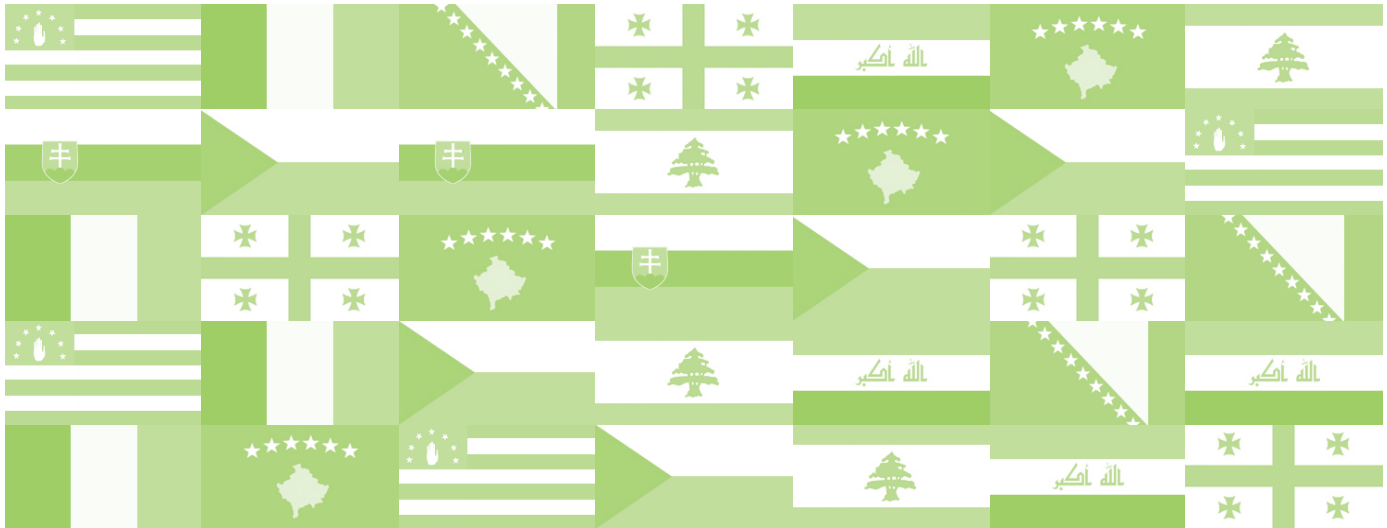
VOLUME 9

Ethnonationalism and State Building

Ralf Fücks Ethnonationalism and State Building **Joscha Schmierer** Imperial World and State Building **Ulrich Schneckener** Ethnonational Conflicts and Models of Conflict Settlement **Milan Horáček** The Conflict between the Right to National Self-Rule and the Territorial Integrity of States as Illustrated by Slovakia and the Czech Republic **Walter Kaufmann** The Conflict between the Right to National Self-Rule and the Territorial Integrity of States as Illustrated by Georgia and Abkhazia **Benoît Lechat und Geneviève Warland** Ethnonationalism in Belgium: the Origins, History and Risks of the Belgian Compromise **Bodo Weber** Kosovo, the Fall of Yugoslavia and the Discussion of the Right of Self-Determination: On the Distorted Perception of Modern Collective «Ideologies» and their Effects on International Politics **Fawwaz Traboulsi** Do Collective Rights Contribute to Conflict Resolution? The Case of Lebanon **Ghassan Atiyyah** Iraq: Instability and Social Integration



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ETHNONATIONALISM AND STATE BUILDING

Ethnonationalism and State Building
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PREFACE

Since the end of the Cold War, ethnic and religious conflicts have increased significantly and claimed countless victims – especially among civilian populations. The international community was largely helpless in the face of genocide in Rwanda and the Balkan wars of the mid-1990s. Since then, interest in conflict management methods has grown considerably. Nation building and state building in fragile states has become an instrument of international policy.

The term "state building" is generally preferred in political and scientific discourse, as nation building involves extremely long-term processes that offer little scope for outside intervention. This observation does not take into account the fact that wherever the international community is actively involved in state building in post-conflict societies, it is increasingly confronted with ethnonational issues. In situations dominated by ethnic or religious conflicts, the international community has little choice but to address ethnonationalism in its state building activities. In turn the resulting positions – for example on issues related to the structuring of government bodies, constitutions, or institutional frameworks for political pluralism – affect the forms of ethnic and religious conflicts. They influence their significance within society. Striking a careful balance between the conflicting interests of states' territorial integrity and their peoples' right to self-determination is therefore essential.

This publication contains contributions to an international conference held by the Heinrich Böll Foundation in April 2008. In it, policymakers, academics, political educators, and consultants examined how the international community has dealt with the phenomena of ethnonationalism and religious fragmentation in the past fifteen years and the lessons for the future that can be gained from these experiences. In addition to the question of instruments of international policy, the conference focused on identifying practical principles that can also be applied to methods of crisis prevention and crisis resolution.

These issues are directly relevant to the Heinrich Böll Foundation, as we are regularly confronted with ethnic and religious conflicts in our international work in southern Europe, South Caucasus, the Middle East, and elsewhere. The international political weight of the topic was also underscored by the events related to the war in Georgia in the summer of 2008.

Berlin, autumn 2008

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Ethnonationalism and State Building

Introduction

At the end of the Cold War we did not enter an era of eternal peace as predicted. Instead, we are currently experiencing a massive increase in ethnic and religious conflicts with millions of dead and countless refugees. In these cases, the interaction of social, political, ethnic, and religious factors are often not apparent at first glance. Are ethnic enmities truly the cause of violent clashes, or are they merely amplifiers for conflicts related to the distribution of scarce resources such as land, water, raw materials, or political power?

Ethnic and religious ties were instrumentalized by political groups in the Balkan wars of the 1990s and in Rwanda. This insight alone is of no great value, however. The question is why, and under which conditions, ethnic tensions become politically charged enough to trigger genocide – and how to stop that violent spiral before chaos ensues.

Ethnically and religiously motivated clashes do not merely reflect conflicts of interest, but also collective identities, historical myths, and deeply-rooted enmities that lend them a special dynamic of violence. Once set in motion, they have a self-reinforcing tendency that is difficult to contain. This can be currently observed in Sudan and Iraq. Cynical realists recommend letting such conflicts run their course. Idealists, on the other hand, speak of a responsibility to protect and intervene for humanitarian reasons.

The question facing the international community in such cases is not only how to put an end to ethnically and religiously-charged conflicts, but also how to establish viable states in their wake. That is the far more difficult challenge. It is not just a matter of setting up new institutions, but one of nation building – of cultivating a political community that transcends ethnic, religious, and cultural differences.

Wherever nation building does not succeed, state building is also certain to fail. In such cases, the only realistic alternative is to continue dividing states along ethnic and religious lines of demarcation – or to establish hard, authoritarian power capable of suppressing such conflicts at least for a time. The Serb-Kosovar and Chinese-Tibetan conflicts are examples of these different approaches.

Experience has shown that different contexts call for very different strategies of taking ethnic and religious ties into account in state building. These range from "governments of national unity" (as is being attempted in Kenya with an uncertain outcome), ethnic quotas in state institutions, enshrining cultural autonomy and extensive regional self-administration (as in Spain and Belgium), to breaking states up (peacefully as in the case of the Czech Republic and Slovakia, or violently as with Serbia and Kosovo).

Managing ethnic and religious conflicts involves operating in gray areas of international law and democratic policy. In extreme cases, it involves finding equilibrium between the territorial integrity of a state and its inherent promise of stability and the revolutionary principle of a peoples› right to self-determination. Yet conflicts that can affect the foundations of democracy can also arise in less dramatic cases of balancing ethnic or religious group interests within a state. Setting up a state according to ethnic criteria, as was done in Lebanon for example, institutionalizes lasting conflicts and promotes centrifugal dynamics that undermine the state and prevent the evolution of multiethnic democracy.

In each case, a balance must be achieved between the ideal of a unitarian republic that ignores ethnic and religious differences, and its counterpart, ethnic particularism. The compulsive denial of existing ethnic and cultural pluralism promotes violent conflicts, something that can be observed in the Kemalist republic of Turkey. But the mere opposite, as for example established in Bosnia by the Dayton Peace Agreement, can lead to the same result.

With their many differences, it can be very difficult to draw analogies between conflicts. Yet comparisons can be helpful in evaluating the successes and failures of various ethnic integration strategies and we will be attempting them on the basis of the case studies in this publication. We are interested in whether common lessons can be learned from the experiences of the various countries and regions.

In its international work, the Heinrich Böll Foundation has considerable experience in the promotion of democracy and state building. We see the European Union as an example of how a long history of wars and civil conflict can be overcome by applying democratic principles that equally guarantee diversity and the peaceful resolution of conflicts. Ultimately, it was not ethnic separation, but increasing economic and political integration that promoted the peaceful coexistence of former wartime enemies. Resolving ethnic and religious conflicts is one of the central issues of our time in international policy. How we address them can be crucial to our hopes for a peaceful future.

JOSCHA SCHMIERER

Imperial World and State Building

Despite the many differences between the examples used to illustrate the conflict between ethnonationalism and state building in this publication, they all have one thing in common: the conflicts are unfolding on imperial soil and in states that are recognized members of the United Nations. Even Belgium is more a product of external circumstances than internal impetus. None of the major European powers succeeded in laying claim to Belgium›s various sections, making the formation of a state inevitable. It shares the fate of being left over between powerful rivals with Congo, which was once declared the private property of the Belgian king because of the impracticability of its division among the major colonial powers. The same holds true of Afghanistan, which was left sandwiched between Czarist Russia and British India. Residual powers will always exist in a world of empires.

All of the examples in this publication are rooted in the major European continental empires: the Habsburgs, the Czars, and the Ottoman Empire, which like Czarist Russia – the "Third Rome" – deemed itself the successor of the Byzantine Empire. The Ottoman Empire not only retained Constantinople as its capital, but also a number of Byzantine traditions and rituals. It would also have been easy to find examples of states that emerged from former overseas European empires and which are also members of the United Nations to serve as illustrations for the conflicts between state building and ethnonationalism. The shared properties of being fragments of former empires and recognized members of the United Nations indicate that the problems covered in this publication are not coincidental, individual occurrences, but rather elements of a gigantic process of transformation from an imperial world to a world of states that have found their umbrella organization in the United Nations. States are not the products of ethnic evolution; their borders and institutions are the result of political conflicts and decisions.

The transformation of the world of empires into one of states is one side of the globalization process. This process accelerated considerably during the 20th century after the First World War and decolonization and reached its (possibly preliminary) conclusion with the dissolution of the Soviet Empire and Yugoslavia. The other side of globalization is the transnational network of the global economy and worldwide communication.

The tense relationship between territorial sovereignty and international business and social networks can compound the effects of the questionable genesis of many states, contributing to the instability of young states.

I nevertheless would like to focus on the transformation of an imperial world into a new world of states and attempt to create a rough outline of this process. The conquest and division of the world among empires and the development of states cannot be rendered as a linear process and a strict temporal succession of two different phases of government. The formation of the modern world of states began with the United States breaking away from the British Empire, which at that point had

not yet reached the zenith of its power and expansion. The first wave of decolonization on the South American continent did nothing to hamper the enlargement of the British overseas empire, nor the expansion of the Russian Empire or the Habsburg monarchy – both at the expense of the Ottoman Empire, and in favor of Russia at the expense of Chinese influence in Asia.

By the time a number of new states were emerging from the ruins of the European continental empires at the end of World War I, Japan was only just beginning its attempt to establish a sweeping empire in East Asia. The conclusion of World War II put an end to this Japanese adventurousness, as well as to the brutal German attempt to recover the former territories of the German Reich and conquer the former Habsburg Empire as the foundation of an expansive world empire. While both of these imperial experiments failed, the Soviet Union not only recovered all of the Russian Empire›s historical territories, it also considerably expanded its domain westwards.

The western European overseas colonial empires were initially able to restore their domains after 1945. And while their death knell was already sounding in 1956 with the failure of the British-French Suez venture, western European colonialism did not come to its final end until the Carnation Revolution in Portugal in 1975.

The final end of the epoch of European imperial rule was then marked by the collapse of the Soviet Empire and the dissolution of the Soviet Union. The dissolution of the Yugoslav mini-empire – which had been held together by the bloc conflict and which had derived its diplomatic strength from it as one of the pioneers of the Non-Aligned Movement – followed the collapse of the Soviet bloc in short order.

The fact that the United States as the first modern state did not prove immune to imperial temptations in its new understanding of itself as "the only remaining superpower" indicates that the transformation from an imperial world to one of states is not necessarily complete. The events and consequences of the war in Iraq may have convinced the USA of its folly in this regard. Russia has retained its imperial traits and has repeatedly demonstrated inclinations toward a *renovatio imperii*. China, which increasingly became a plaything of the European powers, the United States, and Japan in the 19th century, has its own imperial tradition, and with its new strength it may be tempted to revert back to it. The Chinese Empire was never driven toward global expansion, however, and the changed international and regional situation of the 21st century also makes a policy of cooperation preferable to one of conquest. Its integration into the world market and cooperation with Japan, India, and the tiger states of Southeast Asia appears to be a more promising approach for China than a drive toward imperial expansion.

While most of the world was occupied by a small number of imperial powers before World War I (the United States and Latin America were the big exceptions), today the remotest corners of the globe are in the hands of formally independent, equal states, with the United Nations as their general organization. The UN has permitted the states that emerged from decolonization and the dissolution of the Soviet Union and Yugoslavia to attain political acceptance and recognition of their borders with relative ease.

With the exception of East Asia, the imperial rule of the world was a European enterprise that most certainly found its spiritual point of reference in the Roman Empire. In his 1900 study *Die großen Mächte. Ein Rückblick auf unser Jahrhundert.*

(The Great Powers. A Review of Our Century), the German historian Max Lenz wrote "Today, anyone can see how deeply rooted, finely branched, and impervious to eradication the Roman spirit is in the structure of our nations." In this regard Europeans mainly thought in terms of empire, while the USA tended to focus on the republic.

Before the world of states could take shape, a plurality of European empires developed whose expansionism was only restricted by their opposing rivalries and ultimately the limits of the globe.

The division of the Roman Empire was the first step toward this imperial plurality and rivalry. In the East, the Ottoman and Russian Empires saw themselves as the successors of Byzantium. The West took another route. Rome remained the center of Catholic Christianity, while the secular successor of Rome moved northward. Monarchist territorial states in the Atlantic region emerged from the Carolingian Empire and out of the conflict with the Habsburg universal monarchy. The imperial impetus then sought new paths: in the move overseas in the West, and in the division of Poland and the Ottoman fragments in the East. Prussia and the Habsburg Empire were the actors in the rivalry and interaction with the Russian Empire. An important factor for the further developments was that continuous friction led to the emergence of a system of states in Europe itself, parallel to the imperial expansion drive. This system became the basis for European integration after the fall of the European empires.

The EU and its member states are also the result of this process of transformation from an imperial world into one of states. How differently this transformation affected state building can be observed in the EU member and candidate states. While in the West the previous mother countries of major overseas colonial empires were left within the borders that had resulted from centuries of friction between the European powers, the members that emerged from the colonial empires in the East and Southeast found their borders established according to earlier imperial administrative units and in accordance with international treaties over which they had had little influence. Empires do not place value on ethnic uniformity, but on the effective administration of the ethnic and religious diversity of their territories.

As a result, the new states are not ethnically or religiously homogeneous. The ethnic or religious population majorities nevertheless identify with the states as their own and strive for homogeneity. This leads to the minorities' increasing need for collective definition and to efforts to assert their collective rights along ethnic lines. If a minority in one state is the majority in a neighboring state and the same mechanisms are at work everywhere, then the stage is set for domestic and international conflict.

States without ethnic majorities have the tendency to territorialize and divide along ethnic lines. In Bosnia and Herzegovina, a candidate for EU membership, this violently pursued process received international blessing through the Dayton Peace Agreement.

These contrasts in state building within the EU and its orbit can be observed in a much more pronounced form within the United Nations. In the global South, external borders frequently reflect the results of imperial rivalries. At the same time, borders are often the only institutional guarantee new states possess thanks to their formal recognition by the United Nations and regional organizations. In the South and especially in Africa, the state is frequently little more than a shell that has been placed over internal structures that are by no means governmental. State institutions

are weak, making it difficult to cultivate civic identities, while pre-state identities, tribes, and extended families remain the major agents of the distribution of material and political influence. Cross-frontier networks also tend to be based on tribal and family connections rather than state-regulated relationships.

At the same time, these fragile, poorly developed, and ethnically or religiously contested individual states are building blocks of the international order via their membership in the United Nations. Their stability and constitution is therefore not just a matter of internal interest. Existence as a state is also a fundamental precondition for profiting from the opportunities – and not just the problems – of globalization. State building will therefore remain the most important objective of policies geared toward internal and external integration for a long time to come.

The question arises whether the imperial past does not also contain elements that can provide institutional support for state building. These could be cities, should efforts to secure them institutionally prove successful, i.e. through self-government. Central administration approaches can also facilitate the establishment of a state monopoly on the legitimate use of force. However, it is generally not possible to fall back upon circumstances to ensure democratic control and establish the separation of powers. Identities based on ethnic and religious environments can become politically effective time and again in such a vacuum. Ethnonationalism has a destructive effect on state building and cooperation among states. In functional terms, statehood justifies itself by providing services for all of a state's citizens. Ethnonationalism and other community networks, however, draw their influence from their ability to offer their communities more than they could attain as citizens alone.

The awareness that the great challenges of state building – as painful as they may be taken for themselves – are part of a gigantic transformation process can make the difficulties more bearable. The bloodiest and most brutal phases of this process may be over after two world wars, the bloc conflict, decolonization, and the reduction of international rivalry among the great powers. While this is no consolation for the victims of current conflicts, it is nevertheless an incentive to strengthen cooperation between domestic powers that further statehood and citizenship and international powers that intend to provide and secure a political framework for globalization.

ULRICH SCHNECKENER

Ethnonational Conflicts and Models of Conflict Settlement

Whenever publicists or the academic community used the term *state building* in recent years, they generally did not mean the formation of new states, but rather the development and strengthening of state structures and institutions. This is especially the case with regard to fragile states and regions affected by conflict in which establishing or rebuilding state structures has become necessary. Recent examples of major state building activities that received massive international support include Cambodia, Liberia, Sierra Leone, Congo, Bosnia, Kosovo, and Afghanistan. Such efforts primarily involve external actors – international organizations, NGOs, and donor countries – and are sometimes referred to as *post-conflict peace building*.[1]

This understanding of state building differs fundamentally from the processes that lead to the formation of the international system of states since the 19th century, however. The 20th century alone experienced three major waves of state building. All three – after 1918, after 1945, and after 1991 – were related to the collapse of existing states or empires and were accompanied by numerous minority and nationality conflicts. From an historical vantage point, the 1990s were a repeat of a development that could be observed following the collapse of European multinational states after World War I and the gradual dissolution of overseas colonial empires after World War II. These processes of disintegration led to the establishment of new and the restoration of old states while also promoting internal ethnopolitical conflict situations resulting in the formation of "new" minorities that frequently demanded forms of self-rule that in extreme cases could lead to separatist movements. I shall therefore be advocating the following hypothesis: Modern state building processes are the result of national projects and movements, yet they also bear the seed of ethnonational tension – especially in cases in which the nation-state model is used as the spiritual and political or legal frame of reference.

1 See: Rotberg, Robert (ed.), 2003: State Failure and State Weakness in a Time of Terror, Washington: Brookings Institution Press; Rotberg, Robert (ed.), 2004: When States Fail. Causes and Consequences, Princeton: Princeton University Press; Fukuyama, Francis, 2004: State Building. Governance and World Order in the 21st Century, Ithaca: Cornell University Press; Chesterman, Simon, 2005: You, The People. The United Nations, Transitional Administration, and State Building, Oxford: Oxford University Press; Chesterman, Simon/Ignatieff, Michael/Thakur, Ramesh (ed.), 2005: Making States Work. State Failure and the Crisis of Governance, Tokyo: United Nations University Press; Schneckener, Ulrich (ed.), 2006: Fragile Staatlichkeit. "States at Risk" zwischen Stabilität und Scheitern, Baden-Baden: Nomos.

The nation-state model: ethnos and demos

The basic idea is to attain congruence between the state – i.e. a political union, and a nation – a cultural and symbolic unit. The consequence of such a perspective is obvious: all states (i.e. their political institutions) will strive toward establishing a distinct national culture on their territory, while all nations will have the goal of statehood. The favored model in both cases is the nation-state, regardless of which element – the nation or the state – existed first. To characterize these processes in greater detail, we can employ the traditional distinction between *ethnos* and *demos*.[2] In most state and nation building processes both variants are at work – simultaneously or consecutively, but generally influencing one another reciprocally. They also affect the political culture of nation-states in varying proportions, as illustrated by the contrary histories of statehood in France and Germany.[3] *Ethnos* and *demos* can therefore be understood as two idealized types of development in the formation of modern nation-states: In the case of *demos*, the formation of the nation and corresponding cultural identity of the population is shaped by a state, its institutions (such as the educational system), and a given territory. Historical examples of this development include not only European states of the early modern era (England, France, Sweden, Spain, Poland), but also the "new" Latin American states of the 19th century. After 1945, the process of decolonization and the formation of nation-states in Africa and Asia conceptually followed the path of *demos* as well. "New" nations were meant to develop in the new states within the borders established by the colonial empires, and this was referred to as *nation building* in the modernization theories of the 1950s and 1960s. In the case of *ethnos*, the nation building process proceeds without a state or against an existing state. This category especially includes the national movements of the 19th century (such as those in Germany, Italy, or Greece) in which "popular" cultural and linguistic elements were associated with political demands for an "own" state. After 1918, the re-ordering of Europe generally followed the path of *ethnos*, in which states arose from nations on the basis of the proclaimed "national principle of self-determination."

The central difference lies in the sequence of the respective state building and nation building processes. In the case of *demos*, the state or the elites supporting it make an effort to "nationalize" a heterogeneous population by creating uniform political institutions, a joint economic region, a shared public awareness (media), and national symbols. In other words, a state is made into a nation. Natiogenesis based on *demos* thus relies on a strategy of more or less voluntary assimilation or integration in which a dominant group exists – be it for numerical, political, or socio-economic reasons – that sets the cultural and linguistic standards to be

2 This is to be understood here in the analytical sense – and not as a distinction between an organic, objectively cultural and a voluntaristic, subjectively political concept of nationhood with a normative flavor as often occurs in the study of nations. This dichotomy is the result of terminological pairings from the early days of the study of nationhood, including "cultural nation/state-nation" (Friedrich Meinecke), "organic/atomistic nation" (Karl Renner) and "Eastern/Western nation type" (Hans Kohn). cf. Francis, Emerich, 1965: Ethnos und Demos. Soziologische Beiträge zur Volkstheorie, Berlin: Duncker & Humblot.

3 cf. Brubaker, Rogers, 1994: Staats-Bürger - Deutschland und Frankreich im historischen Vergleich, Hamburg: Junius.

adopted by the other groups. In the case of *ethnos*, a certain nation or ethnonational group pursues the goal of creating a state on the basis of a homogeneous community[4] – i.e., a state arises from a nation. Ethnically-defined natiogenesis thus ultimately leads to the formation of new states through secession or the dissolution of multinational states. The previously stateless nations then become state building titular nations.

To summarize, whether they are based primarily on a tradition of *demos* or *ethnos*, all states must have viewed themselves at least theoretically as nation-states by the mid-19th century and certainly in the 20th century – regardless of their actual internal cultural heterogeneity and potential or open ethnic tensions. Both ideal types are based on an assumption of homogeneity: While *ethnos* presupposes ethnic and cultural homogeneity, *demos* requires a degree of political homogeneity under the linguistic and cultural hegemony of one group that, as a minimum, consists of the population as a whole "wanting" and affirming the existing polity. In combining them, state and nation are thus equated. Despite their different genesis, *ethnos* and *demos* both ultimately lead to the nation-state model. A tendency toward homogenization and the leveling of cultural and ethnic differences is equally strong in both forms: they serve the unity of nation and state, regardless of whether the accent is on the nation (*ethnos*) or on the state (*demos*). In other words, the treatment of ethnonational groups – or, in the language of international law, national minorities – inevitably demands attention in state building and in nation building.

Characteristics of ethnonational groups

Ethnonational group is a sociological term introduced by Ted R. Gurr and others.[5] The adjective "ethnonational" entails a two-fold demarcation: On one hand, it provides a distinction vis-à-vis other cultural and ethnic groups such as religious fundamentalists or immigrants. On the other, it provides a label for sub-state movements that are not identical to the (titular) nation. Ethnonational groups are thus sub-populations of a state that have their own name, specific cultural characteristics (language, religion, traditions, cultural practices, etc.), trans-generational historical memories, myths and symbols, and thus an independent group awareness that distinguishes them from the majority (titular nation) and from other groups.[6]

The contrast to the traditional immigrant is helpful in providing a detailed characterization of ethnonational groups. Following Will Kymlicka, who makes a distinction between *national minorities* and *ethnic groups* (immigrant groups),[7] the latter can be distinguished empirically by the specific manner in which they arise and their demands for self-rule. In contrast to immigrant minorities, the term "ethnonational group" refers to groups within the population that have lived on the territory of the state since it was founded; they did not arrive after the fact, but in most cases have remained in their customary places of residence over the course of generations,

4 cf. Anderson, Benedict, 1988: Die Erfindung der Nation, Frankfurt: Campus.

5 cf. Gurr, Ted Robert, 1993: Minorities at Risk, Washington: United States Institute of Peace Press; Gurr, Ted Robert, 1993: Why Minorities Rebel: A Global Analysis of Communal Mobilization and Conflict since 1945, *International Political Science Review,* 2, 161-201.

6 cf. Smith, Anthony D., 1991: National Identity, London: Penguin.

7 cf. Kymlicka, Will, 1995: Multicultural Citizenship, Oxford: Clarendon Press.

except in the case of internal migration. Like the majority or titular nation, they are autochthonous, long-established populations and citizens of their states of residence, unlike immigrant populations who have to apply for citizenship and are subject to a naturalization process. Ethnonational groups arise from state building processes or changes to borders based on agreements, conquest, annexation, or colonization (e.g. indigenous peoples). In other words, while in one case people travel from their home to a new state, in the other case not the people, but the borders move.

The second point relates to the central demands of ethnonational groups: they typically call for forms of self-government that permit them to take their political, cultural and socio-economic matters in their own hands indefinitely while representing their special demands toward the society as a whole. In contrast, immigrant minorities primarily seek social and economic integration in their host countries without necessarily giving up certain cultural characteristics. Immigrants tend to call for regulations that facilitate their integration into society. Ethnonational groups, on the other hand, strive to remain as autonomous as possible, maintaining control over their own fate separately from the majority society and demanding the rights and resources they need toward that end. Both group types should not be regarded as a strict dichotomy, however, but as end points of a continuum that covers a range of mixed types that can have more in common with either immigrants or national minorities, depending on their context.

Ethnonational conflicts: interests and identities

The two main actors in ethnonational conflicts have thus been adequately characterized: on one hand, a majority nation which controls its own nation-state (titular nation) or which holds a position of supremacy within a multinational community; on the other hand, ethnonational groups that undermine the nation-state principle to a certain degree or question the dominant position of the majority. There are by no means fixed, quasi-natural lines of conflict between two "blocs." It is not until a conflict intensifies that political loyalties on both sides harden and existing cultural memberships developed over time become a relevant *cleavage*. They are less the cause than the consequence of conflict situations whose causes can, in some cases, lie in the distant past. The connection between cultural difference and ethnonational conflict is thus anything but self-evident: the hypothesis that greater cultural differences and thus a higher degree of mutual foreignness increase the potential for conflict and escalation is not borne out by reality. On the contrary: ethnonational conflicts are distinguished by a relatively high degree of familiarity between the actors, as majorities and minorities can look back on longer periods of living together. Waldmann points out that the close proximity and mutual familiarity of the actors in ethnonational conflicts often favors the use of force, up to and including excessive cruelty.[8] The paradigmatic example for such a conflict is the war in Bosnia and Herzegovina (1992-95), in which the objective was not only to defeat the opposite side, but also to deliberately humiliate it and damage its moral integrity. A frequently-heard reason for this is provided by a Bosnian contemporary witness: "The war had to be so

8 cf. Waldmann, Peter, 1997: Bürgerkrieg – Annäherung an einen schwer faßbaren Begriff, *Leviathan*, 25, 4, 480-500.

bloody because the bonds between us were so strong."[9] The phenomenon can also be studied to some extent in conflicts that do not escalate so dramatically: intimate knowledge of the opposite party puts both the majority and minority in a position to deliberately hurt one another's feelings with verbal attacks, the use of certain symbols and rituals, and other provocations such as the desecration of monuments or tombs.

The starting point for ethnonational conflicts can be found in historical processes of political, socio-economic and cultural discrimination that can also be translated into legal categories, thus shaping state institutions.[10] Two explanatory models are dominant here, in which discrimination is seen either as part of a rational strategy, or as the expression or consequence of social or psychological processes. In short, the first approach uses *calculation*, while the second relies on group *psychology* as the primary factor to explain the genesis of ethnonational conflicts.

The first explanatory model emphasizes instrumentalist and rationalist approaches that deem ethnicity or cultural difference to be a strategic resource for acquiring advantages over others, either as individuals or as a group. The ethnic lines of demarcation are used more or less deliberately by the majority nation or dominant group (i) to retain political power, (ii) to exploit others economically, and/or (iii) to eliminate unwelcome competition. In any case, this triggers corresponding reactions and countermovements by the discriminated or excluded parties that strengthen and harden the strategically-exploited *boundaries*. The non-dominant groups respond to historical or current political and/or socio-economic marginalization processes in a variety of ways. Ethnic criteria also serve as a resource for their political mobilization. The protest behavior generally originates in well-educated middle classes who are systematically impeded in their upwards mobility by the dominant population group through the mechanisms mentioned above. However, the willingness to take violent action depends on the greater political context (e.g. the degree of repression), social stratification, and finally, the resources of the protesting group.

The second explanatory model focuses not on current cost-benefit considerations, but on the psychological and historical dimensions of ethnonational conflicts.[11] According to this model, discrimination is the result of traditional stereotypes, prejudices or concepts of the enemy that reflect feelings of superiority and a certain self-centeredness or group narcissism within the relevant group. In this case, the processes of group formation are based on strict distinctions between the "we-group" and the "others", which in the case of ethnonational groups frequently involves friend-foe semantics that facilitate and promote *in-group bias* as well as external demarcation. Contradictory or negative elements of a group's own *ethno-history* are gener-

9 Kaldor, Mary, 2000: Neue und alte Kriege, Frankfurt: Suhrkamp, 70.

10 cf. Gurr, Minorities at Risk, 34-60.

11 See Volkan, Vamik D., 1991: Psychoanalytic Aspects of Ethnic Conflicts, in: Montville, Joseph (ed.), Conflict and Peacemaking in Multiethnic Societies, Lexington: Lexington Books, 81-92; Volkan, Vamik D., 1999: Das Versagen der Diplomatie. Zur Psychoanalyse nationaler, ethnischer und religiöser Konflikte, Gießen; Volkan, Vamik D., 1999: Blutsgrenzen. Die historischen Wurzeln und die psychologischen Mechanismen ethnischer Konflikte und ihre Bedeutung bei Friedensverhandlungen, Bern: Scherz; Druckman, Daniel, 1994: Nationalism, Patriotism, and Group Loyalty: A Social Psychological Perspective, in: Mershon International Studies Review, 38, 43-68.

ally externalized or projected onto others in order to maintain a positive self-image.[12] This propensity explains the "air of victimhood" that can frequently be observed in parties involved in ethnonational conflicts; a group's own responsibility for or involvement in offenses are denied, suppressed, trivialized or justified by pointing out the misdeeds of others. Many empirical examples for such behavior exist in conflicts such as Cyprus, Northern Ireland, Bosnia, or Kosovo, in which both sides typically see themselves as having been "victims" in the recent or more distant past. A supposedly glorious past or historical trauma are central in preserving and stabilizing a shared, positive identification. Sociological and psychological approaches thus underscore the historical and trans-generational continuity of group identities that have been shaped by earlier, generally conflict-laden, interactions with other groups.

The two explanatory models are not mutually exclusive, but merely accentuate different points. The first model focuses on the *interests* of the conflicting parties, while the second stresses their *identities*. Both dimensions are virtually inseparable in ethnonational conflicts, however: On one hand, interests are always related to deeply-rooted group identities, occurring within political, legal and social-economic structures that already bear an ethnic or cultural stamp. On the other hand, collective memories or experiences that have become integral to a group's identity require a specific context before they can attain current political relevance. While socio-psychological approaches can offer explanations as to why ethnic criteria can be especially "attractive" when asserting interests, rationalistic approaches can provide insights into the constellations of conflicts around power politics or money matters that typically mobilize elements of the group identity.[13]

The majority nation and minorities essentially pursue competing goals in ethnonational conflicts: on one hand, there is a nation-state's explicit or implicit claim that generally results in forms of discrimination – from subtle disadvantages to extreme forms of oppression – or at the very least the minorities' sense of exclusion and their response with the demand for self-rule. The situation is worsened considerably by separatist demands; as separatists ultimately strive to form a state of their own or join another state, the result is rivalry between two mutually exclusive versions of the nation-state.

This political confrontation overshadows and generally results in other lines of conflict. At their core, ethnonational conflicts thus revolve around the issue of the legitimate *political order*: Who is permitted to exercise of authority over whom, and to what degree? In this regard, ethnonational problems must be regarded primarily as political – and not economic or cultural – conflicts. A political solution designed to reconcile the conflicting claims of both sides, or at least regulate them within an orderly framework, is therefore of prime importance. Ultimately, a policy of reconciliation entails the recognition of difference, yet from a historical vantage point, this has tended to be the exception in the context of European state building processes until the early 1990s.

12 cf. Volkan, Psychoanalytic Aspects of Ethnic Conflicts, 81-83; Volkan, Das Versagen der Diplomatie, 50-59.

13 cf. Gurr, Minorities at Risk; Gurr, Why Minorities Rebel; Wimmer, Andreas, 1995: Interethnische Konflikte. Ein Beitrag zur Integration aktueller Forschungsansätze, *Kölner Zeitschrift für Soziologie und Sozialpsychologie*, 47, 3, 464-493.

Strategies in dealing with difference

A variety of strategies have been used in dealing with ethnonational groups or minorities – i.e., in dealing with difference – in state building processes. These can be grouped in three categories: (1) elimination strategies, (2) control strategies and (3) strategies to recognize difference. The objective of elimination strategies is to do away with differences within a state through a "homogenization" of the population and territory. The minority issue is deemed "resolved" when the groups no longer exist or have at the very least been reduced substantially. Essentially, three methods are applied to achieve that end: (a) genocide and ethnocide, (b) expulsion and forced resettlement, and (c) forced assimilation. In extreme cases, the three methods are applied simultaneously. Control strategies serve to systematically exclude certain groups from political and economic influence. The dominant demographic group is primarily interested in securing its position of power, not in eliminating or reducing cultural differences. On the contrary: cultural boundaries and their social connotations are essential for distinguishing between rulers and their subjects, and preserving those boundaries is virtually an instrument for maintaining power. A distinction can be made between three variants: coercive domination (e.g. apartheid in South Africa), cooptive rule (divide and conquer), and forms of limited self-rule for the non-dominant group.

The history of European state building is indeed marked by these strategies for dealing with ethnonational groups and minorities. Mixtures of expulsion, attempts at forced assimilation, and hegemonial control are typical in many cases. Experience has shown however that elimination and control do not guarantee lasting conflict resolution. Despite their high material and moral cost, they generally only lead to a temporary *authoritarian containment* and ultimately render the conflict chronic.

A constructive approach to conflicts must therefore be based on policies of recognition leading to a number of practical measures and institutional arrangements to ensure the political participation and self-determination of minorities and ethnonational groups. These can involve both forms of self-rule and shared rule. The right of the members of a group to develop, maintain, and practice their own cultural identity – to modify it as they see fit and pass it on to subsequent generations – is fundamental to a policy of recognition. While the members of the majority group or titular nation take that right for granted, members of minorities and ethnonational groups generally need special provisions to ensure that they can maintain their own cultural identity if they so desire – and for as long as they see fit. In principle, this can be ensured by the following four conflict settlement models.[14] The success of such models depends both upon favorable environmental factors and the institutional structure of the provisions made.

(a) Minority rights: Guarantees of specific rights for minorities are the most basic form of a policy of recognition. The legal underpinnings of such rights can be provided in a constitution, in special laws related to the minority, and/or in certain individual provisions (e.g. related to language and the media or education). They are thus special rights that go beyond the scope of traditional liberal basic freedoms.

14 cf. in detail Schneckener, Ulrich, 2002: Auswege aus dem Bürgerkrieg, Frankfurt: Suhrkamp.

These *group-related* rights pertain to both the individual and the collective, as they are exercised by individual persons while providing the legal foundation for the cultural and political organization of minorities. The advantages of such rights lie in the flexibility with which they permit responses to the specific ethnographic situation in the affected country and to the minorities' demands. The rights can be specified in detail and adjusted to suit the requirements of a variety of minorities. The corpus of minority rights, which in practice was developed mainly in the 1990s, encompasses rights related to equality, culture, political representation, and autonomy.

(b) Bilateral and multilateral regimes: The second model serves to regulate conflicts in bilateral constellations in which ethnonational groups have a *patron state*. The government of such a state regards itself as an advocate for the interests of the minority and takes appropriate action at the international or inter-state level. This situation requires a special regulatory mechanism that involves the minority's state of residence and the patron state to equal degrees. As Bosnia (Serbia/Croatia) and Cyprus (Turkey/Greece) have shown, a state of residence can be confronted with multiple patron states that need to be included in the solution, as was the case in the Dayton Peace Agreement (1995) for Bosnia. In some cases, this is realized by concluding bilateral agreements or treaties between the patron state and the state of residence to ensure the protection of minorities (e.g. the Aland Convention of 1921between Finland and Sweden, the Bonn-Copenhagen Declarations of 1955, the German-Polish Border Treaty of 1990, the Treaty of Friendship and Cooperation between Hungary and Slovakia in 1995 and the Treaty of Understanding, Cooperation and Good Neighborliness between Hungary and Romania in 1996). Other cases require joint conflict-resolution efforts over the longer term, with both states acting from a more or less equal footing to move the regional actors toward a peace agreement, the implementation of which is then also managed by both states. In some cases, the states negotiate as representatives of the parties to the conflict or work to create the basis for all-party talks (e.g. the Anglo-Irish peace process in Northern Ireland).

(c) Power sharing: The objective of this model is to divide political power between two or more ethnonational groups on the basis of formal or informal rules. *Power sharing* implies that the groups cooperate in the government of a polity (state or region) and therefore must reach mutual agreement on major decisions.[15] While Switzerland and Belgium are paradigmatic cases of power sharing, South Tyrol, Lebanon (since 1990), Bosnia (since 1995), Northern Ireland (since 1998) and Macedonia (since 2001) are also examples of power-sharing regimes. Power is shared through a variety of specific arrangements which can be based on formal legislation as well as on informal, unwritten agreements. The most important of these is the creation of a *power-sharing executive* in which all relevant groups are represented. Furthermore, all groups must

15 cf. Lijphart, Arend, 1977: Democracy in Plural Societies, New Haven; Lijphart, Arend, 1982: Consociation: The Model and its Applications, in: Rea, Desmond (ed.): Political Co-operation in Divided Societies, Dublin: Gill and Macmillan, 166-186; Schneckener, Ulrich, 2002: Making Power-Sharing Work: Lessons from Successes and Failures in Ethnic Conflict Regulation, in: Journal of Peace Research, 39, 2, 203-228.

be adequately represented in the most important offices and positions (*proportional representation*). This applies to government offices, the legislative branch and public administration as well as to the judicial system and the military. *Veto rights* that permit each group to block or postpone political decisions are another matter that is not without problems in practice. Each group should also exercise a certain degree of self-government with its own institutions and appropriate tasks (*group autonomy*). This shift of competencies can be realized according to the territorial or personality principle. Finally, forms of *dispute settlement* such as informal bodies, mediation committees with equal representation, arbitration committees and tribunals, ombudsmen, or petitions committees must be available.

(d) Territorial solutions: The primary objective of territorial solutions is to provide ethnonational groups the opportunity of extensive self-determination in political, economic, and cultural matters in their settlement area. The focus is therefore on dividing power between the capital and the regions to defuse a number of potentially contentious issues so that – unlike power-sharing arrangements – the need for cooperation between the majority and one or more minorities is reduced to a minimum and each group is autonomous in its decision-making within its own region. The basic precondition for this model is a relatively compact form of settlement of the minorities or groups resulting in local majorities. The decisive characteristic of territorial solutions is the coexistence of two governmental levels on which political decisions are made and implemented. On this basis, a distinction can be made between two basic types of territorial solutions: *territorial autonomy* and *federal structures*. The first case consists of special arrangements for a specific region (e.g. South Tyrol, Corsica). The second affects the territorial organization of the state as a whole; the state in its entirety is divided into regions or constituent states that either have different rights or the same rights.

Conclusion

The introduction of such regulatory models in the context of state building processes or subsequent political reform processes involves substantial preconditions and is subject to numerous difficulties, whereby proven solutions can be distinguished from less suitable ones on the basis of experience. At the same time, not every model is suitable for every constellation – for example, simply granting minority rights is not enough to solve a conflict in which a group has territorial self-rule claims. A further factor is that the difficulty of entry into conflict settlement varies: the thresholds for minority rights and bilateral regimes are considerably lower than for power sharing and territorial solutions. Firstly, the former two models offer the option of starting at a relatively low level and guaranteeing only a limited scope of minority rights. By contrast, the very first step toward power sharing and territorial solutions requires decisions regarding fundamental changes and innovations in the political system – i.e. at the constitutional level – that not only affect a single group, but society as a whole. Secondly, minority rights must be granted and bilateral agreements concluded more or less unilaterally by the central government(s). The first low-level steps toward conflict settlement can be taken as soon as the relevant government is ready for them. By contrast, power sharing regimes and territorial solutions (especially federal

systems) require the involvement of multiple actors and levels, as centralized power either does not exist in the traditional sense or is to be abolished in its existing form. The agreement and opinion-formation process is more difficult and complex in so far as, in extreme cases, it requires the approval of all ethnonational groups – be they the majority or minorities.

Such solutions often cannot be reached without including external actors, however, especially in tense conflict situations that may escalate violently or in which violence has already occurred. That applies especially in the cases of international intervention mentioned above, but it also holds true for measures designed to strengthen statehood being implemented under less dramatic circumstances. The political and institutional dimension is especially significant in peace-building and state building processes being promoted by external actors. However, this is not adequately reflected in the dominant paradigm of political and economic liberalization and the promotion of so-called civil society. The model of a liberal market democracy underlying such policies focuses on the promotion of individual freedoms and rights, making it ill-suited for the claims of ethnonational groups in that it attempts to negate them – which generally aggravates conflicts – or overcome them. The latter is hardly conceivable without forms of recognition, however. Nevertheless, the regulatory models described above are neither a cure-all nor a guarantee for the peaceful coexistence of majorities and minorities. They merely provide a perspective for the medium and long term, representing an entry into and means of promoting collective learning processes, institutionalizing negotiation processes and formulating the rules for an organized parallel existence that in time can evolve into coexistence.

MILAN HORÁČEK

The Conflict between the Right to National Self-Rule and the Territorial Integrity of States as Illustrated by Slovakia and the Czech Republic

I. The Czech Republic and Slovakia: a partly shared history – but separate paths

The Czech Republic and Slovakia not only have tight cultural and linguistic bonds, periods of shared history have left their mark despite different paths of development.

The Great Moravian Empire existed on the soil of today's Czech Republic and Slovakia from the 9th century onward. A number of kingdoms subsequently arose within its territory.

In 1867, the countries were united within the Austro-Hungarian Empire of the Habsburg monarchy. Despite this political unity, their administration remained separate over the centuries. The Czechs and Slovaks nevertheless share a formative experience: dominance by a foreign upper class (Germans in Bohemia and Moravia, Hungarians in Slovakia).

The resulting internal tensions led to the desire for greater self-determination in relation to the dominant elites in both states. After the Slovak's wish for autonomy vis-à-vis the Hungarians was rejected by the emperor, Slovak nationalists increasingly advocated a union with the Czechs and found support for their wishes among Czech nationalists. The chasm between Czechs and Germans was also widening at the time. After moves toward autonomy by the Czechs also failed, nationalism came to the fore.

The First World War brought little relief in this respect, but resulted in an intensification of the conflict between the rulers and their subjects. The Czechs Thomàš Masaryk and Edvard Beneš and the Slovak Milan Rastislav Štefánik worked to promote the Czechoslovak cause from their foreign exile. As both the Czech and Slovak movements of national renewal had by then spoken out in favor of a merger, they succeeded in winning international allies for their cause. In 1916, Masaryk became head of the Czechoslovak National Council. From that position, he worked to establish contacts to his homeland, where censorship, the suppression of gatherings, and arrests were the order of the day.

Following the end of the First World War and the conclusion of the Treaty of Versailles, the efforts of Masaryk, Beneš, and Štefánik were met with success: Czechoslovakia was founded in 1918, with Masaryk as its president and Beneš as foreign

minister. Štefánik was killed in a plane crash shortly after the state was founded. In the merger declaration of the Slovakian National Council, Thomàš Masaryk assured the Slovaks extensive autonomy – and it can be said that the circumstance already bore the seeds of the subsequent conflict over Slovakia's independence.

The newly-founded republic of Czechoslovakia can be deemed "artificial" in its geographic makeup, as it not only encompassed the territory of present-day Slovakia, Bohemia and Moravia, but also parts of Carpathian Ruthenia. Bohemia and Moravia had a significant German population of over 3 million, and many Hungarians and Roma lived in Slovakia, yet minority issues were inadequately addressed. In terms of absolute numbers, the German population of the joint state was greater than the population of Slovakia.

Overall, it must be noted that the wish for freedom from foreign rule and the solution of a joint state in mutual dependence was initially able to mask ethnic conflicts.

II. Slovakia's own path of delimitation from the Czechs

The relationship of the Czechs and Slovaks was dominated by the great self-assuredness of the Czechs, which was based on a number of factors. Not only did the Czechs occupy the larger area, they also had highly developed economic sectors that the almost completely agrarian Slovakia lacked. This was further underscored by the historical dimension: as the capital of Bohemia and Moravia, Prague had always been the favored city of the Habsburgs, and three emperors were interred there.

The potential for conflict inherent to the internal distribution of power also became apparent in the symbolic controversy over the name of the new federation: Czechoslovakia or Czecho-Slovakia.

In light of this mood, it is not surprising that nationalist Slovak movements soon took shape under the leadership of Joseph Tiso. These gained enormous influence thanks to National Socialism and Adolf Hitler's politics of division.

Czechoslovakia was broken up after the Munich Agreement of 1938, initially with the occupation of the Sudetenland, then with the establishment of the Protectorate of Bohemia and Moravia. Tiso became president of the Slovak Republic – a state established with Hitler's blessing, and the first formal Slovak state in history.

A brutal policy of occupation was implemented in the Protectorate of Bohemia and Moravia – and in Slovakia – that included the murder of the Jewish population, the Roma and Czechoslovak citizens.

Eduard Beneš fought for the restoration of the Czechoslovak state from London and in negotiations in Moscow. After the Second World War, the constituent states (the Czech and Slovak states, but without parts of Carpathian Ruthenia, which were annexed by the Soviet Union) were united as the Czechoslovak Republic in 1948. After the Communists seized power in 1948, internal developments were largely centralized despite initial attempts by Slovakia to attain limited autonomy.

The expulsion of around three million Sudeten Germans, the families of whom had for the most part had been living in the border regions for over 800 years, resulted in a major cultural, economic, and human void.

As in the period between the wars, efforts to create symmetry between the parts of the country once again did not prove successful. The Czechs remained equated

with the overall order of the state, and the Communist leadership promoted that centralization further. While two fully formed units with parliaments and governments existed officially, the division was not put into political practice. A federal structure was one of the legacies of the Prague Spring uprising that was put down on the 21st of August 1968 by an invasion of Warsaw Pact troops, but it did not have any significant effects.

In hindsight, however, this formal division was important in that it led to the development of a relatively distinct Slovak elite that would later come to advocate the idea of independent Slovak statehood.

III. The separation

Democratic forces prevailed in both parts of the country in the first free parliamentary elections in 1990. As one of its first tasks, the parliament faced the challenge of developing a new constitution. In the end, internal power struggles related to resource distribution between the center and the two constituent states prevented a successful conclusion of the consultations.

At the time, Slovakia was struggling with high unemployment and economic decline due to the waning importance of the defense and heavy industries established there during the Communist era, while the Czech economy became increasingly dynamic. The Czechs pursued the rapid implementation of economic reforms with increasing vigor while the Slovak side feared the social costs and thus spoke out against such modernization. Key economic indicators illustrate the situation: in late 1992, 10 percent of the Slovak population was unemployed, as compared to 2.5 percent for the Czechs, while the Czechs received 90 percent of all foreign investment in Czechoslovakia since 1990. The Czechs increasingly oriented their political and economic development toward Western Europe, while the Slovaks lagged behind in that respect.

Favored by all of these factors, the desire of the Slovak population for a split increased, while Czech resistance waned. In Slovakia, support grew for nationalist political powers under the leadership of Vladimir Mečiar (HZDS), who opposed the conservative free-market policies of Václav Klaus (ODS).

After the victories of these parties in their respective parts of the republic in the election of June 1992, a coalition proved impossible.

The conclusion was clear after only three rounds of negotiation: the election result meant the dissolution of the Czech and Slovak Federal Republic (ČSFR). Neither Vladimír Mečiar nor Václav Klaus had considered that option during their campaigns, yet the election resulted in significant majorities for both politicians and their parties in their respective republics, giving them the political leverage for their respective platforms. The only resistance at the highest political level came from President Václav Havel, who then stepped down due to a lack of majorities. Although the citizens of the two states did not want the split, it was soon seen as inevitable, and was even welcomed by parts of the Slovak population.

It is nevertheless not possible to say that the division reflected the unanimous will of the people.

The concrete division plan set the 1st of January 1993 as the day of dissolution of the ČSFR. The parties agreed to divide the state's assets 2:1 in favor of the Czechs

(in line with the population figures of ten million Czechs to five million Slovaks) and that all state-owned real estate would remain the property of the respective republic. Special agreements were concluded about a long-range gas pipeline from Russia, the diplomatic corps, and the armed forces. Agreeing on a new border line also was not an issue, as history had already provided a clear geographic line of separation. Agreement was reached on the non-militarized status of the border – the free movement of persons between the two states was assured.

IV. The international environment

In the climate of re-nationalization of European politics after the fall of the Iron Curtain, it may not seem surprising that a state consisting of two ethnic groups would be dissolved in favor of two independent units based on national identities.

The international climate favored the swift, peaceful separation of the two states. In the early 1990s, a spirit of optimism existed throughout Europe that manifested itself as broad approval of the European Union. The perspective of association and membership for the two countries should also not be forgotten when considering external influences on the event. None of the powerful neighbor states were interested in maximizing their influence in the region or intervening destructively, and the separation thus proceeded smoothly and without major international conflicts.

While the influence of the European Community/European Union was important in ensuring a peaceful environment for the separation in the years 1992 and 1993, the EU also provided a suitable setting for the countries' voluntary reunification within the Union.

WALTER KAUFMANN

The Conflict between the Right to National Self-Rule and the Territorial Integrity of States as Illustrated by Georgia and Abkhazia

Writing a short text about an unresolved conflict is risky: the need for brevity does not allow profound historical analysis or a portrayal of the current conflict situation that adequately takes all perspectives into account. I therefore would like to emphasize the incomplete nature of the following account, which focuses on exploring aspects of this secession conflict associated with the terms "nation building" and "state building."

I. Origin and development

Two factors are of central importance when seeking historical explanations for the three violent secession conflicts that took place in the South Caucasus during and after the breakup of the Soviet Union:

The first is the Caucasus' unusually complex hodge-podge of ethnic and religious diversity, the superimposition of external claims to power, the region's contradictory historical backgrounds, and its rich history of violent confrontation. In this region, in whose plains and valleys the Persian, Ottoman, and Russian empires exercised their feudal claims to power militarily and the local peoples either joined in enthusiastically or retreated to inaccessible high ground out of self-preservation, not a single town exists that does not have at least two claimants to historical rights.

The second factor is the difficult legacy of Soviet nationality policy. The Bolsheviks used a successful mixture of force and ethnicization in their efforts to restore the Russian Empire, which had collapsed after the October Revolution. Sovietization consisted of not only conquest by the Red Army, but also the promotion of so-called "national self-determination," in which ethnic groups were allocated territories on which to build socialist societies with their own linguistic and ethnic flavors. Joseph Stalin's axiom by which nations are defined by the commonality of language and territory has retained great power: the obsession with territory as the most important focus of national self-determination[1] still shapes the politics of the Caucasus region today. Ethnically-defined territories were assigned a status in the hierarchical system of the Soviet state, from autonomous districts at the lowest level to autonomous regions and finally to the Soviet republic, which together with the fourteen other Soviet republics

1 Fuller, Elizabeth 1995: Ethnische Minderheiten in den transkaukasischen Staaten, in: Halbach, Uwe/Kappeler, Andreas (ed.): Krisenherd Kaukasus, Baden-Baden, 193.

made up the "unbreakable union of free republics" (anthem of the Soviet Union). It was therefore no coincidence that violent conflicts flared up in the South Caucasus – a traditionally tense region in which various levels of Soviet proto-statehood stood in conflict with one another – during the collapse of the Soviet Union.

Back to the first factor, the hodge-podge: Georgia and Abkhazia is a mountainous coastal region that until the late 19th century was populated by a Christian and pagan Abkhazian majority, with a small Moslem minority from the time of Ottoman rule. Its coast had however also been populated by Georgians, Greeks, Turks, and other ethnic groups for centuries. The Abkhazians are ethnically and linguistically related to the North Caucasian peoples; their language has no connection to the Georgian language group. While Abkhazian princes ruled large parts of Georgia for extended periods, Abkhazia also spent considerable time under the control of a Georgian dynasty. The medieval state of Georgia, which existed from the 11th to the 13th century and represents the longest period of Georgian sovereignty and unity, was partly governed by Abkhazian princes. However, this state was defined in dynastic and religious terms, certainly not along ethnic lines. From the 15th to the 18th century – a period in which Georgia and the region as a whole was divided under the alternating rule of the Ottomans, Persians and Russians – Abkhazia was not described as a part of Georgia in a wide variety of sources. It was finally the Russian Empire that reunited Georgia and Abkhazia in three stages – the annexation of Georgia in 1801, the conquest of Abkhazia from the Ottomans in 1810, and the expulsion of large parts of the Abkhazian population into the Ottoman Empire after the Russian victory against the Caucasian mountain peoples in 1864.

Abkhazian historians and politicians therefore speak of the "Russian-Georgian pincers" that threaten the survival of their people and against which only an independent state can provide protection. They therefore see the current phase of Russian-Georgian confrontation as an exception to the rule and an opportunity for independence that must be seized before a Russian-Georgian agreement once again closes the pincers.

The second factor – Soviet nationality policy – had the following effects from the Georgian-Abkhazian vantage point: in short, two equal Soviet republics were established after the Red Army's occupation of Georgia and Abkhazia in March 1921. In 1922, Abkhazia was associated with Georgia as a "contractual republic" yet it retained its status as a Soviet republic. In 1931, Stalin changed Abkhazia's status to that of an autonomous republic within the Georgian SSR – a status that it retained until 1991 and which still corresponds to the status that the Georgian side formally grants Abkhazia today. At the same time, the allocation of certain "national privileges" during the distribution of posts to the elite of the Abkhazian titular nation (First Secretary of the Communist Party, First Secretary of the Supreme Soviet, etc.) was accompanied by a conscious "Georgification" or "Russification": the extensive, often forced resettlement of Georgians who were needed for the development of agriculture, tourism, and industry from other parts of the republic led to a massive demographic shift to the disadvantage of the Abkhazians between 1930 and 1950. Ethnicization also played a role in ethnically mixed regions like Abkhazia, where residents had to choose a "nation" which was then entered in their passports. Abkhaz school instruction was abolished under Stalin and the long-standing Georgian communist party chief Beria and replaced by Georgian instruction. The Abkhaz language did not return to schools after Stalin's death and

the repeal of its abolition, but rather was replaced by the Russian language. Russian became the language of the non-Georgian majority and the lingua franca of Abkhazia that promised education and career opportunities beyond the narrow confines of Georgia's borders for Abkhazians, Armenians, Russians, Greeks, and others.

Georgians also perceived Soviet nationality policy as discriminatory. By the 1930s at the latest, they represented the largest ethnic group in Abkhazia, yet they were not allowed to hold the highest offices or have representation in the Supreme Soviet commensurate to their share of the population. They viewed the Abkhazian and South Ossetian minorities as a thorn in Georgia's side with which the Kremlin intended to keep Georgians' aspirations for independence or autonomy in check.

The pent-up pressure in the Soviet Union was slowly vented by Gorbachev's perestroika, leaving two hostile nation building and state building projects in its wake in the late 1980s.

The Georgian independence movement under the country's subsequent first president, Zviad Gamsakhurdia, fought the central government in Moscow to establish a unitary state that would at last belong to the Georgian people ("Georgia for the Georgians"), a nation that had managed to maintain its distinctive language and culture through centuries of foreign rule. In addition to the short-lived Georgian republic from 1918 to 1921, the medieval Georgia of Queen Tamar in the 12th century served as a point of reference for Georgia's historical greatness. The movement wanted to put a stop to "Moscow's fifth columns" in South Ossetia and Abkhazia, admonishing them not to misuse Georgia's "hospitality."

In Abkhazia, where ethnic Abkhazians only made up 17 percent of the population according to the last Soviet census from 1989 (as opposed to 43 percent Georgians, 20 percent Armenians, 15 percent Russians, and others)[2], a movement opposing the central government in Tbilisi arose that sought support in distant Moscow. It saw itself threatened with extinction in an independent Georgia with a nationalist government and demanded the same degree of independence from Georgia that Georgians expected from Russia. The multiethnic, non-Georgian population majority supported the continued existence of the Soviet Union out of fear of the Georgian independence movement, a move that was seen as a vile betrayal by the Georgian side. In addition, Abkhazian nationalists formulated a much more ambitious project to save and restore the Abkhazian nation through sovereignty and the promotion of all things Abkhazian.

The two movements clashed violently for the first time in the summer of 1989 over the university in Sukhumi, a site with great symbolic value. Georgians demanded that the State University of Abkhazia – which is run by an Abkhazian rector, with instruction mainly in Russian – be divided into an Abkhazian and a Georgian university according to ethnic criteria, with at least half of its budget put under Georgian control. Incensed Abkhazians demonstrated against that plan, prompting violent clashes that resulted in several deaths. The conflict escalated steadily in the following years, with representation in the Abkhazian parliament and the use of the Georgian, Russian, or Abkhaz language as the most important issues.

2 Itogi Vsesojuznoj perepisi naselenija 1989 goda. Tom VII. Nacional'nyj sostav naselenija. Tschast' 5 [Results of the all-union census in the year Vol. VII., nationality structure of the population. Part 5] Minneapolis, Moscow 1993.

In August 1992, regular units of the Georgian army and paramilitary groups entered Abkhazia with the official mission of "restoring the constitutional order and protecting traffic routes." The incursion was the work of Georgian warlords whose independent action was legitimized after the fact by President Eduard Shevardnadze, who had only been in power for six months after the fall of Gamsakhurdia. Sukhumi was occupied after two days. The able-bodied male population of Abkhazia were killed or expelled northward and rampant plundering and atrocities were the order of the day. On the second day of the Georgian occupation of Sukhumi, the Abkhazian national archive was torched and burned to the ground – an act that the Abkhazians regarded as proof of a war of extermination against their nation.

Initially, the Georgians were backed by Russia with arms deliveries and declarations of support. Naturally, the Abkhazians had also obtained many of their weapons from units of the Red Army in the southern and northern Caucasus, and within weeks the Russian troops stationed in Abkhazia joined the Abkhazian side. With their help, and above all thanks to support by volunteers from republics in the northern Caucasus, the Abkhazians managed to beat back the Georgians from the North and conquered Sukhumi in September 1993. Over 200,000 Georgians fled, many under dramatic circumstances. Most of the remaining Georgians, with the exception of those who fought on the Abkhazian side, were expelled. Several months later, a cease-fire agreement was reached in Moscow that is still being monitored by Russian peace-keepers with a CIS mandate. An unarmed UN observer mission under the direction of a special envoy of the UN Secretary General is also present.

The aftermath of the war: over 10,000 dead, among them approximately 4,000 Abkhazians, or nearly one victim for every family. Only around one-third of the prewar population of approximately 600,000 remains; many Abkhazians, Russians, Greeks, and Armenians fled in addition to the Georgians. Abkhazia was subjected to a complete trade embargo and blockade for many years until the easing of sanctions by Russia in 1999. Extensive refugee camps were set up in Georgia, some which have not been completely dissolved even after fourteen years.

Abkhazia's de facto statehood has stabilized since 1996 despite the blockade: institutions have been set up and several parliamentary and presidential elections have been held, as well as a referendum on independence in 1999. This referendum was held after an agreement pertaining to a Georgian-Abkhazian confederation negotiated in the previous years had been rejected several times by the Georgian side. Around 50,000 Georgians from the Gali region in southern Abkhazia have also returned home without official authorization by the Georgian or the Abkhazian side and now live in a precarious overall situation. Abkhazian dependence on Russia has increased steadily: After the easing of the blockade in 1999, Russia offered to replace Abkhazian's expired Soviet passports with Russian ones in 2000. Around 90 percent of the population has taken advantage of the opportunity to obtain internationally-recognized travel documents – with the consequence that Russia now considers itself responsible for the fate of its "citizens" living abroad.

II. Present positions

The Georgian side presently interprets the conflict over Abkhazia as one that has been provoked by Russia, an external aggression that is being maintained to sustain

Russia's influence on Georgian policy and prevent Georgia's integration in the Euro-Atlantic community. This interpretation is naturally related to Georgia's desire to join NATO – a wish that Russia firmly rejects. Indeed, the differences between Georgia and Russia in this issue have a direct effect on the Abkhazia conflict – as last seen in the run-up to the NATO summit in Bucharest in April 2008, in which the alliance initially decided against letting Georgia join NATO's Membership Action Plan.

Without the restoration of territorial integrity, the process of attaining independence and consolidating its own state will remain incomplete in Georgia's view.

Georgia sees itself as a victim and – with the exception of a number of "political errors" – does not accept any fundamental responsibility for the military escalation of the conflict, which it deems as merely an operation to restore constitutional order on its own soil. While the Georgian government emphasizes that it intends to reach its goals by peaceful means, those goals amount to nothing less than the complete reversal of the results of the war and the return to the status quo ante of 1991: the full and unconditional return of all refugees and the re-integration of Abkhazia as an autonomous republic within the Georgian unitary state. The Abkhazian conflict party is generally denied any claim to independence – Georgia either emphasizes that there would be no problems between Abkhazians and Georgians without Russia, or cites relevant historical theories related to the "northern Caucasian Abkhazian minority" to deny the Abkhazians any right to statehood on Georgian territory.

The Abkhazian side, on the other hand, not only wants to secure the outcome of the "Patriotic War" of 1992 to 1993, it also sees independence as the only guarantee for the preservation of the Abkhazian ethnos and the restoration of an Abkhazian nation. For them, the status quo ante predates the Soviet Union – a time when Abkhazians still made up around half the population. They envisage Abkhazia as a multiethnic state, but with Abkhaz clearly privileged as the state language. They not only refuse to accept a complete return of Georgian refugees, they also want to see even a partial return paralleled by a repatriation of the Abkhazian diaspora in Turkey, descendents of Abkhazians displaced by Russia in the 19th century.

The Abkhazians emphasize that they fulfill significantly more preconditions for statehood than, for example, Kosovo: long periods of statehood in history, a democratic de facto state founded without international support, a wish for independence shared by an overwhelming majority of the present population, and the demonstrable impossibility of living within a Georgian state as a result of oppression and war.

Abkhazians see Russia as their sole, and thus essential, strategic ally without whose military, political, and economic support they would be helpless in the face of Georgian aggression. At the same time, they never fail to emphasize to Westerners that the West is virtually driving Abkhazia into Russia's arms with its one-sided support for Georgia. Abkhazians are very interested in the alternative of integration geared toward the Black Sea and EU – without the precondition of an association with Georgia, however.

Indeed, the United Nations has clearly positioned itself on the side of the Georgians with the votes of all NATO and EU countries and Russia in one of the conflict's core issues by calling for a political solution that respects the territorial integrity of Georgia. While Russia supports Abkhazia politically and militarily, no one considers Russian recognition of Abkhazia's independence to be conceivable. Statements to that effect by Vladimir Putin and votes on the topic in the Duma can be seen as little more than

muscle-flexing in connection with the Kosovo controversy and the possible NATO membership of Georgia, both of which are sources of frustration for Russia.

However, the chasm between the political and social reality in Georgian-Abkhazian relations on one hand and the declared political solution to the conflict respecting Georgia's territorial integrity on the other has become wider in recent years. Georgia's military buildup, aggressive, revanchist rhetoric, and occasional military actions along the cease-fire line have virtually eliminated a gradual and peaceful rapprochement with Georgia as a viable option for the non-Georgian population of Abkhazia. Conversely, Russia's direct siding with and support for the Abkhazians and their uncompromising insistence on independence has not been conducive to changing the Georgian course toward a policy of détente and mutual understanding. The Georgians are hoping that massive Western pressure in support of Georgia as a future NATO member will displace the Russians from Abkhazia, thus making it possible to force the Abkhazians to their knees.

III. Proposals for international policy

To strengthen the poor option of a peaceful re-integration of Georgia and Abkhazia as a single state or at least permit the peaceful reconciliation between two states bound in their respective integration contexts, international efforts should use the following orientation: The Georgian-Abkhazian case is not one, but two competing nation building projects. Both projects must first be recognized and respected in order to attempt to make them receptive to comprehensive modernization. The Abkhazia conflict is therefore not simply the Georgian state's problem with a minority, but the task of making the projects of two autochthonous peoples of very different size compatible.

It also consists of two state building projects: the Georgian – which is internationally recognized and supported – and the separatist Abkhazian, which is flawed by the lack of recognition under international law. Talk of "uncontrolled separatist territories" is nevertheless misleading: Abkhazia has had a working, de facto government for over ten years, competitive elections are held there and the first signs of a civil society have appeared. To avoid provoking further violent resistance, a solution to the conflict must be found together with that government and society. However, engaging the de facto authorities does not automatically imply the international recognition of independence. The Western policy of détente, for example, always took the de facto status of East Germany into account without ever recognizing it.

Negotiations covering a broader scope than immediate conflict management cannot be established without a clear and verifiable renunciation of force secured by international guarantees and mixed military contingents of allies from both sides.

In a conflict in which demography is at the heart of the differences, the return of refugees cannot be a precondition, but must be the subject of negotiation. It is therefore urgently necessary from humanitarian and peace policy perspectives to develop alternatives to the return of refugees.

The contradiction between territorial integrity and national self-rule in conflicts of secession can only be reduced in the long term if significant integration options reduce the importance of the object of conflict. Western offers of integration to Georgia (NATO, European neighborhood policy) should therefore be formulated in a manner that also offers attractive perspectives for Abkhazia in the long term.

BENOÎT LECHAT AND GENEVIÈVE WARLAND

Ethnonationalism in Belgium: the Origins, History and Risks of the Belgian Compromise

Conceptual issues: ethnonationalism, subnationalism, regionalism

The concept of "ethnonationalism" is rarely used in Belgian political science, sociology, and history circles to describe the polyethnic and multilingual situation of Belgium. The theoretical model of the nationalism scholar Anthony D. Smith, who coined the term and illustrated the continuity between ethnicity prior to the modern era and nationalism in modern state building, is rarely cited. There are two reasons for this: Firstly, sociologists favor other models and tend to apply other categories. Subnationalism (especially on the Flemish side) and regionalism (especially on the francophone side) are the concepts used to describe the development of Flanders and Wallonia as political, cultural, and economic entities. Unlike ethnonationalism as defined by Smith, they have the advantage of reminding us that Flemish and Walloon nationalism are indeed a by-product of Belgian state building. Their use also enables avoiding references to the concept of *ethnos* and its often violently-charged manifestations.

Secondly, unlike Smith's concept of ethnicity, nationalist thinking in Belgium is still applied in the context of opposition between ethnic and political nations. On one hand, the objective criteria of language, culture, and history are applied: anyone born as a Fleming or a Walloon is a member of the respective nation. This association by birth unfolds in the demands for minority rights, especially with regard to those that guarantee protection of language and culture. On the other hand, the nation can be defined in civic or political terms, with a focus on the political rights granted to individuals, not to groups. The relationship between the state and individual thus does not take place at the ethnic or group level. Reference to history and territory is also made in defining identity, but it is secondary in comparison to the political definition of citizenship.

This results in differing strategies of political discourse: while French-speaking researchers highlight the ethnonationalism of the Flemish, their Flemish counterparts attempt to show that the supposed renunciation of a national character in Wallonia is a false perception. They underscore the parallelisms in the development of national identities in Flanders and Wallonia. A similar search for national symbols (flags, holidays, anthems), historical research to explore the past within this limited context, and granting of minority rights to the respective Flemish and Walloon cultural communities characterize this process. By contrast, the depiction by francophone scholars emphasizes the advantages of the civic nationalism prevalent in Wallonia, which they describe as more open and tolerant than Flemish nationalism.

With respect to the discomfort of scholars with the term "ethnonationalism", the Belgian state does not recognize the Flemish and Walloons as linguistic minorities. Belgium therefore never ratified the Framework Convention for the Protection of National Minorities (1995) of the Council of Europe in Strasbourg.

The origin of a European nation

In 1830, the southern Netherlands became independent as the result of Unionism, an alliance against an enlightened, Protestant monarch. It was a union of contradictions – modernity and tradition. Today, many Belgians believe that the term refers to the union of the Flemish and Walloons. However, the two groups had not yet been established as political identities in 1830. In fact, it designates the initial alliance between the Catholics and Liberals. The establishment of a "living apart together" relationship characterized the basic political model of Belgian history for 175 years. It encompassed the ideological segmentation of Belgium between Catholics, Liberals, and Socialists from 1880 onward that divided Belgian society into so-called pillars, each with its own schools, unions, health insurers, and other social structures. This pillarization became overlapped by language issues in the course of the 20th century.

Languages and the formation of a modern nation-state

The establishment of the state of Belgium in 1830 corresponded to the usual model of other nation-states. The founders of the state intended to strengthen the national character through culture, history, and language. The new constitution formally guaranteed freedom of language. However, the election system restricted the right to vote to the taxpaying bourgeoisie, whose rule remained virtually intact throughout the century. The bourgeoisie was mainly French-speaking. Dutch and Flemish dialects were spoken by the majority of the population that did not have the right to vote at the time. The ratio of 60 percent Flemish to 40 percent francophones (the language group to whom the Walloons belong) at that time has remained more or less stable until now.

Dutch was at one time the language of the territory's occupiers (1815-1830). The bourgeoisie therefore sought to distance itself from this experience; moreover, the French language symbolized freedom at that time. For the Flemish middle class, it also represented a means of upward mobility. Belgium's ruling classes therefore were counting on a gradual assimilation of the Flemish through social mobility and by learning French.

The awakening of Flemish awareness

Demands for the equality of languages became louder in the mid-19th century. Intellectuals were interested in Flemish literature and culture; Catholic institutions also remained close to their social strata and demanded elementary school instruction in Flemish. At the end of the 19th century, the francophone rulers saw themselves forced to grant the Flemish language a role in legal and state matters. In 1886, the first Flemish speech was held in the Belgian parliament. In 1895, law gazettes were published in Flemish. In 1898, the law establishing the equal status of the national

languages was put to a vote. With the introduction of universal suffrage (1919), the Flemish movement widened its focus from a cultural to a social movement opposing the francophone bourgeoisie and the ruling elite.

The dynamics of the language conflict

The majority of the francophone population viewed these developments with increasing trepidation. In particular, French-speaking officials were very concerned, fearing for their favored position within the Belgian state administration. Learning Flemish did not strike them as an appropriate course of action. Social and cultural motivations – including a belief in the superiority of the French language, which was used internationally, unlike Flemish – explain their attitude. The resulting arrogance of the francophones thus became a source of of ressentiment and a target of Flemish social and cultural revanchism. These motivations remained the driving force behind the Flemish movement up to the present. They also received political nourishment: the Catholic Church, for example, supported the Flemish movement from the late 19th century and well into the 20th century in order to contain the influence of the socialists on the working class.

A Walloon movement arose as a reaction to Flemish self-assertion. In 1905, Jules Destrée, one of its best-known spokesmen, told the king: "Sire, there are no Belgians." Even before World War I, the Walloon movement was calling for the division of Belgium at the administrative level. The industrial regions of Wallonia were strongly influenced by the workers' movement since the general strike of 1886. Today's Walloon region has its origins in the drive toward autonomy, independently of any cultural demands for the founding of a state.

The 19th century was characterized by the conflict between French as the politically dominant and Flemish as the most prevalent language. However, it is possible to demonstrate analytically that that conflict did not take on "ethnic" characteristics until the 20th century on the basis of the gradual establishment of monolingual regions (the communities) and areas with partial political and economic autonomy (the regions). The Flemish and francophones (i.e. the Walloons and francophone residents of Brussels) are now in state of antagonism. The German minority in eastern Belgium must also be mentioned here as a third language group.

Establishment of the language border and linguistic territoriality principle

A language border was drawn through the country during the first half of the 20th century. In 1930, Ghent University became Flemish-speaking. The first bilingual government statement was issued in 1931. In 1932, a vote was held on the principle of monolinguality in local administrations; communities with a language minority amounting to at least 30 percent of the population remained bilingual. The bilinguality requirement for the central administration was also lifted. This was a major victory for the Walloon movement, which refused to approve the establishment of a bilingual Flanders out of fear that bilinguality could be extended to Wallonia. In 1962, the language border was finalized. From the Flemish point of view, it represented a "wall" against the spread of French. In a number of communities along the

language border, certain facilities or legal benefits were granted to members of the opposite language group, however. The interpretation of the nature of such facilities – as provisional or permanent – remains a point of contention between the Flemish and francophone communities. This reflects the tension between the principle of linguistic homogeneity of the Flemish and the principle of freedom – a lack of ties between public use of language and territory – of the francophones. The Flemish fear the so-called "oil patch," i.e. the spread of the francophone presence, especially around Brussels. The idea of a dichotomy between linguistic freedom (francophone Belgium) and the mandatory use of language (as represented by Flanders) has become untenable, however. In actual fact, both parts of the country – Flanders and Wallonia – are monolingual. The difference is a matter of degree: while Flanders insists on the mastery of Dutch,[1] Wallonia is more liberal in that respect. In Flanders, for example, a command of Dutch is legally required of immigrants as a precondition for naturalization.

Inversion of the economic situation in Flanders and Wallonia

In addition to the political and cultural dimensions, the increasing alienation between the Flemish and Walloons has a socioeconomic background. The situation was aggravated by the structural transformation of the economy. After World War II, the coal and steel industries in Wallonia fell into deep crisis, while Flanders proceeded to develop promising sectors such as the computer, chemical and petrochemical industries, and the service sector. In light of this increasing economic power, the growing Flemish elite demanded recognition at the national level. Nevertheless, 90 percent of all senior civil servants were still francophone in 1963.

Party confederalism and a divided society

Nationwide Belgian parties have not existed since 1978. The three traditional political parties (the Christian Democrats, the Liberals, and the Socialists) did not remain unaffected by the conflict outlined above and split in the late 1960s and early 1970s. Demands for economic autonomy and political federalism were raised by the newly-established regional parties, *Volksunie* in Flanders, *Rassemblement Wallon* in Wallonia, and *Front Démocratique Francophone* in Brussels.

Today, Christian Democratic, Liberal, Socialist and Green parties that are organizationally and programmatically completely independent from one another are established in Flanders and Wallonia. "Party confederalism is thus a catalyst of the Belgian nationality conflict, as it can pay off electorally for the parties to represent one-sided regional interests – after all, the voters of the other region have no way of sanctioning such regional egoisms." (Hecking, 2003). Such a system encourages politicians of the different regions to drift apart. It also strengthens centrifugal tendencies in public life in Belgium. As the francophone and Flemish elites grow up in segregated cultural environments, reaching consensus about the basic options of

1 In the 1960s, Flemish was brought into line with Dutch and taught as *Algemeen beschaafd Nederlands*. A language union has been in existence since 1980 in order to maintain and promote the renamed *Algemeen Nederlands*.

the state leadership at the federal level is becoming increasingly difficult. A generation of "post-Belgian" politicians that is no longer convinced of the added value of Belgium is currently on the rise.

On the level of society as a whole, the consequence of the federalization of Belgium has been a tendency toward dissolution. If social communication is the core of nation building, as the political scientist K. W. Deutsch asserts, one should note that Belgium consists of two societies that are drifting apart and whose points of contact are dwindling steadily. Ethnoregional identities are being strengthened – and this has a profound influence on how ethnic groups perceive themselves and are perceived by others.

Belgium as a federal state

Since 1970, five state reforms (1970, 1981, 1988-89, 1992-93, 2003) have attempted to reconcile four contradictory demands: 1. the Flemish call for linguistic and cultural autonomy; 2. Walloon demands for greater regional economic might; 3. the wish of the inhabitants of Brussels to form their own region; and 4. the desire to preserve Belgian unity.

While the first three demands relate to the right of self-determination, the fourth intends to preserve the structure of the federal government. A brief outline of the reforms illustrates how the principle of balance between self-rule and shared-rule that characterizes the politics of states with minorities is marked by increasing difficulties. To prevent minority rights from being violated, a range of judicial instruments was developed to counter all forms of overreach. For example, the Flemish and francophones are represented equally rather than proportionally in the federal government. The parity principle is also used in the Supreme Court which verifies the constitutionality of laws and decrees. A further form of political protection is the "alarm bell" mechanism that blocks controversial bills and places decisions in the hands of the federal government, which has an equal number of Flemish and francophone members.

In 1970, Belgium was divided twice at the subnational level: into regions and communities. The former are responsible for economic, the latter for cultural matters. This dual structure reflects the Belgian compromise that serves as the cornerstone of political negotiation: while the establishment of communities arose primarily from Flemish demands, the regions are the result of Walloon efforts. While the Flemish joined their community and region in a single council from the outset, the francophones maintained the separation of community and region due to the allocation of the German community to Wallonia and the francophone majority in the Brussels region. This is not only the source of asymmetry between Flanders on one hand and Wallonia and the francophone community on the other, but also results in significant costs (more so in the francophone region than in Flanders). For example, five parliaments exist at the subnational level: the councils of the Flemish, French and German-speaking communities, as well as those of the Brussels and Wallonia regions.

With the 1992-93 St. Michael's Agreement, the structural division into communities and regions was enshrined in the constitution. Belgium is thus no longer a unitary state, but a federal state in which national and subnational institutions have equal rights. The member-state communities and regions (whose parliaments are

elected directly) exercise their respective areas of responsibility autonomously. Since then, around 40 percent of the national budget has been managed at the subnational level.

The principle that federal law automatically overrides state law does not apply in Belgium. Since a reform in 1993, however, both the federal state and the constituent states are bound to uphold federal loyalty, i.e. to take opposing political interests into consideration when exercising their competencies. The presence of the constituent states in the Senate with 21 representatives illustrates a further integration of the two levels. Constitutionally, the constituent states are thus solidly anchored at the national level.

The state reform of 2003 dictated an increase in federal financial support for the constituent states, as well as an even greater degree of autonomy in tax matters and further-reaching competencies for the constituent states. In summary, the competencies of the federal government are now restricted to foreign and defense policy, justice, economics to a limited degree (framework decisions in matters such as price and communications regulation), environmental and transport policy, most taxation, the national debt, and the social insurance system.

The Belgian federal state: a complex, tense and fragile entity

The five state reforms delineated above contributed to greater political stability of Belgian governments over the course of the 1980s and 1990s as can be seen in their average longevity. Many problems were solved simply by transferring competencies – for example those related to industrial policy or education – to the constituent states. Each side was thus able to govern its own region and community. The Flemish, for example, no longer had reason to criticize state subsidies for the beleaguered Walloon steel industry, as the Walloons alone were able to determine how the financial resources allocated to them would be spent.

The institutional solution of transferring competencies has essentially deepened the division of Belgium, however. Regional and federal elections from the early 1990s onward have shown that the political landscape in Flanders is drifting increasingly to the right. With *Vlaams Belang*, Flanders has one of the most powerful extreme right-wing parties in Europe (receiving nearly 20 percent of the vote in 2007), while the Walloon political landscape is dominated by the left, despite recent losses by the Socialists. The increasing popularity of populist and nationalist parties in Flanders can be explained by factors such as fear for the future of Flemish prosperity in a globalized economy. As in other parts of Europe, a "chauvinism of prosperity" – a subject explored by Jürgen Habermas – is taking hold in Flanders. This may be one of the main reasons behind Flemish demands for the transfer of further competencies and increased tax autonomy. "Better Management" is the official motto of Flanders, which is aiming to join the top five wealthiest regions in Europe. There is also no denying that the economic modernization of Wallonia is not progressing as fast as it could. The corruption scandal in the Walloon socialist party has damaged both the effectiveness of measures to restructure the Walloon economy and the reputation of the Walloons in the eyes of the Flemish.

The francophone population has so far been able to prevent the division of the social insurance system demanded by the Flemish. Such a measure would be regarded

as a "breach of solidarity" in the welfare state established after the Second World War. It has been calculated that an average of 25 percent of the costs of public and social services in Wallonia and Brussels are financed by transfers from the Flemish region. The defensive posture of the francophones is therefore often condemned as "consumer federalism" by the Flemish parties.

A variety of factors have a divisive effect, such as the non-hierarchical structure between laws at the federal level and directives at the regional and community level, the division of members of the federal parliament into language groups and the lack of a federal constituency. As each party represents the interests of its own community at the federal level, there is a risk that problems will be blamed on representatives of the other constituent state. The Flemish and francophone media also contribute to the widening gulf between the regions. Despite journalist exchanges across the language border and other attempts to counter this tendency in recent years, virtually no nationwide Belgian media remain today. A subliminal national awareness – which not only surfaces for soccer championships or tennis tournaments – exists nevertheless. It comes to the fore in national dramas such as the death of King Baldwin in 1993 or the White March commemorating the children murdered by Marc Dutroux in 1996 – an occasion for which hundreds of thousands of Belgians took to the streets – and in a 20,000-strong demonstration for the unity of Belgium in late 2007 in the midst of the government crisis.

Areas of tension and the five resolutions of the Flemish parliament

Many topics – such as labor policy, the judicial system and asylum policy – are sources of tension between the language groups within the Belgian federal government. The pressure has increased since 1999, the year in which nearly all parties of the Flemish parliament agreed on five resolutions. These call for the transfer of competencies in the fields of labor policy, the health system, mobility, and tax autonomy. The resolutions represent the joint program of the Flemish parties and movement. However, the francophone parties regard the demands as too far-reaching, representing a step toward the division of the country in their opinion. The francophone parties thus refuse all reforms that could affect interindividual solidarity between Belgians. This francophone attitude is causing growing nervousness among the Flemish parties: for the first time in Belgian history, the Flemish are the only ones calling for new state reforms. In the parliamentary elections on June 10, 2007, the implementation of the five resolutions of the Flemish parliament was adopted in the platforms of nearly all Flemish parties, and especially in that of the current Prime Minister, Yves Leterme. With 800,000 votes (from among a Flemish population of roughly 6 million), Leterme was the big winner of the June 2007 elections.

He nevertheless had to wait until March 26, 2008, before King Albert II named him the Prime Minister of Belgium. The political crisis that prevented the formation of the government was due to resistance by the francophone parties against any further transfers of competencies as intended by the Flemish parties. However, all francophone parties – including the Greens, who were in opposition – ultimately accepted a number of reforms and minor transfers of competencies, such as authority over speed limits (with the exception of those on the motorways, which remain a federal matter).

Points of conflict remain nevertheless. In addition to transfers of competencies and increased tax autonomy, the Flemish parties call for the abolition of the Brussels-Hal-Vilvoorde parliamentary constituency, in which the francophone residents of the province of Flemish Brabant still have the right to vote for francophone parties. From the Flemish vantage point, this is an unacceptable violation of the linguistic territoriality principle. In return for the resolution of this problem, some francophone parties have called for the integration of a number of the constituency's communities into an extended Brussels region – a proposal seen as a *casus belli* by the Flemish parties.

The Belgian party system

Many unwritten rules and procedures exist alongside Belgium's formal laws. For example, negotiations about a possible division of the federal social insurance system would be dependent upon a renegotiation of the language border. The equal status of parity within the government of Brussels (the Flemish make up just over ten percent of the population of the capital) and within the federal government is another such case. Maintaining such complex balances remains a challenging task that calls for great sensitivity by the party leaderships, the main actors of Belgian political life.

In Belgium, all negotiations are held by the parties and their responsible members outside of the parliamentary setting. At that level, Belgium is an example of a party system that governs the country and guarantees public peace at the cost of increasingly incomprehensible solutions.

The moment of truth

The coming months and years will be decisive for Belgium's future. Two major scenarios are likely: one would be the re-establishment of Belgium, which would permit the parties to restore the legitimacy of the federal level. Further competencies would be transferred to the constituent states, without giving up the social solidarity between the North and South, however. Our impression is that such an institutional restructuring would only be viable if the parties agreed on the new formation of a federal electoral district. That solution would not come close to recreating a democratic, all-Belgian public, however. The task here would be to overcome ignorance and the negation of the respective linguistic and cultural identities that have marked the process of decline of Belgian national consciousness. In this legitimization of Belgian statehood, the regional borders could be finalized as a sign of recognition of both parties. Such a renewal could represent the cornerstone of a cosmopolitan Belgium within a cosmopolitan Europe – founded on the recognition of others with their unique characteristics and as parts of the whole.

The second model involves the continuation of today's tendencies toward a slow dissolution of the Belgian state with the aid of compromise based on quid pro quo. Political pragmatism leads us to see this as the more likely option. Regional elections are scheduled for 2009, and it would be surprising if the party of Prime Minister Yves Leterme – and its allies, the *Nieuwe Vlaamse Alliantie* (NVA), who are pursuing the independence of the Flemish state – were to approve of the re-legitimization and strengthening of the federal level. Flexible confederal models, such as that of three autonomous regions (Brussels, Flanders, and Wallonia) and a central state as the

final authority to resolve internal conflicts, seem the most likely solutions. The possibility of alliances with France or the Netherlands is no more than a fiction; despite the awareness of a shared cultural heritage, little common ground exists between the Flemish and Dutch or the francophone Belgians and the French.

Conclusion

The question of whether the Belgian model of a consociational democracy based on a balance of self-rule within the context of regions and communities on one hand and shared-rule at the federal level is still viable and valid. It remains to be seen how a state can continue to govern a country divided into two major communities with differing goals: the Flemish, who insist on territorial linguistic homogeneity and the reduction or abolition of financial equalization in favor of the Walloons on one side, and the francophone population on the other that demands the continuation of linguistic facilities in the communities around Brussels and solidarity between the North and South. The effects of the above-mentioned election tactics and differing ideas regarding the role of the central government is making it increasingly difficult for today's political elite to realize the Belgian consensus so often praised by outsiders. As a result, the balance between self-rule and shared-rule is losing its viability and scope for action, and the less rigid model of a confederation is currently replacing that of the federation in many minds. Belgium's dissolution process is nevertheless proceeding as a peaceful political separation, not a one-sided declaration of independence on the part of Flanders, as was the case in a mock documentary broadcast on the 13th of December 2006 by a French-language TV station that sent a shock wave through the Belgian population and media and provoked outrage in both parts of the country.

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BODO WEBER

Kosovo, the Fall of Yugoslavia and the Discussion of the Right of Self-Determination

On the Distorted Perception of Modern Collective "Ideologies" and their Effects on International Politics

The current debate about the independence of Kosovo, international law and the right of nations to self-determination has the appearance of a throwback to the early 1990s. To a certain degree, the conflict in Yugoslavia symbolizes the new global order – or lack thereof – that arose with the end of the previous epoch in 1989. The ethnicizing collapse of socialist Yugoslavia and the Balkan wars marked the first of the new ethnic and religious conflicts that the world has been dealing with ever since. The violent disintegration of Yugoslavia in the early 1990s brought with it the apparent revival of the "national question" that had long since been committed to the annals of history. At the same time, it reopened international legal issues pertaining to the principle of national self-determination. Originated by Lenin in the early 20th century during the Russian Revolution and adopted by the American president Woodrow Wilson (Summers 2007: 124ff.), its tense relationship to the principle of territorial integrity and sovereignty of existing states was the source of considerable headaches in international politics during the interwar years. The issue was essentially deemed resolved with the decolonization movement of the postwar era.

The following is a brief review of the intra-Yugoslav conflict that prompted the revival of discussion on the significance of the right of national self-determination: A debate between the party and state leaderships of the republics about the reform of the existing system that arose in the 1980s at a time of political and economic crisis in 4Yugoslavia – especially with regard to the federal structure of the state – escalated in the late 1980s into a conflict between demands to preserve Yugoslavia, for which above all the Serbian leadership stood, and its dissolution through the secession of individual republics, a position initially held by the Slovene leadership. After the abolition of the Communist Party's monopoly on power and the first pluralistic elections in all republics, it evolved into a conflict over the principles according to which Yugoslavia would be dissolved – through the transformation of the republics or federal units into independent states within existing borders, for which the Slovenes and Croats initially stood, or the redrawing of borders according to ethnic principles as advocated by the Serbian-Montenegrin bloc. The debate took place primarily at the constitutional level; political claims were supported by references to the existing Yugoslav constitution and its provisions for sovereignty, territorial integrity, national self-determination, and the right to secession (Hayden 2000). In the 1990s, the escalation of the Yugoslav constitutional conflict was a major factor in prompting

a broad discussion of the future of international law and the current significance of the principle of national self-determination within it.

The starting point for the internal escalation in Yugoslavia was Kosovo in the early 1980s, with the demands of its Albanian population majority for the transformation of its existing status as an autonomous province within the republic of Serbia to that of an independent Yugoslav republic. Kosovo marks both the starting and ending point of Yugoslavia's dissolution process. It can also be deemed a symbol for the difficulties faced by the international community in understanding and responding effectively to the ethnicizing dynamics of dissolution – as can be seen in the controversies and confusion around current policies of recognizing Kosovo. The political elite in Serbia, which supported the violent secession of the Serbs in Croatia and Bosnia based on their right of self-determination, categorically rejects Kosovo's independence with reference to the Republic of Serbia's territorial integrity. Serbia is supported in its position by Russia, which rejects the right of self-determination as a principle and warns of repercussions for international law, while at the same time providing massive support for secession movements in the South Caucasus. The EU – in which a majority of states supports Kosovo's declaration of independence – established international principles addressing the dissolution of Yugoslavia with the Badinter Commission in the early 1990s. Those principles explicitly ruled out a link between the right of self-determination and independent statehood and rejected the bid by the Kosovo-Albanian leadership for recognition as an independent state (Gow 1997: 67f.). The proponents of recognition counter criticism by declaring that Kosovo is a special case, not a precedent, yet they cannot cite international law to support their position.

The irritating aspects of this debate are not only its contradictory nature, but also how far removed it is from the sociopolitical realities in southeastern Europe. A transformation for the worse has taken place in the societies of the former Yugoslavia in the past two decades, especially in the 1990s, with a deep erosion of state institutions and rule of law that makes issues of self-determination and sovereignty – be it collectively, individually, or territorially defined – appear abstract.

The basic problem with the international discussion of the dissolution of Yugoslavia remains that it lags behind this breakdown of society because of its failure to consider the specific properties of the social ethnicization process. Wherever the perception of the dynamics of ethnicization is distorted, discussion of it in terms of international law is also subject to distortion.

The issues can only be addressed successfully if the specifically new aspects of these ethnicization processes are taken seriously and an effort is made to understand the new facets of the collective (ethnic and religious) "ideologies" and collective subject forms such as ethnonationalism and their global impact after 1989 – i.e., if we realize that we are dealing with new sociopolitical constellations that are assuming old forms of expression.

The international political and scientific communities not only had difficulties understanding the specifically new quality of the dynamics of ethnicization, they were initially confronted with a more fundamental comprehension problem: How did the phenomenon of ethnicity suddenly arise in a socialist society at the end of the 20th century? And why, in the case of Yugoslavia, did it do so in the form of violent political conflict? From the outset, this problem was the source of many deficits and

misunderstandings that have dogged the debate on international law to this very day.

Tito's Yugoslavia was not an alternative model of democratic socialism – as it was widely perceived – but a highly contradictory and dynamic polity. Turning away from the Soviet socialist model by abolishing central administration did not lead to the declared withdrawal of the Communist Party from governing the state and economy, but to authoritarian decentralization. This unintended process marks the preservation of the party's monopoly of power over the state and economy by informal and semiformal means and the territorial fragmentation of the rule of the party-state apparatus from the central level to that of the federal units and on down to the community level. This sociopolitical development was supported by the political elite and a broad social strata, even though it deviated significantly from the guiding dogma of political emancipation and economic rationality.

Yugoslavia did not break down into a confederation, as is often asserted today, but into a system of complex, chaotic negotiation processes between the fragments of the party-state apparatus – a social system that cannot be categorized in terms of Western state traditions or federalism. It became a system of "grabbing as much as you can," in which everyone "defended one's own by defending the whole." The result was a creeping erosion of state institutions and regressive economic development – both long obscured by the Yugoslav way of life: low productivity, a relatively high standard of living garnished with a lack of travel restrictions, and exceptionally high international esteem.

In Yugoslavia, ethnicity was a part of the dynamics of authoritarian decentralization in the form of the so-called socialist nationality policy. With the original adoption of the Soviet model – above all the formal federal structure of the state – ethnicity represented an element of the administration of society from above in the real socialist modernization project. The formation of political elites and the appearance of modern socialist middle classes, not least academic middle classes according to ethnic criteria, were important elements of the modernization of society and social integration. Unlike Soviet socialism, Yugoslav nationality policy was subject to specific dynamics for two reasons: firstly, the emancipatory claim of Yugoslav socialism which granted Yugoslav citizens the subjective, individual right to identify with an ethnic group; secondly, because Yugoslav nationality policy was drawn into the process of authoritarian decentralization. For those fragments of the apparatus whose power was not backed by the socialist ideology of self-administration, ethnonationalism represented the only available source of legitimization and thus became a part of the dynamics of territorialized competition between groups. It was a problematic source, however, as their territorial interests and ethnicity ("ethnic settlement areas") were not identical, leading to a uniquely Yugoslav tension between ethnicity and territoriality that later played the central role in the violent dissolution of Yugoslavia. The relationship of ethnicity to the distribution of economic and political resources was not rigid as in the Soviet Union, but required the mediation of the party-state apparatus in complex negotiation processes that were frequently fraught with conflict (Weber 2007a).

Back to the beginning of the ethnicizing dissolution in the 1980s – the conflict over Kosovo: Albanian demands for republic status, which united socioeconomic issues and ethnic expression, was simultaneously a product of the dynamics of Yugoslav

nationality policy and the transformation of ethnicity from an instrument of social modernization to a medium of social crisis. It was through this transformation that it gained a completely new sociopolitical relevance. The fact that the Yugoslav apparatus was unable to resolve the conflict with the Albanian population over the course of the 1980s was an indication that the system of self-administration had exhausted its economic and political resources and had lost the power for reform from within. Yugoslavia had become a disintegrating system in which the "defense of one's own" was no longer assured by defending the whole, but resulted in the destruction of the whole. It corresponds to the Yugoslav logic of decentralization and ethnicity that the starting point of the dissolution of Yugoslavia was the violent revocation of Kosovo's autonomous status by the Serbian leadership, and that the central actors therein were Serbia and Slovenia. Serbia was the only republic that was blocked in the "defense of its own" by the existence of the autonomous province, because fundamental decisions could only be made in consensus with the political leadership of Kosovo. Belgrade was thus not able to protect its vested political interests by defending its status as a republic, as was the case with Slovenia, the only federal unit in which the republic's territory and ethnicity were almost identical. It was essential for Belgrade to use Kosovo to incite Serbian ethnonationalism in order to assert its own position within Yugoslavia (Sekelj 1990: 222ff). The strange two-pronged ideological thrust of Slobodan Milosevic and the Serbian political elite to position themselves as the only true defenders of Titoist Yugoslavia on the one hand while undermining it via Serbian ethnonationalism on the other misled many apolitical representatives of the Yugoslav way of life and international observers.

This covert logic of dissolution was the starting point for fundamental misunderstandings in the international community and the difficulties accompanying the international legal debate to this day. The early phase of the dissolution of Yugoslavia can be used to illustrate how a distorted perception of ethnicity can negatively influence international politics: by the time the international discussion of the future of Yugoslavia had started in the early 1990s, Yugoslavia no longer existed in its post-war form. The revocation of the autonomous status of Kosovo in 1989 was not in itself the reason for this, but the fact that its status was changed by the Republic of Serbia and not by a decision on the level of Yugoslavia as a whole. This unilateral act by Belgrade meant that the Yugoslav party-state apparatus – and thus Titoist Yugoslavia – had ceased to exist.

The fact that conflicting political claims during the process of dissolution were supported by references to the valid Yugoslav constitution of the year 1974 was not the expression of a constitutionalization of political conflicts, but of an instrumental handling of constitutional law. The definitions of "sovereignty," "right of self-determination," and "secession" were contradictory in terms of legal logic; they were an expression of the specific tension between ethnicity and territoriality that required the mediation of the former party-state apparatus. It was thus not possible to derive a normative basis from which to determine principles of international law for the dissolution of the Yugoslav state – a difficulty that caused responsible legal experts on the international side serious problems and which is still the source of distortions in the international legal discussion.

It was not only the distorted perception of the causes of the ethnicizing dissolution of Yugoslavia that impaired the international legal debate, but also a failure

to comprehend the social ethnicization processes of the 1990s in themselves. The social ethnicization process itself has remained unexplained: How could the conflicts of political elites with regard to "sovereignty" and the "right of self-determination" result in a collective discourse on ethnic identity? What made these political terms so attractive to a typical real socialist, depoliticized society that they could prompt broad social strata to participate in a process of collectively striving toward ethnic self-understanding in the Yugoslav republics in the 1990s?

A brief review of a number of reflections on the specific character of modern collective – ethnic and religious –forms of the subject (Claussen 2000) appears appropriate:

Ethnonationalism can be viewed as a decay product of ideology, as a form of modern collective subjectivity that can be best understood through its function of promoting conformity in society. It is the result of an incomplete secularization; a product of changes that globally affected the structures of society and social awareness in the 20th century. The discourse on ethnic identity represents a collective discourse of avoidance in society by which the parties involved perceive and process a contradictory social reality by refusing a painful confrontation and – in this state of collective refusal – change reality, at times aggressively so.

It is a collective process of self-understanding with two sides: on the one side, there are the individuals of society and their processing of social reality that could also be termed "non-public opinion" or "private rationalizations." This refers to the processing of reality that makes circumstances within a society tolerable by ameliorating existing contradictions with the conformist goal of creating sense and the feeling of inclusion in the awareness of the individual. This form of awareness has a systematic character in that it blocks out experience. On the other side are the political elites and their "ideologies," which also adapt to reality in a conformist manner by catering to those forms of awareness and adjusting to them.

A modern discourse on ethnic identity thus develops between politics and society – a collective process of self-understanding in which collective agreement becomes easier to attain as the relevant terms such as "ethnicity," "identity," "culture," "tradition," "sovereignty," and "self-determination" become less defined and devoid of content. Such a social discourse of avoidance is shaped equally by vagueness of content and the non-binding character of participation; it is a discourse that no longer contains a concrete concept of a society or is focused on a concrete social subject.

Yugoslav socialism in particular promoted this collective process of self-understanding by instrumentalizing basic concepts of the political philosophy of liberal, bourgeois constitutional states – from sovereignty to the concepts of the citizen and the state itself – and desubstantializing them over time.

Whether and to which extent modern collective subjectivity can gain power over reality depends on the concrete situation within a given society, however. In Yugoslavia's crisis-ridden dissolution, it was the indefinite, contradictory relationship of ethnicity, territoriality, and state that provided the specific social foundation for the collective process of ethnic self-understanding and the violent ethnicization dynamics of the 1990s, as well as the basis for equally vague and violent concepts of the identity of ethnos, territory and sovereignty.

The term "sovereignty" emerged as a central symbol in this collective process of ethnonational self-understanding, and its desubstantialization paved the way for its

ethnic transformation to the negative utopia of the *Majorizacija*. The term *Majorizacija* represented a key element for Yugoslavia's socialist nationality policy; it refers to the exclusion of the minority-majority principle and its replacement by a complex relationship of positive and negative collective discrimination managed by the ruling apparatus. Ideologically, it was based on Marx's critique of bourgeois democracy and the emancipatory claim of leapfrogging the bourgeois stage of democracy – a claim which not only could not be fulfilled in sociopolitical practice, but which in the end fell short of the gain in freedom inherent to bourgeois democracies. In the ethnicized awareness of the 1990s, *Majorizacija* degenerated to an antidemocratic principle of denying members of ethnic collectives minority status – which according to this awareness was tantamount to oppression and enslavement – and provided the basis for ethnic warfare and crimes against humanity.

In light of this, it becomes clear what Western observers and representatives of the international political community in the early 1990s failed to understand: why the sociopolitical dynamics of the dissolving Yugoslavia foiled such innovative efforts by the international community as the EU's Badinter Commission of 1991-2 to peacefully resolve the Yugoslav field of ethnic and territorial tension into a post-Yugoslav relationship of collective and individual rights based on the rule of law (Gow 1997).

With the lack of understanding of the new sides of modern ethnonationalism and especially of the negative transformation process arising from the social ethnicization dynamics, the causes of the deep erosion of state institutions and rule of law and the dramatic social differentiation were beyond the grasp of the international political community and the international legal debate related to sovereignty and self-determination.

A collective process of ethnic self-understanding that bore within it aggressive potential for social upheaval while at the same time offering no concrete ideas with regard to the structure of the new society led to an independent dynamic of transformation that had no alternative but to rely on those organizational principles of the collapsing socialist order that had survived the ideological regime change. In the post-Yugoslav case, this principle was the specific societal relationship to authorities from the late phase of real socialism. It refers to the capability of individuals to switch effortlessly between demonstrative collective conformity and the brutal pursuit of individual, officially non-legitimate interests. This relationship to authority is based on the political apparatus' admission of the impossibility of achieving conformity within modern socialist societies exclusively by means of repression. It found its form of expression in the transformation of the microsocial institution of the collective into an instrument for the collective violation of rules and norms, and in the formation of extensive informal networks linking the state, the economy, and society. It is primarily the product of the tacit decision of the ruling communist elites to tolerate the ongoing erosion of authoritarian rule and unofficially drop their own claim to total control with the goal of preserving their own power and realizing their own individual interests by instrumentalizing their knowledge of the misuse of the official system by the members of society. This was a rational decision in the short term that proved fatal in the medium and long term, as this hidden erosion of authority made a decisive contribution to the collapse of the real socialist order (Mrowzcynski 2005) in Yugoslavia and the Soviet socialist states.

In the violent ethnicization processes in the Balkans, this relationship to authority filled the void left by the lack of a concrete vision of a new society. It took the place of the proclaimed return to a pre-modern form of quasi-natural ethnic community that would not be possible under the conditions of a modern society in the late 20th century – and simultaneously maintained the appearance of pre-modern ethnic homogeneity and the return to a distant past. This broken relationship to authority thus reproduced itself on a new social foundation via ethnonationalism: the invocation of ethnonationalist conviction and ethnic solidarity by the members of the ethnic collective on the surface of society could – and still can – only be secured by the brutal pursuit of individual, generally material interests taking place below the surface.

In the violent ethnicization process of post-Yugoslav societies, it is possible to observe this reproduction of the broken relationship to authority in nearly all areas – in the violent creation of ethnonational state structures through softening or lifting the state monopoly on the legitimate use of force, the most obvious symbol of which is the role of paramilitary groups in the process of ethnic cleansing; in the peculiar economic transformation; in the elevation of the shadow economy to state economic policy; etc. The result is the specific dynamic of social transformation that we have been able to observe in southeastern Europe over the last two decades: the simultaneous dynamic of social integration through ideological uniformity and deep social destruction in the form of erosion of all state and social institutions through the collective violation of norms – a practice in which the political elite and individuals in society are equally involved. In the forced ethnicization of societies, the collective process of self-understanding is transformed into a collective entanglement – a highly antagonistic mixture of broad social legitimization for mass crimes, the involvement of individuals in a collective social process of destruction and self-destruction, and simultaneous broad dissatisfaction with the socioeconomic consequences of that destruction (Weber 2007b).

The apparent divergence between ethnic discourse and sociopolitical reality should lead to a loss of the drive toward uniformity, but does not – instead, the divergence continues to be integrated into the individual's awareness in a schizophrenic manner, a process which is fascinating to observe.

Yet it is apparent that this integration can only succeed as long as it has a material basis. In the case of Yugoslavia, it was the unresolved relationship between ethnicity, territory, and state.

Croatia can serve to illustrate this, where the war-related dissolution of the indefinite relationship in the second half of the 1990s eliminated the foundation for the process of ethnic self-understanding and led to the swift deterioration of the power of the governing elites that was based upon it. The same ethnic, and to some extent highly irrational, discourse lost its social relevance almost overnight and was displaced on the side of non-public opinion by socioeconomic topics that had previously been entirely marginalized.

The regressive dynamic of ethnic transformation continues to this very day wherever the relationship between ethnicity, territory, and state have remained unresolved, even after international intervention – in Bosnia and Herzegovina, and especially in Serbia and Kosovo.

How does the international legal debate benefit from this insight into the dynamics of social ethnicization? Its application to the current Kosovo controversy can help in finding a number of preliminary answers:

Such an insight can promote an understanding that the unresolved status of Kosovo represents the only remaining basis for the regressive dynamic of ethnicization in Serbian and Kosovar society, and that a solution through political negotiations was and remains impossible, as Kosovo can only exist for Serbian politics as a virtual mass medium, not a real problem. It can foster an understanding that the independence of Kosovo as a state does not represent a lesser evil in terms of *realpolitik*, but rather an essential prerequisite for the democratization of Serbia and the end of the self-destruction process of its society. It can help create an understanding for the necessarily vehement response of Serbian society to the final loss of Kosovo, not least because the political elites are aware that the loss eliminates the basis for their existence. The understanding that this step finally puts an end to a political escalation that went on for years without creating the start of a new escalation can also eliminate the fear of a new radicalization.

International policy that is not privy to this insight threatens to endanger the first direct intervention in the social ethnicization dynamics of the Balkans in two decades – and not just in its sociopolitical consequences.

The case of Kosovo and the ethnicizing dissolution of Yugoslavia illustrate the new challenges facing the international political community today. As at the start of the 20th century, the resurgent demand for self-determination in the 21st century is once again affecting the foundations of international law by targeting the inherent antinomianist tension between governmental diversity and simultaneous efforts to restrict it. However, the international legal conflict between the right to self-determination and the territorial integrity of states cannot be resolved satisfactorily at an abstract-normative level due to the current radical desubstantialization of political calls to battle such as "self-determination" and "sovereignty." A look at the concrete individual sociopolitical dynamics is essential. Efforts to prevent or stop whole societies from collapsing virtually overnight into a process of external and internal destruction and to create at least the prerequisites for a democratization process must be the empirical starting point for international politics. The fact that the answers that inevitably arise at the level of abstract principles can indeed be quite unsatisfactory is one of the uncomfortable truths of the new global (dis)order. Distilling those individual answers into established principles that will shape the future of international law will be one of the great challenges of the 21st century.

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FAWWAZ TRABOULSI

Do Collective Rights Contribute to Conflict Resolution?

The Case of Lebanon

Questioning ethnonationalism

Allow me to begin with a few quick remarks on the current debates concerning ethnonationalism.

1. Apart from the Kurdish and Armenian communities, the majority of Lebanese are ethnic Arabs. Neither a difference of "blood" nor of "kinship" distinguish the Lebanese religious sects from one another. So we will be talking here about sects as socio-political formations in which the religious element plays two basic roles: i) religion defines the contours of the formation (Maxime Rodinson); ii) it provides a strong ideological factor for communal identification and solidarity in addition to being an impulse for action.

2. Concerning the debate between "primordialists" and "constructivists" – that is, how to make the part between the tribal and the "cultural" on one hand, and the constructed on the other - one comment is worth adding. Rather than extrapolate, it might be better to examine how older ("primordial") social formations are recycled to play defined roles in "modern" colonial and postcolonial peripheral societies. It goes without saying that this recycling serves certain political, economic, and geo-strategic interests. In fact, modern tribes, sects, and ethnicities borrow structures, habits, and traditions from the earlier communities but usually disregard their codes and modalities for conflict resolution. This "deregulation" makes these more "modern" formations prone to excessive violence.

In this sense, we can say that politicized sects are neither fixed nor immobile, they are flexible and changeable, and they can be constructed as well as deconstructed according to factors and imperatives usually exterior to them. More importantly, conscious of being constructs, politicized religious communities possess multiple ways of maintaining and reproducing themselves. Institutionally, they do this through the services they provide in the fields of education, health, and charity. Ideologically, they exploit and manipulate the sacred. Psychologically, they instill fear of the "other" among their members. Last but not least, in times of internal crises or breaks within the community, they resort to repression and military control over their members and to the liquidation of dissidents.

3. When discussing communalism, emphasis is usually put on fissures and conflicts, both tautologically explained by communal differences. The point here is i) to explain the rule and not only the exception – that is, the long periods when conflicts did not assume a violent character; and ii) to look into the extra-communal

factors that turn sub-national communities into "fall back positions" (Hobsbawm) to which individuals resort when other structures fail them.

4. Contrary to those who define ethnic groups as formations disengaged from economic factors, communal formations coalesce and become operative precisely when they are *differently located as regards power, status, and economic and social hierarchy*. In the case of Lebanon, identity politics is concerned not only with division of political power (and competition over it) but also, if not mainly, with *social and regional distribution*. The sectarian factor operates in all the fields of social distribution left out by the class hierarchies and class struggles: in the countryside/city differentiation; in the realm of politico-legal privileges and positions of power (where political and military power become a formidable means for the creation of economic interests); in the fields of social promotion and social mobility; and last but not least, in the scurrying for the control of social wealth, natural resources, and the services of the state.

Politicized sects can thus be seen as enlarged patronage networks in which sectarian solidarity and patronage have the additional function of defending groups tied to pre-capitalist formations against the implacable laws of the capitalist market, and covering up administrative corruption and predatory capitalism.

A brief history

Lebanon's sectarian system is a French adaptation of the Ottoman millet system for the purposes of colonial rule. In order to legitimize its colonial mandate over Syria, France presented itself as the champion of the region's religious minorities, namely, the Christians, Shi'is, Alawis, and Druze. One might ask who they were defending them from – the Sunni majority. The policy that held Syria's Sunni population accountable for the heritage of the Ottoman Empire was not dissimilar from that which held the Sunnis of Iraq responsible for Saddam Hussein's dictatorship. According to that sectarian-based identification of the region, Syria was divided into five states when France obtained its mandate over it in 1920: one each for the Christians (Lebanon), the Druze, and the Alawis, and two for the Sunnis (Damascus and Aleppo).

Be that as it may, Greater Lebanon, created by annexing the predominantly coastal cities and the plains of the interior and the southern Jabal 'Amil to Mount Lebanon, was hardly a Christian homeland as it counted nearly as many Muslims as Christians. In order to insure Christian domination over the new entity, the French adopted the notion of Lebanon as "a country of associated religious minorities": The Lebanese were thus defined in terms of sects rather than religions, and the numerically larger sect, the Maronites, was allotted political primacy.

In 1926, Lebanon was provided by the French mandate with a dualistic constitution in which republican democratic institutions were adapted to sectarian communalism. Article 9 confirmed the right of sects to follow their own legislations regarding personal status (birth rights, marriage, divorce, guardianship, inheritance, adoption, etc.), whereas Article 10 held the state responsible for defending and upholding "private religious education," and Article 95 called for "justice" in the distribution of the offices of the state among the religious sects. Yet, the legislators of 1926 were keen to strike a balance between collective rights and individual rights. They called for the creation of a Senate to represent the sects, as Parliament

was supposed to be a non-sectarian institution representing individual citizens. However, opposition from the Maronite church and from many a political and religious leader led to the annulment of the Senate three years later and parliamentary elections were based on a sectarian distribution of seats with a ratio of seven to five, Christians to Muslims. Since then, sects have proliferated from the initial six to the present eighteen.

Under the post-independence regime, the amended Constitution of 1943 preserved the articles concerning sectarian communal rights and supplemented them with an oral agreement – known as the National Pact – between the leaders of the Independence movement, Bishara al-Khouri, and Riad al-Sulh. As the Muslims withdrew their long-held demand for unity with Syria, the Christians dropped their demand for French protection in return for a privileged primacy in the state, exercised mainly by the all-powerful Maronite President of the Republic.

A division of labor soon emerged between the ruling oligarchy of landed political notabilities (*za'ims*) and the services-oriented bourgeoisie, according to which the administration became the domain of the political notabilities, who filled it with their clients. Patronage became the Siamese twin of sectarianism.

Generally, economic prosperity catered for lulls of relative political stability, notwithstanding two factors that contributed to the disruption of the sectarian *status-quo*.

One was social and sectarian mobility. The sizeable enlargement of a multi-sectarian middle class – coupled with the rise of Sunni Muslim families to the ranks of the Christian-dominated oligarchic bourgeoisie due to education and work experience abroad – unleashed new socio-political forces seeking a place in a quasi-impermeable political system.

The other disruptive factor consisted of the major changes in regional and international power relations with the onset of the Cold War and the rise of modern anti-colonial Arab nationalism under Gamal 'Abd al-Nasir and the Baath party.

The 1958 Arab nationalist rebellion against the pro-Western regime of Camille Chamoun, and the ensuing weeks of armed civil strife in the summer of that year, were a direct product of those internal and external mutations. The crisis concluded with an American-Egyptian brokered understanding for a better distribution of power between Maronites and Sunnis, a set of reforms toward a more efficient administration, a rationalized development of Lebanese capitalism, and the alleviation of uneven regional development and social inequalities. Those were the main characteristics of the regime of President Fouad Shihab (1958–1964) and of his successor Charled Hilu (1964–1970), both of whom relied heavily on technocrats and an increased role of the army and intelligence services in public life. Nevertheless, this attempt at building a viable and modern state was sabotaged by the alliance of the Christian-dominated bourgeoisie and the sectarian *za'ims*, encouraged by a new alignment of regional forces, initiated by the military defeat of Gamal 'Abd al-Nasir in the June 1967 war, and the rise of Saudi power.

The main factors that led to the 1975–1990 wars were: the return of the traditional *za'ims* to power, the roll-back of socio-economic reforms, the deepening socio-economic crises, the rapid urbanization (especially of the Shi'is) and the proliferation of "poverty belts" around Beirut, the increased frustration of the middle classes, and the intrusion of the armed organizations of the Palestine Liberation Organization (PLO).

It should be noted for our purposes that a project of federalism based exclusively on communal rights did emerge during the war years. Initiated by the Christian Lebanese Forces (LF) under Bashir Jumayyil, the project proposed the division of the country into five autonomous regions in which the federal government would mainly concern itself with defense and foreign affairs. The project served two main functions. First, it ensured that Maronite Christian hegemony was not threatened by Muslim demographics. The bulk of the contiguous Christian territories were to be grouped into one large autonomous region, whilst the Muslim population was be distributed among the other four regions, in which it would have to share power with the remaining Christian populations. Second, the adoption of regional financing for development and services was destined to relieve the relatively richer and better-educated Christian region from any fiscal, financial, or budgetary responsibility vis-à-vis the less favored, and predominantly Muslim, peripheral regions – much along the lines of the separatist Northern League program in Italy.

The project was deemed economically unviable by business circles. Many also pointed out that the implementation of the federation would encourage Syria to annex the non-Christian parts of the country. Finally, the plan was shelved when the American-backed Israeli invasion of Lebanon, in the summer of 1982, boosted the hopes of a decisive victory for the Christian camp, which would be able to reconstruct its muscular domination over the whole country under the presidency of Bashir Jumayyil.

Post-war communalism: Lebanon as failed state

According to the 1989 Ta'if agreement, which put an end to the fighting, and the new Constitution of 1990, power was equally distributed among the three major sects, reducing the prerogatives of the Maronite President to the benefit of the Speaker of Parliament (Shi'i) and the Prime Minister (Sunni), thus creating an impossible balance of power between three virtual competing presidents. This arrangement should be understood within the context of the regionally and internationally brokered understanding that granted Syria a mandate over Lebanon. Politics, including foreign relations, and security were administered by Damascus and backed by the 30,000 Syrian soldiers and the intelligence branch stationed on Lebanese territory. President Hafez al-Assad became the virtual ruler of the country and, more importantly, the ultimate arbiter of Lebanese conflicts.

Rather than contribute to the reconstruction of the Lebanese state, the Syrian mandate did the opposite. It succeeded in disarming the militias, except Hizb Allah, which was defined as a resistance organization for its role in the resistance against the Israeli occupation of the southern strip. Syria's pro-consuls and officers meddled in sectarian conflicts, weakening all the contending parties; controlled the levers of political and military power, including foreign policy; imposed protection money on all lucrative economic activities; created their own additional patronage networks; and raised predation and corruption to an unprecedented level.

The withdrawal of Syria's troops and intelligence services from Lebanon in April 2005, weeks after the assassination of Prime Minister Rafic Hariri – a crime primarily attribute to Syrian agents –virtually liberated Lebanon from the exactions perpetrated during the long years of the Syrian mandate. But it nevertheless deprived the polit-

ical life of its mechanism of conflict management. Representatives of the major sects became equally obsessed by domination phobias. The Christians were bemoaning their lost prerogatives and their drastic marginalization, even in the economic domain; the Shi'is – still feeling underpowered despite their obvious post-war empowerment – were asking for a bigger share in decision making; the Sunnis – the main beneficiaries of the reduction of presidential prerogatives in favor of the Prime Minister – were afraid to share their executive prerogatives with the Shi'i representatives; and finally, the Druze, who were unwilling to reduce their share of power to equal their numerical population status of 7 percent. Thus, all parties concerned went back to their old-time habit of soliciting outside help: one to Saudi Arabia, Jordan, Egypt, and the United States, the other to the Syria-Iran alliance.

These tensions and competitions were further aggravated by three additional factors. First, the inflation of the religious element in state and society, not only because of the major role clerics of all sects played in public life, but also due to an added religious dimension to the politics of identity and difference. Second, the combined effects of laissez-faire economics and sectarian-based patronage – morphed mafia-ism and warlordism – had indeed severely reduced the role of the state as a provider of economic opportunities and social distribution. Third, the political system – already rocked by the scurrying over sectarian sharing – had to deal with two populist, socio-political forces that had been marginalized under the Ta'if system: Hizb Allah and the Free Patriotic Movement (FPM) of General Michel 'Awn. The former dropped out voluntarily because of its role in the resistance against Israeli occupation (1982–2000); the second forced itself out because of its opposition to the Syrian mandate and its rejection of the whole Ta'if consensus. Both forces are populist in the strict sense of the word, as they articulate demands and discourses that address an amalgam of social forces – the upwardly mobile sections of the bourgeoisie and of the professional middle classes as well as the inhabitants of the suburbs around Beirut: Christian to the north and the east and Shi'i to the west and the south. But whereas the 'Awnists are mainly urban, Hizb Allah commands sizeable power in the rural south and the Biqa'.

Lebanon is presently a severely divided political society. Though the new post-Syrian divide in Lebanon does not follow the traditional religious divide between Christians and Muslims, it nevertheless increased inter-sectarian as well as intra-sectarian tensions. Maronites and Christians in general are pitted against each other on both sides of the divide between the parliamentary majority (the March 14 camp), which has the support of the majority of the Sunni and Druze forces, and the allied Hizb Allah-FPM opposition, of the March 8 camp, which rallies the support of the quasi-unanimity of the Shi'i population. Both protagonists legitimize their discourse by referencing the Constitution: one in the name of majority rule, the other in the name of community rights, labeling the government of Prime Minister Fouad Siniora as illegitimate since it does not include representatives of one major sect, the Shi'is. In return, the opposition calls for a coalition government in which it commands a third of the cabinet seats, which means commanding veto power on all major government decisions (which constitutionally have to be taken by a two-thirds majority).

As regards the political system, it can safely be said that the basic components of parliamentary democracy (majority rule and the alternation of power) are presently being eroded in what used to be called Lebanese "sectarian democracy" in favor of

"consociationalism," which in practice means: either unanimity is achieved between the six major players who monopolize power in the country – two Maronites, two Shi'is, one Sunni, and one Druze – or each preserves to himself the right to veto any decision or legislation.

One last development illustrates the hitherto unmentioned link between the reconstructed Lebanese communal divisions and the hegemonic discourses of globalization. Although both camps are steeped in identity politics and deny any sectarianism in their positions, presenting their discourses and struggles as "eminently political," one camp marks a more pronounced predilection for culturalism. In its manifesto of March 2008, the "loyalists" defined the conflict as one that confronts their "culture of openness and life" to the "culture of isolation and death" of the opposition. Interestingly enough, the March 14 alliance takes the lead in its "culturalism" from a trendy advertising company. Initially commissioned by the Hariri family to organize the logos and slogans for its political campaigns, the London-based Satchi and Satchi is famed for launching the slogan "We love life!" as the rallying cry for the March 14 alliance. Tragically, all that the "loyalists" have to propose as a solution to this life-and-death cultural conflict is to call upon its adversaries to rally to their culture of "openness and life"!

This latter stance illustrates the extent to which both camps are locked into what Clausewitz called "ascendancy to extremes." Both lack a B plan for compromise to fall back on and await a regional/international arrangement – between Syria and Iran on one side and the United States and Saudi Arabia on the other – that would impose on them a compromise they are unwilling and incapable of generating.

Conclusion

This presentation should have illustrated to what extent – in the real experience of Lebanon – politicized communal rights have become the problem, not the solution. Nevertheless, the solution is not beyond imagination. It can be initiated on the basis of two reforms. One is an indirect method of addressing sectarian problems as being mainly rooted in socio-economic differences and privileges through a project of social justice. The other is simply to apply the Lebanese Constitution, which is based on a balance between individual rights and communal rights, as it provides for the creation of a Senate to represent the sects, whereas the non-sectarian House of Representatives represents the citizens.

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GHASSAN ATIYYAH

Iraq: Instability and Social Integration

Iraq is a highly diversified country with different ethnic, religious, social, and cultural groups. During the royal regime as well as during the 1970s, a process of social integration took place. That process, however, was reversed during the 1980s due to the policies of domination and suppression. To make matters worse, the decades of dictatorship glossed over Iraq's inner divisions rather than face them. The process of social integration was hindered further by other factors such as the Iraq-Iran War, the invasion of Kuwait, and the UN sanctions of the 1990s. This was the backdrop for the 2003 US-led invasion of Iraq and the subsequent absence of an effective post-invasion strategy. This opened the gates to a war of identity among Iraq's ethnic and sectarian groups. Whereas Saddam Hussein's regime was characterized by the ascendancy of the rural Sunni population, post-invasion Iraq witnessed the ascendancy to power of the rural Shia population. In both cases, the urban centers of Baghdad, Mosul, and Basra lost much of their traditional influence. Another consequence of the invasion was the dominance of religiosity and sectarianism at the expense of mainstream Arab nationalism. Given all these factors, today's Iraq faces a crisis of identity that manifests itself in communal violence, pushing Iraq to the verge of civil war.

Nation building

Although most Iraqis agree on the need for nation building, they do not agree on a common approach to accomplish it. This situation complicates the already complex process of nation building. One good example is the process of writing and adopting the Iraqi Constitution. A constitution is supposed to be a contract among the representatives of the society's components. In order for it to be a reflection of that nature, it takes a long time to be deliberated and adopted. An example that comes to mind is the writing and adopting of South Africa's Constitution, which took nine years. The writing and adoption of the Iraqi Constitution, on the other hand, was rushed and produced within a few months and representatives of certain groups (the Sunni Arab) were not fully represented. The rushed process was a reflection of deeper divisions and mistrust among Iraqis. It was reached not as a result of shared visions, but of mistrust and fear of each other. Now, as written, the Constitution has become an obstacle rather than a facilitator. Furthermore, the federal/central government is weak and the local governments that are controlled by ethnic and sectarian groupings make nation building even more challenging. With the decline of civil society, the vacuum is being filled by religious and tribal institutions, thus enhancing sectarian divisions among the Iraqis.

Federalism is supposed to be a cause for unity, but federalism – as currently stipulated – is a point of division.

Following the Allies' occupation of Germany after World War II, the United States developed the Marshall Plan as a roadmap for rebuilding West Germany and other European nations. A similar plan did not exist for Iraq and it is unclear if the coalition forces (especially the Americans) now have the resources and time to assist in nation building.

The international community (European Union and United Nations) could play a positive role in Iraq's nation building, especially financially. Assistance of that kind should be coupled with accountability and oversight of the Iraqi government's management, which at the moment is lackluster. The accountability and oversight is crucial in ensuring transparency and integrity.

There is a realization and awareness by Iraqis that foreign assistance is important to bring about social and economic development. The paths toward realizing that goal differ, however. The Shia Islamists think of Iran as a source of support; the Turkmen look to Turkey. In addition, there are those who seek Western and American assistance, including the Kurds and some Iraqi Arabs. Whereas the Iraqis seek support from those countries, the countries want to use Iraqis as instruments of foreign policy.

These points lead us to conclude that security and stability are prerequisites for development.

Security

The invasion caused not only the collapse of Saddam's regime, but also the state and its institutions, especially those that were directly providing security. The collapsed institutions did not have any effective replacements. The lack of replacements had a negative impact on improving social services (health, transport, electricity, etc.) and most affected were the poor. Additionally, Iraqis turned to other sources for protection such as traditional ethnic, social, and sectarian groups, thereby pulling Iraqis apart instead of uniting them. The emergence of local mafias was another consequence. The mafias took advantage of dismissed and aggravated military personnel to take the law into their own hands, and that also became a source of livelihood for those groups. The business of providing protection in return for money became lucrative not only for these militias, but also for tribal clans. They are becoming a source of threats as well as intimidation and even resort to force to deny local and central authorities' attempts to create stability. As part of the surge strategy, the United States encouraged the establishment of the Al-Sahwa (pre-dominantly Sunni Awakening Councils). Al-Sahwa played a role in decreasing the violence by targeting the Al-Qaeda elements. The short-term benefits of their actions are certain; their existence, however, could have dire consequences in the long term. The councils are armed and mainly Arab Sunni and they still do not trust the Baghdad Shia government. They have not yet been incorporated into the armed or police forces because the Shia government is suspicion of them. This could lead in the future to further divisions in Iraqi society along sectarian lines.

To deal with these challenges, Iraq needs a strong army. There is currently an army and police forces, but they are far from professional because their establishment was based to a great extent on sectarian and ethnic lines. The impact of this

problem was recently showcased when a group of soldiers quite their posts during the fighting against the Mahdi Army in Basra.

Political stability

For Iraq, achieving political stability poses the following question: Do Iraqis have the desire to live together?

The invasion brought dramatic changes to Iraq's politics. The traditional rulers of Iraq (secular Sunni Arabs) were stripped of their power and handed it over to the Shia Arabs in the south and the Kurds in the north. Five years of sectarian and ethnic politics have effectively deepened the crisis in a country that does not have a lasting tradition of power-sharing and has witnessed relative stability only under dictatorship or under British influence prior to the 1958 revolution. Political stability must be reached through a process underpinned by national reconciliation. The constitutional process was an opportunity to help national reconciliation, but a rushed drafting and adoption process yielded the contrary. Another hindrance to national reconciliation is the new "de-Baathification" law. Despite the fact that a new law has been adopted to deal with former Baath party members, it falls short of winning over the former Baathists. Therefore, a more accommodating and less partisan law should be adopted; the amended accountability law has failed to achieve that goal. The Baathists who are secular have been pushed into opposition, rather than trying to win over the moderates and isolate the extremist elements in their ranks.

Force is sometime thought of as a solution, but it would not yield stability. What is needed is a political solution based on compromise and national reconciliation. Finally, stability and poverty do not go together; it is then logical to assert that the prerequisite for political progress is economic stability.

Culture of dependency

The previous regime cultivated a culture of dependency among the Iraqi population by subsidizing food as well as most services (electricity, gas, and food). Any change from this will drastically affect the poorer segments of the society, especially the unemployed. The state-controlled economy of the previous regime created a predatory state capitalism that manipulated the population by means of fear and greed.

The growth of villages into towns and any signs of recent prosperity have been more the result of a greater presence from the prior government than locally developed economic viability plans. However, with the demise of a central authority, the newly created political groupings have become self-sufficient by relying on illicit source of income (i.e., embezzlement and corruption). After five years of occupation, Iraq's government is awash with money (2008 budget is $48 billion). Iraq lacks the capability to use this newfound budget efficiently. It should also be mentioned that Iraq's government suffers from a lack of accountability, and that is just another burden in the culture of dependency.

Distribution of assets in Iraq

Oil industry

The oil industry, which provides the main source of income, faces political difficulties as well as financial ones. Oil could be the most important factor in maintaining and sustaining Iraq's unity and stability.

The Kurds and the Shia want to turn oil fields discovered in their respective areas into sources of revenue for their regional provinces rather than the central government. The Sunni Arabs in central and western Iraq, whose region lacks oil, will oppose such a step.

The present situation in Iraq is not conducive to foreign investment in the oil industry; at the same time, the American administration is in no position to spend what is needed to develop Iraq's oil industry. In an attempt to circumvent the international sanctions, the previous regime used smuggled oil as a source of revenue. The insurgents as well as some ruling political parties are currently following the same strategy. Under the proposed federal system, the revenue from existing oil fields will revert to the central government, but the revenue from newly developed fields will go to the regional governments. This will be highly problematic because the oil industry is the main sector in which to find employment, followed by the governmental sector. Privatization of the oil industry faces strong traditional and political opposition, and an American-supported initiative to pass a new oil law failed to be adopted by the Iraqi Council of Representatives. The Oil Industry Workers' Union was subdued by Saddam's regime and was not effective. This could change and the Union could play a vibrant role in the future. Its revitalization will assist in filling the civil society vacuum currently occupied by religious institutions.

Agriculture

Agriculture was the main source of revenue for Iraq from 1920–1950. That is not the case anymore. The continued impoverishment of the rural masses that depended on agriculture for revenue was evidenced by the tremendous migration from rural to urban areas throughout the 1960s and 1970s and into the 1980s. What is known as Al Thawra City (renamed Sadr City after the fall of Saddam) in Baghdad is an example destination of this migration. The migration to urban areas was due to the depressed rural conditions and other variables, rather than job opportunities in the cities. Despite some commercial developments in rural areas, agriculture was still the economic base and main source of revenue in the late 1980s. But the failure to resolve the technical problem of irrigation contributed to declining rural productivity. The decline of agriculture is more evident in the south and mid Euphrates area. Notably, rice production is in the south and is labor-intensive; the north produces mainly wheat and does not require as much labor.

Land ownership

The most comprehensive survey available for land ownership, the Agricultural Census of 1971, put the total farmland (cultivable) at over 5.7 million hectares, of

which "civil persons" held more than 98.2 percent. About 30 percent of this had been distributed under the agrarian reforms. The average size of the holdings was about 9.7 hectares, but 60 percent of the holdings were smaller than 7.5 hectares, accounting for less than 14 percent of the total area. At the other end of the scale, 0.2 percent of the holdings were 250 hectares or larger, amounting to more than 14 percent of the total. Fifty-two percent of the total was owner-operated, 41 percent was farmed under rental agreement, 4.8 percent was worked by squatters, and only 0.6 percent was sharecropped. The status of the remaining 1.6 was uncertain. Based on limited statistics released by the government in 1985, the amount of land that had been distributed since the inception of the reform program totaled 2,271,250 hectares.

Most rural communities are nucleated settlements rather than dispersed farmsteads, meaning the farmer leaves his village to cultivate the fields outside it. The Marsh Arabs in the south, on the other hand, live in small clusters of two or three houses kept above water by rushes that are constantly being replenished. The Marsh indigenous people were forced to leave their dwellings during the Iran-Iraq War and moved to other rural areas in the south.

Prior to the Iran-Iraq War, the Baath party seemed to have few roots in the countryside. After the ascendancy of Saddam Hussein to power, however, a determined effort was made to build bridges between the party cadre in the capital and the provinces.

In Kurdistan, meanwhile, the government launched a scorched-earth campaign to drive a wedge between the villagers and the guerrillas. Starting in 1984, whole villages were torched and subsequently bulldozed, resulting in the Kurds flocking into the northern urban centers of Irbil and Sulaymaniyah. Also, as a military precaution, the government cleared all the inhabitants from a broad strip of territory in the Kurdish region along the Iranian border.

Industrial and commercial sectors

The industrial and commercial sectors were limited mainly to Baghdad, Basra, and Mosul. Governmental protectionist policies helped both sectors. Factory owners were Sunni and Shia businessmen, who suffered greatly by the American invasion. In the aftermath of the invasion, Iraqi markets were opened to the import of cheap goods and businesses were not offered government subsidies or support. As a result, thousands of such factories have become idle and their laborers rendered redundant. The trading community, better known as the Bazzar, is a dwindling force and most of the capital has moved to Amman and Damascus.

Population

The total population increased from 12,029,000 in 1977 to 16,278,00 in 1987 – an increase of 35.3 percent, with 57 percent of that population being under the age of 20. In 1977, about 64 percent of the population was listed as living in urban areas. This was a marked change from 1965, when only 44 percent resided in urban centers. In the 1987 governmental estimates, the urban population was 68 percent. The estimate of the present Iraqi population is 30 million.

There were waves of migration as well. Partial destruction of Basra by Iranian artillery barrages had a devastating effect. By 1988, almost half of the city's residents (estimated at 800,000) had fled. Over 4 million were either displaced inside Iraq or took refuge in neighboring countries.

As far as the nomads are concerned, according to the 1977 census, 95,000 persons were nomadic or semi-nomadic Bedouins. The nomads and semi-nomads constituted less than 1 percent of the population, whereas in 1967, they had been estimated at about 500,000, or 35 percent of the population. The population remains unevenly distributed. In 1987, Baghdad Governorate had a population density of about 950 persons per square kilometer and the Babil Governorate 202 persons per square kilometer, whereas Al-Muthana Governorate possessed only 5.5 persons per square kilometer.

The major cities are located on the nation's rivers and the bulk of the population live in the areas that are cultivated with water taken from the rivers.

International developments after World War I were unfair to the national aspirations of the Kurds. President Woodrow Wilson declared his renowned principles of self- determination, and the Kurds – among others nationalities – were hopeful to realize their nation-state. But regional developments, such as the Kamal Ataturk revolution in Turkey and Western designs for the region (the Paris Conference of 1919), led to the separation of the Kurds into four different countries. The Kurds became ethnic groups within Turkey, Iraq, Syria, and Iran.

In Iraq, the Kurds have been able to destabilize Iraqi governments since the inception of the Iraqi state. But their armed struggle failed to enhance their national aspirations; only the Kuwait War – with the 1991 uprising and then the invasion of 2003 – gave them what armed struggle had failed to achieve: namely, a government administered by the Kurds.

The maximalist Kurds believe that if Iraq fails, they will be okay. Under this theory, even if the country splits apart, the United States will stand by its Kurdish friends, establish military bases in Iraqi Kurdistan, and ultimately ease the way toward its independence. But recent developments in Kurdistan with American acquiescence of cross-border Turkish incursions have proved that assumption wrong.

In Kurdistan, there is widespread discontent among the Kurdish populace about the dominance of the two leading parties (the KDP and PUK). Rampant corruption and inflation have added to the discontent, which has benefited the emerging Islamic and tribal opposition.

Arab nationalism was instrumental in the collapse of the Ottoman Empire, but after the rise of independent Arab states it became a vague concept. It was indeed used as a fig leaf for mustering political support. The Palestinians called on the Arabs to help them against Israel in 1948. The Iraqis invoked Arab nationalism in the 1960s to get their Syrian brothers' support for suppressing the Kurds. When Saddam Hussein spoke about Arab nationalism, he was promoting himself as a custodian of the whole Arab nation. These days, Arab nationalism is a mere synonym for cultural identity. But this identity is in a crisis, not only in Iraq but throughout the Arab world. However, the rise of Iranian influence could breathe life into Arab nationalism as a means to rally Arab states against Iran.

Democratization

Five factors hinder democratization in the region and in Iraq: demography, Islamic traditions, undemocratic elites (tribal, sectarian, ethnic), culture of dependency, and lack of regional democratic tradition.

- First, demographic changes affect democratic practices. In Lebanon, the Lebanese feel threatened by a growing Shia majority, and Jordanians feel threatened by a Palestinian majority. In Iraq, the city of Kirkuk is claimed by Kurds, Turkmen, and Arabs alike. These situations force the population to revert to sectarianism and ethnocentric defense mechanisms rather than rely on democracy as a protective measure.
- Second, Islam (as practiced) indeed retains certain undemocratic traditions. During the last elections in Iraq, the Islamic clergy heavily influenced people's votes. The right to vote as an individual, not as part of a flock, was greatly disrespected.
- Third, until now, the elites who are lacking in democratic practices have been power-grabbers. They have to learn to share power. This will not be easy in the short run. But there are traditional values supporting the idea of power-sharing as the best way to rule a country, even if this means that democratic principles are implemented only gradually. In the Arab world, the opposition is often worse than the government. There was homegrown opposition in Iraq until the 1950s. But what came after – the communists with their ties to Moscow and the nationalists with their ties to Nasser – was not a true, indigenous form of democratic opposition. Rather, those groups were influenced by foreign interests. Similarly, today's Shia Islamic parties are very much influenced by Iran.
- Fourth, the nationalization of industries and the agricultural reform following the revolution of 1958 in Iraq eliminated the independence of the middle and the lower-middle classes. It became customary to live on state support. Since the fall of Saddam, Iraqis depend on whoever is willing to support them, allowing loyalties to be bought regardless of political inclinations. Building democracy is hard under these circumstances.

Eastern Europe benefits from its Western European neighbors that have experienced democracy. Unfortunately, Iraq adjoins Saudi Arabia, Iran, Syria, and Jordan. These are countries with weak democratic traditions.

Islamic tendencies

Political Islam in a country divided along sectarian lines, like Iraq, will be a divisive force. The Iraqi Shi'a's perception of having been persecuted by the Saddam regime (i.e., Sunni minority), especially after the March 1991 uprising, made them more conscious of their Shi'ism and thus open to influence from religious leaders and Iran. Though the first Shi'a political organization was established in late 1959 – the Dawa party – it gained momentum only after the Iranian Islamic revolution of 1979. During and after the Iran-Iraq War (1980–1988), Iran sponsored and supported Islamic Shia movements. One of them is the Supreme Islamic Iraqi Council (SIIC), which was established in 1982. It was headed by Mohammad Baqir Al-Hakim, a leading figure

from a prominent religious Shi'a family in Najaf. Regarding the Sunnis, with the exception of the Iraqi Islamic Party (an offshoot of the Muslim Brotherhood), there were no Islamic Sunni parties prior to the American invasion.

The American invasion of Iraq in 2003 created a political vacuum in Iraq, which was soon to be filled by religious orientations, with one supported by Iran on the one hand, and one represented and supported by Al-Qaeda on the other.

There was a significant difference, however. Whereas the Shia had a unifying authority embodied by the Maarjiah (Shia religious authority), the Sunnis lacked such an authority. With the absence of a unifying authority, the Sunni Arabs demonstrated their ability to destabilize Iraq if disenfranchised.

Now, we witness serious divisions within both Shia and Sunni religious camps, which could offer an opportunities for cross-sectarian alliances.

Secularism in Iraq

Secularism has a long tradition in Iraqi history and most political parties were secular. Secular forces were among the casualties of the US-led invasion, though. Whereas sectarian parties were backed by some neighboring countries, the secular ones were the victim of sectarian polarization. Consequently, the secular political parties were dealt a serious blow in the 2005 elections.

The future of Iraq

According to many organizations, Iraq is a failed state and the division among the Iraqis has rendered them incapable of salvaging the country. But is the partitioning of Iraq feasible? Neighboring countries have an interest in maintaining Iraq's unity, although for different reasons. This raises a question about the feasibility of partitioning Iraq.

The American role is becoming more important than ever, but that role should be coupled with the adoption of a different approach. Specifically, it should engage all the regional forces in a dialogue to create a regional order and hopefully put an end to the ever present vicious circle of war. With Kosovo in mind as a precedent, the role of the Europeans could be both positive and negative.

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Since the end of the Cold War, ethnic and religious conflicts have increased significantly. The international community was largely helpless in the face of genocide in Rwanda and the Balkan wars. Since then, interest in conflict management methods has grown considerably. Nation building and state building in fragile states has thus become an instrument of international policy. The issues related to the structuring of government bodies, constitutions, or institutional frameworks for political pluralism are regularly confronted with forms of ethnic and religious conflicts. Managing these conflicts involves finding equilibrium between the territorial integrity of a state and its inherent promise of stability and the principle of a peoples' right to self-determination. Comparisons can be helpful in evaluating the successes and failures of various ethnic integration strategies. The international political weight of the topic was underscored by the events related to the war in Georgia in the summer of 2008.

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