dhurata Prokshi would like to have a word.

Dhurata Prokshi: Respected, it is my honour to be here today at this conference. I listened very carefully to all the participants and professors. I have listened to the last panelist, how necessary is to lower tensions of debates on the national level, and that we in the Balkans need European Union. Somehow, it seems that the relations between Belgrade and Zagreb, Prishtina and Belgrade, that they are beneficial for bigger powers, and that we are tools concerning their interests. I would not like to engage in conspiracy theories, but according to the last report from the European Union, where the recommendation showed up about Montenegro and Macedonia not involving the visa regime for Kosovo. Well, how can we manage not to be part of the battle between Great powers, which in a way are using this gap of identities? Whether we like to be with the West, or some other side, do we like to be institutionalists, to hold our state identities or the other identity that is ethnic? Would we like to be first Christian or Muslims, then to be Albanians, Serbs, Macedonians... What should be our path? It seems that we are going backward... and do not have a solution. Even though we are in a democratic system, or capitalism, communism... we do not have a goal. I would like to hear professor Filandra opinion about this.

Šaćir Filandra: I think that our Bosnian, conditionally speaking, ethnoreligious and cultural identities are recognized, respected, and verified at an international political level and to question this is ridiculous, in a way that Russia questions Ukrainian identity. I don't think it can happen between us anymore, but it's been happening for the last hundred and more years. The task is the development of our democratic political identity, our political identity is our common identity, it is the identity, no matter how illusory it may sound, of our common values, in our case and in our part of the world to which we belong are emanated from European capitals, today the European Union, no matter how slow and ineffective it may seem. But the development of common political values, common civilizational values, and respect for these values, means having

common goals and this is, in fact, a path that has no alternative. When the orientation of the Euro-Western orientation weakens, then from the East they sneak up a little Russia, a little China, a little Turkey, we see it all. But in my opinion, people's communities from North Macedonia to Zagreb to Bosnia are, in fact, both historically and subjectively oriented towards these Western civilizational and belongings and values, so that process, in fact, has no alternative.

Petar Atanasov: Thanks, to all of you present today. It was a pleasure to be with you today and to moderate the conference. Thank you to the doctoral students for their presence, and colleagues from the Institute for Sociological Political and Legal Research. Especially to the colleagues Filandra, Spahiu, and Darmanović for your time, and participation in this online conference. For sharing with us what is going on in your states, and societies. Obviously, we have a lot in common. As professor Spahiu said, we need healthy nationalism and more democratization. Until some new opportunity, all the best and take care.

Review,
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‘VOLATILE SOCIETIES’ VERSUS POLITICAL STABILITY AND THE ATTEMPTS OF DEMOCRATIC CONSTRUCTION

The Research Project aims at identifying the ways in which the four country actors – Bosnia & Herzegovina, Montenegro, Kosovo, and Northern Macedonia – could overcome historical, legal, and democratic weaknesses or vulnerabilities in their political and societal organisation, and thus strengthen their democracies. The debate concerns both political aspects of democracy in these countries as well as legal (sovereignty-oriented, and statehood-based) aspects of the foundation, historical past, ethnic conflicts, and stateness of each of the four actors in the European geopolitical landscape of the past half century and more.

The debate is fuelled and at the same time it is getting support from some basic concepts and theoretical approaches which have been employed in both the research backgrounds as well as in the conclusions drawn in these chapters as they mark the political practices as well as the political crises from the past decades until the present days in these countries.

One such basic concept is that of “*volatile society*”, as it seems to play a special role in the analysis and evaluation of these four state actors from a political perspective.

The notion of ‘*volatility*’ is traditionally addressing the characteristic of fast and often dangerously changing financial markets. While this meaning is the well-known and most agreed in both economic and financial analysis expert terminology, the meaning of this term has been however adapted and purposely shifted toward some political significance so as to convey a sense of ‘light’ or ‘weak’ or even ‘flying’ (with a sense of ‘going in the air’ or even ‘disaggregating and vanishing’, like clouds in the sky) appearance, manifestation, and even existence of a political or social entity, that is any community from ethnic groups to

societies to stable entities. Though not properly defined as concept in either official documents or International Relations research literature, however, lately, the notion of “*volatile and contested world*” (IRR, 2023: p.2) has been employed in the *Integrated Review Refresh 2023*, and the notion of “*volatile world*” has been used in NATO Review articles (Aronhime and Cocron, 2023) and associated with the concept of “*pervasive instability and threat*” from NATO’s Strategic Concept (Aiken, 2023).

Though not defined from a theoretical point of view, the notion of “*volatile society*” is used in this research project in opposition with the concept of “*stable state*” thus providing a clue on its contextual meaning. While both NATO Review and UK IR Refresh 2023 associate the syntagm of “*volatile world*” with a world which needs to strengthen its resilience against increasing threat and improve its security status, the definition of a *volatile society* in a (Western) Balkan political context may address several political theoretical issues:

First and perhaps most important is its association with the concept of ‘political stability’, thus indicating a relationship to the theories on the citizens’ support for democracy in the Eastern European countries after deposing the communist rule in 1989, and to the research literature on the difficult transition to democracy under phenomena of strong corruption, captured state (Voinea, 2015) as well as captured society (Cvetičanin, Bliznakovski and Krstić, 2023). In this context, ‘volatile society’ might address the weaknesses of the democratic construction in these societies in the conditions of poor economic development, poverty, and inequality.

Secondly, it is equally relevant its association with the concepts of multi-ethnic and multi-cultural societies in the former Balkan geopolitical space after the disintegration of former Yugoslavia. In this relationship, the notion of ‘volatile society’ might address the specific ethnic issues in the Balkans – a geopolitical region where former historical powers and empires, like Habsburg Empire and Ottoman Empire, have left behind a complex ethnic mix which have later transformed into the ethnic minorities known to the present days. With the passing of time, ethnical conflicts have often resulted in ethnic wars, and complex social, political, and religious cleavages which have never been resolved. Volatile societies in this context are perhaps societies in which sets of (social, cultural and religious) values are struggling to replace one another in the ethnical conflicts, thus weakening these societies and making them prone to both internal instability and external security threat.

Thirdly, it is necessary to take into consideration its association with the research literature on poor economic development in the Balkans especially after the 1990s when the political transition to democracy and the economic transition to the market economy have heavily and simultaneously exposed these countries to difficult economic issues making them lag far behind other European countries from the ex-communist space, and much more economically delayed with respect to the EU economic standards.

In all these three contexts, the ‘volatile society’ might be tentatively defined as a society with too weak social, economic, and political anchors, and too weak democratic and institutional roots to make it stable. It is perhaps the notion which best describes a political context in which ethnic cleavages may result in social and political decline and, ultimately, in political disintegration by providing for the emergence of nationalism, populism and extremisms (Dyrstad, 2012; Gellner, 2006; Hoare and Kunovich, 2002; Fearon and Laitin, 2000).

As societies open and exposed to major issues of security and resilience against threat, the volatile societies in the Balkan space have been the target of NATO programs which have succeeded to reinforce peace in some essential historical moments.

As classically viewed as multi-ethnic, multi-cultural societies, they have been equally exposed to what the European Union has lately admitted itself as a social and political failure (Voinea, 2023) since multiculturalism has not only prevented segregation and inequalities, but has often further reinforced, extended, and scaled up such phenomena to the edge of societal failure. European Union has been searching itself for a better concept than the multicultural society concept. Current EU approaches on multi-ethnic societies in the (Western) Balkans have lately centred on support for the economic development, fostering relevant investment programs, and intensively connecting the Balkan space to the entire European space by various means, digitalization included.

However, the identity politics and the (ethnic) nationalism might be the strongest challenge not only for the Balkans, but for the entire European space, and also for the globalization phenomena which have been intensified by internet, mobile communications and digitalization, climate change and migration. Much of the conflict phenomena in Balkans as well as in Europe are the far outcomes of the identity politics and the approach of ethnic conflicts and cleavages as a struggle for minorities

rights in democratic settings by opposing minorities communities to one another in their historical living space.

From a political pragmatic point of view, the way out of the ethnic conflict trap has always been the shared exercise of the democratic power by ethnic minorities in the host country, a good example being the Romanian case where the Hungarian minority is sharing the exercise of political power for more than 20 years after the devastating ethnic conflicts at the beginning of the 1990s in the wake of Eastern European democracy.

From a political theoretic point of view, the Research Project 2021-22 addresses the *volatile societies* in the four country actors (Bosnia-Herzegovina, Montenegro, Northern Macedonia and Kosovo) as being the outcome of their political parties' low capacity to handle the democratization of the internal public space, as well as the outcome of geopolitical negotiations in the aftermath of the disintegration of the former Yugoslavia which have finally transformed them into a strong challenge for

- (i) the political parties able to provide for the construction of post-ethnic political alliances and the fundamental sense of loyalty to the state by relocating the struggle for minority rights from the ethnic conflict and politicization of ethnicity frame to the democratic institutional and legal framework (Atanasov: in this research project),
- (ii) stateness approaches, as some country actors are largely-viewed and publicly perceived as ill-defined state entities by international agreements like the Dayton Peace Agreement in the case of Bosnia Herzegovina, (Sasajkovski, in this research project), and
- (iii) (iii) disputable sovereignty issues (Lazarevski and Zarevski, in this research project).

Notwithstanding its valuable multi-disciplinary approach of the *volatile societies* in relation with democratic stable states, the Research Project 2021-22 proves some limitations:

One limitation resides in the approach of the Research Project as a look from the inside of the political and social space of the (Western) Balkans. It is the look from the inside in the matter of the four country

actors which reveals the hypothesis of the *volatile societies* as the product of ill-defined provisions of the international agreements, while *volatile societies*, at least in the conceptual development of the chapter on democratic political culture (political parties, elite, and governance, by Atanasov), seem to be the side-effect of ever weakening and declining social and political anchors in the endless ethnic conflicts generated by the identity politics and the politics of resentment (Fukuyama, 2018).

Another limitation concerns the possibility that the debate on *volatile societies* misses some relevant arguments, like the argument of removing the ethnic nationalism so much generative of nationalist, populist and extremist phenomena as the potential “engine” which could further preserve the *volatility* of such societies as long as they cannot get rooted in values and principles of democratic tolerance, and solidarity which provide for the construction of social cohesion and enhance the emergence and reinforcement of the stable state as welfare state.

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THE ORIGIN OF POLITICAL ENTANGLEMENTS OF DEEPLY ROOTED CONFLICTS

Comparative studies analyzing the socio-political context and developments of the countries in Southeast Europe present a rather crowded academic terrain mostly occupied by people that have limited experience with the region or come from completely different political, economic, and academic environments. There is no pejorative sound to this statement since the objectivity of academics that come from abroad and analyze the region has a big added value in the face of lack of emotional involvement, bias, or predetermined experiences. However, occasionally, and for the sake of presenting the internal perspective from the countries belonging to the so-called Western Balkans (Southeast Europe seems to largely become a euphemism for WB), one comes across a manuscript that is authored entirely by local academia. Such an example is the book “Can volatile societies support stable states – cases of Bosnia and Herzegovina, Montenegro, Kosovo and North Macedonia” which presents a rare occasion to expand one’s knowledge in the realm of a phenomenon lately known in political science as “unfinished states”. The biggest advantage of the authors is that all five of them come exactly from one such state and that is North Macedonia, obviously being well connected and acquainted with the political history and current developments in the region of the WB as well.

Petar Atanasov, Slavejko Sasajkovski, Pande Lazarevski, Driton Maliqi and Dragor Zarevski have set a very simple political plain for unit analysis – four states that could be classified as transitional, unfinished, divided, and challenged in various aspects. North Macedonia, Montenegro, Bosnia and Herzegovina and Kosovo are being explored from assorted angles in the four chapters present in the book with an obvious intent. In the first place, all authors, regardless of their specific approach, have tried to make connections between societal developments, the public political discourse, and the end political result in all four cases exposing

the essence of the challenges that each of the countries is faced with. Secondly, the political circumstances of the four analyzed states, no matter how harsh, in all texts are put in a regional and European perspective (or the lack thereof) while the authors make an effort to contextualize the current political standings of the countries within the broader political, sociological, economic and security landscape. Thirdly, all authors try to draw parallels between all four countries trying to extract common lessons on exactly the phenomenon that binds them all – their political imperfections and societal defectiveness, the latter causing the former as all authors indicate, thus earning them the epithet “unfinished”.

One of the biggest contributions of this manuscript is that it tries to “dig deep” in the origin and the background of the societal conflicts in the analyzed states trying to explain the connection between societal occurrences and political manifestation of deeply rooted conflicts in North Macedonia, Montenegro, Bosnia and Herzegovina and Kosovo. Another common thread of the four societies is also the historical pathology of the lines of division of all four societies, notwithstanding that the level of conflict in intensity, duration and harmfulness varies quite obviously in individually analyzed cases. The authors brilliantly grasp the gradation of the least intensive division, which is the case of North Macedonia, then explaining the ethno-genetic rift of the Montenegrin society, as well as the rather complicated power-sharing arrangement and interethnic conundrum of Bosnia and Herzegovina finishing with the complete separation of the two formative communities in the youngest of all analyzed states and that is Kosovo. There is an unintentional grouping of states made while the four analyses unravel in the book and that is between one group of countries with troubled yet relatively optimistic political odds (North Macedonia and Montenegro) and the second group of countries apropos which all four chapters predict a rather uncertain and blurry future if major societal conflicts are not pacified and adequately accommodated – Kosovo and Bosnia and Herzegovina. However not even the political standings of North Macedonia and Montenegro are being presented unobjectively and without a fair amount of political and interethnic burden, however the manuscript gives out the impression that the authors are a bit more optimistic in these two cases. And rightfully so.

In the first chapter named “Social conflicts preventing political integration – Comparison between Bosnia and Hercegovina and North Macedonia” the author Petar Atanasov compares the efforts of both

countries to politically stabilize and integrate their societies, starting off with what seems rather relevant in both cases – the historical background of the development of both political environments. From this historical landscape via an obvious attempt to draw certain path-dependency, the author then moves on to analyzing the current context in which societal and political divisions take place noting all respective differences and pathologies of both societies. Precisely dissecting the last three decades of political rifts and conflicts in both the case of North Macedonia and Bosnia and Herzegovina, prof. Atanasov clearly pinpoints the ideological carriers of the divisions and the inability to further integrate the societies – ethno-predatorial political elites that hinder all societal efforts to move away from the interethnic zero-sum game and ethnic outbidding.

Slavejko Sasajkovski offers a completely different approach to the analysis of all four countries in the chapter named “Bosnia and Herzegovina, Montenegro, Kosovo, North Macedonia - political-legal determinants of their state and their social disintegration”. The author inspects the more normative terrain of international documents, constitutions and other legal documents that shape and define all four societies. The normative analysis does not present a goal for itself but rather a starting point for the depiction of one obvious argument – the normative legitimacy, may be domestic or international, in all four cases, is rather deeply “divorced” from the notion of substantive legitimacy on domestic terrain creating numerous challenges in internalizing the political order envisaged in the very normative framework. Be it the Ahtisaari plan, the Dayton Peace Accord, the Ohrid Framework Agreement or the Montenegrin Law on religious freedoms it seems that normative reality creates more problems than it solves in the societies that are put under scrutiny. However, a challenge for a possible continuation of this chapter is seeking the answer to a very simple question – would the unfinished societies without such normative framing become impossible societies? Could they even survive without such flawed and on occasions deeply troubling normative structuring? Notwithstanding the imperfections of the now present legal and political reasoning behind solutions predominantly imposed by the international community, is internalization of the political rules of the game possible at all in these societies, given all divisions and conflict potential that exactly prof. Sasajkovski refers to in this chapter?

The penultimate, third chapter presents a rather deep and insightful analysis of Kosovar society and its current socio-political pathology. The

author, Driton Maliqi, explains present political occurrences through the lens of the historically troubled relations between ethnic Albanians and ethnic Serbs, choosing a very challenging terrain and that is political myth formation in both communities apropos their claims on Kosovo. In the chapter named “Comparative Analyses of Social Integration in Kosovo and Montenegro”, prof. Maliqi does not end the chapter with analyzing the Kosovar example alone. He turns to Montenegro and its social integration seemingly in an effort to make a small juxtaposition vis-à-vis Kosovo as well as to indicate the obvious differences between the two countries that have a common denominator – an ethnic Serbian community opposed to two different groups (Albanians and Montenegrins) in two rather different political environments. With two possibly completely different political outcomes, *pro futuro*.

In the last chapter the authors Pande Lazarevski and Dragor Zarevski put sovereignty in the central place of analysis. By explaining the concept of sovereignty, they then make an attempt to connect exactly the problems of sovereignty of all four analyzed states with the current political pathologies and anomalies on societal level in North Macedonia, Bosnia and Herzegovina, Montenegro and Kosovo. By pinpointing the causality between societal developments and the imperfections in sovereignty exercising by all four states, the authors move to the terrain of regional initiatives and their respective promises of success given the troublesome context in which they try to work their way to relevance. Hence the name of the last chapter – “Divided Societies and Sovereignty Deficit – The Challenges in Building Sustainable States in the “Western Balkans”.

As a separate annex to the book, the authors offer the reading audience a transcript from the online conference “Can Unstable Societies Support Stable States - Cases of Bosnia and Herzegovina, Montenegro, Kosovo, and North Macedonia”. The transcript is annexed to the main chapters as a reminder of a rather fruitful exchange of opinions between intellectuals in the region. Aside from the authors, respectable names from the region and the aforementioned countries in focus appear with their original contributions serving as an intellectual base for what later became a rather perceptive analysis of states whose democratic transition and especially social integration is nowhere near finished.

The value of this book is twofold. On one hand, after a long period of time, a group of local authors is trying to present a comparative

analysis of the region, country by country, linking the political destinies of all four analyzed countries with each other as well as the region as a whole. This perspective makes the book rather valuable since the authors, regardless of their ethnic origin and possible bias, have remained cold-headed and objective in their effort to understand the differences in social cohesion in all units of analysis and contribute to theorizing unfinished states. Furthermore, within their capacity, the authors are also trying to make future predictions and warn on possible political bottlenecks and neuralgic spots that societies in the region need to prioritize in their efforts to politically stabilize not just the states but societies as well. The second task being obviously much harder than the first one.

