Challenges to Democracy in Multiethnic States
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Introduction:

Since the fall of communism, the economic, social, ethnic, and cultural problems that previously were concealed and suppressed by Communist ideologists have reemerged, and often in tragic ways. Five decades of the suppression of ethnic and social conflicts in the service of Communist ideology have resulted in the “revenge of history over ideology,” which, in post-Communist States, has manifested itself in two troubling phenomena: the creation of “ethnic States” and the creation of colonial relations, and in some instances, apartheid relations, among different ethnic groups.

Consequently, in post-Communist States, there is and there will be for the foreseeable future a struggle between the forces that seek to affirm and cultivate diversity and democracy and those that seek the ethnic, religious, economic, and political domination of one group over another. The attempt of dominant ethnic groups to achieve hegemony is being orchestrated through the misuse of Western values. Democracy is proclaimed and then subverted by officials who have transformed it into an instrument of elimination, a method for marginalizing non-dominant ethnic groups. In the Former Yugoslav Republic of Macedonia (FYROM), for example, a parliament that represents the dominant group of Macedonians “votes” to legalize their “right” to dominate the minority.

With the shattering of the former Soviet Union and the corresponding rise in ethnic wars of secession, two competing claims in the sphere of international law now confront each other: the right of self-determination, including emancipation and decolonization,

and the right of sovereignty, including the inviolability of borders. The former right is inalienable, whereas the latter right is not absolute—it simply defines the ways in which borders can or cannot be changed. The right to self-determination is under attack by those who would replace the ideological totalitarianism of the Communist system with ethnic totalitarianism. In Bosnia, we have witnessed ethnic cleansing. In Kosova, we have watched as apartheid unfolds into genocide; in FYROM, we have seen the second largest ethnic group, the Albanians, marginalized; and in Russia, a Slavophile diplomatic policy prevails.
The efforts of dominant ethnic groups in the post-Cold War world to deny individual liberties and ethnic, cultural, linguistic, and religious rights among ethnic groups seeking freedom and self-determination have been justified using arguments of:

- legality

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- the inviolability of borders

- conspiracy (unfounded speculations about attempts by “foreign enemies” to overthrow the State)

- racist or ethnocentrist theories

- history, including fictitious claims of national destiny

- the threat of instability posed by false comparisons between, for example, the demands and status of American Hispanics, Aborigines in Australia, Basques in Spain, Arabs in France, and Albanians in the former Yugoslavia.

Serbian President Slobodan Milosevic and his staff resort to most of these arguments when they discuss the factors that led to the disintegration of Yugoslavia. They blame foreign agents, the West in general and former U.S. Congressman Robert Dole and former German Minister of Foreign Affairs Hans Genscher in particular, as responsible for the disintegration of their country. Simultaneously, they hold aloft Serbia as the bastion of Orthodoxy preventing the penetration of Catholicism in the East and Islam in the West. In order to justify their hegemony, the Serbian regime oscillates between the ethnic argument (Bosnia and Hercegovina) and the historical argument (Kosova is Serbia’s “Jerusalem”).

Similarly, in FYROM, when the Albanians called for more extensive use of the Albanian language and the official recognition of the Albanian University of Tetova within the Macedonian educational system, the government of Kiro Gligorov dismissed these demands by arguing that if such rights were given to Albanians, then the same should also be given to Hispanics in Texas and Arabs in Marseilles.

Nevertheless, we stand at the beginning of a new era in which old federations are dissolving, their constituent parts are seceding, and the right to self-determination is emerging as a defining issue on the historical stage. In the face of massive human rights
abuses and economic, cultural, and political disenfranchisement, a people’s right to self-determination must have priority over territorial integrity. Emerging new States should be recognized only if they guarantee human rights, freedom, equality, peace, and democracy for all groups.

Yugoslavia:

Tito’s Yugoslavia was built on principles that were supposed to prevent Serbian hegemony forever. Eight confederal units, including six republics and two autonomous provinces, were formed, which respected ethnicity and historical legacies. Tito’s system, which made domination of a larger group over a smaller one impossible, was the product of consensus based on adherence to communism. When communism collapsed, it was not replaced with democracy but with ultranationalism—a phenomenon brutally manifested by Serbian strongman Slobodan Milosevic, who rose to power on the principle that “one man, one vote” would secure Serbian majority rule. (In this regard, there is no substantive difference between Milosevic’s policy and Kiro Gligorov’s policy in Macedonia.) Serb nationalism, which resulted in the destruction of human rights of all non-Slavs, was the primary factor in the destruction of Yugoslavia. Serbia under Milosevic has demonstrated not simply an unwillingness and inability to build inclusive systems, but instead, through its campaign of ethnic cleansing, a propensity for unrestrained domination over others.

There are no legal, moral, or geostrategic arguments that would convince Albanians to accept and remain under Serbian domination. After the bitter experience of the past decade, the international community should give Albanians the historical chance, which the Serbs were unable to make use of, to create their own States and to build a tolerant, inclusive, and democratic society.

Kosova:

Kosova has always been an independent entity–geographically, ethnically, and administratively. In ancient times, it was called Dardania. Later it became the Vilayet of Kosova, and under Tito’s Yugoslavia, it was autonomous. Autonomy was granted to
Kosova because the Albanians, not the Serbs, wanted it. Kosova was a constituent element of the former Yugoslavia, with veto power. With the disintegration of Yugoslavia, Kosova automatically won the right to secession, as did all the other coequal members of the confederation.

The independence of Kosova is supported by a whole range of legal, historical, economic, and geostrategic arguments, including the following:

1. Yugoslavia unraveled because the formula of coexistence did not work, and therefore all of the constituent parts, including Kosova, achieved the right to self-determination.
2. Kosova has its own administrative borders, with its own Constitution and institutions.
3. Kosova is a cohesive and discrete entity—ethnically, geographically, and economically.
4. More than 90 percent of Kosovars voted for independence in a referendum.
5. Kosova is occupied by a foreign power that exploits it as a colony under a system of apartheid. Therefore it must be decolonized.
6. The independence of Kosova will create peace and stability in the region. Its occupation, or its remaining within the framework of the former Yugoslavia, destabilizes the region and poses a threat to peace and civilized values.
7. Kosova has the right to secession on the basis of precedence.

There are no arguments that justify forcing Kosova to remain within the framework of Serbia, or Yugoslavia, except those that justify hegemony, expansionism, colonialism, and apartheid.

The Former Yugoslav Republic of Macedonia (FYROM):

In spite of its pronounced bi-national and multicultural structure, the FYROM is defined as the national State of the Macedonians, a State in which Albanians are guaranteed only their civil, technical rights. They are deprived of their history and their land.

Some critical mistakes were made during Macedonia’s secession from the former Yugoslav federation. The right to self-determination was given only to the State’s Slav Macedonian population, not to its Albanian population, who against their will see themselves as separated from part of their national body. The referendum on the independence of the FYROM was proclaimed without prior definition of the premises and the social relations
within the new State. Only the rights, and not the obligations, deriving from the former Yugoslav system, were embraced, such as the question of new citizenship or the compensation of the institutions of the Albanian national entity. Finally, the political will of the Albanians who boycotted the Macedonian referendum and organized an Albanian referendum on political and territorial autonomy was violated and ignored.

In the process of building the FYROM as an independent State, a number of errors were made through the institutionalization of exclusively nationalist definitions that eliminate and marginalize “the other,” such as:

1. In the Constitution of the FYROM, the essential interests of the Albanians are not reflected.
2. The Constitution was adopted against the will of the representatives of the Albanians who abstained en bloc.
3. The international agreements on the former Yugoslavia, especially the Second Chapter of the Carrington Document, were ignored.
4. The “one man, one vote” concept was used to impose the will of one people over another during the secession and also in the course of establishing parliamentary procedures and the creation of the Constitution and the laws that define national rights.
5. The spirit of the Albanian-Macedonian talks conducted at Oher with the mediation of Gert Ahrens was disregarded.
6. The “one man, one vote” concept was used to impose the will of one people over another during the secession and also in the course of establishing parliamentary procedures and the creation of the Constitution and the laws that define national rights.

In new multiethnic States in which inalienable national rights have not been previously defined, distorted democratic procedure, as I have stated earlier, turns into an efficient instrument for the legal marginalization, even elimination, of the non-dominant group or groups. The FYROM is a classic example of distorted democracy at work, in which mechanisms of power favor the primary Macedonian people and penalize the secondary Albanian population, who nevertheless make up one-third of the country. The electoral system, for example, is a majority system that minimizes the impact of the Albanian vote through the addition of electoral units, with the result that, on average, an Albanian deputy has double the number of voters compared with a Macedonian deputy. Recently, when public talks were held about this electoral model, a professor on the law faculty at the University of Skopje, who was previously head of the Forum for the Defense of Human Rights, Minister of the Police and Internal Affairs, and Minister of Foreign Affairs, insisted that in the FYROM the proportional system could not be implemented because Albanians would then have all the votes, would elect more deputies, and eventually would secure a mandate to form the government. His message was simple: Make sure that Albanians do not receive their votes.

In the same vein, the executive branch in the FYROM has the power to approve the decisions of local administrators. The local administration (the commune), which is legally in the hands of the Albanians, comes under the control of the executive, which is controlled
almost totally by Slav Macedonians. The rights of the local administration, as outlined in Article 115 of the Constitution, are divided into three categories: 1) the direct rights of the commune; 2) rights that are granted only with the approval of the Slav Macedonian executive branch; 3) rights that the FYROM may transfer to the communes. Even the first category of rights cannot be extended without the law, with the result that what is put forth in the Constitution is not included in the law. In reality, all decisions are made at the center of power, even the appointment of school headmasters. Within this framework, the government of Macedonia may suspend any local administration, which, in Western Macedonia, are all in the hands of the Albanians.

The relationships and instruments of power that were established in the FYROM in the process of its secession from the former Yugoslavia and its emergence as a new State in actuality stem from primordial intentions to exclude, subjugate, and exploit Albanians and other non-Slav Macedonian groups. The statistics bear out this assertion: Albanians, who make up one-third of the population represent only 3 percent of the country’s public officials and professionals—in the government, the army, the courts, the media, and in the various cultural and scientific institutions. Not surprisingly, under this colonial system, the percentage of investments in the Albanian-inhabited areas of Macedonia—is ten times lower than the contribution of Albanians to the society as a whole.

In light of these facts, we can rightfully assert that the system has been constructed to serve the Slav Macedonian population at the expense of all other nationalities. The inherent inequity cannot be undone simply by appointing some Albanians to ministerial posts, or by boasting about a legal system that distorts democratic values, or by proclaiming the status of Albanians in Macedonia to be superior to that of other “minorities” in the Balkans. As to the latter, the presumption that Albanians are a “minority” in the Balkans flies in the face of historical fact: Albanians are the third largest ethnic group in the region and the descendants of the Illyrians, the oldest indigenous population. They are a majority that was divided by force.

The ways in which the Slav Macedonian power structure misuses the forms of democracy to subjugate the Albanian population, which it tragically misconstrues as a dangerous competitor, can correctly be termed “ethnic engineering.” Ethnic engineering leads to a permanent reductionism in public life. The Constitution is narrower than reality; because that which is allowed under the Constitution is prohibited by law. What is permitted by law is, in turn, limited by the institution, and what is allowed by the
institution is not realized by the individual. This phenomenon is manifest at all levels of society, down to the desk of the petty bureaucrat.

Albanians are now conscious of their true position within the Macedonian system, of the projects that are intended to marginalize them, either through openly brutal or more sophisticated means, and of the withering of their creative energies. As a result, today in the FYROM there is a dangerous confrontation between the wills of two peoples—the Albanians and the Macedonians—the outcome of which can be either constructive or destructive. Ideally the confrontation should be resolved by peaceful, civilized means, but it cannot be a peace at any price. The maxim “better a bad peace than a good war” is shortsighted, because inevitably a bad peace leads to a horrible war. The crisis in the Balkans is the product of an artificially-manufactured peace. Peace cannot be built with ethnocentric and hegemonic projects. In the FYROM, ethnic competition can be stopped and a stable peace established only through genuine dialogue and consensus on the following issues:

– The right of self-determination, which has been validated under UN Resolution, No. 637 A (vii), 1962 and UN Resolution, No. 1514, 1960.

– The Declaration of Human Rights, which confers on all people the right to “life, liberty, and security of person” and disallows all forms of persecution.


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– The 1966 UN Pact on civil and political rights and the UN Pact on economic and cultural rights, which states in Article I that “all people enjoy the right to self-determination, and that under this right they should freely determine their political position.”

– Recognition that in the FYROM, the State does not represent the interests of all its citizens and that, in fact, the Macedonian system is designed to marginalize and control the Albanian population.
The referendum on the political and territorial autonomy of the Albanians of Macedonia.

The 1991 boycott of the Macedonian referendum.

The Carrington Document (second chapter).

Recognition that Albanians support the stability of the State of Macedonia, that they are politically aware and organized, and that, therefore, they should be recognized as subjects capable of implementing the right of self-determination in a responsible fashion.

The creation of a system of equal opportunities, democracy, and tolerance.

Coequal responsibility for the interests, rights, and the fate of the other.

Albanians and Macedonians need to arrive at an agreement that changes the national system into a bi-national and multicultural system, and this agreement must rest on an understanding of the following issues:

Inherited rights.

State formation, languages, and flags.

The Carrington Document.

The referendum on political and territorial autonomy.

Democratization, including free elections and a proportional electoral system.

Formation of a two-chamber parliament.

Establishment of a market economy.

Adherence to European standards of human rights.

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Adoption of Western standards and, ultimately, incorporation of the FYROM into Western institutions.

Free movement of Albanian people, ideas, and goods throughout Albanian territories.

This agreement would not entail change of borders, and it does not impinge on the State and national interests of the Slav Macedonians. Instead, it would serve to end ethnic competition and conflict, and therefore create stability within the existing borders of the FYROM. If, on the other hand, an agreement of this kind is not reached, the FYROM will enter a downward spiral similar to that of the former Yugoslavia. It cannot survive on the basis of an exclusive ethnocentrism; it can only survive if it embraces decentralization, diversity, and sincere interaction across ethnic lines on the basis of mutual interests. As Arendt Lijphart, a political philosopher at Yale University, has argued in his book *Democracy in Plural Societies*, consensual decision-making offers the only chance for the survival of multiethnic social formations. Anything else will lead to confrontation, polarization, ethnic despotism, and, in the end, the disintegration of the State.

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