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## *The denationalization Policy of the International Community in Kosovo*

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### **Abstract**

This paper aims to argue that the international community, especially the UN and the EU, through their missions in Kosovo, have never supported resolving the Kosovo issue in the context of the Albanian issue in the Balkans. International mechanisms have been against the identification of Kosovo as an Albanian national issue, as they have imposed standards, criterias and policies that lead to the alienation of *political identification* of Kosovo with what is *albanian*. Through formulas and slogans on multiethnic society, the international community has made it impossible to build and identify Kosovo as an Albanian national state. By stopping Kosovo's identification with the Albanian nation, making it impossible to unite with Albania by imposing exclusively non-Albanian state symbols, promoting the relativization of Serbia's invasive past in Kosovo through the so-called history review process, the international community in Kosovo clearly has implemented denationalization policies that, as a last resort, after denationalization, would have the creation of the so-called *new Kosovo national identity*. Through qualitative methodological approaches, the paper will review, analyze

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and interpret constitutional documents, laws and policies in theoretical and historical contexts to witness the denationalization policy of the international community in Kosovo, namely the failure of this policy to construct Kosovo's new national identity.

**Keywords:** *politics, identity, denationalization, multiethnic, nation, state.*

Following military NATO intervention in the Kosovo war (1998-1999) that led to the capitulation of former Yugoslavia and the withdrawal of its state apparatus from Kosovo, it enabled the United Nations Security Council Resolution 1244 to establish the Protectorate of Kosovo. In the first years after 1999, the conviction was made that the international community was on the Albanian side in terms of resolving the Kosovo issue as part of the "*unresolved Albanian issue*" in the Balkans. Albanians believed that after the military intervention, the international community would "formally recognize" Kosovo's independence, as it aspired to the 1990s independence movement and so the Albanians would become with two national states, fulfilling what the theorist Ernest Gellner calls the realization of the principle of nationalism or the creation of a national state on the border of the national culture (Gellner, 2009). In this case, therefore, that is, the Albanian nation with two national states, Albania and Kosovo, according to Gellner, "a nation can approximate the realization of the principle of nationalism or break it down by having more states that are related to the national culture" (2009, 222).

As is known, over 90% of its population belonged to the Albanian national culture of the people of Kosovo. However, despite this misunderstanding (or contradiction) by the Albanian side, the international community,

especially the United Nations (hereafter: UN) and the European Union (hereafter: EU), through their missions in Kosovo, have never supported resolving the Kosovo issue in the context of the Albanian issue in the Balkans. International mechanisms have been against the identification of Kosovo as part of the Albanian national issue, as they have imposed standards, criteria and policies that lead to the neutralization of Kosovo's identification as a political entity with the "Albanian" as national component. Through formulas and political slogans concerning the creation of a "multiethnic society", the international community has made it impossible to build and identify Kosovo as an "Albanian nation state", as defined in the founding act of the Republic of Kosovo, in Article 1 of the Kacanik Constitution of 7 September 1990 (Assembly of Republic of Kosovo, 1990). For the international community NATO intervention in Kosovo was done only as a consequence of humanitarian reasons, while the historical, cultural, political and almost juridical truth (with the resolution '1244') on Kosovo, the official version had the view of Serbia (then FRY).

The UN Mission (UNMIK) in Kosovo it was just a kind of experiment aimed through the international practice of 'trusteeship' to guarantee and to help build self-governing institutions in Kosovo as a "Serbian province under the FRY." Thus, the sovereignty of Serbia as a subject of international law was respected (Knudsen & Lausten ed., 2006, p.65-66). Kosovo continues to be denied UN membership, as a considerable number of states continue to condition Kosovo's recognition based on the normalization report, almost of the functional dependency and co-governance that it needs to build with Serbia. Even today, in 2019, Kosovo's membership in the UN and its ultimate

international sovereignty is related to the need for a historic agreement of Kosovo's recognitions of Serbia, but at the price of Kosovo's Albanian-Serbian interior division, or external divisions such as the definition of Albanian-Serbian borders in the Balkans.

By stopping Kosovo's identification with the Albanian nation, making it impossible to unite with Albania (thus denying self-determination) by imposing representative state symbols that had nothing to do with Albanian history, culture and symbolism, promoting the relativization of the past occupying Serbia in Kosovo, through the so-called "history review process", the international community in Kosovo, in the name of peace building, has obviously implemented identity policies that would ultimately have the creation of the so-called "kosovar nation" at the expense of Kosovo's Albanian denationalization. This denationalization aimed at secession or division of the idea of the state of Kosovo with Albanian nationalism as the division of Kosovo with the Albanian national culture disconnected from the historical roots of the idea of the state of Kosovo. In the ethno-cultural nations of South East Europe, the importance of their cultural roots is particularly fundamental for the political essence of national and state identity. In this context, the historical national memory, myths, the historic glorification of the homeland, its language and its culture are fundamental to the building of nations and national states (Smith, 2008a).

This was intended through identity policies that promoted Kosovo's identity as a different identity from the Albanian national identity with which Kosovo had both culturally and politically identified over the course of its history. In this way, the image was presented to the outside world that Kosovo struggled to become a state with its own

national identity rather than of the realities of Albanian demands for protection against Serbian discrimination and their determination to advance their national Albanian identity on an equal footing with the other peoples of former Yugoslavia.

The International Community in Kosovo imposed an identity policy that disregarded the fact that the people of Kosovo had their formed national identity. In this way, the international community aimed at necessarily linking Kosovo's inevitable state-building process with with the process of creating a new national identity. In fact, as the researcher Francis Fukuyama says, "nation building is crucial to the success of state building" (Fukuyama, 2015, 181). In the case of Kosovo *international policy* of nation-building substantially revolved around *de-nationalisation*. This de-nationalization denied the fact that in Kosovo formed nations exist with a specific relationship tied to the idea of the state of Kosovo, and rather aimed at initiating the process of identity construction through legal-constitutional impositions and public policy mechanisms to form the *new national identity* of Kosovo that relied on the *principle of multi-ethnicity* and the supreme idea of the state of Kosovo as *a purpose in itself* of all its inhabitants. This international community's (identity-forming) policy, which is intended to be imposed on the state of Kosovo by the principles of the Ahtisaari Package (2007) incorporated in the Kosovo Constitution (2008), is in conflict with the ideal and the purpose sought and realized by the Albanians in the state of Kosovo: the ideal of protecting the Albanian national identity of Kosovo.

Kosovo Albanians as part of the Albanian people in the Balkans have begun the process of the nation and state-formation or national revival in the period of the National

Renaissance at the end of the nineteenth century. The historical culmination of this process was the proclamation of national independence and the establishment of the Albanian state on 28 November 1912. Despite the fact that the ethnic borders of the declared Albanian national state were not recognized, the process of the Albanian nation-forming, already conceived of as a nation-consolidation process, has continued and will continue if we rely on E. Gellner, until the full realization of the nationalist principle for the formation of a united state is achieved. In this case Albanian, it concerns the consolidation of the Albanian state regardless of how the political and administrative unit of its internal organization as a federal or confederative state (Sallova, 2017).

In this regard, the idea of establishing the state of Kosovo has been the realization of Albanian nationalism. The Kosovo Albanians and their elite movement for independence did not intended to create the state of Kosovo either as purpose itself or as a path leading to the creation of the "Kosovar nation". The aim was to create the Republic of Kosovo, initially as part of the Yugoslav Federation, to cultivate and protect the Albanian national identity of the people of Kosovo, as a realization of national self-determination and equality with other nations of the federation (Zajmi, 1997, p. 16-18). Albanians had their own political entity in the form of high autonomy even within Yugoslavia, but their request for the Republic (state) was a request for national equality as self-determination within the federation and not to create any new national identity. Precisely the demand for the emphasis of the Albanian national identity of Kosovo in the form of the establishment of the Republic, a state equal to other states within the Federation, caused Kosovo to abolish autonomy of self-

government with violent, unconstitutional legal, political and police-military measures by Serbia (Stavileci, 2001, pp. 75-114). So the new political entity (the state) does not create a priori even a new nation as Kosovars claim. In the case of Kosovo, the old and formed Albanian nation has created the new state as another Albanian state, complementing the authentic national aspiration, unable to temporarily join the old national state of Albania. Independent Kosovo was thought to be a continuation of the solution of the Albanian issue in the Balkans and this was also a pragmatic solution made by the then political elite, considering the general circumstances of the Albanian nation at large, and in Yugoslavia in particular (Agani, 2002, pp. 139-146).

Contrary to this ideality and political reality, the international community, on the occasion of the adoption of Resolution 1244, then the Constitutional Framework for Provisional Self-Government of Kosovo, to the Comprehensive Proposal for the Final Status Settlement of Kosovo has promoted and imposed another policy in relation to Kosovo. The international community at all stages after 1999 was not only neutral and unspecified in relation to the political-national status that Kosovo should have. With its own documents it has also aimed to neutralize and ineffectively de-nationalize, the existing identity politics in Kosovo. In this regard, the first substantive element in achieving this goal was the imposition of the term 'community' in avoiding the issue of nationality, or a national minority in politically and legally defining the citizenship status of the people of Kosovo. In all of the aforementioned documents and others that have been derived from them, the people of Kosovo are categorized into communities rather than as an Albanian nation and a national minority (non-Albanian). This policy was aimed at



the depoliticization of national collectivities in Kosovo, although it is well-known that the modern state is inextricably linked to the modern collective called nation from which the sovereignty of the state derives. The community without the modern national standard is not a political category equal to the national collective and national identity. By imposing such a thing, the international community has aimed at denationalizing Kosovo, with the aim of reducing it to a simple community, especially Albanians to prevent the identification of Kosovo with the Albanian nation or the independence of Kosovo as a political context of the Albanian national unresolved issue while simultaneously creating the “need” for the unification of all communities in Kosovo withing the future political collectivity called “kosovar nation”.

Thus, the international community has aimed, through the mechanisms of the future state, in this case of the Republic of Kosovo, to create the new national identity of the people, in this case to renationalize the denationalized people despite the historical course of events and processes in Kosovo and the Balkans in the last 100 years. This is known in the theories of nations and nationalism as the nation-consolidation process or the formation and alignment of standardized national culture applicable to all members of the nation and the national state. According to Anthony Smith, this is accomplished particularly through three mechanisms including “public education, mass media and social cultural policies” (Smith, 2008b, p.104). But in the 21<sup>st</sup> century, Kosovo can not be treated as it was in the 19<sup>th</sup> century, the culminating time when modern nations and national states were founded in Southeast Europe. Despite the fact that Albanians in the Balkans have not managed to have a unified national state, the process of Albanian

consolidation has continued throughout the 20th century. Despite the fact that it developed in two different political realities, its ideality has remained the same and is based on the principles and cultural and identity frameworks constructed according to the contours defined by the Albanian National Renaissance (Sallova, 2017).

***Political degradation of the people of Kosovo under UNMIK: from the Albanian nation and the national minorities to non-national communities***

Since the adoption of UNSCR 1244 by the UN Security Council on 10 June 1999 on the temporary international administration of Kosovo through the UNMIK mission, respectively with the adoption of the Constitutional Framework for Provisional Self-Government in Kosovo by the Special Representative Secretary General, Hans Hakerup, on May 15, 2001, Kosovo was established in a constitutional and political context. This also included a new cultural frame, where for the first time its people were no longer defined in national (nation) terms, but neutralized and reduced to *communities*, without giving the other attributes of *national community*. Thus, with the *community* definition, the international community began the process of *depoliticizing the people of Kosovo*, denationalizing any collectively established national identity, and reducing national culture and national identity to ethnic culture warranted to be cultivated privately but not politically manifested by public institutions (PISG of that time). In essence, the main purpose of this process was to remove the Albanian national features of Kosovo as a political entity that would no doubt go to independence and state-building in the future. Moreover, the entire political process of

international support that would lead Kosovo towards independence was “conditioned,” in the sense that it depended on the success of this de-nationalization process. Indeed, to achieve independence, Kosovo had to become *multiethnic*.

At first this was not conceptually understood and was rather perceived as a policy to promote equality between Albanians and national minorities in Kosovo and to prove that the state of Kosovo would be tolerant and comprehensive. However, in the negotiations on Kosovo's final status settlement, which had as its outcome the *Comprehensive Proposal for the Kosovo Status Settlement*, known as the Ahtisaari Proposal (2007), it was proved that *Kosovo's multiethnic state* was a modality to keep Kosovo Albanians outside Serbia, but making it impossible for the Albanian nation to fully complement the national self-determination, even by creating a second state with the legal, political and cultural title of Kosovo Albanian nation.

Over the years and with the continuation of other negotiations with Serbia sustained towards the normalization of relations between Kosovo and Serbia aimed at finding a modality for the integration of Serbs in the state of Kosovo (despite constitutional rights and civic equality that guaranteed Kosovo's new constitution), but which were actually used by Serbia to empower and legalize the deepest political separation of Serbs from the central government authority in Kosovo. As such, the *multi-ethnic Kosovo model* has been a political experiment of the international community, one from which the internationals themselves will seem to give up. From this experiment, Serbia has benefited mostly, which in the name of *imposed multi-ethnicity* on Kosovo has strengthened its domination in the territory just as intended. Serbia, while unable to stop

Kosovo's independence, prevented Kosovo from being a second Albanian state, imposing a multiethnic state in the negotiations, all the while refusing to recognize its independent statehood. The next requirement of Serbia was autonomy, through the Association of Serbian Majority Municipalities stipulated by the Brussels Agreement (2013) in order to recognize the *multiethnic state* in the Kosovo Albanian part. In the end, however, we may venture that Serbia will once again refuse Kosovo's recognition.

After render the Association with autonomy and the executive self-governing powers, it may be argued that Serbia will seek Kosovo's partition as the only way for it to accept Kosovo's membership in the UN. Subsequently,, Serbia will seek to have a certain footnote stipulating that even if Kosovo will become a member of the UN, it will not be fully sovereign if it aspires to join Albania. So, Serbia will do its utmost to prevent the strengthening of the Albanian national factor in the Balkans against, and will do so under the pretext for the wellbeing of the Serbs in any part of Kosovo.

Let us return again to Kosovo's *communities*. It should be noted that even in the Rambouillet Agreement (1999), which at that time stipulated that Kosovo was to remain part of Serbia until the final settlement, the proposal of which was accepted by the Albanian side, but rejected by the Serbian side, the definition of the people of Kosovo was done by giving the term *community*, the national attributes as *national communities, ie national communities*, despite the categorization of all members of these communities as *equal citizens of Kosovo* (US Department of State Archive, 2001).

The constitutional framework in Kosovo does not explicitly mention the Albanian identity of the people of Kosovo, naturally with all the national minorities, which

neither the movement for independence nor the liberation war has denied. In the first chapter of the constitutional framework where the basic provisions are presented, where usually with such provisions determine the political-juridical and socio-cultural conjectures and features of a state or political entity and, most importantly, their representatives are appointed, it is said only "Kosovo is an entity under the temporary international administration that with its own people has unique historical, juridical, cultural and linguistic and political attributes" (Kosovo Assembly, 2002). Furthermore, in the other points of this fundamental chapter, the inseparable character of Kosovo is defined and described, is specified the provisionality of this constitutional framework and its compatibility with the resolution 1244, temporary central and local self-governing institutions and their democratic character, and finally a very interesting element, it is determined that these provisional self-governing institutions "will use only those symbols that are or may be defined by UNMIK legislation" (2002).

It is clear that this provisional constitutional document, in its essential part, speaks to the people of Kosovo, but without mentioning the name: Kosovo Albanian nation and other national minorities. Meanwhile, although the framework recognizes the unique historical, juridical, cultural and linguistic attributes of the people of Kosovo, it excludes and does not mention the main attribute of a people in modern times: the attribute of national identity. The struggle of the people of Kosovo has had as its fundamental ideal the aspiration for national liberation from Serbian oppression and the building of the state of Kosovo as a complement to the ideal for national unification. Further, Chapter 4 of this framework, titled "Rights of Communities and their Members" in point 4.1 clearly defines the

collective nature of Kosovo's communities, which is reduced only within the ethnic, religious and linguistic character (2002). In this chapter in which the rights of communities are defined, it is clearly stated that there are no national communities in Kosovo, meaning that Kosovo, at least under UNMIK, will not be part of any national project, nor part of Serbia, although the international community has paradoxically recognized and legitimized Kosovo as part of the national, cultural and religious legacy of Serbia, nor part of the Albanian national project to make Kosovo an Albanian state, as a complement to Albanian national self-determination.

This framework of degradation of the political nature of the people of Kosovo, from national communities, the Albanian national majority and other national minorities (Kosovo as a multi-national political entity), in non-national communities (Kosovo as a multiethnic political entity) goes further below the legal and political treatment of the Albanian people of Kosovo by the 1974 constitution of the former Yugoslavia. In the SFRY Kosovo Albanians were not ethnic minorities, but together with Hungarians they were called a *nationality* in the sense of members of a nation that had a *mother state* as a territorial source of sovereignty outside Yugoslav borders. But with the 1974 constitution, the SFRY nations and nationalities were declared equal as founders and titular entities of the SFRY, with the respective federal units such as as Republics and the Provinces. So, in fact, even constitutionally, the provinces were also given the right to sovereignty. Therefore, Kosovo and Vojvodina, together with Serbia, Croatia, Slovenia, Bosnia, Macedonia and Montenegro represented and exercised their national sovereignty equally in all the organs of the state of Yugoslavia (Weller, 2011, pp. 83-84 ). And this *right of*

*sovereignty* exercised by the federal unit of the Socialist Autonomous Province of Kosovo was recognized to Albanians as a nationality (ie as a nation that has another sovereign state) and not as an ethnic minority without territorial-political sovereignty, ie national.. Thus, the sovereign national political entity of Kosovo existed at that time and its title was the Albanian nation in Kosovo: That total sovereignty was denied to the Kosovar nation as an independent Republic,as today when Kosovo's sovereign political entity continues to exist after the dissolution of Yugoslavia was the result of Serbian constitutional, jurisdictional, political and military aggression towards its constituent units (the Socialist Parliamentary Assembly Autonomous Kosovo, 1974).

***Ahtisaari's package and the new Constitution of Kosovo as a final escape from the national, political and constitutional principles of the Kaçanik Constitution***

Negotiations conducted in Vienna (2005-2007) under the mediation of UN Secretary-General's Special Envoy Martti Ahtisaari between Kosovo and Serbia about the final status of Kosovo resulted in a series of compromises made by the Kosovo Albanian delegation, but unanswered by the Serbian delegation, which fundamentally influenced the transformation or final deformation of the idea of the state of Kosovo. Despite the fact that the negotiations focused on the best possible accommodation of national and ethnic minorities in Kosovo, particularly of the Serb minority, the imposed compromises went beyond constitutional clauses that would regulate the freedoms and rights of minorities in Kosovo. The logic of imposing these compromises on the

Albanian side was that by neutralizing the national authority, Serbia would be persuaded into the idea of the Republic of Kosovo to persuade Serbia and sign a *historic agreement*, accepting the status of an independent state of Kosovo within which the Serbs were granted a privileged constitutional status.

However, no such agreement ensued and Serbia did not recognize and continued to disregard Kosovo, and even though the *Ahtisaari Proposal* for Kosovo's Independent Status did not pass the UN Security Council, leaving resolution 1244 in power, Kosovo employed the compromises made during the negotiation process, despite the fact that they became the prize for recognition from Serbia. This conditionality and the imposition by the international community, respectively the states that supported Kosovo's independence encouraged the implementation of the negotiation compromises despite the fact that they were not concomitant with a final Kosovo-Serbia agreement, In fact, they testify to *the denationalization policy of the international community* as opposed to the idea of the state Kosovo. Kosovo could not become a second Albanian state and Kosovo Albanian nation could not be recognised as the provider of this state nor even dominate it politically, culturally or symbolically. As such, independent Kosovo was recognized by the international community (the western countries) more as a result of not being able to return Kosovo under the state of Serbia, rather than in recognition of Kosovo's right to national self-determination. In this context, Kosovo is presented as a "sui generis" case in the context of international law and the right of self-determination, not recognizing the course of Kosovo's statehood along the lines of the dissolution of the former SFRY.. Despite the fact that it has reached the number of



about 110 states who have declared recognition, 1 Kosovo continues to face problems of full international legitimacy, precisely because it was presented as a special case. Accordingly, the states without information fear the precedent of special cases set by the Kosovo context (Fabry, 2018, pp. 248-266).

Kosovo Assembly deputies by (re)declaring independence in a coordinated manner with the allies, on February 17, 2008, through a Declaration in which Kosovo is proclaimed as multiethnic republic undertook the building of the state of Kosovo under the Comprehensive Status Settlement Proposal Kosovo with the negotiator Martti Ahtisaari. The Albanian political elite of Kosovo finally deviated from the national, constitutional and political principles of the Kacanik Constitution adopted on 7 September 1990. The Constitution of 1990 formed the basis of the Movement for Independence in the era of the 1990s, but also the motive of the liberation war aimed at freeing the Republic of Kosovo from Serbian occupation, as a cause of complementing Albanian national self-determination.

Since the preamble of the new Kosovo Constitution adopted on 9 April 2008 (which entered into force on 15 June 2008), there is a national anonymity of the people of Kosovo and the lack of any historical reflection on the testimony of the sacrifice of efforts and the struggle of Albanians for the state of Kosovo:

“We, the people of Kosovo, determined to build a Kosovo future as a free, democratic and peaceful country, which will be the homeland of all its citizens; Committed to the creation of a state of equal citizens, which will guarantee the rights of every citizen, civil liberties and the equality of all citizens before the law; Committed that Kosovo be a state of economic well-being and social prosperity; Ensure that the

state of Kosovo will contribute to the stability of the region and throughout Europe by establishing good neighborly relations and good relations with all neighboring countries; Convinced that the state of Kosovo will be a worthy member of the family of peace-loving states in the world; With a view to involving the Kosovo state in the Euro-Atlantic integration processes; We solemnly adopt the Constitution of the Republic of Kosovo” (Kosovo Assembly, 2008).

In contrast to this Constitution, which was the materialization of the compromises of Vienna's denationalizing negotiations (as a policy of the international community), the first Constitution of the Republic of Kosovo adopted in Kaçanik by members of the Assembly of Kosovo on 7 September 1990, solemnly and openly stated in its Preamble the political, legal and historical carrier of the state of Kosovo. Among other things, the deputies who adopted this Constitution expressed at its introduction that:

“Relying on the progressive and freedom-loving tradition of the Albanian nation and members of other nationalities of the Republic of Kosovo, relying on the liberation wars and the common antifascist struggle to defend its national self and independence. Albanian nation of the Republic of Kosovo, in full compliance with the principles of democracy and equality and on the basis of the right to self-determination until detachment, and based on the Independence Statement of 2 July 1990, the Assembly Of Kosovo Issued the Constitution of the Republic of Kosovo”. (Akademia e Shkencave dhe e Arteve e Kosovës, 2005, p. 11).

As can be inferred without including the full preamble of the first Constitution of the Republic of Kosovo (1990), the Constitution clearly distinguished the national conception of this Republic as a state of the Albanian nation and this represented no problem in guaranteeing the rights

of national minorities which are mentioned in the preamble as co-editors of the state of Kosovo. The second essential argument that proves the conceptual reform of the idea of the state of Kosovo in this constitutional point of view are the general provisions that define the nature of the state. Thus, Article 1 of the General Provisions of the First Constitution of the Republic of Kosovo stated that: "The Republic of Kosovo is a democratic state of the Albanian nation and of members of other nations and national minorities of its own citizens; Serbs, Muslims, Montenegrins, Croats, Turks, Roma and others living in Kosovo" (2005, f.12).

Whereas, in the new constitution of the Republic of Kosovo, in the general provisions, Article 1 - the definition of state, point 1 states: "The Republic of Kosovo is an independent, sovereign, democratic, unique and indivisible state". (Kosovo Assembly , 2008). Neither at this point nor in the other two points of this fundamental article is the nationality of the people of Kosovo defined. The new constitution is essentially a derivative of the Ahtisaari Package (2007) and the Declaration of Independence (2008) because its language is depoliticizing and denationalizing in relation to the people of Kosovo and the national, majority and minority communities of which it is comprised. Article 3 of this Constitution, which deals with equality before the law, states that "The Republic of Kosovo is a multiethnic society, composed of Albanians and other communities that are governed democratically ..." (2008). This article where the multiethnic nature of Kosovo's society is defined serves as the only case where the term "Albanians" is used albeit in a depoliticist context, in which the Albanians are viewed as just one of the ethnic (non-national) communities that make

up Kosovo society. The term (ethnic) communities in this Constitution is encountered 77 times.

The importance of the symbols, traditions and rituals in constructing and cultivating cohesion and national identity are expressed in early theoretical studies of nationalism (Hobsbawm & Ranger, 2014). In this regard, Kosovo has proved its conceptual, political and cultural loyalty towards Ahtisaari's principles when it adopted the Law on Use of State Symbols (2008). Although in the Constitution of Kosovo (2008), article 6 states that the use of state and national symbols will be regulated by law, this arrangement is made only for state symbols through the Law on the Use of State Symbols (2008), but the law of special use of national symbols is not approved. Within this Law, an article is included that attests to the private character of using national symbols in Kosovo. While for state symbols public institutions are allowed and obliged their appearance, i.e. Article 6.1 states the "The state flag is placed in the internal and external environments of state and public institutions", in the case of national symbols the law only the right of individual and collective use by citizens, but not as Institutional manifestation: "citizens of all communities in Kosovo have the right, individually or as a community, to use national flags in accordance with the law and international standards" (GZK a., 2008).

Likewise, even in the Law on Official Holidays in the Republic of Kosovo, only those dates relating to religious holidays, international events and dates related to Kosovo's history since the declaration of independence (2008) onwards are formally endorsed. Meanwhile, national holidays of Kosovo's national communities, Albanians as a majority nation and national minorities, have been designated as commemorative celebrations by which

national history is remembered, but it is not officially related to the idea and history of the state of Kosovo (GZK b., 2008 ). We can straightforwardly relate the purpose of this imposition to the denationalization policies of the international community: It is not farfetched to assume that traditional public public manifestations are increasingly transformed into memory, passing on from the political-administrative domain into the cultural-political symbolism (Kosovar nation) of Kosovo's "communities". In fact this is a typical political elite politics that has had the effect of massive national culture in the early centuries of nation building. Yet, nowadays, according to Jon E. Fox, there is a discrepancy between the various social strata in experiencing these national commemorative manifestations even in the consolidated nations (Tsang & Woods, 2014, pp. 38-50).

### *Final Reflections: Failure of Multiethnicity*

For 20 years, the multiethnic, denationalizing politics of the international community versus the Kosovo Albanian state-building project failed to produce multi-ethnic coexistence as a constructed ideology of the Republic of Kosovo. Although much was invested, policies implemented and constitutional provisions stipulated in order to prevent the building of the state of Kosovo as a continuum to the Albanian national issue in the Balkans, anno 2019, i.e. 20 years after NATO's humanitarian intervention in the war Kosovo, the Serbia-Kosovo's stalemate solution has returned to the point the international community precisely attempted circumventing through the socio-political experiments that disagree both with the modernity of nation building and the history of nation-formations in the Balkans.

Under international pressure, especially of the American allies, Kosovo and Serbia are urged to reach a historic agreement of reconciliation designed at overcoming the disagreements, and normalizing the reports, which in essence concerns the reciprocal recognition between the states. This goal, which was attempted during the negotiations mediated by the European Union from 2011 onwards had the 'advantage' of removing the red lines that could hinder the deal. For the first time after many years, the new US supported position equally corroborated in the EU's foreign policy is that the parties are under no restrictions that may prevent an agreement between them. In particular, for any agreement that they can reach, including "territorial exchange", America will impede on the process as was more or less voiced by the National Security Adviser to US President John Bolton (Radio Free Europe / Radio Liberty, August 24, 2018). This new, unconstitutional attitude to the basic principle of Kosovo's building of multiethnicity, such as Kosovo's state Ahtisaari law, did not delay bringing to question the change of Kosovo's ethno-demographic, and spatial make-up, namely the division of Kosovo in ethnic lines: the Serb-dominated part to join the north in Serbia, with a disproportionate potential exchange with the Albanian-dominated part of southern Serbia, known as the Presevo Valley.

In addition to this solution of ethnic division, is also another equally separating solution establishment of the Association of Serb-majority Municipalities is an equally separation solution as the executive power of self-government equals Serbian autonomy, according to the agreement reached in Brussels on 25 August 2015 between Kosovo and Serbia on the General Principles of the Association of European Municipalities (European Union

External Action Archive, 2015). In other words, both solutions circulating today in the public but also at the informal and informal roundtables of talks, now without the “red lines”, are evidence of the failure of the international policy for the construction of any “multiethnic state” of Kosovo, ignoring the true essence of wars and conflicts in the former Yugoslavia.

Thus, as has been discussed thus far, the denationalization of Kosovo as an international policy, which was essentially a desecration of the project of the state of Kosovo, already in peaceful circumstances, and the granting of special legal-political and cultural status to the Serbian national minority, failed to build the political reality whereby Kosovo Serbs would consider the state of Kosovo as their state. Although a minority, the Serbian language became a co-official language in Kosovo, an ethnic Serb municipality established through the so-called (artificial) decentralization process was established, creating a situation of ethnic decentralization with enhanced competences rendered to the Serbs that went beyond the normal powers of local government. In addition, the orthodox church was officially nationalized and guaranteed by all constitutional clauses as part of Serbia’s legacy. In spite of the compromises extended to the ethnic Serbs, the Kosovo Serbs continue to deny and challenge the legitimacy of Kosovo, exploiting any political participation in Kosovo's institutions as an additional, internal mechanism for opposing the state. In these circumstances, and after two decades of efforts and investments intended to stabilizing the region from possible Russian influences, the US and the West may likely give up on the “invention of the multiethnic state.” In this case, however, Kosovo, which accepted the implementation of

multiethnic politics that served only advancement of Serbia's interests within Kosovo will likely pay the price.

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