# KOSOVO - HISTORY AND ACTUALITY

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## Abstract

The Kosovo region was always the "cause of fight" between Serbians and Albanians, Kosovo becoming a long source of hate between the two populations. The Serbians considered Kosovo the "Saint Land", some kind of Jerusalem. They provided historical arguments as well: they were saying that the territory of Kosovo province was situated in the centre of their medieval empire; on this territory were the main religious "flags", which helped the Serbians to achieve their own cultural identity, in this region being situated their main monasteries built during the medieval period.

The Serbian writer Dobrico Ćosić stated in 1999 that Kosovo province "is not only a piece of land, it represents the Serbian identity itself. With the loss of Kosovo... the Serbian people was mutilated".

In this study, a range of observations are provided on etymology, a brief history, as well as the causes which determined the beginning of conflict.

**Keywords:** Kosovo, Yugoslavia, Kosovo-Metohia, Army of Liberation of Kosovo, NATO.

## Introduction

In 1871, at Prizren, was organised a reunion of Serbians, where was discussed the possibility of reconquering and reintegrate the province of Kosovo in the "old Serbia", whereas the Serbia Principality was already doing plans for the expansion of Ottoman territory. In 1878, was signed a Peace Agreement which stipulated the transfer of the control of Priştina and Kosovska Mitrovica towns to Serbians and the waiving to ottoman jurisdiction, whereas the rest of Kosovo province remained under ottoman control. In the same year, the Albanian ethnics formed the League from Prizren, which aspirated to the unification of all Albanians, following to acquire autonomy in the Ottoman Empire. The League from Prizren governed Kosovo until 1881, when it was abolished by Ottoman troupes.

## I. Observations on the name of Kosovo province

A theory about the name of Kosovo states that it comes from the Serbian neuter possessive adjective *kos*, which means "merle"<sup>1</sup>. *Kosovo Polje* means "merle field", the place were took place the famous Battle from Kosovo Polje<sup>2</sup>.

The region currently known as "Kosovo" became administrative region since 1946, as Autonomous Province of Kosovo and Metohia<sup>3</sup>. In 1974, the composition "Kosovo and Metohia" was changed in "Kosovo", on Autonomous Province of Kosovo and Kosovo<sup>4</sup>, but

<sup>&</sup>lt;sup>1</sup> http://opinionleaders.htmlplanet.com/koskosova.html.

<sup>&</sup>lt;sup>2</sup> It took place on the day of Saint Vitus (June 15<sup>th</sup>, currently celebrated on 28<sup>th</sup>) 1389 between a coalition of Serbian boyars and the Ottoman Empire.

<sup>&</sup>lt;sup>3</sup> It was an autonomous province of Serbia within the great Yugoslavian federation which existed from 1946 until 1974.

<sup>&</sup>lt;sup>4</sup> It was one of the two autonomous socialist regions of the Socialist Republic of Serbia and was a part of Federative Socialist Republic of Yugoslavia since 1974 until 1990.

in 1990, was renamed after the previous name as Autonomous Province of Kosovo and Metohia<sup>5</sup>.

The entire region is known as *Kosovo* in Romanian, and in Albanian as *Kosova*. In Serbian, it is made a distinction between the East and West part; the term of *Kosovo* is used for the East part, whereas the West part is called *Metohia*.

The formation of Kosovo Republic is the result of decomposition of Yugoslavia, mainly of the War from Kosovo between 1996 to 1999, the nationalist renaissance from Balkans under the domination of Ottoman Empire in the XIX century, and mainly of the conflict between the Albanian and Serbian nationalities.

#### **II. Brief history**

#### 2.1. Prehistoric and medieval epoch

During the Neolithic epoch, the region of Kosovo was within the extension of Vinča  $Culture^{6}$ , which was populated by Dardens between IV – I before Christ. Later on, the region was conquered by Romans in 196 before Christ and integrated in the Roman province Illyricum in 59 before Christ.

In 87 before Christ, the region of Kosovo became part of Superior Moesia<sup>7</sup>. In 850s, Kosovo was attached to Bulgaria, later on, in 1018, it was conquered again by Byzantines. As the Slav resistance managed to prevent the coming of Byzantine empire in the region, most of the times, the Kosovo region passed on the one hand, or in the suzerainty of Serbians or Bulgarians, and, on the other part, in the suzerainty of Byzantines, until the Serbian Principality Rascia conquered it in the XI century.

Under the full suzerainty of Serbia Kingdom until the end of XII century, the Kosovo region became a laic and secular medieval Serbian centre in Nemanjić dynasty in the XIII century, with the Patriarchy of Orthodox Church installed at Peć. The peak was reached upon the formation of a Serbian empire in 1346, which, after 1371, turned from a medieval monarchy into a feudal kingdom. Kosovo became the land of inheritance of the House Branković and Vučitrn<sup>8</sup>.

In 1389 takes place the Battle from Kosovo Polje, won by the ottoman forces, which defeated the coalition of Serbians, Albanians and Bosnians governed by prince Lazăr Hrebeljanovici<sup>9</sup>.

#### 2.2. History of Kosovo pachalic

Kosovo was part of Ottoman Empire since 1455 until 1912, first as part of Rumelia pachalic and starting with 1864 as a separate province.

On the initiative of Roman-German king Leopold  $I^{10}$  in 1690, the Patriarch of Serbia from Péc, Arsenie III, would have governed the relocation of a contingent of around 37,000 families, most of them Serbians, from Kosovo and other regions to Austria. However, several migrations of Christian Orthodox from Kosovo followed as well during the XVIII century during the great Serbian migration. In 1766, the Turks abolished the Patriarchy from Péc and created *jizya*, a tax system belonging to non-Musulmans, affecting much more the position of Christians in the region. In contrast, many Albanian chiefs converted to Islam, winning

<sup>&</sup>lt;sup>5</sup> It was incorporated during the anti-bureaucratic revolution by the government of Slobodan Miloşevici (the first president of Serbia, occupying the position on May 8<sup>th</sup> 1989, until July 23<sup>rd</sup> 1997) since 1990 until 1999.

<sup>&</sup>lt;sup>6</sup> The Vinča culture / Turdaş culture was an European culture (between the millenniums 5 and 3 before Christ) extended around the Danube in Romania, Serbia, Bulgaria and Macedonia. The name of the culture comes from Vinča, a suburb of Belgrade where in 1908 were discovered the first archaeological rests.

<sup>&</sup>lt;sup>7</sup> Moesia, sometimes written Moësia, was the antic roman province situated today on the territory of the states of Serbia, Bulgaria and Romania. Geographically, it is situated between the Black Sea on east, the Balkan Mountains and the Sar Mountains in south, the river Drina on west and the Danube river on north. <sup>8</sup> http://ro.wikipedia.org/wiki/Kosovo.

<sup>&</sup>lt;sup>9</sup> https://www.cia.gov/library/publications/the-world-factbook/geos/kv.html.

<sup>&</sup>lt;sup>10</sup> Leopold I (born on June 9<sup>th</sup> 1640, Vienna and dead on May 5<sup>th</sup> 1705, Vienna) from the House of Habsburg was emperor of the Saint Roman Empire between 1658-1705. He was also king of Hungary, Bohemia, and Croatia. The Saint Roman Empire was an empire extended in Central Europe since the Middle Ages, since 962 and until 1806, when it was abolished on the initiative of Napoleon.

#### KOSOVO – HISTORY AND ACTUALITY

prominent positions during the Turkish region. On the whole, "the Albanians had less causes of concern", and sometimes they were persecuting hardly the Christians on behalf of their Turkish leaders. The final result of the four centuries and a half of Islamic domination was marked by a decline in the demographic structure of the Slav Christian from Kosovo.

With the "renaissance of nations" in the whole South-East Europe, began the Albanian nationalist movement, focused in Kosovo, and which caused ethnic tensions and a long fight between Christian Serbians and Musulman Albanians<sup>11</sup>.

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#### 2.3 Kosovo in the XX century

The movement of young Turks supported the centralized government and opposed to any kind of autonomy wanted by Kosovarians, mainly Albanians. In 1910, an Albanian revolt extended from Priştina and lasted until the visit of the ottoman sultan in Kosovo, in June 1911. In 1912, during the Balkan wars<sup>12</sup>, most part of Kosovo was captured by the Kingdom of Serbia, whereas the region Metohia was conquered by the Kingdom of Montenegro. Later on, an exodus of Albanian population took place, the Serbian authorities promoting the creation of the new Serbian establishments from Kosovo, as well as the assimilation of Albanians by the Serbian society. The state of Kosovo province was completed the next year, by the Treaty from Lodon from 1913.

During the winter between 1915-1916, during the First World War, the Serbian army was withdrawn from Kosovo, thus the province was occupied by Bulgaria and Austro-Hungary, further on, in 1918, the Serbian army chased away the Central Powers. After the First World War, on December 1<sup>st</sup> 1918, the monarchy was turned into the Kingdom of Serbians, Croatians and Slovenians, and Kosovo was shared in four counties, three belonging to Serbia (Zvečan, Kosovo and south of Metohia) and one from Montenegro (north of Metohia). Nevertheless, the new system of administration from April 26<sup>th</sup> 1922 divided Kosovo in three regions of the kingdom: Kosovo, Rascia and Zeta. In 1929, the kingdom was turned into the Kingdom of Yugoslavia and the territory from Kosovo was reorganised.

In 1935 and 1938, two agreements between the Kingdom of Yugoslavia and Turkey were signed for the expatriation of 240,000 Albanians from Turkey, but which were not completed due to the Second World War<sup>13</sup>.

In 1941, Kosovo and Yugoslavia got involved in the Second World War after the Axis Powers invaded Yugoslavia in 1941 and a great part of Kosovo became part of Albania controlled by Italians, and other parts were assigned to Bulgaria and Serbia, being under the military administration of Nazis Germany. The Italian fascist regime of Benito Mussolini<sup>14</sup> was exploited by the nationalist feelings of Albanians, to encourage it to create the Great Albania<sup>15</sup>, including as well the province of Kosovo, which was obtained during the Second World War, period when dozens of thousands of Serbians were chased away from Kosovo.

<sup>13</sup> http://ro.wikipedia.org/wiki/Kosovo.

<sup>&</sup>lt;sup>11</sup> http://ro.wikipedia.org/wiki/Kosovo.

<sup>&</sup>lt;sup>12</sup> The Balkan wars were two wars in south-east Europe in 1912-1913, during which the states of Balkan League (Bulgaria, Montenegro, Greece and Serbia) first conquered the ottoman territories Macedonia, Albania and the majority of Thrace, and then agreed on sharing the territories conquered.

<sup>&</sup>lt;sup>14</sup> Fascist leader of Italy between 1922 and 1943.

<sup>&</sup>lt;sup>15</sup> The term of Great Albania refers to an irredentist concept of lands beyond the borders of Albania Republic, which are considered part of a larger national land by some Albanians, in terms of a current or historical

After many revolts of partisans, led by Fadil Hoxha, Kosovo was liberated in 1944 and became province of Serbia within the Democratic Federation of Yugoslavia<sup>16</sup>.

## 2.4. Kosovo in the communist Yugoslavia

After the Second World War, in Yugoslavia is instituted the communist government of Josef Broz Tito. In 1945, in Kosovo it is instituted the militarised administration, and the secret police of Tito arrests all nationalist Albanians who wanted the union of Kosovo region with Albania or the formation of a Kosovarian state.

During the years 1955-1956, thousands of Albanians were deported in Turkey. A demographic analysis of Kosovo province during the years '70s shows that the report between the Serbians and Albanians was of one Serbian to nine Albanians.

#### 2.5. Kosovo after the fall of communism

After the fall of communist block and of Soviet Union, the world, recently escaped from the Cold War, witnessed the disintegration of Yugoslavia and the appearance of secessionist movements in the former Soviet republics.

In case of Yugoslavia, certain regions asked for much autonomy, wanting to go further than the frame offered by the internal constitutional organisation. Kosovo is another kind of region. In 1945, the Kosovo-Metohia region was assigned the status of autonomy in Serbia, status consolidated in 1963, then in 1974, on the occasion of amendment of federal constitution and abolished in 1989 by Slobodan Miloşevici, the former president of Yugoslavia. After the Albanian ethnics in the province reacted violently with respect to the withdrawal of the status of autonomy, Miloşevici sent in 1990 the Yugoslavian army in Kosovo and dissolved the parliament of the province. In September 1990, the Albanian ethnics from Kosovo organised a referendum deciding the secession from Serbia and Yugoslavia. It is obvious that the results of such referendum couldn't be acknowledged.

Before the firm attitude of Yugoslavian authorities (formed, starting with 1992, from Serbia and Montenegro), the Albanian ethnics organised a guerrilla movement, attacking mainly the Serbian police forces. The tension increased very much, the Serbian authorities reacted again very tough, forcing the Albanian inhabitants of province to abandon their dwellings. Albania contributed as well to this situation, supporting with weapons the movement of Albanian ethnics in the province. At the end of 1998's summer, the problem of Albanian ethnics from Kosovo, called by them Kosovarians, became already a humanitarian problem which drew the attention of the international community, as well as the application of the disposals of United Nations Charta and international law.

At the end of the year 1998, the Serbian authorities launched an offensive against the Army of liberation of Kosovo (paramilitary formation of ethnics), which determined the involvement of international community by the discussion from Rambouillet from 1999, discussions which didn't bring any real results<sup>17</sup>. In March 1999, NATO launched a range of air bombardments against Serbia, bombardments which had the expected effect, as the Serbian military forces withdrew in June 1999 from the province.

On October 14<sup>th</sup> 2003, the Serbian and Albanian Kosovarian leaders gathered in Vienna for the first discussions after the end of the conflict from 1998-1999.

In December, ONU determines a range of standards which Kosovo has to accomplish in order to launch the negotiations with respect to the determination of the final status in 2005.

In October 2005, the ambassador Kai Eide recommended in his report that the discussions related to the future region of Kosovo should continue.

presence of Albanian population in such regions. The term refers to the inclusion of Kosovo province, as well as of some territories from the neighboring countries, Montenegro, Greece and Macedonia Republic. The Albanians are using the most the term of Ethnic Albania.

<sup>&</sup>lt;sup>16</sup> http://ro.wikipedia.org/wiki/Kosovo.

<sup>&</sup>lt;sup>17</sup> Alan Day, *Political and Economic Dictionary of Eastern Europe*, GBR: Europe Publications Limited, London, 2002, p. 301.

Subsequently, the ONY General Secretary, Kofi Annan, appointed Martti Ahtisaari on the position of special representative for the coordination of the political process concerning the future of Kosovo province. In February 2006 begin the discussions concerning the status of Kosovo province under the auspices of the special representative of ONU, Martti Ahtisaari.

#### **III.** Causes of conflict

There were several causes which determined the conflict from Kosovo in 1999, but an immediate cause of this conflict was Slobodan Miloşevici and his manner of persecution of Kosovarian Albanians during his mandate as president of the Federal Republic of Yugoslavia<sup>18</sup>. His persecutions determined eventually the creation of a violent opposition of Kosovarian Albanians against Serbians, first by creating an *Army of Liberation of Kosovo* (Ushtria Çlirimtare e Kosovës - UCK) and then by the successive acts of violence between 1998 and 1999. However, the antecedents of conflict are back in the history<sup>19</sup>.

The Serbian writer Dobrico Ćosić stated in 1999 that Kosovo province "is not only a piece of land, it represents the Serbian identity. With the loss of Kosovo… the Serbian people was mutilated"<sup>20</sup>.

Some commentators state that Serbia has lost Kosovo for centuries, since the population of province began to become more and more Albanian. The province populated today to an overwhelming extent by Albanians (90%) doesn't see any reason to remain in the structure of Serbia<sup>21</sup>. It may be said that practically speaking Kosovo has no longer been a part of Serbia since 1999. This *de facto* independence began immediately after 1989, when Ibrahim Rugova became the president of the parallel state in Kosovo. When the participation of Albanians to public institutions was discouraged by Serbian authorities, they withdrew, creating parallel administrative structures. The existence of a parallel state in Kosovo (with schools, hospitals etc...) reflects the self-confidence of the Albanians from the province. This wouldn't have been possible if the province hadn't benefited of a wide autonomy since the beginning of '80s and if a range of officials, experts and contractors hadn't been educated at the University of Pristina (founded in 1970) which became the centre of Albanian nationalism<sup>22</sup>. In 1991, the province declared its independence for the first time, but it wasn't acknowledged by the international community. However, beside the parallel administrative structures, Kosovo did not accomplish the conditions stipulated for statehood in the Convention from Montevideo<sup>23</sup>. Currently, Kosovo has a somehow dual status: it is not an independent and internationally acknowledged state, but at the same time it is independent de *facto* from Serbia by an international protectorate<sup>24</sup>.

The problem of Kosovo province appears, in many respects, as a model of classical crisis of a minority nationalism (but majority in a part of the territory). For too many analysts, the crisis of the province was rushed (and created) by the awkwardness and irresponsibility of central authorities who were not able to anticipate the result of their actions.

In the case of Kosovo we encounter traditional elements of the movements of national emancipation:

- fast demographic increase of a minority;
- economic under-development which determined national dissatisfactions and claims;

<sup>&</sup>lt;sup>18</sup> Anca Păiuşescu, Nicoleta-Elena Buzatu, *State's Recognition and Succession Act as Contemporary Issues in International Relationships. Case Kosovo*, The 18<sup>th</sup> International Scientific Conference "The Knowledge-based Organization", Sibiu, România, 14-16 June 2012, KBO Conference Proceedings 2 – Economic, Social and Administrative Approaches to the Knowledge-based Organization, "Nicolae Bălcescu" Land Forces Academy Publishing House, pp. 748-753

<sup>&</sup>lt;sup>19</sup> http://invataistorie.blogspot.com/2011/06/conflictul-din-kosovo-1998-1999.html.

<sup>&</sup>lt;sup>20</sup> Tom Gallagher, *Balkans in the new millennium: in the shadow of war and peace*, Humanitas Publishing house, Bucharest, 2006, p. 46.

<sup>&</sup>lt;sup>21</sup> http://www.ecmi.de/information-services/enriched-links/67/kosovo-crisis-links/?no\_cache=1.

<sup>&</sup>lt;sup>22</sup> http://www.ceri-sciencespo.com/archive/decjan/articb.pdf.

<sup>&</sup>lt;sup>23</sup> http://www.ejil.org/pdfs/14/5/455.pdf.

<sup>&</sup>lt;sup>24</sup> http://www.ceri-sciencespo.com/archive/mars06/independence\_kosovo.pdf.

- creation of a national consciousness consolidated by literacy and access to education;

- repression by the central government.

#### Conclusions

The question asked now is: should the separation *de facto* of Kosovo opposite to Serbia to evolve to the constitution of a new suzerain and independent state? On point 6 of the Declaration of the Group of Contact for Kosovo dated 31.01.2006 are reminded the directory lines set forth in 2005 by the group of contact constituted by the United States of America, United Kingdom, France, Germany, Italy and Russia: it is impossible to return to the situation previous to the year 1999, Kosovo cannot be divided (between Albanians and Serbians who are concentrated in the north part of province - Metohia) and it is impossible the union of Kosovo with any part of a country or with another country. The same declaration reasserts the need of a government relying on multi-ethnic bases, considering the conditions to provide a safe environment, duty which is incumbent upon KFOR<sup>25</sup>. The plan of Ahtisaari presented in January 2007 goes further than the conclusions of the Group of Contact, anticipating a supervised independence for Kosovo.

If this province of Serbia becomes an independent state, may Kosovo become a model to follow for other regions which coquette with the idea of becoming independent states? May Kosovo become a dangerous precedent? If we considered the conclusions of the group, the answer would be rather negative, since the situation from Kosovo is the result of ethnic conflicts, of ethnic purification and of the events from 1999. The Group of Contact reasserts the fact that the state of Kosovo cannot be regulated but by considering the Resolution no. 1244 of the Security Council, resolution which confirms the suzerainty of Serbia over the province (the exact formula referred to Yugoslavia - formed of Serbia and Montenegro) and granting a wide autonomy to the province. If these are the principles agreed by the Group of Contact, why it is accepted so easily that the independence *de facto* of Kosovo has to be acknowledged as well as a juridical reality? It is true that such solution would possibly solve the existent situation, but it would generate other more serious which could involve Eurasia in a devastating war. The rules of international law do not stipulate a secession right, and the appearance of some new states is possible only by the acknowledgement of the other independent states. Do these states afford to waive the rules of international law and to see one day their own territories amputated? Even when in Kosovo took place a genocide attempt, this cannot mean granting a secession right. Thus, it would mean that the principle of state suzerainty and state integrity would be left without content. The international society may apply means of pressure against some states that do not observe the rights of some minorities (using even military means, but in compliance with the disposals of the United Nation Charta), but this does not mean the territorial amputation of some states. The intervention of NATO, authorised by the Security Council, was a humanitarian intervention in order to protect the Albanian population risking to be exterminated by a dictatorial regime. Currently, things changed, in Serbia there is a government democratically elected (in January 2007 were organised legislative elections), and the country is aspiring to enter in the European Union, hoping to obtain the capacity of candidate state for the European Union.

#### **Bibliography**

I. Diaconu, *Tratat de drept internațional public*, vol. I - III, "Lumina Lex" Publishing House, Bucharest, 2005;

C. Jura, *Rolul organizatiilor nonguvernamentale pe plan international*, All Beck Publishing House, Bucharest, 2003;

<sup>&</sup>lt;sup>25</sup> http://ue.eu.int/ueDocs/cms\_Data/docs/pressdata/en/declarations/88236.pdf.

A. Năstase, B. Aurescu, C. Jura, *Drept Internațional Public. Sinteze pentru examen*, All Publishing House, Bucharest, 2000;

A. Cassese, International Law, Oxford University Press, 2001;

J. Rehman, *The weakness in the international protection of human rights*, Kluwer Law International, 2000;

T. Salmon, Issues in International Relations, Routledge, 2000;

P. Alston, The EU and Human Rights, Oxford University Press, 1999;

B. Buzan, O. Weaver and J. de Wilde, *Security: a new framework for analysis*, Lynne Rienner Publishers, London, 1998.