JISB Interview: Kosova in Dependence: From Stability of Crisis to the Crisis of Stability
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Albin Kurti is the leader of Lëvizja VETËVENDOSJE! (Movement for Self-determination!) in Kosova. The movement was standing candidates for the first time in the December 2010 Kosova elections and on 28 October 2010 launched its political programme entitled ‘Development and Statebuilding: Together (it) is Possible’. David Chandler interviewed Albin Kurti at the Lëvizja VETËVENDOSJE! offices in Pristina on 2 September 2010 and it was agreed that JISB would publish Kurti’s essay (updated after the elections) articulating how the movement understands the barriers to independence in Kosova today and outlining the political development of its strategy of resistance.

Keywords stability; crisis; Kosovo; statebuilding; EULEX; VETËVENDOSJE!

In this essay, other words besides ‘stability’ will be used and explained according to the specific meaning they have received in the context of post-war Kosova. As Louis Althusser (1970, p. 10) once put it: ‘In political, ideological and philosophical struggles, words are also weapons, explosives or tranquillizers and poisons’.

The international presence in Kosova is international domination based upon the paradigm of stability. It ensures that the situation remains stable. Over €5 billion has been poured into Kosova in less than 10 years. Stability is therefore an expensive thing. More effort is needed to preserve the status quo than to make progress. Staying still requires more money than moving forward. But what exactly is kept stable? The actual order, the present state of things. Stability is stability of a certain relation. Changes shall be co-opted: For every change, everything else has to change a bit, so nothing really changes.

We still have UNMIK (UN Interim Administration Mission in Kosovo), and now also the newest supplementary mission in Kosova, called EULEX; 1,900 international policemen, prosecutors and judges have executive powers and immunity from criminal prosecution. These people—who are always worried but in fact never care—describe their undertaking as a ‘crisis management operation’. Not an exit from crisis: crisis is here to stay—it just has to be managed. This focus on preventing an explosion of crisis has continuously held us on the brink of it. We
are kept stable in the face of utter destabilization. In Kosova, there is no contradiction between stability and crisis—it is the crisis which is stable.

Retaining such a paradigm of stability in Kosova means holding executive power over the country’s institutions. As a consequence, local politicians are obedient and servile. They are prudent and soft with the internationals, knowing that it is not the people’s votes that matter to the executive power of the internationals, which are embedded in the authoritarian statebuilding. For the local politicians the only way to advance up this hierarchy is through submissiveness, i.e. only by bending down can you rise up.

The international rule in Kosova is doubly undemocratic. First, it is undemocratic in itself; it consists only of top-down commands, with no internal democracy in the decision-making. Second, it is undemocratic for Kosova; domestic institutions are normatively and politically subordinated to internationals in an inclusive and absolute way. At most, the internationals have allowed Kosova’s institutions to deal with what Pierre Bourdieu (1999) calls ‘the left hand of the state’ (education, health care, culture) but the internationals always keep control of ‘the right hand of the state’ (army, police and judicial system). In addition, they have installed themselves as the supreme instance of authority and have the last word on every matter.

The justification for Kosova’s international non-democracy takes the shape of a ‘yes, but this is an interim mission, a transition’. A transition, however, is a process of conversion, one which is certain to end, soon, within a definite timeframe. In this sense we are not in a transition in Kosova, since we are always in a transition. International rule in Kosova has never had a time limit.

The international rule in Kosova propagates itself as a post-conflict mission. Yes, the international mission is a mission in a country that has (just) emerged from a conflict. Still, the international rule in Kosova was not and is not a post-conflict mission but was always a (preventive) pre-conflict mission. The international rule is in Kosova to manage not a post-war situation but a pre-war situation, the situation before a war that should never occur. If the international rule had been a post-conflict mission, it would have dealt with past conflict; it would analyze the previous war’s causes, consequences, sources, patterns and history. But it does not. As a pre-conflict mission, it deals only with possible future conflict that must not happen. This is a direct consequence of the fact that, originally, the international factor did not come to liberate or develop Kosova, but to stop war. They arrived, engaged in war to stop war, and stayed in Kosova in order to prevent its re-occurrence.

The paradigm of stability suspends history. History would have made the International Mission (which considers the local population immature) itself immature: like an 11 year-old child. What is more, history is seen to be able to disturb an apparent peace. After the war, innumerable projects and conferences dealing with the past were arranged in Kosova by international organizations, but there was no actual dealing with the past. Conference and seminar participants talked and concluded that ‘dealing with the past’ was crucial, but in fact this dealing with the past never happened. The conferences were dealing with
‘dealing with the past’ in order to make sure that the past was not really dealt with; the imperative of dealing with the past was reiterated, out loud, in order to make sure that it would be perpetuated as a necessity but never actually realized. This, combined with the lack of plans for the future (again due to the paradigm of stability), brought about a situation with no recognized past or any foreseeable future, trapped in ‘postmodern immediacy’.

The paradigm of stability, which negated history and deprived us of a future, is the political and systemic obstacle to demanding justice for the crimes of the past. In this respect, the International Criminal Tribunal for the former Yugoslavia (ICTY) and UNMIK’s Department of Justice were two sides of the same coin. The ICTY tried to compensate for its lack of independence (from the powerful countries of the Security Council of the UN) with ‘impartiality’ constructed by taking from all sides (a few Serbs, a couple of Croats and a similar number of Bosnians and Albanians). Similarly, UNMIK’s Department of Justice compensated for its lack of independence by ‘impartiality’ built differently, simply by doing nothing.

There is no justice for the 12,000 dead Albanians, the thousands of raped Albanian women, and the 2,000 Albanians still missing, or for the several hundred killed or missing Serbs and Roma.

This paradigm of stability has conceptually militarized security. The number of international police and military troops became the measure of security in Kosova, not the wellbeing of citizens and their future prospects. Security in Kosova is a non-economic security (the promise of a market economy simply brought us a market without an economy). The international rule imposed a discourse stripped of words like ‘defence’ and even ‘protection’, where only security remains, as army turned into police, and rule of law recalled by rulers of law, de-linked from the ideas of justice and rights. This militarized security is a generator of danger.

The imperialist viewpoint of the internationals’ rule sees no people in Kosova. For them, there are only different ethnicities. Ethnicity is the lens of the international rule’s gaze. What in modernity were ‘tribes’ are in post-modernity ‘ethnicities’. From 1999 onwards, the approach and starting point of the internationals in Kosova was ethnic. UNMIK identified, as in a terra nullius: Albanians, Serbs, Roma, Turks, Egyptians, Bosnians and Ashkalis. It proclaimed that it wanted to build ‘multi-ethnicity’ while starting from ethnic affiliation, from differentiating between ethnicities. It ignored what is in common, what is universal among people: their need for freedom, dignity, jobs, education, health care, and social insurance. Universality would have brought about a multi-ethnic society; by aiming for multi-ethnicity we have moved further away from it. The international rule in Kosova promotes diversity at the cost of solidarity and difference at the cost of universality. In Kosova, the international rule does not see human beings, individuals, citizens, pupils, or students etc., but only Albanians, Serbs and other communities. Individuals are random samples of particular collectives.
Besides ‘multi-ethnicity’, the international regime’s most frequently used word when addressing itself to people in Kosova is ‘tolerance’. This, again, implies that it considers ethnicity as an essential trait, and as an unbridgeable characteristic of people in Kosova. Asking for tolerance from an Albanian (or Serb) means asking him/her to come to terms with the fact that Serbs (or Albanians) are bad, but to tolerate them nevertheless. Tolerance will not make people live together, but in the end, perhaps, side by side. This neatly fits within the internationals’ ‘divide and rule’ strategy.

Years of dwelling in Kosova have now turned thousands of internationals into ‘local internationals’, a different species from their compatriots back home. Years of international rule have turned local politicians and NGOs into ‘international locals’, a species that differs from their compatriots in Kosova. The ‘local internationals’ and the ‘international locals’ are kept together by a happy marriage of interest, providing the system’s internal cohesion. Instead of working for the rights of the people, they talk about the needs of the communities; instead of fighting for justice, freedom and equality, they encourage advocacy and lobbying; instead of protests and demonstrations (where dissatisfied people get together in a public physical sphere) they promote campaigns (with billboards and TV ads in a public virtual sphere, which people watch alone).

The overcrowding of ‘local internationals’ and ‘international locals’ in Kosova means less society and less politics. It means more technical assistance and consultancy, more conferences and seminars with more PowerPoint presentations, more policemen, prosecutors and judges, more jeeps, more extended weekends in Thessalonica or Dubrovnik, more offices, more working lunches, more coffee breaks, more parties… Systematically they try to divert the public’s attention from sovereignty, politics, economy, and social and public issues—thus from things that belong to us but that we are deprived of—and toward ethnicity, culture, religion and identity issues, pushing us back into identity introspection. In the meantime, the people of Kosova have less buying power, fewer jobs and more dismal economic prospects, less social assistance, worse health care and poorer education. Three things are basically increasing among the local population: poverty, unemployment and dissatisfaction. 18 per cent of the population is in extreme poverty (living on less than $1 per day), another 40 per cent are poor (living on less than $2 per day) and unemployment is over 40 per cent.

All this did not change in the slightest with the Declaration of Independence on 17 February 2008, which now seems like a short commercial break interrupting a bad film; after the commercial, the film continues where it stopped.

In order to prevent the so-called domino effect (which Kosova’s independence presumably would have triggered in stateless nations throughout the world), Kosova was defined as a *sui generis* case. Yet other motives stand higher than this one. First, other forms of independence could actually be real: copies could be real in contrast to the virtual original. Secondly, a *sui generis* case implies that norms and experience teach us nothing, therefore experimenting remains the
only way ‘forward’ and international rule equals a club of scientists utterly objectifying Kosova.

After the Declaration, the Government of Kosova chose as its issue of priority international recognition of this declaration—and left to one side sovereignty, territorial integrity and economic development. Kosova has been recognized by 74 countries. It does however seem that no specific number would make the government drop this topic from the top of its agenda. It seems as though it is more important to be recognized as an independent country than to actually be independent. In other words, let others recognize us as an independent country and never mind that we are politically and economically as dependent as before the declaration of independence, and never mind that we know we are (dependent). Or perhaps: let them recognize us as an independent country because, in that way, maybe they can convince us that we really are (independent).

Since we did not achieve independence through self-determination, the independence lacks sovereignty—it is a form without substance. This is the battle of the Movement SELF-DETERMINATION! (Lëvizja VETËVENDOSJE!): organizing people for self-determination. Other political parties in Kosova are demobilizing forces. They ask people to wake up only for election day, when voting for them, and to stay asleep for the rest of the time because everything will be taken care of by the party leaders. Kosova has around 40 political parties, but pluralism without sovereignty has not been constructive. Even Milošević in the 1990s allowed Kosova to have political parties. When people are oppressed and denied the right to self-determination, formal pluralism functions as little more than an illusive replacement: the fight with the real adversary is being substituted by internal political competition.

VETËVENDOSJE! tells people to become themselves, to get together, create networks, to organize and protest. The origin of VETËVENDOSJE! is KAN (Kosova Action Network), which had as its goal the creation of active citizenry in Kosova, dedicated to the promotion of human rights and social justice. On 12 June 2005, the slogan ‘NO NEGOTIATIONS—SELF-DETERMINATION!’ was written for the first time on the walls surrounding UNMIK’s headquarters, marking the final transformation of KAN into VETËVENDOSJE! The slogan-writing continued in almost all urban areas of Kosova.

VETËVENDOSJE! emerged when it became clear that the status of Kosova would be negotiated with Serbia. We started with a twofold opposing problem: Kosova does not lack status but the people of Kosova lack freedom; and Kosova is not a problem for whose solution we should partner up with Serbia; Kosova has a problem—Serbia’s official stance (as well as UNMIK). While Serbia and the UN Security Council Resolution 1244 (1999) are obstacles to external self-determination, international rule, and again Resolution 1244, stand in the way of internal self-determination. For five and a half years hundreds of public meetings have been organized in all the towns and many of the villages of Kosova, many dozens of protests and a dozen massive demonstrations, several of which have had tens of thousands of people participating.
Our demonstrations are gatherings where people march, where activists deliver speeches, and where there is massive action: 700 bottles of red paint were thrown at UNMIK and the government’s buildings; a huge pile of garbage collected over a week in the streets of Prishtina was thrown from a truck, etc. We have always been non-violent, we have never injured anyone with our actions, but several times we have damaged the property of the regime: from writing thousands of slogans and deflating the tires of hundreds of regime jeeps, to destroying part of a concrete wall with which UNMIK protects itself from the citizens. In our meetings with people, we talk about and within people’s experience; in our actions against the regime we act outside the regime’s experience. Creativity emerges as necessity in resistance.

Our main demonstration took place on 10 February 2007, and expressed political dissatisfaction with the negotiations with Serbia and the Ahtisaari proposal regarding status. The proposal, now part of Kosova’s constitution, will divide Kosova’s territory and institutions through ethnically based decentralization, and will separate people through ‘ex-territorial’ orthodox cultural heritage. During our peaceful demonstration on 10 February 2007, UNMIK police violently suppressed people’s right to peaceful assembly and dissent by establishing an unlawful cordon in the midst of the announced route of the demonstration and attacked the demonstrators with teargas and outdated rubber bullets fired at short range at the heads of the protesters. Romanian UN police shot dead two peaceful demonstrators, Arben Xheladini and Mon Balaj, and injured over 80 others. The UN itself later proved that the police action was criminal, unnecessary and avoidable (Dean 2007a, 2007b).

Neither UNMIK nor later EULEX has taken action to prosecute the UN police unit responsible for the murders that day, but instead I was arrested, kept in prison for five months, and put in detention under house arrest for another five and a half months. The charges against me were ‘leading a crowd that committed a criminal offence: attempt to cause general danger [sic]’, ‘calling for resistance’ and ‘obstructing official persons in performing their official duties’. This is the same way Serbia dealt with demonstrations: those participating were arrested and sentenced, while policemen killing innocents were left untouched. By charging protestors instead of the responsible international police officers, UNMIK and later EULEX wanted to present the international police officers’ brutality as a reaction to the protestors’ actions, to avoid criminal responsibility, and to criminalize opposition to the international rule in general and the non-violent resistance of VETEVENDOSJE! in particular.

During more than 10 months in detention I was interrogated once for 30 minutes, showing clearly that isolation was a greater priority than investigation, or truth. In the sixth court session in the case, on 7 February 2008, the politically motivated process was suspended: the sixth UNMIK-appointed defence counsel did not appear in court, and the president of the Bar Association in Kosova issued a statement saying that no other ‘defence’ would be appointed to the case. I never accepted any of the defence counsels because they were all appointed by UNMIK, as were all the case’s judges and prosecutors—UNMIK was also an offended party in the case.
Kosova’s lawyers, as well as the public, saw that the international judges did not want to provide defence counsel for the sake of justice, but in order to legitimize the political prosecution. By refusing to actively take part in UNMIK’s injustice, Kosova’s lawyers displayed courage, professionalism, and acted according to their ethical responsibility as lawyers: serving justice. This small, but significant victory showed that it is possible to suspend an unjust law by principled moral disobedience. It was, however, not the end of the case. Instead of dismissing it altogether, the UNMIK court merely suspended it.

In 2009, EULEX decided to restart the process against me, prioritising it before dealing with their backlog of many hundreds of cases of organized crime, serious corruption, and war crimes. Even before restarting the case, EULEX had cooperated with UNMIK in sabotaging justice for 10 February 2007, by helping UNMIK remove the only remedy available to the families of the murdered and seriously injured that day, claiming to be unable to ensure security for a public hearing in the 10 February case before the Human Rights Advisory Panel. By restarting the process against me, EULEX again confirmed that it is an undemocratic power with an unjust judiciary. When EULEX held its first court session in the case in February 2010, I did not attend because I do not recognize EULEX’s un-democratic authority in Kosova, and because the case was politically motivated. Reacting to the injustice of EULEX’s continuance of UNMIK’s political prosecution, 175,000 citizens signed a petition against the trial, calling for an end to the process, and for the proper investigation of, and prosecution for the murders committed on 10 February 2007. Human rights organizations such as Amnesty International, the Helsinki Federation for Human Rights, Council for Defence of Human Rights and Freedoms, War Resisters International, and Kosova’s Ombudsperson have since 2007 been demanding the same. After a round of EULEX trial sessions held in my absence, EULEX ordered the Kosova Police to arrest me in VETEVENDOSJE!’s offices on 12 June 2010, just as we had held a press conference announcing that we would take part in upcoming elections. Several activists were severely beaten by police during my arrest, and two activists were seriously injured. The political nature of the process was again revealed when EULEX, in order to finish the trial within one day, dropped two of three charges without explanation, reduced the number of trial sessions, cut down on witnesses (all policemen), and on 14 June 2010 sentenced me to nine months in prison for ‘obstructing official persons in performing their official duties’ on 10 February 2007.¹

Kosova and its people have not been free for centuries. Early in the twentieth century, Ottoman occupation was followed by Serb occupation. The latter was a military accomplishment of Serbia’s intellectual and political elites. The history of these elites in relation to Kosova consists of a series of projects aiming to expel Albanians from the lands they lived on and to dominate and repress them. Each government of Serbia has been nationalist and chauvinist: Serbia always occupied land and oppressed the people who lived there. In addition, each government of Serbia has always believed that Serbia is too small and must become greater. Throughout history, Serbia represented itself as a victim of
different imperialisms (the US one being the most recent) in order to mask her own ‘small’ imperialism in the Balkans. At the outset of the twentieth century, Serbia created Yugoslavia in order to expand and by the end of the twentieth century Serbia had destroyed Yugoslavia in order to expand.

During the last three years, Serbia’s focus regarding Kosova (this became particularly clear during the status negotiations) was the territorial autonomy of Serbs. Just as in Croatia and Bosnia, Serbia wants territory in Kosova. The precedent of Bosnia, where the preservation of external borders was paid for with strong internal, ethnically based boundaries, represents a real threat to Kosova. The Ahtisaari plan for decentralization will create new Serb majority municipalities, effectively cementing and legitimizing the ethnic division of Kosova. This will empower and unite Serbia’s illegal parallel structures and enclaves in Kosova, which are under Belgrade’s control. The result will be the legalization of Serbia’s control of around 30 per cent of Kosova, while the rest will continue under international administration. Kosova will be partitioned between Serbia and international rule.

In June 2010, after months of internal debate, VETËVENSDOSJE! announced that it would run for parliamentary elections. Extraordinary elections held on 12 December 2010 were swamped in fraud, violence and intimidation carried out by the old parties, and in particular the dominating one, fearing—and harming—VETËVENSDOSJE! more than any of its other competitors.2 Still, VETËVENSDOSJE! is ready for parliamentary opposition as Kosova’s third largest party. This change of strategy was not a replacement of our methods of action, but an addition to them. Our concept and goal remain the same. Participation in elections and institutions is now added to conducting demonstrations, protest actions and public meetings. Representation in institutions is necessary, but not sufficient to achieve self-determination. The will of the people is greater than any parliament or government, but it must incorporate and include them. The will of the people must be expressed everywhere and all the time. In Kosova the will of a few has overtaken the general will by taking over the state’s institutions: this has to change. Up to now, VETËVENSDOSJE! has often reduced and slowed down negative developments. Now is the time to stop them. Our political programme explains how we plan to achieve progress, and our organization is stronger than ever.

The governance of Kosova must change—not only for the sake of changing those in power, but for the sake of changing the character of the state. Reform of this abnormal situation is not sufficient; Kosova needs transformation into a normal situation. Kosova should change from a state which is in the service of foreign merchants and neoliberal privatization into a state which supports domestic producers and local development; from a state of contraband and corruption into a state of socioeconomic development; from a state being supervised by internationals into one serving its citizens; from a state which uses minorities to rule the majority into one in the service and for the wellbeing of everybody.
A radical change of political course is needed, just like before (the declaration of) independence. VETËVENOSJE!’s work stretches in front of it. Perhaps the curse of every truthful political movement is that its history is always ahead.

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Notes

1 Albin Kurti was released after sentencing as he had already spent close to 11 months in prison and under house arrest under UNMIK’s orders in 2007.
2 This was widely acknowledged among local and international observers, including the EU’s own rapporteur for Kosovo, Ulrike Lunacek (Alsat 2011, Balkan Insight 2011).

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