THE ROLE OF INTERNATIONAL GOVERNANCE IN THE DEMOCRATIZATION OF POST-CONFLICT SOCIETIES THROUGH PROMOTING POLITICAL CULTURE. CASE STUDY: KOSOVO UNDER UNMIK ADMINISTRATION

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Abstract

      The following study focuses and aims at analyzing one of the latest practices in UN peacekeeping philosophy about the ever increasing role of its administered territories in exercising broader governance authority typical to the ones of a modern state. In this regard, the practice of administering Kosovo by UNMIK has been analyzed as a case study where this mission has been evaluated as a prime example of exercise of this authority.

Initially, the study focuses on the analyses of exercise of these powers where UNMIK has fully exercised governmental powers governing Kosovo's society during the post-war emergency period in particular. Then, apart from governance powers, UNMIK's scope of activity has been analyzed in a longer-term plan. UNMIK has apparently been perceived as a mission with a state-building mandate even though this has not been stated on the framework of its political objectives. It shall also be explained how the state-building function of this mission has been accomplished along with its governance function and therefore it resulted in the establishment and functioning of state capacities for self-governance, with an emphasis on the establishment of institutionalization and democratization components. It shall be further explained that besides establishment of these two interrelated components, UNMIK has played a very active role even when it comes to determining the nature of an electoral system through which efforts have been made to determine the type and level of the political culture in Kosovo. Furthermore, in order to better understand the role that UNMIK has played in Kosovo regarding determining and directing the political culture in

Kosovo's society though designating an electoral system, the study focuses on finding the goals claimed by UNMIK.

Introduction

A rather clearer definition of the multi-dimensional character exercised by the international modern and interim administration concerns the fact that these administrations manifest their effectiveness by accomplishing twofold responsibilities: exercise their *interim international governance role* in the one hand and *enable the establishment of state-building capacities in the other.* This double mandate, aims at increasing empirical sovereignty of the admistered territory. In other words it enables authorities to exercise an effective control of the entire territory and provide basic physical security and economic wellbeing for their citizens (Joseph B. Coelho, 2008). Having a twofold mandate, international administrations are usually charged with the responsibility of establishing institutions of governance in territories under their administrative control.

In fact, by following such organizational pattern, we will notice that even thought not expressively stated, UNMIK has accomplished a twofold mandate in Kosovo. Here, the first mandate deals with the representation of UNMIK as international governance whereas its second mandate refers to UNMIK's role as a state-building agent (Joel C. Beauvais, 2001). It could be said that UNMIK's state boulding components emerge from the exercise of its legal mandate which has been the establishment of democratic self-governing institutions (Coelho, 2008) which were later evaluated to have served as a bases for strengthening the empirical statehood of Kosovo (Zaum, 2007).

Methodology

Even thugh researchers in general claim that qualitative or quantitative (Bob Matthews, 2010) methods should be used in order to study social and political phenomena, however, depending on the nature of problems under study, it is very important to use a range of qualitative or quantitative methodologies. Since our case study is composed of a range of issues, then a combined multi-dimenional (qualitative or quantitative) methodology is required.

Among the qualitative methods mostly applied in this study are the following: critical, explanatory, mormative, comparative methods etc. These methods shall be used in a specific and combined manner depending on the direction chosen to address respective problems.

On the other hand, the quantitative range of methods shall be focused on utilizing statistical methods and research techniques wich will enable the measurement and systematization of data taken from conducted research. These data shall be gathered based on empirical research related to the measurement and assessment of opinions and perceptions of the citizens of the Republic of Kosovo about the problems dealt with on this study.

Research techniques to obtain and process data have been implemented through citizens's sourveys where interviewee samples have been carefully selected. Key samples focus on professional categories including mainly social sciences students in such fields as political, judicial, social, economical etc. Afterward, an important sample includes participants like professors and analysts of political and social issues. Apart from the aforementioned, a sample represents other research professional centres as well as political parties in Kosovo.

The number of participants in the survey has been chosen following the approach represented by Sekaran- a researcher who recommends that they should be more than 30 and less than 500 (Sakaran 2000). Based on this recommendation, 220 people have participated in the survey composed of 20 samples. Processing and analyses of these data has been conducted based on the most advanced programme so far used for scientific research on the following social sciences fields: SPSS - Statistical Package for Social Sciences.

UNMIK's role on governance and international state-building of Kosovo

Scholars claim that the 20th century has entered the international arena as an era where international governance (Caplan, 2005) is gaining a greater role and countries have found themselves obliged to realign their functions (Wilen, 2007). Moreover, a greater role of international governance has taken place due to the international administration of certain societies and countries (Mingst, 2004).

Viewed on the perspective of the doctrine of administering international territorries, the sense of international governance or international administrative authority refers to international administration powers in direct control of the course of the transition process (Reka, 2003). Usually this kind of approach is applied on the administered territory in order to create political circumstances for stability and bases for sustainable development (Coelho, 2008).

Nowadays, new peace-keeping missions, especially those of the fourth generation, have almost become a common practice since they have fulfilled their initial phase of control over the transitional period (direct governance) and have paralelly started the establishment and strengthening of internal/local self-governance capacities; a process which has been

generally viewed as state-building (Fokuyama, 2010). In the meantime, it has been assessed that these institutions shall serve as strong foundations for the revival of a new and accountable establishment where state governments are obliged to act as "moral agents" in ensuring the fulfillment of certain standards of governance towards their citizens in order to be recognized as a legitimate sovereign state and that is *positive sovereignty* (Coelho, 2008). Therefore, based on this logic, we shall analyse how UNMIK has acted in building local self-governance capacities which have later served as a state-building platform in Kosovo, even though this has not been expressively specified on UNMIK's mandate. In terms of phases of accomplishemnt of its mandate, this course of UNMIK's activities has been arranged on three final phases aiming at accomplishing long-term objectives. They included the following: preparations for organizing and holding elections, the establishment of interim institutions of democratic and autonomous self-governace and undertaking measures to resolve the final status (UN Report, S/1999/779).

Institucionalization and Democratization strategies and approaches

Regarding the strategies and initial approaches applied by UNMIK in the course of its activities for the establishment of these two state-building components, it can be said that the priority has been given to the "institutionalization before liberalization or democratization" (Tansey, 2009). In order to achieve this, "bottom-up" approach has been applied particularly during the process of progressive transfer of authority from UNMIK to local institutions.

Viewed on this context and observed from the practical developments in Kosovo, it can be proven that UNMIK has had its decisive influence in Kosovo's democratization process during a later phase by utilizing its initial strategy of institutionalization of Kosovo through PISG (Reka, 2003). In addition, Meurs claims that in the concrete plan "the internal political process in Kosovo has been institutionalized through PISGs". State-building (namely the establishment of institutions) has preceded democratization process on purpose". Therefore, no matter to what extent this UNMIK approach is evaluated as very instrumentalized and burocratic (Tansey, 2007), yet it was a calculated approach in terms of adapting to the nature of problems featuring the post-war Kosovo's society. This means that the international community had not randomly decided to utilize its specific "bottom-up" approach in democratization through organizing and holding a series of rounds of elections starting from local elections (held on 28 October 2000) to central elections (held on 19 November 2001) (Meurs, 2004). This implies that the organization and holding of a range of free and democratic elections served as the most important instrument in the process of

establishment of these components (namely institutionalization and democratization). Apart from free elections, the inclusion of the civil society through activities of a great number of NGOs has also been considered to have been a key factor that has played a constructive role in the process of institutionalization and democratization during the post-war Kosovo (Baskin, 2004).

Institutionalization and Democratization: Instruments and factors in Kosovo

Now it is clear that apart form the aforementioned strategies and approaches applied by UNMIK aiming to achieve the institutionalization and democratization of Kosovo's society, this course of UNMIK's activities has been directly conditioned by the inclusion of some other instruments and factors characterizing UNMIK's state-building role. For example, in one hand, holding a range of regular free elections on the local and cental levels has served as crucially important *instrument* of UNMIK's ageda towards achieving this objective, whereas, on the other hand, a special attention should be payed to the analyses of the civil society role as an important *factor* in the process of institutionalization and democratization of Kosovo.

Elections as an instrument of citizens' paraticipation in the process of institucionalisation and democratisation of Kosovo's society

In fact, by designing an electoral system, UNMIK has had a direct and indirect impact towards shaping the general framework of the political system in the post-war Kosovo (Tansey, 2007). This system has been established and made functional by UNMIK, respectively OSCE within the Third Pillar (Zaum, 2007). In this context, some of the most important features to be analysed are the following: elections as an instrument of citizens' participation in the process of institutionalization and democratization of Kosovo's society and as an indicator of the level and type of the internal political culture.

As far as the role and importance of elections in promoting political representation within a society is concerned, researchers like Heywood have often considered elections and even the democracy in practice itself as being the heart of the political process, and for this notion, the representation principle is the major one (Heywood, 2007). In addition, authors like Schumpeter have considered elections as a minimal criterion for democracy (Schumpeter, 1950).

Bearing in mind the fact that for more than seven years Kosovo has been under direct international administration (and it still *de jure* continues to be, UN Resolution 1244), then the analyses of the electoral system in Kosovo turns out to belong to a *sui generis* model (Andreas Zimmermann &
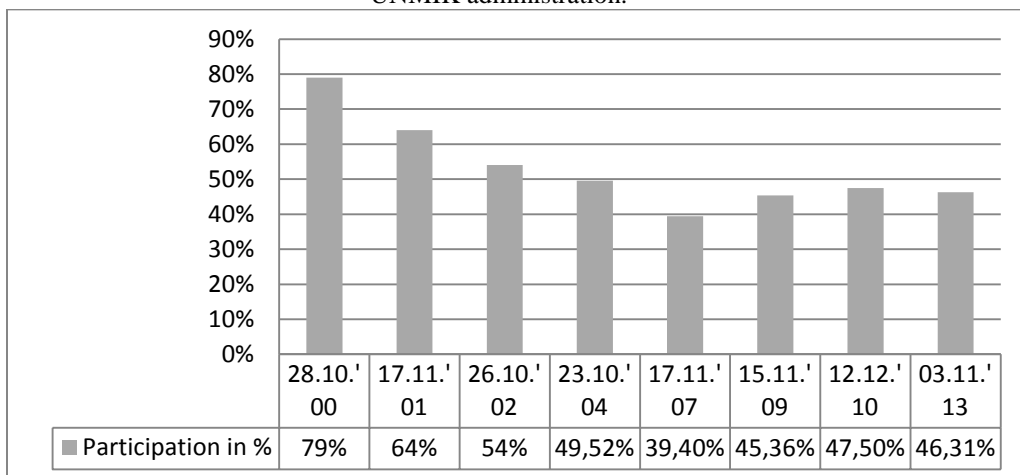
Carsten Stahn, 2001), and this fact in particular enables a thorough and clear understanding of the role of elections as an instrument of citizen's participation in political and public life in Kosovo.

According to researcher Tansey, we should take into account the fact that electoral policies of international administrations, apart from the role they have in determining the electoral approach to be applied in the democratization of an administered society, another essential element of the electoral policy related to international administrations also deals with the designing of the electoral system (Tansey, 2006). Furthermore, external stakeholders may give advice on the elections, and, if needed, they can even definitely impose the electoral system. According to Tansey, the latest practices suggest that international authorities have a clear preference for proportional systems over the majority ones. Kosovo is an obvious example where UNMIK has presented (and even imposed) a system of proportional representation (Tansey, 2006).

In the year 2000, eight elections have been organized and held in Kosovo. The first five have been organized and supervised by UNMIK and OSCE under the Third Pillar and assisted by the locals whereas the latest three were organized and held by the locals with the assistance of internationals. It can be clearly observed that during these elections, there was no electoral threshold; there were always reserved positions and they have been held with closed lists in most of the cases (Balkan Policy Institute, 2012). These practices indicate a not that democratic character and this occurred due to the specific status Kosovo had during the period of it being under UNMIK's administration. This can even be considered as a problem that led to the decline in the participation of citizens in elections and consequently it has had an impact on their political representation and institutional life of the country (Malazogu, 2009).

Based on the results of citizens' participation (those citizens who had the right to cast the ballot) in the five elections that were held in Kosovo (especially before the declaration of independence), we can notice that the percentage of participation on them has constantly declined. For instance, the difference of boycott in percentage from the first elections held 79% to the latest ones 47.5% is 31.5% which means that the threshold has continuously deepened. However, after the declaration of independence (when Kosovan institutions had the leading role for organizing and holding elections) there was an increase of citizens' participation in the elections by 5.96% thus making a difference from 39.40% to 45.36%. The percentage of participation in elections has marked another slight increase of 2.14% during the elections held in 2010. This situation is presented on the chart below (Chart 1):

Chart 1. The percentage of participation of citizens in the elections held in Kosovo during UNMIK administration.

	28.10.'00	17.11.'01	26.10.'02	23.10.'04	17.11.'07	15.11.'09	12.12.'10	03.11.'13
▪ Participation in %	79%	64%	54%	49,52%	39,40%	45,36%	47,50%	46,31%

Source: The chart is based on the data from Central Election Comission (CEC) of Kosovo. Avaliable: http://www.kqz-ks.org/sq/rezultatet

Nevertheless, apart from its role in determining the nature of the electoral system, UNMIK has also made efforts to determine the type and level of the political culture in Kosovo.

In support of this claim, there is also the ascertainment that Zervaki has found in his study on the role of governance activities of international territorial administrations of post-war societies. According to him, among others, UN administrations such as UNMIK and UNTAET have given their contribution in creating new interim political cultures within political systems in Kosovo respectively Timor-Leste (Zervaki, 2008).

In order to understand the role UNMIK has played regarding the internal political culture in Kosovo through electoral system, it is important to provide a simplified chart of the concept of classification of the political culture as an analytic category of political sciences. In this regard, we will refer to the approaches of Almond and Verba wich they have applied in their classical work entitled *The Civic Culture.*

In this work, Almond and Vebra determine the political culture as a "special dispersion of orientation models towards political objects among the members of a country". Regardles of these orientational models, these authors classify the political culture based on narrow-minded and participating type. Then, based on the relationship of these two types, they determine the type of civic culture which emerges from the rationalist-participating model of citizens who support the democratic government where the citizens participate actively and impact the politics of the country and they mainly achieve this through elections (Verba, 1989).

In the context of UNMIK's impact in shaping the political culture in Kosovo, the goal of UNMIK as an international administration was to support the transition from the subjective or narrow-minded to a rational political culture or active participation in the political life. To be more concrete, UNMIK has made efforts to consolidate or even set up (over the Kosovo people) that what has been conceived as civic culture which "is not a modern culture, but it is a culture that combines the tradition and modernity; a pluralist culture wich is based on communication and obedience, a culture of consensus and diversity, a culture that does not allow change but it rather models it".This concept of "civic culture from above" is related to opening the democratic character of the state which would be established (Zervaki, 2008).

Therefore, based on this theoretical ascertainment and especially based on the empirical data (see Chart 1) it can be concluded that the level of maturity of the political culture in Kosovo may be categorized as belonging to the third type; that is, rational participation. This is even more stressed particularly due to the fact that there has not been that functional electoral system in Kosovo. However, this technical problem (related to the process of democratization of Kosovo's society) remains rather unimportant compared to the essential and major problems: concentration and exercise of extensive governance authority by the Special Representative of the Secretary General (SRSG) and not clearly defined polititical agenda of UNMIK regarding the definition of Kosovo's final status.

Regarding the impact of UNMIK's extensive authority and its diminishing democratic character in governing Kosovo's society, researchers claim "that direct governance by an international administration tends to create the preconditions for its own illegitimacy, and that a strong-handed approach might exacerbate the aforementioned legitimacy paradox" (Hebert, 2009).

As Herbert points out, apart from the SRSG's potentially great role in Kosovo's life and political processes, he also faced the local population's great expectations. Being instead of a *de facoto* Kosovo Government position, UNMIK had to *ipso facto* face the same requirements as any other legitimate government (Reka, 2003). Therefore, bearing in mind the fact that UNMIK was *de jure* leading Kosovo, logically UNMIK was to be blamed for all stagnation in political and social processes in Kosovo. Kosovans became very critical since UNMIK was not an elected government. UNMIK simply could not convince the population on the legitimacy of governing Kosovo's territory. As UNMIK's governance was welcomed during the "emergency phase" of intervention from 1999 to 2001, it was soon regarded as annoying and obtrusive (Hebert, 2009).

Such ascertainment has also been supported by the opinion of Kosovo's society. From the terrain sourvey results, citizens' opinions show that the key factor diminishing UNMIK's democratic character in governing Kosovo's society was directly linked to the extensive authoriry vested on SRSG. On the other hand, their opinions show that the nature of the electoral system has been a far less important factor compared to other relevant factors (given in Chart 2) that might have led towards diminishing UNMIK's democratic image. A graphic representation of opinions of the interviewed regarding the following question:"*What has been the greatest impact in diminishing UNMIK's democratic character*", the answer is given on Chart 2:

Chart 2. *What has been the greatest impact in diminishing UNMIK's democratic character?*
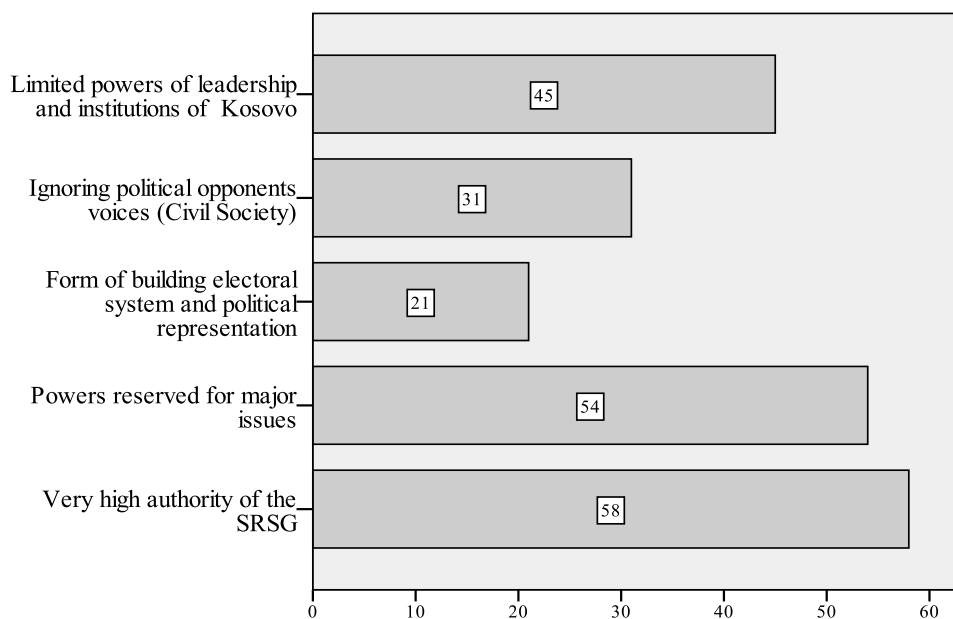
It is clear that in many academic circles (apart from 5 factors analysed above), the prevailing idea that the non-definintion of a time-framed and meaningful agenda by UNMIK has been the main factor to undermine the cohesion of developments in all walks of life in Kosovo, including the processes of institutionalization and democratization (Iain King & Whit Mason, 2006). Since UNMIK's top priority has been the promotion of self-governance (the clear part of the mandate pursuant to Resolution 1244) than the legitimization of new social and political developments on the ground, then this very fact has reflected as an obstacle for the international community to achieve its prime objective: that (as Zervanski calls it) of creating "*a demos*, a multi-ethnic society in the context of the model of

citizen culture and not an etnos that would imply narrow-minded models of behaviour" (Zervaki, 2008). This fact has made some researchers to consider the democratization process in Kosovo as "ethniticized democratization" (Narten, 2009).

Status settlement issue has had an impact on UN's daily practice. UNMIK was forced "to sail well amid the two risks: Kosovo's independence and YFR sovereignty (Stahn, 2008). It has been proven by many sources that by following such politics of balance, UNMIK has *de facto* contributed to Kosovo's territorial partition on ethnic bases (Hebert, 2009). This partition has been officially confirmed by the UN reports issued by the so-called "fact-gathering" mission that has stayed on the ground for five days (UN Doc. S/2007/256, 2007) to observe the security situation in Kosovo that changedas a result of unrest that occurred in March 2004. After conducting the visit on the terrain, this mission concluded that communities remain ethnically divided and live separately to a great extent. The mission further assessed that UNMIK's performance (in consolidating a multi-ethnic society) was relatively poor and emphasized the factual situation on the ground where Kosovo Serbs continued to boycott Kosovo's self-governing institutions thus giving more support to the Belgrade-orchestred "parallel structures"(Hoff, 2011).

Based on the data from the terrain, Kosovo society opinion regarding the assessment of UNMIK's efficiency scale in the democratization of Kosovo's society was very poor. Represented on five assessment scales, the opinion of respondents regarding the question: "*to what extent has UNMIK democratized Kosovo's society*" has been given on chart 3:

Chart 3. *To what extent has UNMIK democratized Kosovo's society*?
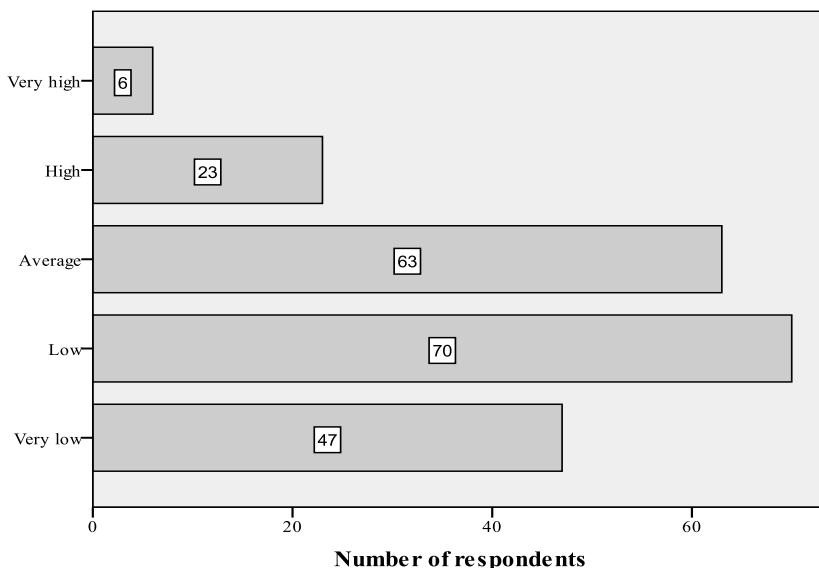
Civil society role as a factor in the process of institutionalization and democratization of Kosovo's society

During the process analyses of institutionalization and democratization in Kosovo, UNMIK had also reserved a very important role for the civil society. Moreover, this practice has become an undivided part of peacekeeping pissions that have a state-building agenda.

In fact, the following question arises: what has been the role of the civil society and to what extend has it been efficient with its impact in the accomplishment of this process?

Within their agenda for creating circumstances for sustainable peace in a post-conflict territory, it has recently become almost a usual practice for international multi-dimentional administrations to also establish civil society sector capacities as an important factor contributing to these circumstances (Stephenson & Zanotti, 2012). In the scope of strategic goals of these administrations, it has been evaluated that a functional civil society through its soft strategies can help these administrations and the societies where they function to find and address the causes of conflict through the "bottom-up" approach (Coelho, 2012). The best way NGOs could contribute in this respect is considered to be their role in intensifying the political cooperation based on trust and mutual cooperation (Coelho, 2012). In this view, the civil society cooperaties and communicates openly with the state through its involvment in democratic institutions and various ways of political dialogue and even by activating social movements in observing the work of the government (Coelho, 2012).

As a part of a broad agenda of international state-building missions, international donors have considered the development of new NGOs as an essential issue for the advancement of Kosovo towards stability, democratic change and promotion of multi-ethnicity from the bottom (Coelho, 2012). Viewed from the role NGO's can have in the state-building processes, especially within the institutionalization and democratization components, it has been noticed that the international community has had clear goals in mind; to create a sustainable partnership between the civil society and governing institutions through some NGO-oriented policies. This partnership has been mostly characterized by the assistance role NGOs could play in the democratization of Kosovo's society that would also reflect positively in the process of Kosovo's state-building (Coelho, 2012).

As a matter of fact, from the very beginning of administering with Kosovo, UNMIK had applied a very open approach regarding the establishment of this sector. At this period, civil society in Kosovo marked an expansion through NGOs due to many interational donations and facilitated registration procedures (Oliver P. Richmond & Jason Franks, 2007). In this regard, according to the data available, international

community in Kosovo has given a tremendous contribution to the democratization process of the society in general through empowering the civil society. For example, in 1999, there were officially 130 NGOs and their munber has increased fifty times more going up to 2.500 and there were even 3.000 of them in 2004 and 2006. Moreover, in 2012 it has been estimated that there were over 5.000 NGOs (Coelho, 2012).

Apart from this huge number, on the operative domain however, only 10% of these NGOs were implementing projects in the area.This resulted in most of them (around 90%) being fake or as someone used to call them as being "under the shadow" due to their inability to get finantial support from international funds and the poor performance results they were showing (Narten, 2009).

What followed was a marginalization of the civil society role and its influence in state-building capacities in Kosovo. Apart from the lack of funds, another barrier arose from the boycott imposed by UNMIK, especially when the latter began transferring the state-building role to PISG that was in line with its approach of pregressive transfer of authority. When it comes to the advancement of the civil society sector, what grew as a problem was yet undefined issue of Kosovo's future status.

To conclude with, it has been estimated that the inability of UNMIK to address the status issue has been an obsticle to organize the civil society in Kosovo in addressing essential issues that have directly affected them and the communities they have represented (Coelho, 2012). A rather harsh criticism in this respect is given by Richmond who claims that civil societies in such contexts seem to really exist only as "an imaginary product"- a product of imagination and international aspiration. Apart form this, a well – known fact is the criticism regarding the lack of coordination and a long-term strategy for NGOs (Richmond & Franks, 2007).

In this context, apart form theoretical data, empirical data from the terrain show that the ignoration of politically opponent voices coming form the civil society has also been considered as a factor that has diminished the democratic character of UNMIK's governance. A graphical representation of the Kosovans' opinion on this issue has also been given on Chart 2.

Conclusion

UNMIK's governance practices in post-war Kosovo, particularly during the emergency phase have promoted a uninque example of the inclusion of international administrations in fulfilling the tasks of a *de facto* state government. In order to fulfill this mandate in Kosovo's context, the international community had attributed a very extensive degree of administrative authorizations to UNMIK to be accomplished as concentrated authoriy.

Certain conclusions can be drawn from the above mentioned clarification regarding the establishment of state-buiding components in Kosovo.

UNMIK's entire approach applied in the implementation of this procces has been unique compared to other practices of international state-building patterns. Even though state-building in Kosovo's case has been accomplished under various specific sircumstances; this aspect made Kosovo a unique practice. This unique nature has enabled certain state-building strategies to be followed. The application of such approaches has moved even further than any other state-building standard practice.

Apart from this, there has been an apparent general problem that has occurred throughout the process! No doubt, it was Kosovo's unclear status. The impact of this problem has been minor on the domains that were not a burden of the unclear final stuatus of Kosovo. Therefore, UNMIK along with PISG were more efficient when it came to consolidation of those components that were part of its clear mandate. More or less these refer to the security and institutional components.

However, apart from UNMIK's more visible success in establishing institutional and self-governing capacities, there was a nunber of deficiencies within this sector as well. No doubt, this has been conditioned by the unclarity of the future status of Kosovo. This situation had created a number of serious deficiencies on the political discourse and the processes of civic culture of building a political identity.

Finally, it has been evaluated that UNMIK's incapability to deal with the status issue has been an obstruction in the organization of Kosovo's civil society in addressing central issues that have had a direct impact on them and the communities they have represented. A rather harsh criticism in this respect highlights that the civil society in such contexts seems to exist only as an imaginary community- a product of imagination and as an international aspiration. There is also a widespread criticism regarding the lack of coordination and a long-term strategy on NGOs.

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