

KOSOVAR CIVIL SOCIETY FOUNDATION

ANTHOLOGY OF CIVIL SOCIETY

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Foreword

In Kosova's delegation at the Rambouillet Conference, besides representatives of political parties and the KLA, there were also few members for whom it was said were "representatives of civil society in Kosova". One of them has been even privileged by being the fourth signer of the document. Thus, apart from the political and military leaders of Kosova who enjoyed particular prestige and authority among the people (some of them a true one, and some supposed or pretended), as a third "subject" and "third force" of Kosova at Rambouillet was presented the "civil society" for whom no one had a clear idea as to what it represented, what its aims were, and what was its real impact.

Thus, Rambouillet had marked a queer elevation of civil society into a mainly traditional society, or in transition, as the Kosovar society is today. The ordinary Kosovar understood the representation of civil society at the historic conference as an imposition towards the West. In colloquial conversations "representatives of civil society were called "the chosen of the West". And, while for representatives of political parties and movements there were also ironical and contesting comments, colored by the party and ideology belonging, that "their representation was suspicious", for the "chosen of the West" comments were quite different. Even when it was being said they were "interpreters of wishes of the West" the imposing and incomparable power of those that chose them was not at all contested. Another qualification of representatives of civil society at Rambouillet was that they were "independent". The label "independent" was referred to their status within the political specter of Kosova, at a time when they were in fact considered dependent from Western funds and

not been pretending that the book be all compassing and exhaustive. The publication has been conceived as a collection of reflections on the civil society by respecting authorial views and approaches in which their particular professional interests and experiences have been integrated.

We are aware that the publication lacks certain important fields and aspects of topic. However, understanding the effort rather as an instigation for further reflection of the situation and directions of development of civil society, we take the book before the public as it is, as an initial enterprise, hoping that the volume you have in your hands will be followed by other volumes and approaches. The civil society in fact is an open concept phenomenon on which endless discussions are also carried out in the countries considered to have reached the highest degree of its development and application.

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WHY PEACEFUL RESISTANCE
MOVEMENT IN KOSOVA FAILED

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chapter IX*

KOSOVA AND THE DISINTERGRATION OF
YUGOSLAVIA

At the end of the 1980s and the beginning of the 1990s the crisis of the ex-Yugoslav federation revolved around the Kosova question.ⁱ However, the real cause of the federation's disintegration was not in Kosova. The disintegration of the federation was a complex process rooted in inherited antagonisms. Yugoslavia since its creation (1918) was a "fragile state" because of the "contradictions between Serbian and Croatian understanding of Yugoslavia."ⁱⁱ Kosova in the 1980s served as

i) "Without any exaggeration can be predicted that Yugoslavia really is overthrown in Kosovo " – Pestic:35 . "Yugoslavia was effectively destroyed on 5 July 1990 when the Kosova Assembly was dispersed (...) The Federal Assembly could no longer legally and validly function, since one of its constituent elements, with the right of veto, had been forcibly abolished. (...) The action of 5 July 1990 was, therefore, effectively a coup d'état, which started Yugoslavia's descent into chaos" Maliqi 1997: 150; Maliqi 1998: 36.

ii) "Different understandings of Serbian and Croatian national question" was the main lever, which was pushing the both sides in the extreme position in critical years of the nineties." Pestic: 28.

Dayton Conference, which ended the war in Bosnia. The conference caused disappointment among Kosovars because it overlooked the question of Kosova. Militant circles in the Albanian movement considered that the non-violent resistance had failed. In the meantime they prepared for rebellion, namely the Kosova Liberation Army (KLA), which emerged in 1997. Milosevic's regime, which was shook up after the loss of local elections and the 100-day demonstrations (November 1996-January 1997), accepted the challenge of the KLA. The Serbian regime finally got its casus belli, but it was not satisfied only with actions against the KLA so he decided for a so-called "final solution" of the Kosova question. It began employing a "scorched earth" strategy (reprisals against the civilian population, destroying and burning villages and other inhabited places), namely, the same scenario as in previous wars in Croatia and Bosnia-Herzegovina.^{vi}

The international community, which had learned from mistakes made from its late response and its prior recognition of the results of fait accompli and of so-called "ethnic cleansing of territories," acted quickly and more decisively in Kosova to prevent a new genocide.^{vii}

THE DEVELOPMENT OF CIVIL RESISTANCE IN KOSOVA

The Albanian movement in Kosova in the 1990s arose as a reaction to Serbian hegemony. As in had other parts of Yugoslavia, Kosova also entered a phase of total "ethnic homogenization" of the political disposition of citizens. The

vi About reviewing Kosovo story. See: Magas 1999: 299

vii After the failure of negotiations (Conference held in Rambouillet and Paris, February – March 1999) and Serbian delegation refusal to sign the agreement, the west countries have decided for NATO military action against Yugoslavia. The powers of West Alliance have started the bombardment of military targets in Yugoslavia on March 24th. In Kumanovo Yugoslavia has signed the capitulation on 9 June. And the International troops the control upon Kosovo (KFOR, respectively NATO + Russia) and according to UN Resolution 1244 of Security Council, the governing of Kosovo has taken by UN Civil Mission (UNMIK) and OSCE. See: The Kosovo Report: 320-330.

pressure of a tyrannical regime. While in the other parts of Yugoslavia there were opposition organizations and parties forming, in Kosova all public meetings were banned. Only by the end of 1989 were the first opposition meetings held in Kosova.^{xiii}

When the Congress of the Communist League of Yugoslavia was interrupted on 25 January 1990, Milosevic's regime through Kosova's marionette leadership tried to provoke a rebellion in the province, so that it can gain a pretext for imposing martial law and to insure Serbian control over the developments, which were leading towards the disintegration of the federation. However, in that critical period (end of January-middle February 1990), the Albanian movement unexpectedly passed from a phase of anarchistic rebellion into a phase of self-discipline.^{xiv} This was helped by the rapidly increasing membership of the Democratic League of Kosova (LDK) and the popularity of its leader, Dr. Ibrahim Rugova.^{xv} In the evening of 2 February, Rugova made an appeal through the local television for the demonstrations to stop, and the following day the unrest ended. Kosova's grassroots movement suddenly gained structure and hierarchy. The movement's spiritual power was based in an almost fanatical belief in

xiii 9.12.1989 was founded the branch of Yugoslavia's first opposition organization - UJDI, then Committee for Protection of Human Rights and Freedoms (KLMDNJ) and in 23.12. Democratic League of Kosova was founded (DLK); Maliqi 1998: 15-42..

xiv Special police forces has committed a massacre in Malisheva, Glogoc and Zhur, shooting from armored cars into accidental passerby's or peaceful columns of demonstrators, obviously with intention to provoke people's anger and that's how they'd get casus belli. Maliqi 1990: 267-274.

xv DLK leaders claimed that by the end of January this organization had 700 thousand members. The figure is exaggerated, but it is for certain that becoming a member of DLK was understood as "a kind of referendum". Also the petition "For Democracy - Against the Violence", organized at the beginning of February 1990, more than 400.000 citizens has signed within a week. About DLK their founders claimed "it wasn't a party in a modern sense of the word but a movement". One of the founders and ideologist, a writer Mehmet Kraja, called this period "the exit from political chaos", because "DLK has replaced in people's convictions the structure of governing establishment" Kraja: 170-73..

that was held in front of the Congressional Commission on Human Rights, Kosova's delegation faced the Serbian delegation, which was led by Dobrica Cosic. The Albanian-American Civic League succeeded in obtaining special protection for Rugova.^{xix} After the hearings, Rugova was portrayed in the Kosovar public as "America's chosen man," who received the type of escort that is reserved only for statesmen of the highest rank. In Kosova's media, the visit was interpreted as indirect American support for Rugova and the movement for the independence of Kosova.

By the end of June, Kosova's provincial institutions, in fact their Albanian portion, stimulated by the mood of the masses, would try to cause a change in the situation and prepare the ground for proclaiming the Republic of Kosova. The President of the Assembly, a Serb, obstructed the attempt of the Albanian delegates and interrupted the meeting of the Assembly on 25 June, after a "verbal incident."^{xx} On June 2, 117 Assembly delegates gathered in front of the Assembly building, which was guarded by the police. Since they were prevented from entering, they held the meeting in front of the gates, where they proclaimed the Declaration of Independence of Kosova. Three days later, Serbia replied by approving a law which "temporarily" suspended the powers of all of Kosova's provincial institutions. Then followed a series of laws that placed all public institutions and economic resources under the control of the Serbian state.^{xxi} Milosevic achieved his goal of a "united Serbia."^{xxii} In Kosova,

xix Ostensibly because the Serbian extremists announced Dr. Rugova's assassination. Later it was claimed that Dioguardi himself spread those rumors.

xx Assembly has interrupted its meeting after that Ruzhdi Bakalli from Gjakova declared: "Kosovo Assembly in the year of 1945 made a decision that Kosovo as a autonomous province join Serbia, this Assembly has the right to make a decision of separation from Serbia", Rilindja, Pristina, 26 June 1990, p.1

xxi Nekibe Kelmendi in the paper Kosova under the Burden of the Serbian Discriminatory Laws: Facts and Evidence gives a review of legal acts, which Serbia made – Kelemendi 1993: [quoted from the Internet version of the study]. See also: The Kosovo Report: 301-318.

xxii At the populist and nationalistic meeting the main slogan was "Serbia from three parts – should be united"..

KOSOVA'S NON-VIOLENT RESISTANCE AS A GRASSROOTS MOVEMENT

Non-violent resistance and the organization of the "parallel society" and "parallel institutions" as an answer to repression and as way of solving the inter-ethnic conflict, presented a very specific experience, contrasting with those that brought conflict and wars in other parts of Yugoslavia. In a certain period, 1990-1997, the Albanian grassroots movement, was considered by many as a one that is unique and that can serve as a model for the pacification of conflict situations. Indeed, despite predictions that war is unavoidable and expectations that it will happen before those in Croatia and Bosnia-Herzegovina, Kosova's grassroots movement contributed enormously in delaying the war for a certain period. The aim of the grassroots movement was to avoid war, but it did not succeed in this goal. War broke out in 1998. The reasons of failure can be sought in the general, unbecoming circumstances, and in the weaknesses within the movement.

This analysis of Kosova's grassroots movement will focus on two crucial questions:

Can we find elements in the Kosovar non-violent resistance movement for developing a specific model for avoiding and solving interethnic conflicts, elements that are valid in other conflict situations?

Why did this grassroots movement fail?

As a model, according to many analysts, the Kosovar movement represented a unique social and political experiment, and as such it merits careful attention and analysis. However, although as a form of civil resistance and a political movement it is pragmatically evaluated as positive, neither its protagonists nor external factors and analysts did not reflect on its real potentials and effects in a timely manner. Contextually, the non-violent resistance was judged relative to the regional crisis. Kosova was seen as a kind of "oasis of good behavior" relative to other crisis areas, where "irreconcilable" ethnic inter-

movement "unique in political history."^{xxvi} The Independent International Commission on Kosova also concludes: "The LDK, under the leadership of Rugova, set about developing a historically unique parallel state apparatus" (The Kosova report 2000: 45). The evaluations of the Albanian grassroots movement were indeed very euphoric. A French lawyer, a human rights activist, claimed that "the nation, which was, without any doubt, mostly oppressed in former Yugoslavia, has created the most free man" (Rugova 1994: 101). Similar high opinions about the Albanian non-violent resistance were expressed by several Serbian and Slovenian authors.^{xxvii} Recent studies, like the one by Howard Clark, very positively estimate the early phase of civil resistance in Kosova ("Kosova Albanians organized themselves impressively during 1990-92"^{xxviii}), but they are reserved about the later phases, when the movement began showing its internal weaknesses. A similar opinion is expressed by Tim Judah, who, in speaking about the non-violent movement, states: "It was an extraordinary experiment and it failed" (Judah: 59).

The failure of Kosova's experiment can certainly be explained by the influence of factors external to it. We already mentioned the absence of legal means for preventive intervention, and the international community policy of postponing the conflict until the democratization of Serbia/Yugoslavia. However, the democratization of Serbia was from the very beginning of the crisis tied in an intricate knot with the Kosova question. The problem was, in a way, being laid out backwards. The solution of the Kosova question did not depend on

xxvi "Albanian opposition in Kosova... produced an independent and autonomous civil society under the very noses of the Yugoslav authorities - a counter-power unique in political history." Schwartz:127-131.

xxvii A Serb anti-regime writer Mirko Kovac, concluded that "the Albanians are politically the most matured nation in Yugoslavia ". Slovenian philosopher Slavoj Zizek highly estimates the Albanian resistance: [They are] "European nation, which is characterized by patience, uses the Ghandian methods in politics, which on violence returns with non-violence ". Borba, 13 March 1992. Maliqi 1993:20.

xxviii Clark 1999: 1. In his book, Howard Clark (2000), analysis in details the weakness of the movement.

in a fact a book of conversations that these authors have had with Rugova.^{xxix}

Rugova's answers give the impression that his "philosophy of non-violence" is more a kind of improvisation rather than a theoretically and practically well thought-out policy. Considering himself "a realist and not a man of fantasy" (Rugova 1994: 176), Rugova saw the politics of non-violence as the only alternative that the Kosovar Albanians had given the circumstances the society found itself in and the balance of power in Yugoslavia. Rugova considered the situation dramatic, since he believed that "the situation is worse than the state of war" (1994: 57). After the removal of autonomy, Kosova was under a serious "danger of ethnic cleansing" (1994:117). In case of a war, he believed that beyond any doubt "there would be a massacre" (1994:117), "even more tragic than the one in Bosnia and Croatia" (1994:169). Rugova did not hide his apprehension (1994:118) "that things can get out of control," which he thought would amount to a "prologue to a catastrophe" (1994: 95).

In such circumstances he thought – and for this he found support among the Albanian masses – that the best political response is self-control: "Self-control was imposed on us because of the terror" (1994: 9 and 41), he said in one of his answers. "The aim of our policy is to avoid a tragedy" (1994:170), namely, to prevent a genocide against the Kosovar Albanians (1994:123).

So as not to leave an impression of total defeatism resulting from his fear of Serb power, in his other responses, Rugova stressed the liberating effects of abstaining from violence. He stressed "the tradition of endurance" (1994:128) and the "culture of solidarity" (1994:62) among the Albanians as an explanation for the high level of self-control, and the feeling of "moral authority" and "moral victory" of the Albanian movement (1994:55). "They have the power, we have the authority" (1994:101). Rugova considered that the moral victory is

xxix Ibrahim Rugova: la Question du Kosovo, Entretiens avec Marie-Françoise Allain et Xavier Galmiche, Fayard, Paris 1994. In this paper the Albanian translation is used (Rugova 1994).

the situation "is terribly unbearable "(1994:141), the very "danger for life"(1994:124) imposes the strategy of waiting (1994:142), "because it is the only way, with no alternative" (1994:141).

Rugova's strategy of waiting is not completely without substance. It sustained itself on the belief that Kosova is under a special surveillance of the international community. The main goal of Rugova's LDK was the internationalization of the Kosova question. The Kosova question must be "affirmed in the international arena" (1994:128). Rugova has an almost unlimited "belief in international institutions" (Rugova:58), even though sometimes he expresses a grain of doubt, which is traditional among the Albanians, that "Europe is deaf" about the fact that Kosova has become "a big prison and concentration camp" (1994:60). But that is why he believed in the support and positive influence of the United States, as a leading world power, and the idea that sooner or later the US and other international factors would have to "award the politics of non-violence and peace" (1994:178).

As for his vision of a political solution of the Kosova problem, Rugova displayed very deficient and general ideas, which he repeated on an almost weekly basis at his press conferences, which were held every Friday at 11:00 am at the LDK headquarters. His "democratic nationalism" (1994:179) was based on idea that "Kosova would be a neutral country open towards Serbia and Albania, as well as Montenegro and Macedonia" (1994: 47 and 180). The independence of Kosova, as an open country, would be achieved "through an international protectorate," for which he thought there were "legal bases" (1994: 171, 172).

Rugova almost never explained his ideas in more detail. The main ideologist and practical politician in the party was its vice-president, Fehmi Agani, a professor of sociology. Inside the party he was seen as a person that was close to the influential circles of the previous communist nomenclature (Kraja: 220-2). Agani was, however, more like an independent actor and, in comparison to Rugova – who kept on repeating the same dry phrases and promises – conducted active daily

cleansing in Bosnia was for the international community above all a moral and not a geostrategic problem),^{xxxii} an eventual war in Kosova or in Macedonia was seen through the lens of a so-called "domino effect," namely, a war that would in a chain-line reaction spread and grow into a dangerous regional and perhaps even wider European war, which would endanger world peace and stability. For this reason, US President George Bush in 1991 proclaimed his famous "red line" doctrine – that it would be a transgression of US and NATO interests if the war spread into the south of Yugoslavia, i.e., Macedonia and Kosova.^{xxxiii}

Rugova's policy of non-violence and waiting, i.e., of not taking any risks, suited everyone. Not only to the Western Alliance, but also to Serbia, which did not want to open another, more delicate "southern front" while it was still fighting in Croatia and Bosnia. At the time, war did not suit Albanians either – it did not suit Albania, because the country was going through deep crisis, and the Albanians in Kosova, which were stripped of even the most rudimentary forms of defense.

Even though many of Rugova's domestic and international conversationalists realized that, as Tim Judah would later say, he is "extraordinarily dull" (Judah:61), in certain circumstances this was simply not relevant, or was dismissed as Rugova's own kind of mimicry or pretense.

THE SYMBIOTIC CHARACTER OF THE ALBANIAN MOVEMENT

Kosova's civil resistance movement had its strong sides, which had made it possible to attain a high and impressive level of self-organization and self-discipline, but it also had its

xxxii That kind of opinion e.g. in many papers, was supported openly by Henry Kissinger.

xxxiii American president George Bush on 24 Dec. 1992 has sent to the Belgrade regime so-called a "Christmas warning", where he says: 'In the event of conflict in Kosovo caused by Serbian action, the US will be prepared to employ military force against Serbians in Kosovo and Serbia proper.' - Judah: 73; The Kosovo report: 56

at once crush all of Kosova's institutions. Serbia indeed did try to cancel or substantially scale down the Albanian school system,^{xxxvi} but when Albanians decided that the system continue outside occupied school buildings, Serbia did not command the resources necessary to prevent nearly 400 thousand students and teachers to continue their work in "parallel institutions," which had essentially existed before as part of the framework of Kosova's autonomous institutions. The same occurred with the media, partly with health institutions, cultural and sports organizations. Only the pluralistic forms of political and trade union organization were a novelty.

The second reason that Serbia did not take a course of total repression and impede the work of parallel institutions was the war in Croatia and Bosnia and Herzegovina. Belgrade did not want a premature opening of a "southern front" in Kosova. If Serbia's repression was total, it would have provoked a different Albanian reaction. In that case the Albanians would have no illusions about the prospects of defending themselves with non-violence.

Finally, the third reason was Belgrade's ever worsening international position. Although Milosevic led an intransigent international policy, he nonetheless knew that his behavior was being constantly monitored by many governmental and nongovernmental organizations, which were accusing Serbia of "massively violating the human rights of Albanians."^{xxxvii}

The relatively "selective" repression had in some cases a propagandistic function. For example, Serbia placed under its control strategically important electronic media, but it allowed free press and books to be printed into Albanian language, without any strict censorship, as way to show the world that the Albanians have the right to express freely, but that they are abusing it for separatist purposes. The Serbian propaganda

xxxvi It was a complete independent system, from the kindergarten institutions through elementary and secondary schools to university and pedagogical and publishing institutions. Kostovicova 1997; Clark 2000: 95-100; Maliqi 1998:113-119.

xxxvii Summary of international reactions on Human right violations is given in The Kosovo Report: 301-318 (Annex I, "Documentation on Human Rights Violations")

Kaçanik (7 September 1990), and did not give its assent to the general strike of 3 September 1990. The LDK played a relatively marginal role in the reconstruction of Kosova's government-in-exile (summer 1991) and a partial role in scheduling the referendum for independence (23 September 1991) and the "parallel" elections, held on 24 May 1992.^{xi}

In the background of the construction of Kosova's parallel institutions there was an ongoing conflict between legalists and anti-legalists. Legalists thought that the independence of Kosova can be built on the basis of the strong position that Kosova had in the Yugoslav federation. The constitution of 1974 gave to Kosova the status of an equal member of the federation. Although it was name not a republic in name, it had all the functions of a republic, and the right of veto at the federal level. Anti-legalists, on the other hand, claimed that Kosovar Albanians, as a part of a forcibly separated Albanian nation, should not be tied to the legacy of the Yugoslav federation, but that they enjoy a fundamental right to national self-determination. According to them, the legalist solution can result in Kosova's remaining in the framework of a new Yugoslavia or Serbia, while the exercise of the fundamental right to self-determination will lead directly to the independence of Kosova and probably a desirable unification of Kosova with Albania.^{xii}

The key figure that intermediated in the development of strategy and in making decisions was not Ibrahim Rugova, as

xi M. Kraja was asking, who stands behind such decisions, and then answers without giving the names, that it had to do with ex leaders of autonomy, expressing wonders about how can the obedient of former monistic regime make such far-reaching decisions. In a way, he suspicious that there was a scenario, in which was involved even the Serbian secret service. Kraja: 231-232.

xii This struggle wasn't clearly articulated in the period, which is being reviewed. This was developing at the behind and became more or less superfluous when the legalists achieved to finish the main deeds (Declaration on Independence, Proclamation of Republic, etc.), then other streams, simply, overtook as they achievements. The third, radical group, gathered around illegal LPK (Kosovar Peoples Movement), was accusing both political groups in Kosovo because they've accepted the territorial separations, respectively partitioning of Albanian question, as a dangerous solution in solving Albanian question. Vidi M.Kelmendi 1998: 153-166.

public opinion through the only daily newspaper (Bujku, which was a substitute for banned Rilindja) and the QIK news agency (Kosova Informative Center).^{xliii}

DR. RUGOVA'S AUTHORITARIANISM

Kosova's grassroots movement without any doubt contributed to avoiding direct inter-ethnic tensions and conflict. Kosovar leaders even publicly emphasized that they are in conflict with Serbian state's apparatus and not with the Serbian people. The making of parallel institutions and the politics of apartheid led to physical and communications distance between two national communities. Serbs kept the main institutions and symbolically occupied important buildings and centers of towns, while the Albanians were expelled from institutions and they drew to margins, into suburbs and parts of settlements where they were the majority and felt safer. Also, cultural life moved from institutions into the underground. Exhibitions were organized at restaurants, theatrical performances in improvised spaces...

Reduction of physical contacts between two communities basically reduced the direct contacts and incidents among them. This created the illusion that the conflict is not inter-ethnic, that it is not a conflict between citizens of different nationalities, but that in between them is interposed the Serbian administration and police, which artificially and repressively maintained the distance. Sometimes even from the Albanian side were the arguments that the state's repression was not directed only toward the Albanians, but also to Serbs who wanted to have normal contacts with their neighbors, the Albanians.

But, the distance that created between the two communities was not so naive as it was sometimes emphasized, more for propagandistic purposes, from the Albanian leadership.

xliii Although it was pretending to have a status of governmental agency, KIC at the top of its daily bulletin, which was distributed in foreign languages, too, had a DLK logo, as it was a party organ.

unparalleled position of authority. After he received 99% of votes in the presidential elections of 1992, Rugova received enormous power and an unrivaled position in the movement. Although his speeches gave the impression of a modest and gentle politician, in essence he created a system of authoritarian personal power, based on a variant of a personality cult. He became a distinct nonpareil of the movement, its center of power, on which the party and the rest of "parallel" structures of Kosova's society depended upon. Mehmet Kraja sees the movements'/party's fundamental weakness in the fact that "the LDK is identified with Rugova" (Kraja: 208). Rugova became a self-contained figure of the movement, almost completely ignoring the LDK leadership when making (or blocking) decisions. Rugova blocked all political initiatives that could dynamize the movement, especially those that could endanger his position of the highest and only authority. For instance, he did not allow the elected Parliament of Kosova (May 1992) to be constituted. Even though, soon after the elections, on 23 June 1992, a constitutive meeting was scheduled, it was thwarted by the Serbian police. After this, all endeavors and pressures to constitute the Parliament and have it start its work – and thereby completing the parallel system's governing structures – were blocked by Rugova.^{xliv} The party itself, with its monopoly, became Rugova's captive. Its founder Kraja calls it "a leaderistic party based on Rugova's charisma"(Kraja: 209), and in this he sees one of the main reasons of "internal erosion" not of the party itself but also of the whole grassroots movement.(Kraja: 212)

The dominant authoritarian structure of Albanian society in Kosova and the institutional vacuum suited the movement's monopolization. The communist system had also created a so-called mentality of passivity, which hindered not only indi-

xliv In 1996, when the mandate of the delegates was over and they never had any meeting, Rugova had with "a president's decree" extended their mandate for two more years. Parliament would remain a fiction, but Rugova by this gesture has confirmed his position of the one and only authority. Agani confirms Rugova's irreplaceable position: "Convocation or non-convocation of parliament is dependent on Rugova's decision and take part in his responsibilities", Petrovic: 180.

THE IDEOLOGICAL SPLIT OF THE MOVEMENT

Kosova grassroots movement did not only appear as a new social movement, but also arose on the matrix of an inherited certain mentality of community and the clash of ideas which existed prior in that community. In Kosova, Albanian society was not homogeneous. From earlier it was ideologically divided. The homogeneity displayed on the outside, which was forced upon by Serbian aggression, and the need of the community to defend itself from that aggression, could not destroy the internal heterogeneous matrixes of social and ideological divides of Albanian society. From the outside the movement seemed unique but within it there was a struggle for control going on between different groups with different ideological leanings.

One of the reasons why Rugova marginalized the party and favor non-formal groups of advisers must be sought in the internal ideological clash, which existed from the beginning in the leading force of the movement, inside the LDK. LDK in essence was more a movement than a party. Within the LDK there were different groups who worked with tendencies, which ideologically were closer to classical ideology, namely the communist left, center, or populist right. Rugova himself as a representative of "democratic nationalism" (1994: 179) was leaning toward populist and to some kind of schematic anti-communism and, in essence, to the extreme right. He and his closest collaborators understood democracy as the reverse of communism scheme of the "clash of classes". He and his close collaborators (e.g. Dr. Sabri Hamiti, also a writer and a literary critic), for this reason came very early to a conflict with members of so-called Marxist-Leninist or Enverist groups, which had from the 1960s, when Adem Demaçi was for the first time arrested and sentenced, created an active core of Albanian liberation underground movement in Kosova. After the demonstrations in 1981 this movement was permanently recruiting new forces since many thousands of "nationalists"

Agani was removed from his post, as well as some moderate leaders (Edita Tahiri). Rugova, fearing a split and the domination of former prisoners – the “red fraction” – immediately prevented the internal surge of “revolutionaries”. He issued a decree to turn the situation over and restored the “Agani group”. Fearing an early split, the leftists were satisfied with a compromise and their control of the LDK Main Council, and with the division of power in the presidency. However, it would turn out to be a Pyrrhic victory, because this gave Rugova an additional reason to ignore the party leadership, the presidency and the Main council, to the benefit of his personal authority, for which he became accountable to no one.

The final split with the party’s leftists occurred at the next Party Congress in February 1998, shortly before the war. But then it was too late for the leftist dissidents to take over the power inside the LDK. They then joined the KLA, as one of their political wings.

DENYING RUGOVA AND NON-VIOLENT RESISTANCE

Rugova’s strategy of non-violent resistance was widely accepted among the masses until the students’ demonstrations of 1997 and the beginning of the war in March 1998, when it came to open split in the movement. Indeed, Rugova had very severe critics from the beginning, but they had very little chances to change the mood of masses.

The first critic of Rugova and the LDK was academic Rexhep Qosja, who in the 1980s had the reputation of a “father of Albanian nationalism”. When the LDK was founded, Qosja was seen as its president. The founders offered him the position of leader, but he rejected it. Later Qosja was arguing that he was not satisfied with the confused program and aims of the LDK founding, but it is probably that at the time he had not estimated well the situation and the mood of the masses. Qosja was, however, one the main ideologues of the solution of the Albanian question as a whole, and not in segments.

Demaçi began a campaign against Rugova and the LDK when he realized that the movement has become, especially after the failure to take over the “castle from inside” from the faction of former prisoners in 1994, and especially after the Dayton Conference completely ignored the Kosova question. Like Qosja, Demaçi thought that organizing the Albanian movement in Kosova is “inadequate for the circumstances” (Petrovic: 262), that its bureaucracy and non-innovative policy is the result of exceptionally bad management. According to him, at the head of the movement there is a “false intelligentsia, which is not ready to sacrifice”(Petrovic:268), i.e., “leaders, who are amateurs in politics”(Petrovic: 267). “The defect of the system is in – its head”, claimed Demaçi accusing Rugova of becoming a “dictator and usurper of powers” (Petrovic: 272), and that he does not allow a development “neither from the movement” (Petrovic: 268) – in the other words that it is leading to a situation which Tim Judah later would describe as a “grotesque symbiosis between Belgrade and Prishtina”(Judah:74), because the LDK and Rugova “effectively pacified the province, which was exactly what the [Serbian] authorities wanted”.(Judah: 84)

Instead of passive resistance, Demaçi was pledged for active resistance of a Gandhian type, which means permanent pressure on the Serbian regime and readiness to sacrifice for achieving its goals.(Judah:270-1) Demaçi thought that active resistance does not mean a war option, but something that he used to call “neither war, nor capitulation”. But Demaçi’s and Qosja’s problem was that their talk of active resistance was more of theoretical than practical. A hunger strike that was organized in June 1993 for the defense of Albanian media was the only form of resistance that Demaçi had applied. LDK answered its critics that they only speak-out while they do nothing, while they claimed that the problem was not only at the leaders’ sluggishness, but also in the “deception and narcosis”(Judah: 269) of the masses, which were wrongly led and themselves became inert and caused a total atrophy of the movement and a blocking of initiatives.

Bardhyl Mahmuti, one of the LPK spokesmen, and later of the KLA, explains the blockade phenomena this way: “Rugova

Rugova and the LDK continued with the politics of doing nothing and paralysis of the movement, still counting on internationalization and the help of the international community.¹ But after Dayton, it seemed that the international community had in a way rehabilitated Milosevic and his regime, because he has gained the role of a guarantor of the Bosnia agreement. Only the US was openly suspicious toward Serbia, or more precisely, Milosevic's regime, and insisted on holding the so-called the outer wall of sanctions on Belgrade until the Kosova question is not solved.

International factors, including the UN, in essence did not have neither responsible nor effective instruments to resolve the inter-ethnic tensions in Kosova, nor for the prevention of an eventual war. Yugoslavia – or more precisely, Serbia – was completely non-cooperative and expelled from international organizations. Temporary crisis monitoring, above all the practice of monitoring violations of human rights and freedoms, as well as many critical reports and notes sent to the government in Belgrade from international institutions and associations for the protection of human rights, did not have almost any influence on Belgrade's policy. In fact, from May 1993, when a pact of Great Powers was signed in Washingtonⁱⁱ on principles of solving the Yugoslav crisis, which settled that Bosnia and Herzegovina must remain a Union, that the integrity of FYR Macedonia cannot be endangered and that Kosova should get back high level of autonomy within Yugoslavia, that Milosevic's regime compensated his renunciation of its irredentist policy towards the Serbian part of Bosnia with the discontinuation of all institutional forms of international monitoring of the situation in Kosova. Belgrade broke off the talks on Kosova that had been established by the special group for Kosova at the Geneva Peace Conference on Yugoslavia and revoked the credentials of the OSCE

i "(Rugova) appeared to have gone into a form of political paralysis. He drove around Prishtina in his presidential Audi and simply did nothing." Judah: 138

ii At that time the Contact Group was created, as an ad hoc international mechanism, which will play a great role in ending the war in Bosnia and the intervention in Kosovo.

movement, which accused Rugova of treason and collaboration with the Serbian regime. On 1 October 1997, students and teachers organized peaceful demonstrations, which were forcefully thwarted by the police. That event indicated the end of Rugova's revered charisma and influence on the masses.

By the end of November of the same year, on a funeral of a victim of Serbian repression, the so far mysterious KLA appeared for the first time at a meeting in a traditionally rebellious region, Drenica, where the KLA was welcome with frenetic applause and cheering. Rugova and the LDK had neither the response nor the strategy to effectively resist the rebellion. In February 1998, some weeks before the massacre of civilians, which Serbian police committed in the villages of Drenica, Likosan, Qirez and Prekaz, by which Serbia factually started the war, LDK was split into militant and pacifist wing.

KLA, in fact, did not start a rebellion only against Serbian government in Kosova, but also in meantime presented the rebellion against "internal regime" and parallel govern, which was organized by Rugova's and LDK leadership. It means that Kosova's grassroots movement above all was denied and endangered from the inside, and after that had to be attacked and practically ruined from the Serbian regime. In war, the grassroots movement of civil resistance was practically deprived and disoriented, not understanding and not accepting as a reality the fact that the KLA is an alternative Albanian response to the crisis. Rugova never recognized the KLA as an authentic force of resistance, claiming that it is a "Serbian conspiracy" or "hirelings who are instructed by the Serbian secret police".

Our analysis has shown that Rugova and the LDK, in many ways have contributed to immobilization and atrophy of the movement of civil resistance, i.e., the feelings of complete despair and hopelessness for a peaceful and democratic resolution of the Kosova crisis. The success of this large and unique grassroots movement depended from its ability to control critical situations, which could lead to a war. Until 1997 in the movement there were certain mechanisms for controlling the mood of the masses, not allowing it to start an open

CONCLUSION

The war and NATO intervention in Kosova set in motion a wide international debate about the most vital questions of what's colloquially called the "new world order". How must the international community respond to conflicts and crises such the one in Kosova. In Kosova, the lives of millions of people were endangered by "internal aggression". The state that considered itself sovereign in terms of international law, defined that sovereignty as the law of the ethnic majority ethnic, the Serbs, despite that the state's population structure is multiethnic. The Albanians in Kosova consist of nearly 90% of the population and enjoyed broad political autonomy. Albanians did not hide their own aspirations for self-determination and independence from Serbia, on the same principle of the ethnic right on state, on which the Serbs insisted. The Serbian state used its military power to firstly suspend the political autonomy of Kosova, then tried to completely physically eliminate a part of its own "citizens". Serbs were interested in territory, in Kosova as their "holy land", but not for a settlement and cohabitation with Albanians.

For Kosova Albanians, Yugoslavia as a Federation, which guaranteed their particular political, national, cultural and religious rights, was acceptable as a lesser evil, even though in their midst there was also a strong movement that thought that for Kosova it would be better to be in a community, not with South Slavic people, especially not with the Serbs, but with Albania. For Kosova Albanians it would be inconceivable to remain in Serbia, in Serbian ethnic state, under the repressive conditions, whose final goal was genocide. Kosova's inter-ethnic conflict was going on in the conditions of so-called "borderline situation," as a struggle for exclusive ethnic rights on a territory. As in other parts of the former Yugoslav federation, the basic conditions for political and ethnic compromise were absent.

Kosova's grassroots movement of non-violent resistance arose in the matrix of Yugoslav ethnic exclusiveness and fragmentation. Even though it chose non-violent methods, it was

that time is on the side of the Albanians, which is why in a critical moment, when it came to a split in the Albanian movement, it took a risky war option, so that it can free itself from the ballast of disobedient Albanians or the ballast of Kosova, because its weight became too costly for Serbia. The Serbian regime did not limit itself in repulsing the KLA, but fought against civilians. In the summer of 1998, it was clear that the Serbian option was to expel and destroy, inflict genocide upon the Albanians, who were punished for their will to self-determination and independence.

Of course that there exists a certain sense of consensus between international actors and most UN member states that in such so-called "borderline" situations, described in Chapter VII of UN Chart as genocide, the intervention of the international community is desirable, if not necessary. In Kosova there was a precedent of the first international humanitarian intervention. Kosova's grassroots movement gained an additional reason for satisfaction, because for years it was pressing for the establishment of a UN protectorate as a possible interim solution for the conflict of wills and the right to self-determination of peoples at risk. The intervention did not lessen the tensions between Serbs and Albanians, but it lessened the tensions in the region, which is now in the phase of stabilization, imposed by the presence of international forces in the Bosnian Union, in Kosova and, as a preventive, in FRY Macedonia. The intervention in Kosova, in some sense, also enabled the change of the regime and beginning of the democratic processes in Serbia proper.

However, the intervention in Kosova is still not "capitalized" in international law, as a model for resolving inter-ethnic and war conflicts. In Kosova there was applied an ad hoc instrument of intervention, based more on the momentary security and political interests of the member states of the Western Alliance, among which there does not exist a full consensus about the purpose and model of intervention. The international security system is imperfect and incomplete. That is also reflected on the relatively unstable status of the UN, as an organization that should be the most responsible for global security, stability and cooperation.

play the role of a reconciling party and the promoter of a new type of multi-ethnic community, where the different ethnic communities would live in harmony. That is only a interventionist and missionary illusion, mainly with counterproductive effects, as the experience in Bosnia shows, which constantly disappoints missionaries because in its elections the constant winners are nationalist parties.

For the UN mission in Kosova, like in Bosnia, I think that a more productive path is a variant of skepticism and a pragmatic attitude to the problem of the aspirations in conflict. The active position of a UN protector should be the building of systems, political, social and economic pre-conditions for real democratization of Kosova and the region. Certainly, this more active role would be significantly easier if in the meantime the parties in conflict came to an agreement, or if the Great Powers or the Security Council succeed to cut the Gordian knot on question of sovereignty in Kosova, which was formulated as compromise in Resolution 1244: formally Kosova is left under Yugoslav sovereignty, but in practice all sovereign functions are given to UNMIK. In the meantime, if FR Yugoslavia splits up, after a referendum on independence in Montenegro, UN Security Council should draw the logical consequence, that UNMIK is the only temporary sovereign in Kosova, and that there is no higher jurisdiction, as a subject of international law, and members of the UN, which could claim rights in Kosova. Kosova's problem in that case should be solved on the principles of the basic right of a territory under an international protectorate to self-determination.

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ROLE OF CIVIL SOCIETY IN
DEVELOPMENT OF FUTURE KOSOVA

INTRODUCTION

Since the end of the bombing and the entrance of the KFOR troops, Kosova de facto represents an open-ended international protectorate. While the consequences of the Kosova war will be felt for a long period within the Kosova itself, the Balkan region, and even wider, it is also believed that the Kosova conflict will mark the creation of "a Europe" as an international civil society in which international politics are not constructed in terms of war, but rather in terms of peace, prosperity, regional cooperation and democracy. In this context, the international community has made it clear from the very beginning that only a vibrant and diverse civil society in Kosova represents a prerequisite and can guarantee the creation of a pluralistic and participatory democracy in the country. In addition, the promotion of civil society must be a central part of any development policy in Kosova since it is almost impossible to make changes without involving the people affected. Moreover, it has to be mentioned that civil society in Kosova needs to be defined in rather broad terms encompassing a wide spectrum of players from trade unions, to farmers' and women's organizations, local NGOs, community-based groups and the young generation. In this sense NGOs are part of civil society and thus not the representatives of it. Talking all this into account, this paper will try to address the necessary pre-conditions for achieving vibrant and diverse civil society as well as the role that such a civil society needs to play in development of future Kosova. While doing this, special emphasis will be given to the importance of the regional approach when dealing with the developmental issues in general and those regarding the reconstruction and refugees in particular.

able to reflect the citizens' mutual interests across dividing lines formed by the conflict.

However, the "internationalization" of the conflict in Kosova should not necessarily lead to the conclusion that it needs an international remedy to be solved. A paradox of the international presence is that while the international community aims to help create new organizations, much of Kosovar talent and potential NGO leaders are being diverted into mismatched positions with the international organizations.ⁱⁱ This is blocking the otherwise natural capacity building of CSOs (and Kosovar society) in a situation characterized by lack of employment opportunities and lack of sustainable locally based enterprises. In addition, the international community is not always aware that every input of funds could distort civil society actors, create dependency and shift power relations within civil society in Kosova. Thus, the promotion of civil society in Kosova demands the clear identification of those groups and forces that should be supported so that a healthy civil society emerges. Trust has to be put in self-governing local intermediary structures, if the international community is to have a long-term impact in peace and democracy building. Even immediate humanitarian assistance has had well known crowding out effects on the ability to attract and sustain talent in national development.ⁱⁱⁱ This reasoning makes the issue of co-operation among the international organizations urgent, because only effective co-operation will allow for the growth of a self-reliant and independent civil society in Kosova in particular and entire region in general.

On the other hand, as it has already been set down of the basic framework of the Stability Pact, only a regional cooperation based on equality, respect for human rights and mutual prosperity is the one to guarantee the prosperity for countries of the South Eastern Europe. And, this was decided since it was clear that the benefits of pursuing a regional approach outweigh a series of country-specific strategies. Among others,

ii) *Ibid.*, p. 2.

iii) *Ibid.*, p. 3.

activities, which in turn impedes the development of NGOs and the full range of their potential functions.^{v)}

In addition, it has to be acknowledged that due to its close grass-roots level links civil society could easier reach disadvantaged target groups below state level, and allow it to make important contributions to promoting the process of shaping opinions and reaching decisions in a democratic way. At the same time, civil society can promote the process of shaping political opinions and reaching decisions within the population, and can monitor and support the implementation of reforms throughout the country. In a place like Kosova, this is certainly a very important function in the vital field of post-conflict reconciliation and confidence building. Finally, in Kosova as well as in other post-communist countries, civil society is very often regarded as an alternative to socialism and totalitarianism characterized with economic centralism, political one-party system and absolute power. However, one should be careful to not ideologize civil society since in that case it can easily become a source of social illusions and endanger opportunities for achieving a truly democratic society.

However, it has to be clear that certainly this cannot be achieved only with the civil society efforts alone. Only a tri-sectoral dialogue and cooperation among government, business sector and civil society can make a lasting contribution to the building of a new economic, social and ecologically environment in the region. If we recognize that business is the main engine for growth, development, wealth creation and job creation; that on the other hand, governments can contribute to creating and establishing an enabling environment for growth and development; and finally, that civil society is often perceived by refugees, returnees and even ordinary citizens as being more credible and closer to their concerns, then it clear that for the successful rebuilding of the post-conflict Kosova it is essential to associate all these three sectors and

v) "Central Europe Viewed From the Perspective of a New Nation-Forming a Civil Society," Speech of the President of the Slovak Republic Michal Kovac, p. 4, Tokyo, February 10, 1998.

It has to be mentioned that all the above is also true for the reconstruction efforts and the issue of refugees. Recently, it is becoming more and more clear that there is a connection between economic prosperity and the strength of civic life. Only economically vital communities possess institutions that permit and encourage the conditions necessary for economic recovery, thus enabling the efficient use of economic resources and the capacity to perceive and adapt to changing economic conditions. In Kosova today, there is a monumental challenge for civil society to address the problems of social and economic development, including the integration of young people into regular everyday life and work. No reconstruction efforts can be successful unless they are combined with the mobilization of professional networks and associations, which will later evolve into the building of local social and economic expertise to develop employment opportunities based on a wider system of entrepreneurial incentives.^{viii}

Another key issue is the return of a still huge number of refugees from other European countries and their reintegration in the Kosovar society. It is an imperative to channel resources into civil society and its organizations to cater for the immediate reactivation of returnees in social and economic life. This should counter the consequences of a double burden in terms of the loss of support rendered to the refugees in their temporary country of residence and the strain put on the already depressed social and economic situation when they return. In addition, there is a need for a close coordination between organizations working in Kosova and countries hosting Kosovar refugees to avoid the number of returnees become bigger than the real potentials of their re-integration in Kosova are.^{ix} In this context, civil society organizations and their expertise may be used for providing additional targeted training to returnees, thus facilitating their re-integration into the Kosovar society.

viii) Agon Demjaha and Lulzim Peci, p. 6.

ix) *Ibid.*, p. 3.

EMPOWERING THE BALKANS YOUTH AND EURO-ATLANTIC INTEGRATIONS

The end of the Cold War presented Western governments with an unexpected opportunity to take unforced decisions on the future of their institutions, namely NATO and EU, on their new roles and missions, and on the possibility of opening its membership to countries that had recently been adversaries.

Furthermore, the prospect for enlargement in Central and Eastern Europe gave an impetus to erasing of additional dividing lines, which were the legacy of the past "balance of power politics", that Europe as a whole faced up to the end of the Second World War. It is moving states of the region from confrontation and war-making policies to cooperation and integration into the Euro-Atlantic institutions. The results of enlargement policy are evident; except of the war in Former Yugoslavia, the other parts of Central and Eastern Europe are passing peacefully the transition toward market democracies.

But, the tragic events of the last decade, which unfortunately are still continuing in the former Yugoslavia, are a huge obstacle towards creating conditions for prosperity to flourish in the Balkans. Ultimately, it affects perspectives of the Balkan's youth for a better life and for their contributing to the transformation of their societies into the democratic ones. In this regard, empowerment of the Balkan's youth could be one of the key issues in creating the democratic and wealthy societies in the region.

However, in the current situation there is a need to explore some of the possible ways towards empowerment of the Balkan's youth, not only in the regional aspect, but in the wider ones; European and global.

But, while exploring the ways of the empowerment, firstly to analyze the economical and political developments, which

Table 1¹

State	Population	GDP per.capita (\$)	GDP Growth(%)	Foreign Debt \$ millions
Albania	3.000.000	810	-	706
Bosnia	2.000.000	1490	-	-
Bulgaria	8.000.000	1230	-	9.858
Croatia	5.000.000	4520	-	6.842
Greece	11.000.000	11650	3,7	-
Kosova ²	2.000.000	500	-	-
Macedonia	2.000.000	1290	2,9	1.542
Rumania	23.000.000	1390	-5,6	10.442
Slovenia	2.000.000	13900	3,6	-
Serb.&Monten.	9.000.000	1380	-	15307
Turkey	63.000.000	3160	-	91205

But, in essence the region's states suffer from similar problems: relatively large agricultural sectors, redundant and destroyed industrial capacity, a surplus of labor and a decaying infrastructure. Not that they have little to offer to each other, but they actually compete with each other for the same Western Funds. Thus we can conclude that it is hard to imagine that the region will recover itself without credible economic help and assistance from the West.

However, the current international involvement in the Balkans represents an extraordinary opportunity for the development and integration of the region in the West. But, the presence alone is not sufficient, because if there is no vision it would lead to missed opportunities.

What are the perspectives for the Balkans youth in this situation? Moreover, I would like to raise a question: Who are they?

I will try to give a short answer, which I am sure is not complete. The current generation of the Balkan's youth is a generation, which has grow up by facing war atrocities and violence even by keeping it on its own shoulders. But, this generation

1) Source: Indicadores Socioeconomicos de los paises del mundo (1998), "ABC", Madrid, Dec.31.2000

2) Data are approximate ones

Considering these facts, it is obvious that the motivation of Balkan's youth and meeting of their expectations can be found through job creation and offering opportunities to become competitive part of EU and global market.

1						
2						
3						
4						
5						

Fig. 1. Globalization Trends⁴

On the other side the process of globalization is not simple linear one. Technological development is far leading in the process, together with economical development. Social development (or transformation) is quite slow one, in comparison with technological development. But, there is no doubt that latest technological and economical developments have caused the fastest social developments in the history of humankind.

Here comes the role of international community. To the youth of the region should be given a range of opportunities in education and qualifications by the West. Let's just mention the impact on economical development and democratization of societies that education in the West had for the now developed countries of Far East. I think that this is the best cost-benefit rate in transformation of the Balkan's societies and their strengthening in the short run.

But, these efforts will be insufficient without understanding society developments in the region. To my opinion, it is crucial that both sides internationals and locals, understand the fundamental impact a change in political and economic environment can have on the social structures and values of soci-

4) Diagram developed by Center for Applied Studies in International Negotiations, 2001, Geneva 1. Technological Development, 2. Economical Development, 3. Political Development, 4. Cultural Development, 5. Social Development

THE LAW AS A CIVIL SOCIETY FOUNDATION: KOSOVA CASE

The law in itself does not create a civil society, as on the contrary, in Communist societies too, from this fact alone they could be treated as civil, although it is known that these totalitarian forms of social organizations had excluded any kind of free organization of non-governmental organizations.¹ However, on the other hand, the civil society too is not an anarchic and non-legal society. On the contrary, without the law, it should turn into a contradiction of civil society.

Only such a society built on the principle of legality, i.e. law as a neutral objective and generally accepted arbiter by the society, (opposite any personal arbiter of interest and partiality, or entirely unaccepted by the society), a civil society may be, within which free thought, free expression, freedom of press, of organizing, assembly, is allowed and guaranteed, in which citizens are legally guaranteed such a possibility to meet not only at government level, but also at a citizen, non-formal one. In other words, an organized society and built on a national and international law is a society that may pretend to be a civil society, in which the individual is not only able to organize in political parties, but that with his visions, projects, and involvements may contribute to that society also outside party and governmental organization. Hence, the citizen should be guaranteed the opportunity for a non-formal social involvement.

1) Mr. Blerim REKA: "Ligji dhe ndërtimi i shoqërisë civile në Kosovë", paper at KFCS Seminar on Civil Society, Prishtina, May, 2000, p. 1.

In the present-day meaning of the word, perhaps this Albanian non-governmental initiative opposite the foreign "governmental" occupier may be taken as a proceeding of the non-governmental. As time will tell, neither this nor previous and later occupiers never succeeded in banning to the Albanians the implementation of their own written law. In other words, although in this territory foreign invaders and their laws changed, Albanians continued to implement their unwritten law for regulating their own social relations. Durham and Vickers too, not without reason called the Albanian customary law: "un written Albanian Constitution". Outside this general subjugating history of many centuries. In Kosova too, despite the Serb rule of almost half a century, Albanians never accepted the Belgrade laws as laws of their own society. This was the case until the middle of the 70s of the last century, when with the gaining of Kosova's federal status, Kosova had attained a semi constitutional-legal autonomy. For the first time in its history, Kosova adopted its own written Constitution and laws in the field that fell within its jurisdiction. Furthermore (together with Croatia), Kosova at that time was the only federal unit of the last former Yugoslav Federation to have constitutional-judicial competences to enter international relations and to ratify international agreements that connecting its official representatives.⁴

However, after the anti-constitutional de-federalization of Kosova by the Serb regime, at the end of the 80s, it last that constitutional and legislative semi-autonomy. And, following this de-sovereigning of Kosova, it would not go back to the Code of Lekë Dukagjini, or "the unwritten law" this time, but to regulating its own social relations (even under Serb occupation) with its own constitutional and legal acts. This time, opposite the foreign Serb occupying law will be, not the unwritten law, like under Ottoman rule, but the Constitution and the written law of Kosova. From the beginning of the 90s,

4) For more on this see: Mr. Blerim Reka: "E Drejta e vetëvendosjes: Dimension Ndërkombëtar i Problemit të Kosovës", Shkup (Skopje), 1996

THE "APPLICABLE LAW" IN POST-WAR KOSOVA

However, although liberated from Serb occupier, Kosova has not been sovereignized as a state. Even following the war and departure of Serb army, it did not become with its own original legislature, but with a *sui generis* legal system, based on a national-international co-participation. Indeed, initially the Interim Government of Kosova emerging from the Rambouillet Agreement of the three main political forces (KLA, LDK and LBD), began passing its own laws, but without international recognition, or the United Nations respectively. Thus, despite the ultimate departure of Kosova's classical and traditional occupier, as of today the right of Kosova to pass laws has not been recognized. The explanation is perhaps found in the UN Security Council Resolution 1244, which guarantees all legislative and executive authority to the Special Representative of the UN Secretary General⁶. Kosova was a priori excluded in approving its own laws, as within the international interim administration 1999-2000 it lacked the highest lawmaking authority, its democratically elected Assembly. In the absence of such legitimate authority, the highest local political instance, (which possibly after a successful completion of local elections of 28 October 2000 should be constituted following after central elections in Kosova forecasted for the beginning of 2001); UNMIK began passing law-binding regulations for Kosova. Local representatives, both of political level (within the IAK) and those on legal experts level (in the Joint Advisory Council on Legislation – JACL) had only limited possibility of participation in the law-making process: within UNMIK. This *sui generis* drafting of laws: national-international had begun on 15 August 1999 when the Special Representative of the UN Secretary General, Dr. Bernard

6) UN Security Council Resolution, 1244/99

law of a government that had been practicing genocide ultimately loses legitimacy of implementation in that territory,¹¹ but new laws were also offered to fill in the legal vacuum of post-war Kosova. This battle won by them was another proof on behalf of the civil society of Kosova emerging after the war, as experts of a field succeeded in influencing in decision-making of such social importance as the issue of what law was going to be implemented in post-war Kosova, although this fell within the exclusive competences of SRSG according to UN Security Resolution 1244. By drafting even the first laws in Kosova's history, such as: Law on Penal Procedure, or the Penal Law (as a whole, with general part), legal experts of Kosova imposed the approach also during consultations with the Council of Europe.¹² This short history of the six-month "battle" concerning the implacable law in post-war Kosova, apart from simply judicial importance also showed a special model of a "conflict prevention & resolution" between the national and international factors in such a sensitive social field as law implementation.

If the source of the conflict was the initial insistence by UNMIK to continue implementing the Yugoslav law in Kosova after the war, the appearance of UNMIK – Kosova conflict was an opposition to the approach by Kosovar jurists and (civil) society, then the prevention of conflict was the establishment of the Legislative Council (JACL), while the solution of the conflict itself was the approval of the two UNMIK Regulations: 24/1999 and 25/1999, which formally and juridically abrogated the initial approach by UNMIK for the implementation of the Yugoslav Law.

11) Hurst Hannum: "The Specter of Secession: Responding the Claims for Ethnic Self-Determination", *Foreign Affairs*, March- April, 1998; Blerim Reka: "The Last Genocide in Kosova and Need for New International Law", (Panel for Kosova, George Pompidou Center, Paris, June 21, 1999

12) At Strasbourg, First Working Session, 28-30 October 1999 and the Second, 29 November - 3 December 2000; on the examination and professional expertise of the above-stated system draft-laws by experts of the Council of Europe (January- March, 2000; 3- 8 April 2000, and 14- 17 November 2000.

Particularly, when even main Albanian political leaders of Kosova, with the Agreement of 15 December 1999, gave up voluntarily competences of governing Kosova by carrying them over to the UN. With the Agreement on Joint Administrative Structures the concept of co-administration was inaugurated, but not have co-governing as well, with which the entire legislative authority (the executive one as well) are still left in the hands of the Special Representative of UN Secretary General.

In other words, passing a law in Kosova for some time to come will continue to remain in the sole competence of international community with which we somewhat are closer to Garapon's concept on the so-called "denationalization of law".¹⁴

The law even in these post-conflict circumstances remains a precondition to building a civil society in Kosova as it enables it be governed but objective legal norms rather than subjective wish of a person, by legal rules rather than individual arbitrariness; by the force of law rather than financial or political power of a person. However, in order for a law to be acceptable and implacable by those to whom it is addressed, apart from the level of local professional expertise also an involvement by the lay level should be ensured, meaning a wide inclusion of citizens and other elements of civil society in the law-drafting process. A greater transparency should be ensured in the law-making procedure with a prior public information of the projects considered on an expert level, so that citizens, although laymen, can express their opinions on the law concerned before it is adopted. This would further democratize the unusual legislative procedure currently being applied by UNMIK and would give its regulations wider social credibility and legitimacy. This transparency and prior "consultation" within the emerging civil society – such as that of Kosova, would make the law much closer, more acceptable

14) Antoan Garapon: "Le Gardien Des Promesses; Justice et Democratie", Paris, 1996

tus to the building of civil society in Kosova. That would debureaucratize traditional coolness of legal experts and would give real life to legal norms. A greater involvement by citizens would make this law-drafting process even more transparent. And, this would not be our own epochal invention, but something seen earlier in other western societies. There is an anecdote on the way Napoleon, in the law-drafting Commission in working on the most important laws of the time, apart from experts had appointed even farmers, so that even a simple unprofessional citizen, a non-expert, could express himself on the law being drafted. Understandably, with such transparency today no de-professionalizing of this procedure is suggested, even less so its legal laicism and non-juridical language of the law, but only a greater participation of citizens, including civil society in general in this unusually important law-making process through which Kosova is currently undergoing.

As for legal language, Sartre's "advise" to French writers is known when he obliged them to read the French Civil Code (and in the drafting of which participated even some non-jurists). Its language was comprehensive, even implacable for those to whom the law was addressed. Therefore, the law making is a complex process not only intellectual but also political and national. The importance of law for a civil society being established, such as the one in Kosova, is indisputable, the same as the importance of its linguistic and stylistic component. Laws that are not understood by anyone are the least needed to a society that suffered so much from their repressive effect. Kosova, as a civil society in rising needs clear, simple, comprehensible, democratic, concise laws and acceptable by the social circle at large. This can be reached through democratization of the law-making procedure. The new century Kosova has no need of cabinet laws, or party committee laws, less so for laws as a social monopoly of a single political class of group of interest; a law for the citizen and from the citizen and not a law against the citizen.

The contemporary dimension of civil society in Kosova implies as wide as possible inclusion of ordinary citizens in the law-drafting process, liberalization and democratization of

CIVIL SOCIETY AND ECONOMIC DEVELOPMENT

This paper deals with interdependence in the economic development and civil society relation considering the current moment in Kosova and the immediate need for an articulation of interests for human development and building of a substantial role of civil society in this field. The accent has been placed on establishing a legal state as a precondition of market equality, economic reforms, and construction of an open economy. In regard to this the importance of transparency for the fate of reforms has been pointed out. Also in this field Kosova's economic viability and the role of civil society has been discussed in building economic independence in conditions of integrations. The accent has been placed on the importance of SMEs (development of small and medium-size enterprises) and the need for improvement and organization of business community as an essential part of medium class and civil society in Kosova.

1. INTERDEPENDENCY: ECONOMIC DEVELOPMENT AND CIVIL SOCIETY

Building civil society means reaching at a critical level of democracy in society, but also it occurs at an interaction and mutual dependency to economic development. This interdependency is particularly expressed in the capacity of development in the aspect of fulfilling the needs of the overwhelming part of society and also in the steadfastness of civil society values in particular countries. The development of market economy and technological progress has made it possible the creation of standards of governing development and economy

in the last 10 years, have shown great vitality. Family economies too are at a positive trend of revitalization; re-cultivation of land is taking place faster than planned, not to mention artisan, trading and servicing shops. The greatest problems are in revitalization of cattle funds by farmers, which had been devastated during the war in an amount of 50%. Social-owned enterprises have been facing great difficulties. The fixed capital of these enterprises, without counting physical infrastructure, is valued at 8 billion DM, however in the absence of a program of privatization and problems connected to it, this property instead of generating income and new work places has been undergoing a process of technological decay. As a result of this, currently there is a high norm of unemployment estimated at around 50% of population able for work.

The involvement of civil society in the field of economic development is almost symbolic, as it is precisely in this field that civil society capacities (NGOs, media, education) are most modest, and on the other hand, as pointed out, the civil society in Kosova has limited capabilities for action in the absence of institutions.

Therefore, a dominating characteristic of post-war reconstruction of Kosova could be encompassed in the conclusion: a successful individual (revival of individual businesses and building of living environment) in conditions lacking systems and mechanisms for shaping the society that creates synergy. Therefore, there is an immanent need for establishing institutions and channels in which the interests connected to economic development are articulated, presented and taken into consideration. The civil society, like political parties, is not yet able and ready to take the responsibility in regard to this. On the other hand, the current unsuitable situation as regards communication and abilities of impact of civil society of Kosova and generally of Kosovars in the decision-making process of the international administration has begun to produce first frustrations that threaten to increase parallel to the growth of this "gap". This disproportion will be more and more evident at a time when more decisions of strategical character have to be taken, as the emergency, fortunately, is

more than 150 countries subject to reporting on human development.

At this stage, when in Kosova we are dealing with defining the strategy of social development, the objective of civil society should be precisely affirming modern development concepts that include the market as an irreplaceable institution and regulator inciting freedom and creativity, but also the criteria of human development. For Kosova it is important to build capacities for absorbing entrepreneurship energies, which is the most important capital of development of Kosova. Affirming the entrepreneur and his role in society as a generator of development and entrepreneurship, as basic philosophy of development, has to do precisely with the extension of opportunities for actors of development to have creative space, to make decisions and bear responsibility for their own decisions. And, main actors are entrepreneurs, enterprises, companies, family economies, and institutions of economic system.

The civil society has an irreplaceable role to play in affirming the concept of development based on knowledge, which is of primary importance in increasing the absorbing development capacities of a society. It is considered that in modern circumstances of development non-material factors (know-how, information and governing system) have considerable advantages in accelerating development in comparison to the traditional view of the importance of factors such as natural wealth and population. Possession of information, the know-how of using them effectively in economic development decision-making and business management appear as key factors for a development based on the achievements of contemporary civilization.

2. STATE OF LAW, MARKET EQUALITY, ECONOMIC REFORM

A favorable environment of economic development implies the existence of the state of law as a basic precondition.

For the completion of basic legal staff as demanded by a market economy, of special importance remains passing of regulations/laws on privatization, bankruptcy law, and accountability law. Viewed from the prism of civil society it is important to raise the fact that its impact on the process of passing these laws is very small. Even informing the business community on these laws is very small. Around 60% of businessmen consider they have not been informed on the laws passed by UNMIK, while around 70% get their most important information from their colleagues or media.

The stance of business community in Kosova and generally of Kosovar public opinion towards the reforms is very positive. Around 80% of Kosovar enterprises – their managers – demand an efficient and immediate privatization, but this is not being implemented because of UNMIK indecision to look properly at the issue. Artificial “political” issues are raised, the consequence of which can be a conservation of the existing status of social property, which may have many negative implications not only for economic efficiency, but also in regard to reforms and generally democratization of Kosovar society.

The non-governmental organizations and media have not yet established channels for exercising greater influence in the intensity and direction of reforms, and have not yet built a strategy of advocacy for economic development issues. Exception makes two or three research organizations, but this is insufficient for exercising greater influence on social currents.

The role of the media in this field is also not being considered. While daily newspapers and electronic media show an increasing interest on the problems of reconstruction, economic development and reforms, they have not yet created professionally trained staffs to due degree for dealing with such topics of competence. In particular, more specialized publications have been lacking that would develop entrepreneurship culture, business ethics, and would offer information on latest currents effected by globalization and digitalization of economy.

After all, any country may be able to sustain, or better yet to live good or bad depending from how able it is to use well its own resources and potentials, especially people, knowledge and their abilities, on how much information it possesses and what kind of governing system (economic system) it has.

In this relation Kosova too should unavoidably project and manage its economic independence. The quality of economic independence may be variable, depending from annual income, namely per capita GDP! So, we may live on an average of \$ 700 per head, on \$ 3.000, 10.000, or \$ 20.000 annually. This depends from us, from the choice we make as consumers and electors in the polling boxes, nature of economic system and from our determination to build a democratic, free society without violence, an open society that absorbs and articulates entrepreneurship energies.

Judged on basis of our objective analysis and Riinvest studies it may be concluded that Kosova is able to budget its own economic independence in conditions of building a contemporary economic system according to demands of an open market economy. Kosova's resources and potentials are an advantage for Kosova compared to many countries of the region and wider. A question arises as to how much has Kosova tested this ability in the past period?

In the period of Kosova's substantial autonomy in conditions of former Yugoslavia, 1968-1989, Kosova financed its own budget with around 75% and contributed to the budget of former Yugoslav federation. The budget of that time of Kosova was almost twice as that that exists now (around DM 950 million). At this time, according to analyses by Kosovar experts, it was objectively damaged in the aspect of balance of payment (income and expenditure with former Yugoslavia) but it showed a relatively high degree of economic self-reliance.

In the period 1989-1999, Kosova survived occupation and worst colonialization. It established its own independent system of public services (with more than 25.000 public employees with regular pay to keep vital services alive), and its own budget. Apart from this, Kosova and its Diaspora financed the armed resistance 1998-1999. This way, with its armed resist-

4. SME DEVELOPMENT AND ORGANIZATION OF BUSINESS COMMUNITY AS A COMPONENT OF CIVIL SOCIETY

In Kosova before the war there were around 16.700 registered private enterprises, or small and medium size enterprises (SMEs). After the war and till last year some 14.500 enterprises have been re-evidenced. Almost as many individual enterprises have also been evidenced (shops, cafes, restaurants, artisan shops, agencies, etc.). This makes up the business community in Kosova. The revival of activities following the war was very speedy, and the number of the employed marked an annual increase of around 10%, proof of dynamism in the sector. The importance of SMEs does not lie only in the fact that they will be the main generator of development in Kosova, but also because the entrepreneurs, proprietors and managers dealing with this business sector, make up perhaps the most important component of middle class in Kosova, which is of great importance for the quality of democracy and its building currents. Regarding this it is important to know as through what road is this middle class created; is it a result of a sound business environment, or it is created through informal ways and outside legal channels.

The current situation of private initiative and SME development shows that the business environment in Kosova is very turbulent and creates insecurity for a long-term development. According to the cited Riinvest survey the greatest obstacles that the business faces in Kosova are the following:

- Lack of laws
- Disloyal competition
- Financing
- High taxes
- Information possession

This register of obstacles is typical for an institutionally undefined environment and without a supporting infrastruc-

In Kosova this remains to be done in the period ahead. The project with the KFCA European Agency for Reconstruction and projects supported by the USAID are expected to create new and better opportunities for this.

DEMOGRAPHIC CURRENTS IN KOSOVA AND CIVIL SOCIETY

In unsuitable social, historical and political conditions and economic and cultural underdevelopment for a long time, in Kosova a very characteristic social-demographic complex was created, which till late was territorially very homogeneous, with all the contours of pre-industrial society, where as a profession and dominating way of living was an extensive and natural agriculture, while illiteracy as a century-old companion of Albanians, was of a very high level, particularly among the women. Biological regeneration of the population was very irrational, as the demographic equilibrium between birth and lost of life was reached with heavy losses of people because of high mortality, particularly of infants. On the other hand, Kosova's lack of social and economic development, and particularly the lack of industrialization were manifested in slow changes in population movement (migrations) and in the little social and professional mobility of the population that had an impact on a small demographic concentration and lack of development of towns and urban way of life. Despite considerable population developments, Kosova even today represents the last demographic transition in Europe, with a high fertility norm, very young structure of population (average age about 26 years) and with around 50% of a population under the age of 19. From a total of 1445 settlements, only 26 of them belong to the urban type, while 65% of the population lives in villages. Concentration of population in towns after the return of Albanians from deportation imposed by Serbs will be temporary until the reconstruction of destroyed houses has been completed and normalization of life returns to rural settlements.

alleged creation of "an ethnically pure Kosova" and "Greater Albania" on the other.

The former state, by financing segregation and a repressive apparatus against Albanians, continued to get engaged openly in succumbing numerical and reproductive superiority of Albanians and in placing an ethnic balance through colonization with Serbs and expulsion of the Albanians. This state proposed a number of administrative and anti-social measures for a radical reduction of birth rate among Albanians, similar to those of India, China, etc., with evident elements of violence and contrary to basic human rights on free choice of inheritors and time interval between births and human feelings, reason and will. The entire Serb society, supported by other former federal units, in populist-nationalistic gatherings, in which an ethnic mobilization of Serb masses took place, incited slogans with truly neo-Malthusian, chauvinistic, racist and genocide content, such as: "Albanians multiply a lot, but their seed is rotten", "Albanians should be expelled over the other side of the Cursed Mountains", "Albanians ought to be killed", etc. The war against the Albanian demographic factor became part of the anti-Albanian strategy. In all the Serb aims and projects of the 20th century, the fertility of Albanian woman was considered as the main hindrance to ruining the Albanian demographic substance and realization of Serb great-statehood aspirations, Serbia, and all the Yugoslavias, wanted a Kosova colonized by Serbs, an undeveloped Kosova, and with a European type birth rate for Albanians. However, these aims, naturally, did not go together.¹

1) H. Islami, "Demografska stvarnost Kosova", in: *Sukob ili dojalog (zbornik radova)*, Subotica, 1994, p. 29-51; H. Islami, *Dimenzioni demografik i shtjes sė Kosovės, Enti i Teksteve i Kosovės, Prishtinė*, 1997, p. 73-74, 191-194.

agricultural professions 2,74 children; the illiterate woman and with no education 7,04 children, with middle education 2,24 and with superior education 2,18 children respectively.³

Differences in the natality rate are evident also between members of the same nationality and confession, but living in various territories with different degrees of development. In the last five decades, for example, a higher norm of natality among Serbs was in Kosova and B&H, among Montenegrins in Montenegro (until recently in Kosova as well), Bosniaks in the region of Sandjak, Croats in B&H and in Kosova, while among Albanians in all the regions of former Yugoslavia, as their were underdeveloped in all aspects.⁴ The Serb women at the end of their reproduction period had 3,42 children, in B&H 2,81, in Croatia 2,02, in Vojvodina 1,87, in Serbia 1,85 and in Slovenia 1,65 children, while Montenegrin women during their reproduction period bore the following: in Kosova 3,16, in Montenegro 2,98, in Macedonia 2,59, in Serbia 2,12, in B&H 2,05, in Slovenia 1,98, in Vojvodina 1,99 and in Croatia 1,84 children. In 1981, the Albanian women, at the end of their biological reproduction period bore 6,66 children in Kosova, in Macedonia 5,60, in Serbia 5,75 and in Montenegro (because of immigration of the young) 4,43 children, and in Slovenia our women bore 3,07. in Croatia 3,56 and in B&H 4,29 children.⁵ Or, in 1991 the birth rate among Serb women aged 45-49 in Kosova was 2,8, and in Serbia 1,8 children.⁶ Among Albanian women, despite the low degree of

3) G. Todorovic, "Dejstvo aktivnosti i obrazovanja zene na njeno radjanje i stav o njemu na podrucju SR Srbije", Stanovnistvo, br. 1, Centar za demografska istrazivanja, Institut drustvenih nauka, Beograd, 1984/85, f. 58.

4) Demografska kretanja i karakteristike stanovnistva Jugoslavije prema nacionalnoj pripadnosti, Centar za demografska istrazivanja, Institut drustvenih nauka, Beograd, 1978, ff.27-31.

5) Demografski razvoj i populaciona politika SAP Kosova (interna studija), Centar za demografska istrazivanja, Institut drustvenih nauka, Beograd, 1988, f. 62.

6) G.Penev, "Tendencije i osobine fertiliteta", në publikimin Zena i radjanje na Kosovu i Metohiji, Centar za demografska istrazivanja, Institut drustvenih nauka, Beograd, 1998, ff. 17-22.

Changes are evident also in the movement of overall mortality rate, where apart from social, material and health factors, the demographic factor, or the young structure of population respectively had also an effect. Meanwhile, the infantile mortality rate, which in the development of Albanian population was a direct expression of its overall unsuitable situation, although much reduced, its relative and absolute volume continues to represent a big health, demographic, human and social problem in general. With the expulsion of Albanian workers from public health care institutions in 1990, the situation was gravely deteriorated, so that during the last years (up to the arrival of international forces in June 1999) the infant mortality scale was supposedly over 35 promils. Also the relation of causes of infant deaths in favour of exogenous factors was also deepened (post neonatal mortality).¹⁰

3. DYNAMICS OF POPULATION GROWTH

Even despite intensive emigrating processes and other unsuitable circumstances in particular social and historic time periods, one of main specifics of development of Kosova's population for a long time has been the increase of its number as a result of high natality rate, reduction of mortality and high scale of natural growth. Kosova's population in the last 100 years had an increase of over 600%. It has been estimated that in 1880, Kosova had around 240.000 inhabitants.¹¹ Kosova joined in the process of "demographic boom" in the 60s, which in the aspect of both absolute and relative growth was up to that time the strongest (Table 2). In the period 1961-1991, Kosova's population grew for 1.054.512 inhabitants, meaning it doubled in less than 30 years. However, it should be pointed out that in all the periods between population cen-

10) H.Islami, "Aspekti sociodemografik i mortalitetit të popullsisë së Kosovës", *Thema*, 14, Prishtinë, 1996, ff.83-106.

11) *The Population of Yugoslavia*, The Demographic Research Center, Institute of Social Sciences, Belgrade, 1974, p. 11.

a parallel between Kosova and Serbia, where big differences will be evident in regard to certain functional contingents in their overall populations in the above-mentioned period. But also changes have occurred in two quite opposite directions. These relations speak also for the population and geopolitical position of these two entities today and in the future.

The fall of birth rate had an effect in Kosova on the percentage decrease of contingent of 0-6 years in the population overall number, but the number of children of this age has doubled in the period between 1953-1991. In Serbia, however, a considerable fall in the relative number occurred, and also of the absolute number of pre-school contingent, so that Serbia in the future will have an excessively big school space. In fact, in the last 30 years since the rate of births decreased, in many settlements of Serbia, particularly in villages, there was no need for building new elementary schools. And, as regards the contingent of obligatory obligation in Kosova there is a tendency of big increase (for 151%), while in Serbia from the beginning of the 60s a relative and absolute decrease of this contingent. These population contingents, with this vitality, considering mutual dependence between the population composition according to age and other demographic and social-economic processes, naturally create various effects in a demographic plain (volume of births) and raise multiple demands in the social-economic life in a long-term time context (employment, education, health care, pre-school institutions, etc.)

The first contingent in the period 1953-1991 in Kosova increased for more than two and half times. However, because of a relatively young structure of population, the percentage of this contingent in general population in the two observed years is under that of Serbia, although it marked an increase of 53,3% in 1953 and 56,9% in 1991. Meanwhile in Serbia, by the end of the 70s, this functional contingent was on an increase, and then it marked a big fall because of an intensive process of demographic non-recording; in the period between 1981-1991 it was reduced from 682.650 to 577.995 persons. As regards the first mobilizing contingent, very important from the aspect of country's defense, in this period in Kosova an almost tripling of it occurred; an increase is also marked in overall number of population in the relative aspect as well. In Serbia this functional contingent marks a fall in both the aspect of number and the percentage if overall population. While in Kosova the contingent above the age of 80, despite an increase of 128,3% in the period between 1953-1991, is very low in both absolute and relative aspects, in Serbia it is in an expansive increase as a consequence of lack of recording of its population, Although today we have no data on all these contingents in both Kosova and Serbia, it may be assumed that absolute and relative relations have not only been maintained between these two entities, but also have deepened.

5. ETHNO-DEMOGRAPHIC COMPOSITION OF KOSOVA

The ethnic-demographic view of Kosova for already over a century has become an object of manipulation and speculation of all Serb and Yugoslav circles. In order to realize their century-old aspirations for domination and hegemony over Kosova and Albanians, these circles, apart from the so-called "historic right" have been continuously speculating on the "demographic argument" with the intention of viewing Kosova as an "exclusively Serb issue", depriving Albanians of

Table 4. National composition of Kosova's population, according to 1948-1991 census. ¹⁵

	1948	1953	1961	1971	1981	1991
Albanians	498.242 68,5	524.559 64,9	646.605 67,2	917.167 73,7	1.226.736 77,4	1.596.072 81,6
Serbs	171.914 23,6	189.869 23,5	227.016 23,6	228.261 18,4	209.497 13,2	194.190 9,9
Montenegrius	28.050 3,9	31.343 3,9	37.588 3,9	31.555 2,5	27.028 1,7	20.365 1,0
Bosniaks	6.679 1,3	6.241 0,8	8.026 0,8	26.351 2,1	58.562 3,6	66.189 3,4
Turks	1.315 0,2	34.583 4,3	25.764 2,7	12.244 1,0	12.513 0,7	10.445 0,5
Romas	11.230 1,5	11.904 1,5	3.202 0,3	14.593 1,2	34.126 2,1	45.745 2,3
Croats	5.290 0,7	6.201 0,8	7.251 0,8	8.263 0,7	8.718 0,6	8.062 0,4
Yugoslavs	5.206 0,5	920 0,0	2.676 0,1	3.457 0,2
Others	11.100 1,5	10.999 1,3	3.330 0,3	4.338 0,3	4.585 0,3	11.671 0,6
Total	733.820 100,0	815.798 100,0	963.988 100,0	1.243.693 100,0	1.584.440 100,0	1.956.196 100,0

6. ETHNIC CLEANSING OF KOSOVA AND ITS COLONIZATION

The main objective of all Serb regimes in the last 120 years was changing the ethnic composition of Kosova and its surrounding areas either through colonization with Serbs or forceful expulsions of Albanians. Between the two world

15) Source: Popis stanovništva, domaćinstava i stanova u 1981. godini. Nacionalni sastav stanovništva po optinama, Statistički bilten 1295, Savezni zavod za statistiku, Beograd, 1982, f. 16; Stanovništvo i domaćinstva SR Jugoslavije prema popisu 1991, Stanovništvo 47, Savezni zavod za statistiku, Centar za demografska istraživanja Instituta društvenih nauka, Beograd, 1995, p. 213.

a true terror against them.²⁰ By wishing to make its colonisation policy as much efficient as it could, Serbia of the middle of 90s undertook several institutional activities. In 1991, the Serb Assembly passed a law on conditions of dividing farming land in Kosova; from the land fund that would be formed from municipal lands, parcels of agriculture organizations and from the land that would be granted by legal and physical persons, the law anticipated to give free land to colonizers, while for building of their houses loans would be granted with very suitable conditions with e return liability of 25 years. In January 1995, Serbia passed a draft law forecasting its most important wave of colonization with 100.000 colons; according to this draft-law colonists would be offered many other benefits. On the same year, Serbia passed a cadastral law on regulating real-estate properties from 1945 and on, allegedly in order to certify ownership on real estate of Kosova's citizens and in order to correct possible errors. Those that do not possess proper documentation would not be able to gain their right over real estates in cadastral books. Knowing the fact that the Serb government had used many obstacles to Albanians in solving their ownership-legal problems, it is clear that these "citizens" were Albanians. Through these laws on property, apart from their genuine aim, creating new tensions was also attempted, as by taking over land and other real estate property from Albanians, they would not only be hit on their existential basis, but also in an emotional and individual-psychological plain, where it was easy to provoke.

20) Alongside emigration of Albanians following 1991, the Serb regime began colonizing Kosova with refugees-colonists from Croatia and B&H, despite their wish, whose number was at around 10.000, and with Serbs and Montenegrins from Albania (around 6.000), while following the Croatian offensive "The Storm" of 5 August 1995, in Kosovë were brought nearly 20.000 Serbs, also unwillingly (H. Islami, "Kolonizimet serbe të Kosovës dhe eksodi i shqiptarëve", Studime, 2, Akademia e Shkencave dhe e Arteve e Kosovës, Prishtinë, 1995, pp.39-45).

ty, within the compounds of crimes against humanity, with all international conventions, are considered as genocide crimes marking the darkest side of humankind's history and greatest tragedy in the life of the nation that experienced them. As a consequence of long-time Serb genocide actions against Albanians, frustrations and accumulated anger that erupted among Albanians against some Serbs following the deployment of international forces, that can be qualified as accidental criminal acts, stabilizing the situation, setting a standing peace and establishing a civil democratic society in Kosova is a long-term process.

The return of Albanians, of such a large mass for such a short time, even despite appeals by the international community for not so speedy return because of lack of living conditions, with houses destroyed, without food, and with great danger of mines left by Serb forces, it still shows how strong is in them the emotional connection to their geo-ethnic land, to their real estates, houses and land. This was a phenomenon that made an exception in the history of mass ethnic exoduses in the contemporary times that surprised the world, strengthened the image of Albanians of Kosova and ensured even greater sympathy for them from what they had during the NATO bombing against Serb forces. This image has, unfortunately, been spoiled by certain groups of Albanians and their behaviour (usurpations, plundering and threats) and by Albanian leaders themselves with their quarrels in fight for power, although it was clear that Kosova had been placed under military and civil international protectorate.

The ethnic view of Kosova has suffered considerable changes, where Albanians are making an overwhelming majority with over 90%. Together with the withdrawal of Serb police, military and paramilitary forces, following the signing of Kumanova Agreement on 3 June 1999, as is known, nearly half of Serbs withdrew from Kosova (100.000 persons) because they had been involved in various forms in criminal operations, and around 100.000 others remained to live in Kosova. Currently, Serbs are living in ethnic enclaves, placed

REFORM OF EDUCATION SYSTEM IN
KOSOVA A PATH TO THE FUTURE

1. CONTEXT

Every reform in an important social sector such as education should be considering the context in which it takes place, both the national and international context. The national context consists of various historical, geographic, political, cultural and economic circumstances. In the case of Kosova, the international context is of special importance surpassing the general trends of globalization that characterizes the 21st century.

The period between 1990-1999 is characterized with superhuman efforts by Kosovars to ensure the survival of the education system threatened by a policy that caused four wars in the territory of former Yugoslavia. As a result of lack of minimal conditions for work was registered a drastic fall in the quality of education in Kosova. A complex political and security situation, and a rapid fall of living standard caused registration in all levels of education to fall considerably (see Table 1), while the interruption of education and degree of illiteracy reached alarming numbers.

2. PROJECTS FOR SUPPORTING EDUCATION

Presently, Kosova is burdened by several problems that have an impact in almost all segments of social life. Kosova has emerged from the last war heavily damaged, in both the economic and human resources aspects. Great movements of population have made almost impossible any real project of economic development or demographic structure. In the post-war period, the brut national income has been evaluated to \$ 720 million,⁵ which classifies Kosova among the poorest countries of Europe. On the other hand, Kosova is entering a transition phase with an unemployment rate of around 70%.

All of these factors speak of the importance of donors' contribution in reforming the education system, or more concretely, of the dependency of Kosova from the donors in this field. In the recent history of education there exists a positive tradition of donors' contribution in the reformation of education systems in the developing countries, particularly in Africa, Asia and Latin America. Particular successes have been achieved in raising the inclusion of children/youth in elementary and middle education, although building new schools and creation of new work places in education cannot be called key elements of reform in education, although they are its most costly elements. Particular projects of donors have addressed other essential segments of reform: training teachers, curricula development, developing teaching material, determining national standards of education and evaluation, planning, etc. Nevertheless, one should not expect that the foreign capital would solve all the problems with which a society is faced in reforming its education system.

Donors contribute mainly through projects that are managed by various governmental and non-governmental organizations. This approach comes from the success that the so-

5) World Bank Group Response to Post Conflict Reconstruction in Kosovo: General Framework for an Emergency Assistance Strategy (July 1999)

3. THE STRATEGY OF REFORM OF EDUCATION SYSTEM

Despite certain changes that have taken place during the nineties, the Kosovar education system is still loaded with inheritances from the education system of former Yugoslavia time. Numerous reforms that have taken place in the Kosovar system of education in the last 50 years have had a very limited impact in raising the quality of teaching, perhaps because they did not take into due consideration the national and international context. In most cases they have been limited only in changing the curricula without being accompanied by other forms of raising education quality (improvement of working conditions, training of teachers, etc.) Likewise, one may not speak of any active participation by teachers, school children/students and the society in general in designing past reforms, therefore an erroneous stand in the Kosovar society exists that reforms should develop in closed and bureaucratized circles of experts, while teachers and school children/students are those that will have to implement the reforms in education institutions.

Practice has shown that the success of a reform cannot be guaranteed only with the quality of experts participating in its drafting. There has to be a preparatory phase, where in a suitable way information is exchanged on the aims of the reform and reaching a general consensus has to be attempted on these aims. This is more than necessary because of a simple fact that any kind of reform requires sacrifices cannot be carried out successfully without undertaking certain decisive steps that may have a negative effect on certain categories of teachers, school children/students and population in general.

Successful reforms in the countries of the region and Europe have mainly passed through three stages:

1. Compiling of a "Green Book" in the form of a critical analysis of the situation in the education system, and initial discussion on a wide basis of necessary changes in the education system,

In many cases, the implementation of reforms in education system begins with the piloting phase, which takes place in selected institutions of education. Return information from the "pilot" institution, which is ensured through monitoring and regular evaluation, should contribute to the formulation of a general strategy for changes in the education system. Here should be pointed out the key role of teachers, without an active participation of whom no success of reform can be imagined. Teachers should have sufficient influence in the process of changes, particularly when dealing with changing the curricula.

4. INITIATING REFORMS IN KOSOVA

The first initiative of the UNMIK Department of Education and Science in regard to reforming the education system was the DESK (Developing Education System in Kosovo). The idea was that apart from a central working group, a series of other working groups be formed that would be dealing with various aspects of reforming the education system. The initial projects pointed out the need of involving as greater number of Kosovars as possible in designing the reform in a way as to articulate the real needs of Kosovar society. For many reasons, this project was abandoned in June 2000, six months after its initiation.

The current approach by the Department for Education and Science is based in the so-called managing agencies, which in fact are bearers of particular projects of international donors whose intention is to intervene in various fields of education system. These managing agencies have the task of developing local capacities in their fields of activity in a way as to ensure sustainability and dissemination of results of projects being implemented. The same agencies should also be carriers of changes in their intervention field, while there ought to exist another coordinating mechanism amongst them. According to the Department of Education and Science, "the concept of the managing agency is a step towards a contemporary civil administration, which is in contradiction to the Balkan tradi-

In Kosovo are active several local non-governmental organizations and international organizations involved in efforts to mobilize donors' contribution in support of education system. These organizations are presented as alternative offers of various services, such as training of teachers, introducing the public to the positive practice of other countries, etc. As stated above, some of them exercise particular activities in the name of education authorities. In any case, the very number of local and international organizations exercising activities in the education field cannot ensure the creation of a critical mass that would exert positive pressure on the decision-maker. Furthermore, these organizations should develop an intensive co-operation until creating a sectarian network that would contribute in establishing a structure that would be able to support the reform.

5. CONCLUSION

The reform of education system is a complex task and long-term process of a general social interest. For this reason, such a task should be carried out with special care with respect for positive practice of other countries, and the needs of society. Because of a natural connection between various segments of education system, there has to be a high degree of co-ordination between the subjects dealing with the reform of various sectors of education system.

Evidently, in the Kosovar society exists a positive approach towards changes in the education system, although generally speaking, education does not seem to be a priority to Kosovar political subjects, which in the complexity of political context can be somewhat understandable. Every initiative for the reform of education system should take into consideration the fact that its success may be guaranteed only with an active participation by the Kosovar subject, particularly the teachers. Creating mechanisms for exploiting this positive energy comes as priority in the initial phase of reforming the education system, while their current absence may not be justification for taking important and long-term effect decisions in an administrative way.

THE CONVERTITE INTELLECTUAL AND CULTURAL IDENTITY CRISIS

(An Approach to Study)

In societies in transition, particularly in those that underwent total disruptions, such as what happened to the Kosovar society, culture suffered most, not only because the Serb occupying regime in Kosova had a program for final ruining of institutions of culture and for an acculturation of Albanians, but also because in Kosova culture was never considered as a value of particular national interest so as to do something in order that erosion and planned destruction be hindered or its consequences be reduced...

In the Kosovar society, Cultural devastation that occurred is a result of national education and emancipation on the name of which great ruins were made in the traditional structure of Albanian life. The Canon Code of Albanian living culture was entirely destroyed. A thousand-year-old culture heritage that was maintained and carried from one generation to the other through a particular culture of listening and speaking that had been cultivated in odas was destroyed. The changing of language in an almost revolutionary way, with no resistance, understanding it as a patriotic act, opened the way to a fast and artificial installation of a new discourse in the Albanian speech in Kosova, and this brought about a new mentality that changed everything in the way of speaking and even the way of speaking. With a great speed, like in the Orwellian labs old and young scholars and scientists preempted from their minds "their old language" and hurried to use the "new language" with a Tosk dialect basis, called the literary language, or the unified language...

The patriotic euphoria first killed critical conscience and then it brought about idealized samples with which the

ended up in primitive folklore schemes, as grotesque imitations of manly and patriarchal stances in amateur theater shows or with an attractive coloring for the foreigners in the costumes of folk ensembles dominated by the ritual structure of that culture, with the intention of denigrating and underestimating this people to the measure of presenting it as a primitive tribe that had allegedly been living with wild mountainous customs and habits...

Our elderly, the last Socrates of Europe, that kept within themselves a valuable arsenal of a knowledge of thousands of years from one generation onto the other, withdrew before new "authorities" of scholars that came into Albanian odas like those bringing new knowledge without understanding that their new knowledge meant destroying and annihilating the old knowledge. Thirst for knowledge that was something constant among the scholars of tradition had also created a new myth on the new scholar. The word of a new scholar, built on a new discourse and on a unified language in an assembly, even when it was entirely worthless, seemed to weigh heavier than the word of the old man – philosopher, who expressed his thought without telling where he was supported on, and withdrew as if he did not understand what it was about... "You are educated... you know better these things." Perhaps an overestimated respect for the new scholars (as truly the time had come that the old knowledge be advanced with the new one), made possible the fast ruining of the culture of ancient lecturing.

The "revolutionary" change of the traditional structure of thinking and speaking, and conversion into a declarative speaking has as its consequence a radical alteration of the ethnic-psychological structure of our national character and the deterioration of this structure. That this is so can be felt by anyone who had the opportunity to spend a night in one of Dukagjini or Drenica odas. The new discourse that is being applied today is, unfortunately, similar to the one that may be met at any coffee shop in Prishtina.

the new questions that the new time brings. This in principle seems so. From this new doctrine a myth was launched in time on the scholar and a mythical figure was created of the hero-intellectual, after whom the masses began to round up. In a paradox combination this ambivalent figure of the hero created the model of a queer resistance known as such only among Albanians of Kosova. The new intellectual attains proportions of a hero authority. No doubt that the changes could have occurred at decisive moments. But, precisely in this paradox combination the intellectual is sterilized and castrated by the potential of the hero, while a hero's psychology blocks entirely free thought without which an intellectual cannot be envisaged. If the hero in his mental structure has as his constant the courage to act, in an intellectual's mind there exist dilemmas, constant hovering before any action.

The Albanian intellectual of Kosova, taking upon himself the role of a hero in key historical moments turned into an antihero. In the foundation of his thoughts and actions he has dilemma, hesitation, loneliness. If he is headed for somewhere, his conscience created a hundred standing arguments to convince him that walking is senseless. If he is to stay at a single place, his thoughts create entire theories on the supreme need to move. To go, or to stay? Resisting, standing, staying, none of these words contain a mechanism of movement in them.

The hero-converted intellectual, in order to escape responsibility, finds support in a neutral space, in which time is neutral, in a timeless space, a space that could be taken both as real and as illusory, that is both realistic and fictitious. Convert intellectuals do not believe in norms given before them. They do not believe in authorities, either state or national ones, they are not atheists, but believers neither. They do not like authorities, but they do not want to lead the life of authoritarians either. Their actions are thus dichotomies. Their souls are ambivalent. Their inaction they will try to present as wisdom. He will try to gain everything in time, strangely convinced that time may be working in his favor, convinced that time may bring something else into option... He gets into the game and inability to come out of it, but he is not able to continue the

lar from its occupied part. If the eagle totem left us to what totem were we granted instead?

If we borrow, for some time, the critical optics of deep observation of a Faik Konica to analyze the change in our spiritual and moral structure, we would see that truly in many aspects within our ethnic psyche a granting of an underground lizard, such as the mole has taken shape.

Perhaps life under permanent pressure facing numerous threats of exterminating wars, collective feeling of our inability to do something if such threats would become realities, perhaps all of these and many other reasons created a climate in our national psyche for perverse grants to take place. Thus, life in such anxiety, that continued uninterrupted since 1989, with its beginnings back in 1981, caused that in time we attain something of the character of this lonely lizard who spends his time in underground tunnels and implant him into our new character as a nation.

Our Alternative Life, during the period of "peaceful resistance", particularly during that historical period, resembled rather the underground life of this mole, and perhaps this has conditioned mostly the creation of a new mental structure in our national mentality.

Is it possible that this really happened?

Before and during the war, coffee shops of Prishtina were mostly situated in spaces lacking sunlight, underground corridors or spaces that resemble such corridors. Most of Albanian coffee shops, usually attached to each other, such as those at "Kurriz" (backbone) and "Qafa" (neck), where thousand of Albanian young spent time in waiting, including intellectuals, professors, artists of the Estrada, kitsch and brashness, journalists, false businessmen, amateur politicians staying in endless chats and chewing same subjects.

For years, they swarmed around tables drinking macciato on high politics. Our long vegetation in those sunless spaces could be symbolically explained as an irrational solution that befits the psychology of a subjugated man demanding alternative spaces where he would feel safer, a psychology similar to that of the mole. Life in sunless corridors should really evoke mortuary associations, irrational anxieties, and fear of

THE MEDIA IN KOSOVA

The situation in which the media in Kosova are found is almost similar to the situation in which the Kosovar society in whole is. This situation may be described as a transitory period, which is unique in itself. The media in Kosova, both the printing and electronic ones, have been expressing a reality that differs from the reality or conditions in which the media in Eastern Europe were found. In most of these former communist countries, the transition stage has been overcome and now the press in those countries, despite problems they faced, has still maintained the form of the western countries media.

There are two characteristics that pushed the press in Kosova be in a very specific situation. The first characteristic is that in Kosova there is no state-owned press (in both ownership and state control aspects), as it existed in the transition phase of East European countries. In some of these countries such a kind of press exists even today. Explained in other terms, some of these states still keep control over some of their media. As stated above, in Kosova we are not dealing with such a situation, as the state and media that existed during the last years do not exist any longer.

Kosova's specific situation under UN Administration has also had an impact on the situation being so specific. Judged from another aspect, such a situation with the media in Kosova has occasionally been reflected positively or negatively on both the current situation and long-term development of the media.

The second specific is the lack of will by the UNMIK Administration to launch a privatisation process as a whole, which would also be reflected on the ownership situation concerning this field.

So far, with such an undefined status many local radio stations have been functioning, being revived from a grave situa-

One form is the international community (UNMIK, OSCE, and other international organizations and funds), The LDK as the largest political party and winner of last municipal elections, Political parties coming out of the war and representing the triumphant fighting but not political spirit.

This is a queer reality. All these three entities have their own agenda and naturally their press too for presenting their ideas and aims. In a way these three entities do not insist by all means to have control over the media. However, in practice the opposite seems to be true. There are several newspapers, sometimes even electronic media (though fewer) that are willing to take the side of these three political entities.

Foreign donors are still financing a considerable part of the press. Almost half of our daily newspapers, as well as many periodical magazines, stay in the market thanks to foreign donors. This way we see in Kosova 7 daily newspapers, while the number of magazines is greater and fluctuant. But, the truth is that Kosova has more national daily newspapers than, for example, Great Britain has that is considered to be the cradle and example of journalism. Naturally, with the passing of time, this number of our newspapers will change in the direction of reduction that will take place during the course of competition dictated by the market.

Nonetheless, for some time still the situation will continue to stay as it is. To come back to the essence of support by international donors, what should be said is that their support has and continues to be essential in the direction of developing professional journalism of the Western kind. But, how much can this help in presenting the truth if these newspapers do not publish articles or information revealing some negative side of the international community in Kosova? From this results that a need is felt here for establishing a block that sucks and publishes only the truth of its own kind by ignoring the "real truth".

The second group of the media is in the service of the LDK. The truth is that against this political formation there is no place in the medial space. The same goes for newspapers that promote the policies of political parties come out of war, or PDK respectively.

activities of the other political side, which they do not support.

The aim, and in particular the role of the media stands in exercising influence in creating an opinion on readers. From what can be seen, it results that in Kosova we are not dealing with such a situation. Most of the media, as they address particular circles with established opinions, do not have this effect as they address groups with an already formed opinion. In this respect, these media play the role of Kitchener and server of preferred food for the political formations. So, the menu and taste is served as demanded and ordered.

Another issue that should be raised for discussion within these segments is the number of readers and viewers of these media. As regards the printed media, all the daily newspapers appearing in Kosova have an overall circulation of less than 40.000 copies and this is an indicator of their readability. In a territory of two million inhabitants, like Kosova, this low number of sales is cause for worry for those that publish these newspapers. Two decades ago, when in Kosova only one daily newspaper existed, the circulation of this sole newspaper (Rilindja) happened to be as twice as larger. Now, two decades later, when the number of population has also increased, the number of readers has fallen. One of the reasons for the fall of interest may be the conditions in which post-war Albanians have been living and the increase in the number of electronic media, that can easier fill the space and need for information. As a whole, this issue too seems to demand a special study. Another important element is also the great number of migrants from Kosova to the Western Europe and USA. Only the media with Western publications ("Koha Ditore", "Bota Sot") have more success in the market and can be self-reliant without donations.

Self-regulation

As of the beginning of the last year, when UNMIK issued documents on media regulation, the Association of Kosova's Journalists (AKJ), presenting all the journalists of Kosova, has opposed such a "regulation" qualifying the regulations

court of honour. This institution, apart from others, would have an impact on the responsibility of our media. With its establishment, the Commission will continue its operations being entirely independent in its work and decisions. This would not only contribute to increase the quality or standard of professional. The creation of this Media Commission represents a step of particular importance because until now the media in Kosovo may be considered as organisms that are not duly organized and according to the development of situation. Organization of the media should be carried out as we are in a situation when we are continuously passing laws and a situation that demands that journalists be presented before the lawmaker with an articulated pressure, so that the interests of journalists and the media can be defended in a most dignified way.

So far, there has been no serious pressure or organization. Like the rest of the Kosovar society, journalists and the media too are found trapped amongst individual interests without any serious aspiration for organization some network of enviable or successful level. For this lack of successful organization has been contributing some of our media too, that willingly or not, has been trying to push ahead with interests of their own individual editorial policies, as a result of which is ignoring organization. In normal situations, it should be that journalists establish a line of pressure against their organisms so that a common body protects their interests. Such a line of pressure cane is mutual. So far, this work has not been done in the way it should have. Establishing and activating the Media Commission could be the main challenge for testing the interest of not only journalists.

The aim or main job of the Commission would focus on maintain the above-mentioned Code of Journalists, in which journalists would understand that aside from their rights, they also have professional and social obligations. After all, in some countries aside from similar commissions, various media include also the institution of ombudsman. All of this is done with the intention of keeping the ethics of journalist profession and protection of interests of readers or listeners, or differently put, the public.

KOSOVO ENVIRONMENT

Globalization and Civil Society: Challenges of this century

"We have entered a new millennium... the environment, from on which our existence depends, is being destroyed unmercifully and without any reason. I believe that the solution is somewhere inside the human soul... every one of us has to determine his or her own responsibility within the collective global responsibility; everyone who domesticates an animal out of self-satisfaction will face the suffering of the being and the nature; everyone should be in condition to provide the reasons for his or her acts in front of the next generations."

(Vaclav Havel)

GLOBALIZATION

It is not possible to talk about the 21st century without mentioning the phenomenon of globalization. The term "globalization" is usually used to describe the "global integration of economy", but despite the critics that this term faces, it looks like it is inevitable in describing many actual processes, based upon a worldwide communication system connection all people around the globe. This process for sure will raise the level of economic cooperation between different countries, which should result in global economic development. However, economic development means rising the production and consumption, which will cause increased environmental problems, which will more and more cross national boundaries and will influence populations, economies and ecologies of neighboring states. For this reason, it is necessary to ensure the harmonization of environmental laws on a global scale. Since the beginning of the 80s the process of "global ecological inte-

- In opposing some large-scale development projects.

The weaker points of our environmental civil society still remain. These include a lack of:

- Genuine analysis of scientific and technical issues concerning the negative influence of economic development on our natural ecosystem.
- Development of strategies and politics for positive interventions in the political life and social and ecological systems. If civil society is not able to intervene with ideas and concrete projects on how to solve the problems, there is a risk of their discrediting and marginalizing.

For the moment, the role of the environmental civil society, in countries in transition such as Kosovo, related to global economical and environmental development is marginal. In young democracies, where the civil society is not yet strong, governments are more influenced by more powerful interest groups, such as investors and other economical players. Likely this influence will be bigger with the growth of the economy. It is not by chance that negotiations, which are held nowadays with the World Trade Organisation are paid much more attention than those that are held for global environmental conservation. With irony it can be said that, out off all today's global processes, those of "global marginalisation" of the environment are most the successful ones.

KOSOVAR CONTEXT: CHALLENGES OF CIVIL SOCIETY

The Kosovar society, generally, has profited a lot from the globalization of international politics, which ended the violence and apartheid of the Serbian regime after more than one decade. Kosovo started it's transition with an evident delay compared to other post-communist countries of the region, and in a specific political environment, namely under the government of the international community. At first sight it looks like this kind of administration could give a positive direction

- (1) military and civil activities of peacekeeping organisations, those humanitarian and different activities of rebuilding and reconstructing the Kosovar infrastructure, and
- (2) the failure of UNMIK to consolidate or found an environmental policy, which with success will found the first Kosovar institutions providing the necessary environmental services, on national and local level.

The first issue influences in worsening of the basic indicators for the quality of environment (emission of pollutants from military vehicles, the noise of airplanes, overcrowded traffic, the pressure on urban infrastructure, etc.). The second issue means a backlash for any further environmental development. UNMIK, after one and a half years of governing Kosovo, did not manage to put the basis for development of environmental services. Therefore it continued in the style of previous governments that leded Kosovo; where environmental issues were not taken into consideration during the projection of economical and social development. It seems that the vacuum created by the inefficiency of UNMIKs Department for Environmental Protection was not used properly by the local civil sector. Together with the international civil organizations they could have acted with more enthusiasm, knowledge and efficiency in founding the environmental infrastructure, which can deal with the main problems, which our society faces:

- Development of a policy and strategy for implementing a system for nature protection, at all levels
- Development of environmental legislation, with international rules and standards
- Foundation of the basis for the creation of an environmental fund
- Establishment of institutional infrastructure (Environmental Protection Agency) on national and local level, which would be competent for establishment and development of environmental services, and for protecting our most important resources (air, water, soil, food, health, nature, biodiversity)
- Raising the scientific understanding of Kosovar professionals working on environmental problems

The environmental civil society in Kosovo is very young, and still fragile. An achievement is that we have many local environmental NGOs now. Also we still live in a time that there are many interested donors to help this sector. Environmental NGOs have started working, but they are still looking for their identity. The current time in Kosovo has made them "good project hunters", supported by donors, which not always think about their larger role. Our environmental NGOs have to profile of their activities as civil organization better. They missed the chance to act as "pressure group" against political parties during the last local elections. Pressure on political parties would have raised the awareness of citizens of environmental problems. In the future this role will have to be played more and more by environmental NGOs, as well as the government.

At a moment when many alliances are born it is right to facilitate among key partners that hold the faith of environment. Not only in Kosovo, but also regional: the governmental sector and the non-governmental sector; governmental departments influencing directly the quality of environment; businesses and citizens. Perhaps all these groups have double interests, and could conflict among themselves. The wish for reaching fast economical development in Kosovo might go against the quality of our environment. Environmental NGOs are those working for increasing the quality of our environment and in my opinion they only have one role: to participate in all possible alliances for our good and that of future generations. Always remember that we owe them a clean and healthy environment.

POLITICAL PARTIES AND A CIVIL
SOCIETY MATAPHOR

(The Kosovar political parties and civil society)

I. INTRODUCTION

The last decade has undoubtedly been one of the most difficult periods in Kosova's history. That period was also one of the most interesting and by all means the most intriguing one in its development and dynamics. In the meantime it was overloaded with transformations, dynamics and cardinal changes for the Kosovar society in general. As such this period embodies in itself like a kaleidoscope an evolution through which the advanced western societies passed for hundreds of years. In all the bulk of concepts presented to become reality within a short time belong also those of political parties and civil society.¹

In 1989, experiencing the disintegration of the Communist system, which in this case was followed also with the suffocation of Kosova's institutions and beginning of the end of current state framework, for the Kosova of that time tracks towards the unknown were being trodden. In the background of the monist system existing at the time, "alternatives" began

1) A definition of political parties should be relatively easy, particularly if it compared to that of "civil society". For the intentions of this paper with political parties we will imply those "organizations oriented towards attaining legitimate control of governing through the electoral process" (A. Giddens, "Sociology"), while by a civil society we refer to "the space found somewhere between the state and family consisting of organizations separate from the state, enjoying autonomy in relation to the state and which are established voluntarily by members of society for the protection or extension of their interests or values." (G. White, "Civil Society, Democratisation and Development (I): Clearing the Analytical Ground").

II. "SIAMESE TWINS"

But despite such a tendency to have all under control, and despite the polarisation of the state on one hand, and society on the other (or perhaps someone could say rather because of the latter) the spheres of meetings, discussion of issues and stances and their articulation were not quite unknown. For someone, like my smallness, akin towards the concept of an extensive understanding of "civil society" this implied by all means all the forms of organisation present in totalitarianism under discussion. This includes also, but does not limit only in illegal organisations, those of workers, students, etc., all of which I consider forms of manifestation of civil society, as they are typical examples of organization outside the domain of state control. But, since on the other hand, the true civil society implies a free functioning within an institutional and legal framework, I all refer to the same because of lack of formalization and legitimacy that the same enjoys in democracy.

People's efforts to gather, to speak and act together by imagining they are living in a truly free society, despite the fact that the real society as the antonym of what they were imagining, was a rather strong impetus in creating a serious political alternative, and in stimulating the belief in that alternative. This is some kind of "virtual civil society", which was of course present in this stage of institutional and legal vacuum. In moments of big turns during the last decade organisations such as those of miners, students, education workers, artists... manifested and exercised one of the most genuine functions of civil society as such, namely the resistance and opposition against the authorities per se. They brought into the scene the implicit civil society of the kind that occasionally resisted in non-political contexts as well, or even in anti-political ones. Moreover, they brought to the scene even political parties as such. From a series of forms of such social organization, which I call the "virtual civil society", it may be said that even the political parties created at that time developed parallel to the first beginnings of the true civil society.

Furthermore, all of these, together with other modes of

trivial fell with the parties themselves, as the parties were the ones that had the last word on this.

And, among others, it was this behaviour of the parties, LDK before all, towards the "virtual civil society" that opened the doors of the latter to factorise and gain strength. With this, its role continuously extended in order to obtain for itself an uncontested place and position.

This is some kind of factual and quiet devolution that incited an ever greater and more effective organisation of educational, health carer, and youth organisations, etc. Initially supported on a financial aspect, and later more or less left to themselves they were trained to face the bitter reality by developing in the same time a very important capital manifested in the form of their independence. These forms of organizing, that will in time be able self-sustainable also based on alternative sources thus strengthening their independence in general, in the same time fulfil a very important precondition to be "true opposition", autonomous and constructive. The independence of the latter became ever greater in order to be a good promise granter for the role they played, or that would be able to play in relation to the parties and in relation to the authorities, whoever that was.

Their independence became so impressive that in time it will turn into a force in itself, able to play an independent role, regardless of the will of the parties or party, even being in contradiction to that will.

This is that moment when the suffix "virtual" is taken away in order to remain what it is and ought to be, alias "civil society". The Siamese Twins strangely separate naturally in order to continue life as two separate beings.

This is some kind of negative impulse emitted by the political parties, but that paradoxically resulted in positive effects for the civil society.

as a miniature substitute for political parties, although its capabilities in this sense stretch no further.

Instead of this above-mentioned approach, parties sometimes take up the shortest cut, alias that of sponsoring some non-governmental organization, which in exchange agitates for such a party with words and deeds. This, among others, results in an identical approach by the competing side as well and a domino effect among the ranks of other parties.

V. POSITIVE IMPULSE

I consider it unjust to say that the positive impulse given to the civil society by the political parties is manifested in the fact of the very existence of the parties. With the setting of a multiparty environment, the need, value and weight of civil society has become ever more evident. Apart from this, the differences between the parties and civil society have been to crystallize aiming ever more that the two play the roles the correspond to their character, even despite a strong initial tie and despite the fact that the last beginnings of the eighties and the beginning of the nineties are a perplex intermingling of a long range of forums of various forms. Either because of personalities involved in various capacities in various forums, or because of the more or less same aims for all, the political parties (party) too and the initial stage NGOs and other forms of past organisation, have more than one common nominator, which at that time was mainly the resistance against tendencies coming from Belgrade, first against the autonomy, and later followed by brutal and systematic oppression against the majority people of Kosova.

Moreover, the impression of intermingling becomes stronger in the initial perception of the elite leading this heterogeneous movement (in its organizing multiplicity), as an entity. The symbolism of intermingling of the first party beginnings by its very foundation environment is more than that being more or less the same dough from which the "bread" of political parties and civil society was made.

The beginnings of organizing in associations that took

generally communicate with citizens and their groups, is subsequently manifested also when speaking of civil society. Even more so, when in the case of the latter it seems to exist an additional reason for lack of dynamic communication and interaction, and that is the conviction among the parties that there is no benefit, and reason, for such an interaction.

Unfortunately, organizations of civil society too have shown unable to exert an impact in correcting this reality of (non) communication. The efforts to establish some kind of joint forum that would make the political parties have a more considerable approach towards the first, in rare instances when they happen, are unsuccessful. A recent attempt by the so-called "Woman's Coalition", which although in ideas and aims seemed promising, remained for the moment an expression of inability to play a more substantial role in both relation to the political parties and citizens, and as such represents a good illustration. The dominating isolationist approach among the political parties ranks, perception, with or with no reason, of civil society as a competitor in their struggle for power, are by all means a serious hindrance in setting powerful mutual support.

VII. CONCLUSION

Looking at it from another angle, the institutionalised presence of "civil society" in the governing bodies of Kosova under international administration, it seems more than solid. It may be observed that the civil society has ensured a very substantial presence in the government.

For someone like my smallness, who perceives the civil society under the prism of non-identification with the government, even as its opponent, but whom different from political opposition does not aim taking power, this may be presented as rather problematic. Perhaps not in a practical aspect and permanent advancement of various democratic tendencies, but rather in putting a big question mark over the initial labelling. If the "civil society" has been identified with the government, then this may be an argument that it ceases to be

cerning the egg and the bird. However, it is this very dilemma on the (non) existence of priority of genesis of one against the other that makes me believe in the necessity of best interaction of these two factors in the future, in realizing common aims of building democracy by playing different roles, which are actually genuine, instead of competing each other.

The metaphor given in the title with the same legitimacy could be put oppositely by pointing out in this way both the initial interconnection and intermingling of the two and an ever-greater differentiation hoping that it would crystallize more in both functions and aims following general elections.

But, undoubtedly any oscillation in one or the other extreme could be no less than fatal. The political parties and civil society not only do not exclude each other, but they create a complementary entirety. Both of them help each other in a democracy, and each one of them is powerless without the other. Examples of societies with authoritarian parties have opposite them examples of countries with a solid sphere of civil society, but without powerful and democratic parties. In both cases effects are almost identical.

The challenge is therefore put not in the form of recognizing the priority of one or the other pillar, but in their proper balancing with the aim of preventing and avoiding any kind of monopolization.

The faults of one can never be a reason for satisfaction of the other, as this after all is a threat to its own foundations of democracy, the pillars of which are both the political parties and the civil society.

YOUTH AND SOCIETY IN TRANSITION

THE POST-WAR SITUATION

The negative phenomena that are an accompanying part of the development of a society become more accentuated in periods when the society is facing radical changes or great crises. The most radical change through which a society may undergo is war, of course. It brings not only changes in political systems, but it also has an impact on the full or partial loss of the system of social values.

The post-war Kosovar society too experiences consequences of changes and traumas caused by loss of tens of thousands of people and grave material destruction, as well as from the creation of vacuum that is a consequence of a destruction of previous institutions and non-existence of new social institutions. Stability and security in a society, an integral functioning of the state, formation of system of behaviors, regulation of relations determined by the law, functioning of the economic and banking system, of social institutions and so on - most important moments of formation and existence of a society - become partially or entirely non-functional. The normative vacuum brings society to a position between a destroyed system of previous norms and new unformed systems, to a full disorientation and abstention from the possibility of carrying part of interests and individual rights in favor of general, common social interests.

TRANSITION PERIOD SOCIETY

The period of post-Communist transition usually appears in literature as a "brief history", divided into three phases: 1) the

tions, increase of egotism, the consequences of which are the different forms of deviant behavior and their appearance in the society.

GENERAL DATA ON THE YOUNG KOSOVAR POPULATION

According to UNMIK (United Nations Mission in Kosovo) data dating from August 2000, IOM (International Organization for Migration) data and the Kosova Office for Statistics, the overall number of Kosova's citizens is between 1,8 - 2 million inhabitants. From this number, 60% or 1,2 million is composed of children and youth between the age of 15 to 24 years, which is the population category defined by UNMIK as "young". The greatest concentration of the young is in Prishtina. Supposedly, the overall number of current inhabitants of Prishtina is around 600 thousand. From this number, 300-400 thousand are young people under the age of 24 years. Considering the fact that a registration of children below the age of 16 has not taken place yet, it is estimated that $\frac{1}{2}$ of the above-mentioned number, or around 150 thousand, are children between the ages 10 and 18 years.

As a direct consequence of conflict situation, a part of the young and children make up the so-called vulnerable category that includes the groups given below:

- War orphans. - According to records that the UNICEF Office in Prishtina possesses, around 20,000 school-age children are left without one parent, and children lacking both parents number 1217 that are under the care of their cousins or kin.* In the period July 1999 - July 2000 some 80 cases of adoption have been recorded, however it should be stated that none of the cases involves social institutions caring.
- All the cases in which the place of living has been unwill-

*) Records from November 2000

cultural and educational life, various forms of active organization of the youth, their role and opportunities in the societies are still (relatively) of a low level.

Likewise, in their attempts to best organize common life in the new environment, the young are met with many difficulties. Some of them are common characteristics of all societies passing through crises and big conflicts, while there exist also others that are specific only for the Kosovar society.

The young are more sensitive to changes in those essential elements of life that determine their social behavior (family, school, work and free activities). In October 2000, the UNICEF Office in Prishtina published the results of an analysis of several months on the topic "Youth in Kosovo". These data show the main problems with which the young people of Kosovar community are faced after the war. Research and surveys carried out among the young of Prishtina speak of a relative dose of disappointment on the new way of life. The most frequent quotes are "this place offers nothing", "this town is unclean", "I cannot live with the people who have come here", and similar.

A high concentration of the population in Prishtina and other larger cities of Kosova is a problem that directly hits children and youth and with which they are confronted in two aspects:

- 1) A division among the youth of urban and rural environments, and
- 2) Differences between the young population that stayed in Kosova during the period before the war and during the armed conflict and those that stayed out of the country during that time.

The youth from rural environments (whose presence in the urban environment is about 40% of population) are more conservative, limited in involvement in social events, often poorer and always in search of most of those values which the youth of urban environments are much closer to. Consequences of war (losses in family, relatives, friends, ruined homes), the new environment (not always friendly), encounter with new social values, in most cases quite different from the familiar ones, puts this category of young people

THE FACTUAL SITUATION

In November 2000, at the Neuro-Psychiatric Clinic of Clinical Center of Prishtina, 40 persons were treated aged 15-24, depending on drugs of various kinds. The number of those that checked for consultations, but did not want hospitalization was over 100, from which 2 died. Compared to the situation before the war, this number is much greater and tends to increase. According to the opinion of Mr. John Richardson, author of analysis "Youth in Kosovo", the main reason for this is an inefficient way of preventing entrance to organized crime in Kosovo, but also the return of young people from western countries, is mentioned, as well as consequences of the war, lack of laws on drug trade, geographical position of Kosovo, as one of main axes of unhindered drug trafficking. According to the IOM data, these are the main reasons also for the 78 registered cases of prostitution in the area. It involves young girls deported from Romania, Ukraine, and Moldova, aged in average of 22,5 years. Assumedly, their number is greater, but the number should also be added the unknown number of local prostitutes whose presence was almost heedless before the war. Some NGOs dealing mainly with problems regarding the position and protection of women and children possess concrete information connected to this form of deviant behavior mentioning cases below the age of 14.

The data of that period from the Neuro-Psychiatric Clinic in Prishtina speak also of a smaller number of young people depending on alcohol. It should be pointed out that the smaller number of reported cases of alcoholism among the young is in disproportion to the true situation, as these persons refuse medical treatment by not accepting their situation as that of a depending disease up to the moment when there indications that no other solution is left except hospitalization.

The negative element in these circumstances is also the lack of rehabilitation centers that would offer professional help to these young people dependent of various kinds of narcotics and alcohol. On the other hand, official health care organizations have so far not organized any form of global

HOW TO REACH AT A DESIRED BEHAVIOUR?

It has been pointed out at the outset that conditions after the war, non-function of state institutions, and the normative vacuum, had an impact on creating a suitable climate for various forms of crime and deviant behavior. However, these external conditions alone are not sufficient for realizing some of negative forms of behavior. Also "internal" conditions are necessary for this, meaning a person's akin to fall under influence. Young people are persons still in search for identity and their place in society. As such, they are a particularly vulnerable group that has to be positively orientated and thus protected from negative accompanying elements of a developing society. The position of youth in society and their right orientation imposes a question on the relation between the young and the civil society.

The established anarchy in the post-war period with the loss of state institutions shows the inability of survival of modern society without a leading state form (government). However, for the young, the notion of government represents an abstract notion with which they meet at some of social life fields (school, health care, legislature), where it (government) has an authoritative character. In an indirect way (the government) may effect the prevention of various forms of deviant behavior among the young in two aspects:

- 1) With its educational - training function (preparing children and youth for an active involvement in organized social activities),
- 2) With the legislative functioning (efficiency of which should disable contacts with various forms of asocial behavior).

However, in order to reach results in a positive direction of the young population, the government should transform a great number of its functions into social functions. Various sectors of social life with the passing to inspection of various spheres groups of interests (citizens associations, societies,

associations should be supported in the future by state institutions. In this way, the basis for a new society could be established in which the "critical mass" of awareness would dominate for hindering and disabling the negative phenomena and behavior that endanger the society itself.