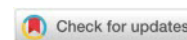


# NATION BUILDING AT THE SUB-STATE LEVEL

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**Abstract:** The process of nation-building at the sub-state or sub-state level is a difficult and complicated process that, in addition to members of minority groups, includes a number of actors such as political elites, the home state and international organizations. The comprehensiveness and diversity of the actors involved in this process are not a guarantee of its success.

Nation-building at the sub-state level should be seen in the context of the majority nation-building process, because it arises as a reaction to it. The dialectic of majority building and sub-state building of the nation coincides in certain aspects, but there are also significant deviations. A limiting factor in both processes is the rights of minority groups. Guaranteeing minority rights is a necessary condition for the legitimacy of majority nation-building, while on the other hand, the rights of internal national minorities in certain territories or regions that insist on autonomy and independence are an indicator that shows the direction in which nation-building is going at the sub-state level. Kosovo, after the Declaration of Independence in 2008, represents an example of illiberal nation-building at the sub-state level, which aims to weaken the minority community of Serbs in Kosovo.

Multinational states face the problem of nation-building at the sub-state level. In political theory, the question is open: why in the process of globalization do sub-state nations gain importance when state sovereignty weakens? This is precisely the main argument, because minority groups maximize their political demands in crisis situations of the host country, i.e. in moments when its sovereignty is being challenged. The example of the Albanians in Kosovo and Metohija, as well as in the south of Serbia and in North Macedonia clearly point to this.

**Keywords:** nation-building at the sub-state level, sub-state nations, minority rights, majority nation-building, minority nationalism

**Field:** Social sciences

## 1. INTRODUCTION

The process of nation-building at the sub-state level (led by minority groups and their leaders) is complex and is viewed in the context of majority nation-building, more precisely as a response to that process and policy. The nation-building process is accompanied by a feeling of inferiority and illegitimacy of minority groups, although the normative frameworks of individual countries point to a different state of minority rights.

In political theory, there are different viewpoints on nation building. In the analysis of sub-state nationalism, liberals opened up an old question in political theory: the nature of the democratic state and the nature of the demos in the state, focusing on the relationship between citizens and the state. According to the point of view of liberal pluralists, the natural reaction of national and ethnic minorities to the majority nation-building process is the mobilization of minority communities and the creation of their own national states (A. Dumaev). Liberal pluralists believe that combining (majority) nation-building and minority rights is legitimate, with certain limitations, while liberals denied their existence, advocating the myth of ethno-cultural neutrality. Liberal nationalists believe that (majority) nation-building has positive goals, which has been contested by ethno-cultural pluralists. David Miller raises an important question: if national loyalty is the basis of political association, what attitude should we take towards ethnic identities, the substance of which does not have to be in agreement with the national identity itself?

## 2. MAJORITY NATION BUILDING

The term "national building" or "building a nation" in political theory became attractive in the 50s and 60s of the 20th century, although its roots can be traced back to the French Revolution (1789). Members of the American academic community including Carl Deutsch, Charles Tilly and Reinhard Bendix were the main advocates. First, this term was supposed to describe "the processes of national integration and consolidation that led to the establishment of the modern nation-state, which is distinguished from the various forms of traditional states, such as the feudal state, the church state, and the Empire." Sub-state cultures and loyalties that either disappeared or lost their political importance were replaced by loyalty to a larger entity, the state. However, in the 1970s, the discussion about "nation building" went in a different

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direction when Walkner Connor published a paper called "Nation Building or Nation Destruction?". Connor felt that the state was preoccupied with social cleavages, and that ethnic heterogeneity was ignored. Since nation-building in the German tradition meant assimilation into the wider society and the eradication of ethnic particularities, Connor believed that this process in world history produced more nation-destruction than nation-building (Kolsto, 2000, p.17).

Majority nation-building is not incompatible with Western liberal democracy, on the contrary, but it is subject to certain limitations. Western liberal democracies, which are the main proponents of multiculturalism, do not renounce a strong policy of nation-building, which is combined with granting minority rights. According to the Canadian author Will Kymlicka, this would imply the following: "the presence of nation-building policies justifies minority rights, and the adoption of minority rights helps to justify the state's nation-building" (Kimlicka, 2002, pp. 62). In Western liberal democracies, the conception of national identity and national integration should be pluralistic. However, the author Taras Kuzio believes that some "Eastern" states in post-communist Europe have the character of "citizen nations", they are even more "civil" than Western states, because they "offered citizenship to all those who had a residence in their territory, which is not was a practice in Western countries". Unlike Western, Eastern European and Central European states, they are characterized by "historical nation-building" under the rule of great empires (J. Scheflin), which significantly influenced their character and the further process of nation-building (Kimlicka, 2002, pp. 60-67). Violent past, "the curse of the little ones difference" and unresolved political conflicts, make up the Western Balkans a problematic region that is under the watchful eye of the great powers (Djoric, 2024, 73).

The issue of minority nationalism should not be viewed in isolation from sub-state nation-building. On the contrary, in that case minority nationalism is strengthened. The mentioned countries have the following in common: 1. separate language groups have become increasingly territorialized, and certain languages are dominant within certain regions; 2. territorialized language groups in these countries demand greater political and self-governing rights within the federal system, i.e. multinational federation. This would mean that territorialization and federalization are closely related. Territorialized ethnic groups manage to realize self-governing rights, and language has become the most important boundary of political communities. As a result, these states become federations of self-governing language groups, which define themselves as "multinational federations". David Miller warns of the differences between ethnicity (which should be treated as a private matter) and nationality (which is a political phenomenon). Linguistic recognition is characteristic of ethnic groups. According to Miller, it happens in practice that ethnic groups pass into the domain of nationality, for which there is no justification, but it cannot be privatized. In this sense, a nation is often formed from an ethnic group that is dominant in a separate territory and bears the characteristics of that group: language, religion, cultural identity (Miller, 1995). Will Kymlicka believes that democracy is realized in a better way within linguistic subunits, because participation is ensured in a better way, while at higher levels it is under the influence of the elite (Kymlicka, 2001, p. 213).

### 3. NATION BUILDING AT THE SUB-STATE LEVEL

The problem of politics and the process of nation-building at the sub-state level is expressed in multinational states, where national minorities strive to realize self-governing rights and establish their own nation-building policy, which is designated as "sub-state", "sub-state nation-building" or "second-level dialectic of nation-building" nations" (Will Kymlicka). National minorities respond to the majority nation-building project by demanding greater territorial and political autonomy, which would enable them to build their own nation, and they begin with demands for the establishment of self-government.

National minorities use self-government to adopt their own nation-building policies within federal units or autonomous territories (Kimlicka 2002: 62). Although the term "self-government" is reserved for "preservation of societal cultures", in the case of certain minority groups such as Albanians and Hungarians, this term has acquired an emphasized political and territorial dimension, the basis of which is culture. During the communist regime in SFRY, Hungarian nationalism and segregationism, nor Vojvodina's bureaucratic autonomy on the territory of the province of Vojvodina, were not considered, as if they did not represent a "political fact" (Ćosić, 2012, p. 22).

Constitutional design allows states to deny multi-ethnicity or to accommodate particular national identities. Failure to accommodate particular or minority identities manifests itself in four cases: 1. the constitution does not recognize the multi-ethnic nature of the state; 2. denying minority groups to participate in the decision-making process; 3. sub-state minority groups do not have control in the process of submitting constitutional amendments; 4. minority groups lose the autonomy they previously enjoyed

(Tierney, 2008, p. 510). According to the opinion of liberal nationalists, the central place in the process of sub-state nation-building is the right to self-determination (self-determination). Sub-state nationalists first start from the demand for constitutional changes that would adapt to the multi-national character of the state, and reach for the strategy of “constitutional interpretation” (Tierney, *Ibid*, pp. 514-515). The Constitution of 1974 provided for the “right to self-determination” which was reserved for federal units, i.e. for peoples if they wanted to leave the federation, and not for “nationalities” of national minorities who had national and territorial claims, such as the Albanians in Kosovo who called for this right. In the 1980s, there was a dispute about this term in the political discourse.

The Constitution of the SFRY from 1974 states that the right to self-determination is granted to the peoples: “the peoples of Yugoslavia, starting from the right of every people to self-determination, including the right to secede, based on their freely expressed will in the joint struggle of all peoples and nationalities in the national liberation war and socialist revolution, and in accordance with its historical aspirations”. According to Yael Tamir, the right to self-determination should be a cultural demand, not a political one, defined as “the right to preserve the existence of the nation as a separate cultural identity” supported by political solutions or arrangements such as territorial autonomy, federalism, confederalism, etc. (Tamir, 2002, p. 122). The right to self-determination is different from secession. The unilateral declaration of Kosovo’s independence in 2008 represents “the last example of the exercise of the right to self-determination”, i.e. an example of “illegal secession” which is in contradiction with international public law, because it is carried out against the will of the central authorities (Mitrović, 2014, pp. 992). In order to maintain its independence, the nation-state must have not only internal cohesion, but also military and economic strength and defensible territory, so that it is not annexed by hostile forces or overrun by criminal and terrorist organizations (Hazoni, 2021, 193).

After the collapse of the Socialist Federal Republic of Yugoslavia (1945-1992), new national states (which within the SFRY had the status of federal units) were established on its territory. Newly formed national states on the territory of the former Yugoslavia represent an example of ethno-nationalized societies, created by the disintegration of the SFRY, during the 1990s. Ethnonationalized societies represent a “regressive direction of the social constitution” where there is a “return to the nation” at any cost, which means a return to tradition, turning to the past, reaffirmation of traditional values, restoration of the social role of religion... (Pandurević, 2021, 16).

Sub-state nationalists challenge the sovereignty of the host state in different ways using many methods. In practice and rhetoric, sub-state nationalists combine legal and political elements of sovereignty. According to Martin Loughlin’s definition, sovereignty is “generated as a product of the political relationship between the people and the state.” This relationship appears in the discourse of sub-state nationalists. For them, the idea of “people” should have a pluralistic dimension; and the sovereignty of a multinational state cannot only mean “the relationship between the people and the state”, but must be “the relationship between the peoples who together make up the state and the state itself” (Tierney, 2005, pp. 162).

Among the Albanians in Kosovo, there is a “separate nationalism” that is characterized by the suppression of individualism and the destruction of political institutions (Orlović, 2008, pp. 222), which experienced its manifestation in full light in the nineties of the 20th century. This type of nationalism is characteristic of post-communist societies. Nevertheless, the separatist aspirations of the Albanians appear earlier, even before the famous session of the Central Committee of the Union of Communists of Serbia (1968) when the “father of the nation” Dobrica Ćosić opened the “Kosovo question” pointing to the chauvinism and separatism of the Albanians. That is, the general public was aware in 1956 of the existence of an illegal separatist movement that is illegally arming itself and aspiring to establish a “Greater Albania”. Since the Albanian uprising in Drenica in 1945 against the inclusion of Kosovo and Metohija in Yugoslavia, i.e. Serbia, there has been a widespread awareness among Albanians and communists of their main national goal - unification with Albania and the creation of a “greater Albania”, which was proclaimed by the League of Prizren in 1878. (Ćosić, 2013, p. 12).

Albanians as well as their political leaders in Kosovo and the south of Serbia also rely on a historical myth, more precisely the myth of the Illyrian origin of the Albanians. According to the Illyrian point of view, the historical territory of the Albanians, i.e. the Albanian state, would in the future extend from Lake Skadar in Montenegro in the north, to the Gulf of Ambraki in Greece in the south, as well as from the Adriatic Sea to the Treska River in Macedonia, including Preševo, Bujanovac, Medveđa and Lebanon (Sotirovic, 2013, p. 9). This idea will remain present from the beginning of the Albanian nationalist movement called “Albanian National Revival” (Alb. Rilindja Kombëtare), which operated from 1878 - 1913, and the political activities of the First Prizren League (1878-1881), until the establishment of the Albanian terrorist paramilitary the KLA terrorist organization and the current actions of Albanian political leaders. The Illyrian theory of Albanian ethnic origin is the most popular theory in the construction of the Albanian nation, especially among

politicians, intellectuals, and scientists from the 19th and 20th centuries (Milosavljević Stević, 2023, p. 160). According to this theory, Albanians are the descendants of the Illyrians, an authentic nation, and an indigenous population who have historical rights over the territories (which were inhabited by the Illyrians), unlike the Serbs, Montenegrins and Macedonians who are labeled as “foreigners” who do not have these rights. Also, according to the Illyrian theory, the Illyrian-Albanian historical and ethnic rights in Kosovo and Metohija are fifteen centuries older than the historical and ethnic rights of the Serbs (Sotirovic, 2013, p.8).

The “separate nationalism” of the Albanians was followed by demonstrations, which, according to Baysinger’s theory, represent a prelude to secession. Demonstrations by students and high school students from 1981 in Kosovo indicate the maturity of the ethnic self-awareness of the Albanian national community. This event was supported by numerous intellectuals such as Behlju Bečaj (president of the Association of Political Scientists in Kosovo), who believed that: the Republic of Kosovo “is not a paradise for Albanians, just as it is not hell for Serbs and others living in Kosovo”, and that it represents “a forced product reality”, and “a mechanism for protecting the national identity of Albanians” (Milosavljević Stević, 2023). The Constitution of SFRY from 1974, based on the universalistic conception of national identity, within which the particular ones are integrated, enabled the creation of privacy and the intensification of the particular or secessionist pretensions of the Albanians in Kosovo. Dimitras and Papanikolatos consider the following: “if Serbia had maintained the autonomy of Kosovo under the Constitution of 1974, this province would have been part of the Federal Republic of Yugoslavia, perhaps as a republic” (Dimitras and Papanikolatos, 2002, p.174).

#### 4. FAILED STATE-BUILDING PROCESS IN KOSOVO

After the democratic changes in Serbia in October 2000, the Democratic Opposition of Serbia was committed to protecting the country’s territorial integrity, consistent implementation of UN Security Council Resolution 1244, “guaranteeing the rights of all residents of Kosovo”, encouraging their “integration into the country’s democratic institutions” (Vladislavjević, 2019, 179).

Sub-state nation-building, on the one hand, ensures the protection of societal cultures of national minorities that inhabit a certain territory in dominant numbers, while on the other hand, it multiplies the problem of numerically inferior national groups that have found themselves in that territory. The policy of sub-state nation-building fails to ensure the protection of the so-called of “internal minorities”, in contrast to majority nation-building, which includes the protection of minority groups, on the basis of which it derives legitimacy. Newly formed states created from the administrative areas of the former SFRY were faced with the challenges of affirming the ethno-cultural diversity of the “new” national minorities. The example of Croatia after secession from the SFRY shows that the states after gaining independence were not able to solve the problem of new or internal minorities (Serbs - as the most numerous national minorities). Croatian political leaders after gaining independence rejected the demands of the Serbs for the territorial autonomy of Krajina, offering them a minimal form of cultural autonomy without political self-government, which resulted in conflicts.

In the Balkans, the term “national minority” is perceived by minority groups as a pejorative term. Albanians in Macedonia and Kosovo believe that they have been “degraded” to minorities and that this is incompatible with their demands (Dimitris and Papanikolatos, 2002, pp. 175). If we start from the position that the national minority represents “a part of the people that has its own home country, but lives on the territory of another country”, then in the context of the entire country, Albanians in Serbia are a minority, and not Serbs in Kosmet who “live in an Albanian majority environment are exposed insecurity and fear for national and individual existence (Orlović, 2008, p. 224). The example of Kosovo (with the majority Albanian ethnic group, and “internal minorities” - Serbs, Goranians, Roma, Turks...) clearly shows that the process of sub-state nation-building is short-lived and unsustainable, and that “illiberal nation-building” is at work. In fact, “internal minorities” represent the main limitation of sub-state nation-building. The Kosovo problem was and remains entangled in the contradictions between the Albanian minority in Serbia and the Serbian minority in Kosovo (Ibid).

Just as in the case of majority nation-building, the respect and affirmation of minority rights are a necessary condition, so also in sub-state nation-building, the affirmation and equal relationship of “internal minorities” is important in order for that process to be legitimate. The analysis of the state of human and minority rights in Kosovo, from the sixties of the 20th century until today, indicates that this is a failed nation-building process at the sub-state level, and that from the very beginning that process was doomed because it failed to meet the minimum liberal and democratic principles.

An important role in sub-state nation building is played by the mother country. Political leaders from Albania, in order to exert influence on their members on the territory of Kosovo and Metohija and arouse



irredentist aspirations. They were often reminded of the common origin and united state of all Albanians, which is based on the Illyrian theory of ethnic identity of Albanians. Unlike the communists in the former SFRY who tried to diminish the importance of nationality, the communists in Albania tried in different ways (through education, i.e. history textbooks) to strengthen the ethnic self-awareness of Albanians by emphasizing the Illyrian roots of Albanians (Milosavljević Stević, 2023, p. 160). Although the position of the international community in the 1990s was that it was necessary to respect the sovereignty and inviolability of the borders of the Republic of Yugoslavia, Albania was the only country that recognized the “Republic of Kosovo” in 1991, and in 1996 insisted that Albanians in Kosovo should accept autonomy within Serbia (Orlović, 2008, pp. 224).

The process of sub-state nation-building in Kosovo has its roots in the beginning of the crisis of federalism in the former SFRY. At the famous session of the Central Committee of the Union of Communists of Serbia, held on May 29, 1968, when inter-ethnic relations were discussed, the emergence of chauvinist feelings and separatist goals that have existed since 1966 were discussed. In the former SFRY, the real inequality of the Serbs in the Federation was labeled as “Serbian nationalism” or “hegemonism”, and “the difficult situation of the Serbs in Kosovo and Metohija and their flight to Serbia were first spoken by Serbian nationalists and anticommunists, people who were labeled as “Serbian reaction”” (Čosić, 2013, p. 11).

After the arrival of UNMIK and KFOR, after the NATO aggression against the FRY (1999) which was carried out in order to protect the minority rights of Albanians, there followed a mass exodus from Kosovo, as well as displacement within Kosovo, primarily of Kosovo minorities, especially Serbs, Roma and in some areas Albanians. The Yugoslav Red Cross announced that there were 234,000 displaced Serbs and Roma in Serbia and Montenegro by October 1999 (Baldwin, 2006, p. 20). In the period from June 1999 to the violence of March 2004, more than 220 thousand Serbs and other non-Albanians were expelled from the province, and 120 Christian shrines and monuments were devastated and destroyed (Government of the Republic of Serbia).

According to the author Andrea Lorenzo Kapusela, NATO’s intervention in the Federal Republic of Yugoslavia and the secession of Kosovo created opportunities for the construction of a state in Kosovo. The territory of Kosovo and Metohija (Kosovo and Metohija) is “the scene of the most expensive, intensive and ambitious state-building experiment ever attempted, which began in June 1999 and continued until today” (Kapusela, 2016, p.13). According to Kapusela, the state-building process in Kosovo failed for several reasons. State building in Kosovo failed to ensure democracy, economic prosperity and stability. Despite the efforts of the international community, Kosovo is the most unstable region. In addition, minorities in Kosovo, especially Serbs, are exposed to threats to their security and survival, although according to Ahtisaari’s plan, Kosovo is committed to providing a high level of protection for minorities. Minorities are excluded from the main social and political stream, based on which we can conclude that the Government of the self-proclaimed state of Kosovo leads an exclusivist policy towards minorities. Although there are reserved seats in the Assembly of Kosovo for minorities (10 seats for Serbs, and the remaining 10 for Roma, Ashkali, Egyptians and Gorani), they cannot influence the decisions of the Albanian political elite. Marginalization and exclusion of minority communities is a practice, and this is supported by the State Department’s report on respect for human rights in 2015, which states that in addition to the Roma, the Serbian minority is also exposed to violence by the Albanian majority. 250 cases involving violence against the Serbian minority were registered (Milosavljević Stević, 2023, p. 50).

As we stated, when building a nation at the sub-state level, national minorities do not use the policy of naturalization and military service in nation building. However, Kosovo deviates from this practice. Ahtisaari’s plan envisaged the formation of a “multi-ethnic security unit”, but a larger number of Western armies present in Kosovo are making an effort to strengthen the Kosovo army, where the German Bundeswehr plays an important role. Kosovo Defense Minister Ejup Macedonci signed the Framework Military Agreement with Turkey in January 2024, which includes the deepening of military cooperation (Kosovo online 2024). For the purpose of building a state in Kosovo, the Assembly of Kosovo adopted the Law on Citizenship, which foresees the naturalization of foreign persons, where it is stated, among other things, that a foreign person obtains the citizenship of the Republic of Kosovo, if he meets the conditions, among which is the recognition of the constitutional and legal order of the Republic of Kosovo, as and elementary knowledge of one of the official languages in the Republic of Kosovo and culture. After the unilateral declaration of independence in 2008, Kosovo represents an example of illiberal nation-building, where a “decentralized tyranny” was established, and the Serbs were put in a Kafkaesque situation. After the Visa Liberalization Agreement (2009) signed between the representatives of the Republic of Serbia and the European Union, a Coordination Administration was formed that issued passports to Serbian citizens from Kosovo, which are also proof of citizenship of the Republic of Serbia, however, the Kosovo

government did not allow Serbs to cross the border with these documents from Kosovo, which followed a series of incidents at border crossings to which Serbs are exposed. This forced Serbs and other non-majority communities to request identification documents from the Kosovo Ministry of Interior. This is just one example of forced integration into the legal order of Kosovo, more precisely a territory that is not internationally recognized, and where the only legal provisional government of Serbia is in Kosovo.

## 5. CONCLUSION

The process of sub-state nation-building is a very complex and difficult process, regardless of the number of actors involved. Even the efforts of the international community as a key actor in the process of sub-state nation building, with the support of political elites, Albanian citizens and social forces, were not enough for that process to succeed, because there is an absence of international recognition, and it still represents a more unstable region in the Western Balkans. There is no doubt that such a forced process has left consequences on the relations between the ethnic communities in Kosovo. From the former integration of Albanians (at the time of the existence of the SFRY), through the coexistence of Serbs, Albanians, Goranis, Roma and Ashkali, we come to the antagonism of Albanians against all the mentioned minority groups. The example of Kosovo has shown in the most obvious way that Western principles cannot maintain the order of a unilaterally destroyed of the state of Kosovo, although the USA and some EU member states recognized the independence of Kosovo). Why is it so? In the paper, using the theory of liberal multiculturalism of Will Kymlicka, we showed that Western principles tailored to the American ethnic mosaic cannot be exported to other parts of the world, because they cause conflicts. This is indicated by the latest events in Ukraine, Azerbaijan (Nagorno-Karabakh), as well as in Israel. In 2007, Francis Fukuyama, analyzing the situation in Afghanistan, Somalia and Kosovo, stated that the United States of America and the international community managed to correct the mistakes of the past that they committed in Panama, Somalia, Haiti and Bosnia during their stabilization. Taught by experience until the time when the nation-building initiatives in Kosovo and East Timor appeared in 1999 and 2000, the US government and the international community managed to establish better methods of internal coordination and establish better institutional mechanisms in nation-building, however, the Bush administration she denied it. According to Fukuyama, the problem facing the external powers is "to ensure short-term stability by introducing security forces, police and obtaining humanitarian technological assistance to restore electricity, water, banking, payment systems..." (Fukuyama 2007:114). This leads to the conclusion that the "humanitarian interventions" of Western countries, intended to protect minority rights, multiply antagonisms by offering short-term solutions for social and political stability. It is difficult to talk about the establishment of democracy in the absence of respect for universal human rights. It follows that Western principles are unsuitable for Southeast Europe, because it is characterized by a diametrically opposite historical context, the process of majority nation-building, political history, as well as political culture, and it is unreasonable to expect the success of the aforementioned principles bearing in mind this context.

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