

"RECONSTRUCTING" KOSOVO

Ontology to Politics and the Less Traveled Road

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The arrival of Ambassador Kai Eide in Pristina on 13 June to lead the Comprehensive Review of the Standards implementation means that Kosovo is inching closer to final status talks. UNMIK is steadfast in its "standards before status" doctrine, meaning that standards relating to the protection of human rights, the development of local political institutions and mechanisms, and the return of Kosovo Serbs who fled in 1999 must be met before final status talks can begin. Although the outcome of the review should not be considered a foregone conclusion, the International Community is hopeful that a positive report will indicate that the conditions are suitable for creating a multi-ethnic, stable, and democratic society that respects the rule of law.

Such optimism is questionable, however, because the review does not acknowledge the requisite change in the "ontology" (the set of things that are said to exist in the universe), as well as in the corresponding psychology (how persons interact with one another) and morality (how persons should interact with one another) held by Kosovars. As it stands, Kosovo is a place where ethnic nationalism is rife, where ethnicity is an important part of personal identity, and so a defining feature of the Kosovar universe. This ontology, which is in itself not destructive, is often coupled with a particular psychology and morality that are harmful toward members of "other" ethnic groups. At the core of ethnic nationalism is an ontology that distinguishes persons according to ethnic categories (e.g., Serb, Albanian, Roma), a psychology that is xenophobic (fearful of the "other"), and a morality that is chauvinistic (one's own ethnic group is morally superior to other groups). "What are you?" remains an important question for many Kosovars, thus confirming the importance of ontology. No matter the answer, an apprehensive and judgmental response is often forthcoming, thus showing ethnic nationalism's affect on psychology and morality.

This triad is wedded to tradition and history and is exposed in the numerous historiographies that are used in the ongo-

ing struggle between competing nationalisms. All nationalisms, including Albanian and Serb, exploit this link. Exclusivity is their modus operandi, not only in terms of who is deemed to be "other," and thus less deserving of respect, but also in terms of who lacks genuine historical claims. Tradition and history are inextricably linked to control. As George Orwell wrote in *Nineteen Eighty-Four*, "who controls the past controls the future: who controls the present controls the past." Unfortunately, approaching the Kosovo question from a nationalist perspective enables no one to move beyond what amounts to a "dialogue of the deaf."

Each side has its own vision of history, replete with "facts" about its origin and victimization at the hands of the "other." Kosovo Albanians possess The Illyrian Thesis, which renders them the descendants of an ancient race that inhabited the region prior to the Slavic migrations of the seventh century. Recollections of the events of 1999 are used whenever their collective fear of future events needs to be reaffirmed. Similarly, Kosovo Serbs have The Kosovo Legend and the events of 2004. Ever since that fateful battle at Kosovo Polje, the Field of Blackbirds, in 1389, Kosovo has been regarded by Serbs as a holy land intimately linked with their national identity. It is something that is no less a part of Serb popular consciousness than is Illyrian ancestry a part of Albanian consciousness. Memories of the tragic events of the March 2004 riots are readily available as rallying cries during these uncertain times.

Even a favorable report will not guarantee a break in the cycles of violence and their historical justifications. Instead, what is needed is a fundamentally reconstructed Kosovo, a space within which there is a new triad free of the harmful effects of ethnic nationalism. However, this new Kosovo will only come about through innovation to break with the past. The French philosopher Luc Ferry argues that what distinguishes human

beings from other beings is that we are defined by "perfectibility," that is, the capacity to break away from our biological determinations, as well as from our historical determinations, including language, culture, and nation. Human beings are not limited to particularity, but have the capacity for transcendence and universality. Lives of men and women, whether they are Albanian or Serb, are more like projects that seek to transform reality in the name of an ideal that is future-oriented and defined by freedom. It is this capacity that is the basis of hope for a new Kosovo.

Bringing about change will not come easily in Kosovo, especially when the triad of ethnic nationalism makes the I-It relationship a dominant one. So a dysfunctional psychology and morality that are found in relationships in which some knowingly use others in ways that prohibit the cultivation of the other's uniqueness and autonomy permeates Kosovar society. Unfortunately, this type of relationship and all its implications will neither be addressed by a favorable review nor by a plan to create a multi-ethnic, stable, and (representative and majoritarian) democracy in Kosovo. In fact, the I-It relationship could become further entrenched within Kosovo society by building such a democracy. Given the already existent Albanian demographic victory in Kosovo, the creation of an independent and democratic state could solidify the dominance that the Kosovo Albanians already possess, thereby furthering their manipulation of minority groups. Thus, without fundamental change in the triad, any dramatic improvement in Kosovo society will only be an unattainable ideal.

This leads us to the issue of the final status talks. With or without fundamental change in the near future, the talks will begin. More pertinent is the question, How will they proceed and end? Regardless of all the nuanced arguments and counter-arguments, the three groups that have the most at stake—the government in Belgrade, the Kosovo Serbs, and the government in Pristina—appear to be steadfast in what they want. The Serb leadership in Belgrade has adopted the

formula of "more than autonomy but less than independence." This position is acceptable to increasing numbers of Kosovo Serbs, especially following UNMIK chief Søren Jessen-Petersen's announcement that there will be no return to the pre-March 1999 situation, there will be no partition of Kosovo, and there will be no unification of Kosovo with any neighboring territory. The Kosovar Albanians, on the other hand, have made it quite clear that they will accept nothing short of independence. Perhaps the end result of the final status talks will be some sort of independence, driven more by a fear of a resurregence of armed conflict by the Albanian majority than by anything else. The realization of independence, however, will require persuading Belgrade and the Kosovo Serbs that civil and human rights of the Serb minority in Kosovo, along with their economic well-being and religious buildings and monuments, will be safeguarded and that "majorisation" or the consistent outvoting of minority national groups will no longer occur. Not providing such guarantees could easily lead Serbs and other national minorities to envision a "tyranny of the majority" which can only be an obstacle to a mutually beneficial arrangement.

It is time for Kosovo's Albanian and Serb populations to become innovative and formulate unconventional solutions to the political problems they face. Such solutions may even facilitate change of a more fundamental nature. Although innovation is messy and an initial imaginative exercise may not prove beneficial, the first attempt may lead to one that is. For example, instead of the winner-take all approach that could follow from a "one person, one vote" in a numerically Albanian-dominated Kosovo, perhaps a "proportional-plus representation" approach would be more suitable to minority national groups.

Suppose there is independence followed by the creation of a National Assembly that has at least three hundred members and that is in part geographically based. The system could work like this: Each municipality, depending on its demographics, would be assigned no less than ten seats in the Assembly, with each ethnic group guaranteed no less than one seat per increment of ten percentage points of the municipal population. However, an ethnic group's population would have to meet threshold of 1% of the municipal population before being

awarded their first seat. Given such a low threshold level, a number of smaller ethnic groups would be guaranteed seats, including the Bosniak, Gorani, Egyptian, Ashkali, and Turk populations. Take, for instance, Leoposavić/Leposaviq, the northernmost municipality in Kosovo. According to a 2001 census, there would be a guaranteed allocation of nine Serb



The Albanian village Cërrnillé

seats (97.29%), one Roma seat (1.09%), and one Bosniak seat (1.29%). There would be no guaranteed seats for the Albanians (.36%). Each political party seeking to participate in the election would be permitted to nominate a ranked slate of up to ten candidates-one for each municipal seat in the Assembly. Voters would be given one vote, which could be cast for any party slate, not for an individual candidate. Given typical voting behavior of nationalists, members of each ethnic group are likely to vote for parties from their own group. However, each voter would have an additional vote that could only be cast for a party from another ethnic group. For example, an Albanian could cast a vote for a Serb party or a Roma party. For members of the dominant ethnic group within a municipality, the casting of their extra votes could result in additional minority seats in the Assembly if the total votes gathered by the minority group were elevated into the next ten percentage-point increment. For those who are members of groups that are in the minority within a municipality, the casting of their additional votes could at most result in a redistribution of seats awarded to political parties of the dominant ethnic group within that municipality. Once the votes are counted, the seats would be allocated

to each party according to a distribution procedure, which in turn would be allocated to party candidates in the order laid out by the party slates. If there is sufficient "crossover" voting, the number of seats awarded to national minority groups could result in the National Assembly far exceeding 300 members, and could be an indication of fundamental change within Kosovar society.

Of course, members of any ethnic group may not cast their extra votes for fear of helping the "other side." Yet the stakes could be high for those withholding these votes because of the great uncertainty as to how members of the other groups will behave. Fearing that they may be placed at a disadvantage, members of a particular group will have some incentive to cast their extra votes for more moderate parties that may prove beneficial to them in the future. Although it is possible for Albanian parties in the few municipalities in which the Albanian population does not make up the majority (e.g., Leposavic/Leposaviq [.36%], Strpce/Shtërpçë [33%], Zubin Potok [5.4%], and Zvecan/Zveçan [2.1%]) to lure additional votes from Serbs, thereby acquiring a few more seats in the Assembly, parties representing the Serb, Roma, Bosniak, Egyptian, Ashkali, and Turk populations have an opportunity to do so in a number of municipalities (e.g., Dragas/Dragash [28% Gorani], Djakovica/Gjakovë [4% Egyptian/Ashkali], and Pec/Pejë [1.9% Roma, 4.9% Egyptian, and 5.4% Bosniak], and Prizren [9.6% Bosniak, 6.4% Turk, and 2.3% Roma]) which could be a selling point to those groups. Again, Kosovars have an opportunity to transcend their particulars and to move towards the universal, to make a profound statement about humanity and civilization. Regardless of the political reforms, however, the I-It relationship must eventually be replaced with the I-Thou relationship defined by mutuality and respect. It would be a shame for Kosovars to lose this opportunity for themselves and for the rest of the world community. The American poet Robert Frost said it best in "The Road Not Taken" when he wrote:

*Two roads diverged in a wood, and I
I took the one less traveled by,*

And that has made all the difference

For all Kosovars, the road of transcendence and innovation will be the road less traveled, and one that will have "made all the difference."