

DON'T TALK TO ME ABOUT DEMOCRACY WHILE I'M GUARDING KOSOVO

ANALYSIS OF NARRATIVES USED TO CAPTURE THE STATE



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Address: Đure Jakšića 6/5, Belgrade, Serbia

Website: www.bezbednost.org

Email: office@bezbednost.org

Authors

Maja Bjeloš and Bojan Elek

Design and Layout

Srđan Ilić



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Don't Talk to Me about Democracy while I'm Guarding Kosovo

"Kosovo is the key issue; Serbia's relationship with Russia is in the second place, while the rule of law is in the far third" – President of Serbia (Tanjug, 12 August 2017)¹

Kosovo is extremely important for Serbian politics and society as a whole. Elections are lost or won on this topic. The readiness of the Belgrade authorities to negotiate with Pristina and the signing of the so-called Brussels agreement in April 2013 enabled Serbia to open accession negotiations with the European Union. In addition, the ruling political elite had an opportunity to capitalise on the Kosovo issue, having gained international legitimacy and the status of "stability factor" in the Western Balkans region, while in return it received a *carte blanche* regarding domestic politics. This led to a rapid decline in democracy and violations of political and civil rights and liberties. Under the pretext of a patriotic struggle to preserve Kosovo as part of Serbia, the authorities in Belgrade tendentiously increased and consolidated their power, marginalised democratic institutions, satanised dissidents and induced fear of potential unrest in Kosovo. By instrumentalising the topic, the government sought to cover up the absence of rule of law reforms and the capture of the state. On the other hand, the society in Serbia is also a hostage of the state policy towards Kosovo. The facts about the armed conflict in Kosovo in the 1990s are subject to constant and deliberate distortions within the dominant state policy of remembrance, while the government - by nurturing myths about the Kosovo war and using conflicting narratives in the media - created a neurotic society that, for the most part, cannot come to terms with the loss of representative institutions and state control over that part of the territory.²

Based on an analysis of top officials' speeches, this text will show how officially promoted narratives about Kosovo serve to capture the state. This is happening through an increase in discretionary powers, the abolition of democratic civilian control and fueling fear among citizens, from whom the government seeks unreserved support and a free hand in exercising broad powers without being held accountable.

The analysis is divided into five thematic units. The first chapter shows how the executive power instrumentalises Kosovo and, using the media, creates a false impression in the public that, when it comes to Serbia's membership in the European Union, Kosovo is more important than the rule of law, thus putting a false premise before the citizens: that their choices are either Kosovo or a future governed by the rule of law. The second part of the analysis shows how the government in Belgrade traded stability for democracy and ensured the tacit consent of the West in preserving political stability in Serbia for the purpose of reaching a final agreement with Pristina. The third and fourth parts point to the absence of real social dialogue on Kosovo, and reveal how the President of Serbia and a narrow circle of his associates strive to increase their discretionary power to decide on Kosovo beyond the Constitution and democratic institutions, all under the pretext of protecting national interests. Finally, in the last part, the authors will provide additional evidence for understanding why citizens of Serbia cannot come to terms with the loss of state control over Kosovo, that is, why the opinion of the majority of Serbian citizens - that Kosovo should not be recognised - is still relevant.

Is Kosovo more important than Savamala?

“The EU will not allow Serbia to become a full member of the Union without a legally binding document at the end of the process of normalisation of relations with Pristina”
- President of Serbia (Radio Free Europe, 16 November 2017)³

The European Parliament’s Resolution on Serbia of 25 March⁴ created the impression in the Serbian public that the EU is in the process of abandoning the logic according to which the stability of the Western Balkans region and the normalisation of relations with Pristina are valued more than the implementation of democratic standards and EU values.⁵ However, less than a month after the adoption of the Resolution, the domestic media used the visit of the German Minister of Foreign Affairs to Belgrade to re-actualise the discussion on Serbia’s priorities on its path to the European Union. The words of the head of German diplomacy, that “unresolved relations between Serbia and Kosovo hinder the development of the two countries and the entire region, and thus also the further rapprochement with the EU”,⁶ were interpreted to the domestic public to mean that Germany, as the most important member of the European Union, sees Kosovo as more important than the rule of law.

In public discourse, Kosovo is most often used as an excuse or cover for the Belgrade authorities’ absence of results in other areas. The ruling political elite’s narrative that Kosovo is more important than democracy, human rights, freedom of speech and the media became louder and more frequent as the stalemate in European integration became more apparent, and after the European Union and other international organisations began to draw the world’s and domestic attention to the collapse of democratic accomplishments and mass violations of human rights, which is why Serbia was characterised as a “partially free country”, i.e. a “hybrid regime”.⁷

In 2019, the President of Serbia stated the following:

“To be completely honest, it is only about Kosovo. It does not mean that we don’t have to do many other things as well, we do, but that is for our people; but when it comes to them [the EU], it’s always just about Kosovo”.⁸

During his visit to Belgrade in 2018, the then EU Commissioner for Neighbourhood Policy and Enlargement Johannes Hahn pointed out that the rule of law is at the heart of negotiations with the EU, that it is decisive for the speed of accession, and that the Union supports judicial reform in Serbia so that the work of judicial institutions could be more efficient and transparent. Asked to comment on the statement of the European Commissioner that Kosovo is not the only condition for Serbia’s membership in the EU, the President of Serbia stated that “the European Commission will acknowledge progress in the rule of law and constitutional amendments, but our biggest problem on the path to Europe is Kosovo and Metohija. The EU does not want to say it, because they know that they get negative points [in Serbia] when they talk about Kosovo. Our economy can go forward if we have peace and stability and if there are no major problems in Kosovo and Metohija”.⁹ Over the course of nine years, the current government has managed to gain support for its narratives in a segment of the civil society as well. By participating in the deviant interpretation of reform priorities, the civil sector (un)consciously contributes to the maintenance of a hybrid regime.

Contradictory statements by European and Serbian officials in the domestic media create a false dilemma and lead to confusion among citizens, who repeatedly ask the question: What is more important for EU membership - the unresolved case of Savamala, or the unresolved issue of Kosovo? The fact remains that in the Negotiating Framework of Serbia with the EU, the rule of law (Chapters 23 and 24) and Kosovo (Chapter 35) are two key areas in which a suspensive clause can be applied, meaning that accession negotiations can be blocked if the European Commission assesses that there has been no progress in these areas.

Putting Kosovo above other topics and priorities is not a novelty in Serbian domestic politics; rather, it is a long-standing pattern that obstructs the development of democracy. In her text "On Kosovo, Raspberries and Gay Parades"¹⁰, historian Dubravka Stojanović explained that Kosovo is being instrumentalised by politicians, i.e. that the authorities in Belgrade are using it as a means to divert the attention of citizens from bad state administration and other topics of public importance to the defense and protection of Kosovo. She illustrated this claim with the sentence of former Deputy Prime Minister Ivica Dačić from 2011 that "in a situation when aggression in the north of Kosovo can start at any moment, we can do without a protest by raspberry growers and a gay parade". According to Stojanović, the constant keeping of the society in a state of uncertainty and fear of potential unrest in Kosovo "serves primarily one goal: to narrow the freedom of the citizens of Serbia and to strengthen the grip on government". At the same time, by insisting that Kosovo is the main condition for EU membership, the story goes back to the West's support for the so-called stabilocracies in the Balkans, in which democratic order and the rule of law are less important than maintaining peace and stability.

Stabilocracy

The policy of "peace and stability" has been present in the Balkans since the 1990s, as the EU sought to achieve two objectives through the accession process of the countries of former Yugoslavia: stabilisation of the region and democratisation of the newly formed states, in order to prevent the resumption of armed conflict in the long run. The settlement of the Kosovo dispute is especially important for the stability of the region, which is why the EU and other Western countries have supported pragmatic Serbian politicians who were ready to reach an agreement on Kosovo while promising to remain on the path to the EU. Local politicians, in turn, have gained international legitimacy and the status of guarantors of stability in the region.

Preserving peace and stability has therefore become one of the dogmas that accompanied Belgrade's years-long negotiations with Pristina. For the former Prime Minister and current Serbian President, the main interests were peace and stability in the region, and for Serbia to "achieve a fair solution to many issues. And nothing else."¹¹ Moreover, "Serbia's policy - insisting on preserving peace and stability, cooperation and economic progress - is the basis for approaching the long-term problem, in the best interest of both Serbs and Albanians ... Despite everything, we believe that the agreement between Serbs and Albanians is the key to regional stability. Serbia remains committed to finding a compromise solution to the Kosovo issue, to building a common future and a policy of peace and cooperation".¹² Also, "We will do everything to preserve

peace and stability, to not respond to provocations, to be with our people, and to have Serbs understand that Serbia is here for them and that we will not leave them at the mercy of those who do not want to live with our people".¹³ According to former Defence Minister Aleksandar Vulin, "A stable and secure Vučić's Serbia is a guarantor of peace in the Balkans".¹⁴

Researcher at the Institute for International Political Studies, Giorgio Fruscione, assessed that in the Balkans, leaders like the Serbian President are perceived as "factors of stability" even though the only stability achieved has been "the absence of change of regimes in which local governments keep the path to the EU as their foreign policy goals".¹⁵ According to the creator of the term 'stabilocracy', Professor Srdja Pavlović: "Stabilocracy allows the West to maintain its rhetoric about promoting democracy [...]. At the same time, it allows the local partner to establish a façade democracy by diminishing the role of parliament, holding unfair elections, criminalising the local political arena, enacting predatory laws aimed at eliminating political competition, suffocating dissidents and plundering public resources for the benefit of political leaders and their closest associates".¹⁶

Due to the deficit of democracy, it became obvious that peace and stability in the Balkans have a tendency to become fragile when the talks turn to the redrawing of borders, as they did in the case of the recent non-paper¹⁷ or the idea of "exchange of territories" between Serbia and Kosovo in 2018. It is precisely the ethno-nationalist ideas and unresolved territorial disputes that are causing the European Union and other Western countries to prioritise security and stability to the detriment of democracy. Although Serbian political elites present themselves to the European Union as guarantors of stability and actors that are indispensable for resolving crises in "their own backyard", the paradox is that they in fact promote ethno-nationalist ideas and continuously produce crises and incidents in Kosovo in an effort to strengthen their negotiating position in the international arena or ensure 'the greatest electoral success in history'. The political arsonists and firefighters of the Kosovo reality are responsible for a number of crisis situations, such as building a retaining wall in Kosovska Mitrovica or sending a train bearing the slogan "Kosovo is Serbia" from Belgrade to Kosovska Mitrovica in 2017,¹⁸ which created an atmosphere of intolerance that preceded the assassination of Kosovo politician Oliver Ivanović in January 2018.¹⁹ Serbian pro-government tabloids also contributed to the worsening of the situation. In 2016 and 2017, they caused panic by announcing conflicts in Kosovo, while in 2018 two thirds of headlines in *Informer*, *Srpski Telegraf* and *Alo* were about the conflict between Serbs and Albanians, suggesting the need for police, military or paramilitary interventions.²⁰

Guardians of the Kosovo Flame

Negotiations on resolving the Kosovo dispute represent a domain of high politics that are inaccessible to citizens, since representatives of the executive power in Serbia have exclusive access to information while the public does not have insight into the entire process. Protecting national interests behind the closed Brussels doors, the "guardians of the Kosovo flame", in addition to the role of exclusive negotiators with Pristina, also want "a free hand" in reaching a compromise solution. In other words, a narrow circle

of people at the top of the executive branch of power, and often also at the top of the political party in power, wants the unreserved support of citizens as well as the uncontrolled power to make decisions on a key national issue. In this way, other actors who supervise and control the executive are systematically excluded - primarily the National Assembly, but also citizens and their associations, the media and other segments of civil society. Public re-examination of such an approach and criticism of government policy towards Kosovo are deemed undesirable and are equated to treason. In this way, the government's narrative on Kosovo is used to capture the state, by increasing the discretionary powers of decision-makers and abolishing control mechanisms.

Withholding or denying information about Kosovo is the dominant policy of the authorities in Belgrade, as well as the dominant way of conducting negotiations with Pristina (leadership). In addition, high-ranking state officials also participate in the conscious manipulation of the public by persistently presenting inaccurate or semi-true information through social and traditional media.

Thus, on the eve of the meeting in Washington in September 2020, the President announced that Serbia had received an official agenda for negotiations between Belgrade and Pristina which included "just one item, which was unacceptable". However, he refused to provide the details thereof, emphasising that Serbia was about to engage in difficult negotiations.²¹ During the stay in Washington, one of the members of the Serbian delegation - Minister of Finance, Siniša Mali - said that "there are 16 items on the agenda, and that item 10 implies mutual recognition. Certain things are simply unacceptable". Speculations about the alleged demands were put to an end by the American diplomat Richard Grenell, who denied their accuracy on Twitter.²²

Once the so-called Washington Agreement was signed, the officials denied the citizens of Serbia information about its content. However, the text appeared in public via the social network Twitter. Once the journalists translated the text of the agreement from English and published it in domestic print and electronic media, it turned out that one provision of the agreement had in fact already been available to the public. Namely, on the sidelines of the conference of the American Israel Public Affairs Committee, held in Washington in March 2020, President of Serbia announced the opening of the economic and diplomatic mission of Serbia in Jerusalem.²³ However, this piece of news was not registered by the domestic public because most of the pro-government and independent media inserted this information into the text about the procurement of weapons from Israel.²⁴

Information is provided "one spoonful at the time" and serves more to keep the public in suspense than to objectively inform it, as confirmed by the recent statement of the President of Serbia from one of the meetings in Brussels:

"There is another topic that is particularly important to me, we have already started talks with the representatives of the European Commission and I will tell you in 24 hours whether we have succeeded or not, it is very important for Serbia. I will then be able to say whether I participated in something that brought a lot of good to our Serbia. We will literally not be the same country. We will not be the same country, but I can't tell you any more than that".²⁵

Similarly, in messages sent to Kosovo Serbs during his visit to the northern part of Kosovska Mitrovica in September 2018, the President communicated that Serbia was under external pressure and did not have much room for manoeuvres in the dialogue. However, at no point did he clearly state the goals and the desired outcome of the negotiations with Pristina:

“This is what we have to do, and we have to find some measure of peace and dignity; when they tell you that I want to change the borders, they are not telling you the truth. We believe one thing, the Albanians believe another. We want to do everything we can and preserve everything we can in Kosovo, we want to win for you all the rights that belong to you, we want you to have a right to live, work, be free, learn and have health care. The only thing we want is to ensure greater rights for you and make a compromise solution. [... Serbia] has no draft solution to propose in Brussels, nor is it close to having one”.²⁶

The ruling political elite uses the thus created (absence of) information and (lack of) knowledge to strengthen its own argument that no one else can contribute to this process because they do not have all the necessary information and do not know the intentions of the other party in the negotiations. This creates a vicious circle in which a small number of political actors monopolise decision-making on Kosovo without the need to account to anyone for the broad powers they have seized for themselves, making it difficult to critically review government decisions and policies.

On top of all of this, the monopoly on information from the negotiation process is not used to objectively inform the public or build social consensus, but to settle scores with dissidents. During one of the meetings with representatives of civil society organisations as part of the internal dialogue on Kosovo (on 31 March 2018),²⁷ President of Serbia presented to the public hitherto unknown facts about the Brussels Agreement,²⁸ using them for personal promotion and disqualification of political opponents and participants in the meeting:

“You want me to tell you about the Brussels Agreement and when we were there; Suzana Grubješić was also present, [Ivan] Mrkić and [Ivica] Dačić were there, as well as everyone else. That evening, everyone accepted the proposal for the regional police in the north of Kosovo to be composed of 70% Albanians. I did not accept it, and it is only thanks to my opposition that today we have 99% of Serbs in the north of Kosovo. Don’t ask me how bad the pressure was, maybe someone wants to be honest and tell you what it was like, Suzana is here and she can tell you (author’s note: Suzana Grubješić confirmed by nodding her head). Even then, there was a condition, under item 15 it was written that we must let them join the UN, someone spoke about that today. And I said that we would not accept unless they deleted that item. Then we waited for the next two weeks, there were pressures and everything else day and night, until they realised that there was no way to force Serbia to accept that, and then we signed the Brussels agreement without it”.²⁹

Statements like this also create a constant impression that Serbia is under enormous pressure, but that the political leadership is not giving up the fight and is a difficult negotiator that will not “betray Kosovo” or do something that most citizens do not want done. The President’s statements from December 2020 about the new US administration under Biden testify to this:

“I think it is now clear how right I was when I told you that the views of the Biden administration are not in Serbia’s favour. I hope that the administration will have a slightly different attitude and policy than what they presented in the House of Representatives of the Congress. We have to be careful, and we have to be aware of the fact that these are important people and that we have to respond in a serious way. I expect great pressures when it comes to Republic of Srpska and Kosovo. We will fight for the truth and we will tell people the truth. I am not going to say anything bad about these people, about Albright, or Engell, or Server, let them talk about me. It is our job to protect our interests and to be polite”.³⁰

The Emperor has no clothes!

Although it was already very strong due to the concentration of power and functions outside the constitutional powers, the President’s position in negotiations with Pristina was further strengthened after the parliamentary elections in June 2020. The Serbian Progressive Party’s control over a two-thirds parliamentary majority could facilitate the adoption of an agreement with Kosovo in the Assembly “if Vučić assesses that he will be able to politically survive it”.³¹ Unlike the Pristina delegation, which consists of a negotiating team, is limited by a platform, and is subject to the control of the Kosovo Parliament, the main negotiator and decision-maker in Serbia is the President. Although the position of president is technically limited by the Assembly Resolution on the Principles for Negotiations with Pristina of 2013,³² almost complete party control of the Assembly and its competent committees means the *de facto* absence of a parliamentary control function. This allows him to conduct negotiations discretionarily and without institutional constraints, and only his own personal political power limits what he is allowed to sign and implement. Such a position is further strengthened by the fact that, according to public opinion polls, Serbian citizens have confidence in the Serbian authorities regarding negotiations with Kosovo, although most of them do not know what the goal of official Belgrade in this process actually is.³³

Precisely because of such a state of affairs, the President is in an extremely comfortable position where, from time to time and whenever necessary, he gives himself the right to decide anything, or waive responsibility by referring to other branches of government, as he did in the following statement:

“If I, as President of the Republic and *without the consent of the Government*, were to sign the act on the independence of Kosovo, I would receive the Nobel Peace Prize and be lauded as the greatest democrat in this part of the world. If I were to say that Republic of Srpska would not have any support from Serbia and would not receive any help, I would be called an uber-democrat. I would also be called handsome”.³⁴ (Italics added by author)

In addition, from time to time the President relinquishes responsibility by transferring it to the citizens, despite the fact that they are completely excluded from decision-making and that their voice on this issue cannot not heard. Thus, when he deems necessary, he uses the voice of the people to free himself from responsibility for failure:

“My ideas were not rejected in Brussels, but they did not find support in Serbia. I have said this many times before. Unfortunately, although they [people] have never listened to me, or heard what I think, or [know] what that solution would be, I have heard just about every version of a negative opinion from Serbia. I acknowledge the voice of the people. Some in the neighbourhood do not want to hear the voice of their people, but I always want to hear the voice of the people and I have no problem with that.”³⁵

The seven-year silence in the Assembly regarding Kosovo was broken after the President of Serbia was invited to present a report on Kosovo to MPs at the end of May 2019. Although announced as a one-stop report on the Belgrade-Pristina negotiations, the document was mostly dedicated to what Serbia has done for the Serb community in Kosovo:

“We have been given peace and greater security for the Serbs in Kosovo and, most importantly, the opportunity to continue to fight”. These were the words the President used in the nearly two-and-a-half-hour long speech in which he summarised the results of the talks. The speech was followed by a discussion, which actually consisted of acclamation of the presented results and praise of the agreement reached in Brussels.³⁶

It was stated in the report itself that the dialogue was conducted in order to protect the interests of the Serbian side, and that Serbia achieved one of the main goals by managing to “partially amortise the uncompromising position of the supporters of the so-called independence of Kosovo; that they no longer consider Kosovo’s independence “a done deal”; that this was achieved “without making any substantial concessions”,³⁷ and that “despite criticism of the alleged surrender of Serb interests in northern Kosovo, Serbs currently dominate in all political, police and judicial institutions in the area, and their dominance is recognised both by Pristina and the international factor”.³⁸

Ours or theirs, lost or returned

Opinion polls show that citizens suffer from cognitive dissonance when it comes to Kosovo. Namely, they have diametrically opposed views on various issues – e.g. they support the agreements reached in Brussels, but they do not see any benefit from them.³⁹ Although strange at first glance, such views become clearer if we take into account the fact that citizens are constantly exposed to conflicting information. In the public discourse, the government constantly toys with Kosovo, portraying it at one moment as lost and at another as not, and one day saying that we should get it back some time in the future, and the next that we will never give it up.

In his speech of 2018, held in the northern part of Kosovska Mitrovica and announced as historic, the President gave the following message to the gathered citizens:

“In 1999, Serbia honourably and courageously fought against NATO. And lost, just like 610 years earlier. We were left without important territories, and many Serbs left their homes not wanting to live under Albanian rule. When you lose a war, you pay a price for it. [...] Don’t whine about the loss of Kosovo, because not

only did you not have it, but many of you have never even been there. Don't say you that you don't have it when you gave it to others a long time ago, when no one was asking for it, and don't try to stop us from taking something – not you, who openly offer, or have already given, everything".⁴⁰

Contrary to the above claims, in the text he wrote for Blic in 2017, the President sent mixed messages from which it could be inferred that Serbia had something in Kosovo, but also that it has simultaneously lost something else:

“It is time for us, as a nation, to stop burying our heads in the sand like an ostrich, [it is time] to try to be realistic, to not allow ourselves to lose or hand over to someone what we have, but [it is] also [time] to stop waiting for what we have long lost”.⁴¹

Only a few lines later, in the same text, based on the President's words one was able to conclude that Kosovo was still Serbian and that he was expected to hand it over:

“Imagine what it would be like if things were different. If I were one of those silent ones, who lead people into conflicts and wars just to teach them, silently, the geography of their own countries? Or if I were one of those who would be willing, for a pat on the back and a chocolate bar from one of the western embassies, to *deliver all Serbian hearths* and thus become, as they say, a great reformer?”⁴² (Italics added by author)

Citizens are, simultaneously, being sent opposite messages regarding the status of Kosovo: that Kosovo was lost somewhere along the way and that Serbia does not control “even an inch of its territory”, but that it is also still “ours”. Or that we are still fighting to keep it a part of Serbia, while at the same time we are working on returning it to Serbia. This creates anxiety among the citizens of Serbia over Kosovo's independence.

Conclusion

This analysis has shown the mechanism by which the Serbian authorities, by controlling and strategically using narratives on resolving the Kosovo dispute, manage to increase their own discretionary powers while simultaneously abolishing control mechanisms. In other words, under the pretext of resolving the Kosovo issue, the separation of powers and democratic decision-making are being abolished, leading to an even greater level of state capture.

On the one hand, resolving the Kosovo issue serves to legitimise the regime in the international arena, where the government is seen as the only actor with enough political capital and will to deliver a solution. On the other hand, at home, there is an accelerated capture of the state and society by the ruling party. Surveys show that the majority of citizens still trust the government when it comes to negotiations in Brussels, although they are not familiar with its goals. This speaks volumes about the fact that decision-makers have enormous power and potential to contribute to the reconciliation of the two peoples, but are wasting them.

The above-described mechanism can be clearly observed in the well-thought-out, yet false, dilemma that the European Union does not care about the rule of law, but only about Kosovo. As a consequence, citizens of Serbia are presented with a choice that is either-or: they can choose a future in which they can either have the rule of law or Kosovo, while living in a present in which they effectively have neither. Trading stability for democracy is not the way to find a solution to any problem, including that of Kosovo. Although anyone with sufficient political power can reach an agreement, only a functioning democracy with the rule of law can guarantee a lasting reconciliation between the two sides. An undemocratic Serbia with collapsed institutions is not a guarantor of peace and stability in the Balkans, and it is far from reaching a final agreement on Kosovo and becoming a member of the EU. That is why the EU should return to its long-term enlargement policy goal, which is to achieve stability and security inside and outside the borders of Serbia through the democratisation of Serbian society and the state.

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