

THE RIGHT TO REBEL: THE NATIONAL LIBERATION ARMY AND THE 'MACEDONIAN CRISIS' OF 2001

By Zidas Daskalovski *

Abstract:

Hailed as an exemplary case of successful inter-ethnic cooperation, Macedonia surprised many analysts and diplomats when it nearly plunged into full-blown civil war, in the spring and summer of 2001. The previously unknown 'National Liberation Army', or NLA, perpetrated a seven-month armed insurrection against the Macedonian government (from February to August, 2001). The aim of this paper is to answer the question of whether the NLA had a just case to rebel against the Macedonian authorities. In order to address this question, this article presents a normative account of the circumstances under which one has a moral right to the use of violence for political ends. The article confronts this account with an analysis of the significant socio-political developments in Macedonia from its independence in 1991 to the crisis of 2001. Macedonia is a good case study because it is a prime example of a multiethnic country, riddled with democratization problems. The present investigation unequivocally concludes that the NLA had no moral right to rebel and that its 2001 insurgency was unjustifiable. It is argued that, although it was not a perfect example of liberal democracy, Macedonia certainly had not violated the rights of its citizens to the extent sufficient to warrant armed rebellion.

Keywords: nationalism; democratization; nation-building; justice in multiethnic states.

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Introduction

Since declaring independence on 8 September 1991, Macedonia, 'the only ex-Yugoslav republic to secede nonviolently, has been considered one of the bright spots in former Yugoslavia' (Mickey and Albion 1993, 58). Hailed as an exemplary case of successful inter-ethnic cooperation, Macedonia surprised many analysts and diplomats when it nearly plunged into full-blown civil war, in the spring and the summer of 2001. Led by Ali Ahmeti, the previously unknown National Liberation Army (NLA, in English; ONA, in Macedonian; and UCK, in Albanian) – a motley group of former Kosovo Liberation Army (also UCK, in Albanian) fighters from both Kosovo and Macedonia, Albanian insurgents from the Southeastern Serbian regions of Preshevo, Bujanovac and Medvedja, young Albanian radicals and nationalists from Macedonia, as well as a few foreign mercenaries – organized a seven-month armed insurrection against the Macedonian government (from February to August 2001).

The organization's precise aims have not been clear. In the initial stages of the conflict, NLA communiqués proclaimed that it was fighting against the 'Slavo-Macedonian' oppressors and in favor of a 'Greater Kosovo/Albania'. The rhetoric later shifted, with subsequent statements declaring the aim of 'fighting for human rights of the Albanians in Macedonia and constitutional reforms'. Engaging in guerrilla warfare, in addition to brutal methods like ethnic cleansing and terrorist acts against civilians, and capable of prolonged combat, Ali Ahmeti's group soon became a powerful force in Macedonian politics, further exacerbating the ethnic tensions in the country. With emotions running high among government officials as well as ordinary Macedonians and Macedonian Albanians, the danger of civil strife was high. Under international mediation, Ahmeti eventually agreed to the NLA's pacification, on condition that constitutional reforms would be implemented to clarify the social position of Macedonian Albanians. Indeed, the constitutional reforms envisioned in the so-called Ohrid Framework Agreement, which officially brought hostilities to an end, effectively enshrine special rights for this group.

The aim of this paper is to establish whether the activities of the NLA were justifiable from a normative standpoint. In other words, this paper seeks to answer the question of whether the NLA had a just case for rebelling against the Macedonian authorities. This question is pertinent to an understanding of the moral dimensions of the 2001 conflict in this former Yugoslav republic. Furthermore, Macedonia is a good case study, since it is a multiethnic country riddled with democratization problems resulting from power struggles between ethnic

majority and minority populations to determine the legitimate relationship of ethnicity to the state.

In order to successfully address the present query, this paper will present a normative account of the circumstances under which one has a moral right to the use of violence in pursuit of political goals. It will also provide a detailed analysis of the important socio-political developments in Macedonia from its independence in 1991 to the onset of the crisis in 2001. This investigation unequivocally concludes that the NLA had no moral right to rebel and that its 2001 insurgency was therefore unjustifiable. It will be argued that although Macedonia was not a perfect example of liberal democracy, it certainly had not violated the rights of its citizens to an extent that would justify an armed rebellion.

Justice in Multiethnic Democracies: the Case of Macedonia

Macedonia's population, like that of most states in Southeastern Europe, is composed of many ethnic groups and religions. According to the 1994 population census, internationally organized and monitored by the Council of Europe, Macedonia has 1,945,932 inhabitants. Besides Macedonians, the largest group, comprising 67 percent of the total population, the population is comprised of 23 percent Albanians, 4 percent Turks, and 2 percent each of Roma, Serbs, and others. (Facts about National Minorities 1997, 11) The vast majority of Macedonians are Macedonian-speaking and Orthodox, as are the Macedonian Vlachs and Serbs. On the other hand, most ethnic Albanians, Roma, and Turks are Muslim. While the ethnic Macedonian population is dispersed throughout the entire country, ethnic Albanians are predominantly concentrated in the northwest corner of Macedonia, along the border with Albania. Macedonian Albanians also reside in the capital city of Skopje and the towns of Northern Macedonia along the border with Kosovo. Macedonian Serbs are located primarily in Skopje and in the region around the town of Kumanovo. The other ethnic groups are dispersed throughout Macedonia. Macedonia, then, clearly qualifies as a multiethnic country.

What is justice in multiethnic countries? What constitute just relations between majorities and minorities in such contexts? In ethnically heterogeneous countries, justice requires that the state not be understood as a single nation state, or even a 'nation-state' at all. In an ethnically divided society,

‘the state, which treats every citizen as an equal, cannot be a nation state: it must be a co-nation state. It cannot be identified with a single favored nation but must consider the political community of all the ethnic groups living on its territory as constituting it. It should recognize all of their cultures and all of their traditions as its own. It should notice that the various ethnic groups contend with unequal initial chances for official recognition and a share of public authority, and it should offer particular assistance to the members of disadvantaged groups in approaching a position of equality. The privileges which are meant to countervail the initial disadvantages are inevitably lasting (since the inequality of the relationships of force between the state-forming groups are also lasting) and they might need to be expressed as rights’. (Kis 1996, 224-5)

A plural state derives its legitimacy from the fact that all of its citizens – not only those of the ethnic majority – consider the state's territory their own homeland, the legal system of the state their own institutions, and the insignia of the state their own symbols. These are goods to be shared by all citizens. The political community of a multicultural country can be considered just if ‘it is formed from a union of ethnic groups living together. Its official symbols, holidays, its cultural goods handed down in school, and its historical remembrance will absorb something from the tradition of all the ethnic groups belonging to it, so that everyone can see the state is also theirs: likewise, everyone can see that the state is not their exclusive possession but is held jointly with the other ethnic groups forming it’ (Ibid, 237).

A commitment to equality on the part of all the people in a multicultural society would allow minorities to pursue their own conceptions of the good life with equal support from the state. If minorities deem the preservation of their national language and culture to be a good, as they frequently do throughout the world, then a liberal state – which likely already favors the majority language and culture as a legacy of the nation – building process-needs to equalize its preferences and provide special assistance to minority populations. Public recognition and support of minority rights ‘should be to counter the unequal respect publicly paid to the bearers of social differences, reversing their invisibility and including them fully into citizenship, given that (and not because) the difference in question does not infringe the harm principle and is compatible with the liberal order’ (Galeotti 1999, 48; emphasis in the original). In other words, if the liberal state ‘functions to protect and

perpetuate one culture, then surely liberal justice demands that it protect and perpetuate others as well' (Poole 1998, 21).

In this context, a number of the demands made by the Macedonian Albanians over the last decade or so can be interpreted as expressing a desire for a just, multicultural state. When one looks at the claims put forward by the political representatives of Macedonian Albanians, one finds many that are well suited to a just framework for a multiethnic state. Over the last ten years, the major Macedonian Albanian demands that became bones of contention with the central government were: reform of the constitution, greater representation of Macedonian Albanians in public institutions and the armed forces (police and military), better opportunities for higher education in the Albanian language, and changes to the 1992 citizenship law (Daftary 2001a, 2001b, 2000, 1999). Let us first consider these issues more closely and then examine the corresponding responses by Macedonian officials.

The main controversy concerning the 1991 constitution revolved around its preamble, which declared: 'Macedonia is established as a national state of the Macedonian people, in which full equality as citizens and permanent co-existence with the Macedonian people is provided for Albanians, Turks, Vlachs, Romanies, and other nationalities living in the Republic of Macedonia' (Constitution 1992). Obviously, the preamble to the Macedonian Constitution explicitly recognizes the role of the country's national minorities. Unlike some other states in Eastern Europe that have unambiguously declared in their new constitutional preambles that their countries 'belong' to the majority nation and 'other minority groups' (see, for example, the constitutions of Romania, Albania, Croatia and Estonia), Macedonia's constitution explicitly enumerates its minorities.

However, this language proved highly controversial since it privileges the Macedonian nation over other minority nations, which are merely guaranteed 'full equality as citizens.' Symbolically, then, the constitution establishes a tripartite classification of peoples: the Macedonians, as the privileged bearers of the right to the state; the members of the four explicitly mentioned minorities, as peoples endowed with equal rights but not the primary claim to the right to the state; and the members of nations not even mentioned in the preamble, specified merely as 'others'. The preamble gave the minority citizens of Macedonia cause for complaint because it did not value them equally. In addition, Macedonian Serbs and Macedonian Bosnians could protest that their symbolic worth was not only unequal in regard to the majority Macedonians, but also in comparison with the named minorities: Albanians, Turks, Roma, and Vlachs.

The preamble of the Macedonian constitution violated the principles of liberal equality and caused great resentment among the country's ethnic minorities. The political parties representing the interests of the largest minority in Macedonia – the Macedonian Albanians – were particularly vocal in their dissatisfaction with the preamble. Although these political representatives participated in the work of the parliamentary committee responsible for drafting the new Macedonian constitution, when the new constitution was promulgated – on 6 January 1992 – the members of the Party for Democratic Prosperity (PDP), a party concerned with the wellbeing of Macedonian Albanians, did not vote in favor. Instead they boycotted the official proceeding. Ever since, they and the other of Macedonian Albanian parties have demanded changes to the language of the preamble.

Another problem that arose out of the constitution involved the position of Macedonian Orthodoxy. Specifically, Article 19 stipulated:

- ‘1) Freedom of religious confession is guaranteed.
- 2) The right to express one's faith freely and publicly, individually or with others is guaranteed.
- 3) The Macedonian Orthodox Church and other religious communities and groups are free to establish schools and other social and charitable institutions, by ways of a procedure regulated by law.’

Although the third paragraph of article 19 did not explicitly discriminate among the citizens of the country, its language clearly privileged the Macedonian Orthodox Church in relation to other religious communities. The wording of Article 19 has caused a considerable amount of friction between the leaders of the Macedonian Orthodox Church and the heads of the country's Islamic and Catholic communities. In the years since independence, Macedonian Albanian political representatives have also consistently called for the amendment of this article.

Yet another issue of contention, besides these disputed constitutional articles, was the level of Macedonian Albanian representation in public institutions. In the 1990's, Macedonian Albanians felt they were not proportionally represented in institutions such as the police and the military, especially in their upper ranks. In fact, at the time of independence, according to community leaders, Macedonian Albanians comprised only four percent of the state bureaucracy¹

¹ These and other claims by Macedonian Albanian politicians and community leaders presented in this study have to be taken with a degree of circumspection since many of the numbers do not match official statistics. It is worth noting that minority politicians around the world sometimes exaggerate their grievances for strategic purposes, and in the process do disservice to the facts.

(Poulton 1993, 25-6). Moreover, Macedonian Albanians assert that they were discriminated against in hiring for government jobs and that, in areas where Albanians 'made up 80 percent of the population, the police force is 97 percent Macedonian' (Human Rights Watch 1993). According to the PDP, in August 1995 only two out of 400 employees of the Ministries of Labor and Social Policy, Urban Affairs, and Finance were ethnic Albanians. The party also claimed that only one ethnic Albanian was employed in each of the Ministries of Culture and Science, while none were working in the Ministry of Foreign Affairs (Abrahams 1996). Moreover, Arben Xhaferi, head of the Democratic Party of Albanians (DPA), claims that ethnic Albanians made up 1.7 percent of the judiciary, 1.7 percent of the officer corps in the armed forces, and 2.0 percent of the state administration. In an interview with Human Rights Watch/Helsinki, on 30 July 1995, Ilir Luma, a member of the PDP leadership, states: 'all leaders of state institution and enterprises are Macedonian. [Ethnic] Albanians apply for these jobs but regularly get hired less, even if the Macedonians are less qualified. In the hospital where I work [in Tetovo] there are 1,350 employees. Of them, less than 350 are Albanian. It is a fact that Macedonians are only 15-20 percent of the population in Tetovo' (Ibid). Human Rights Watch was of the opinion that although 'the numbers may not be as high as the ethnic Albanian political parties claim, evidence suggests that ethnic Albanians are severely underrepresented in government bodies' (Ibid). Considering that the size of the Albanian population was clearly much higher than their share of employment in public institutions, the situation constituted a grave injustice to this minority population.

According to ethnic Albanian complaints, the situation was not much better in the sphere of education: out of a total of 71,505 students in secondary and higher education in 1993, only 2,794 were Albanian, while of 22,994 university students only 386 were Albanian (Poulton 1993, 38). In the Tetovo region, where ethnic Albanians comprise up to 70 percent of the population, only 42 classes at the secondary level were conducted in the Albanian language, as of April 1994. For obvious reasons Albanian leaders consider educational reform key to achieving parity with the majority Macedonians. Indeed, a primary complaint of the Macedonian Albanian community in the last decade has been the alleged discrimination in Albanian-language education. Community leaders have complained that there are not enough primary and secondary schools in all the locations where ethnic Albanians need them. However, the biggest controversy over Albanian-language education is to do with the demand for higher education in the Albanian language.

In the former Yugoslavia, Macedonia's Albanians mostly studied at

the University of Pristina, in Kosovo. However, under Milosevic's regime, this university closed its doors to Albanian speaking students, making higher education for Macedonian Albanians in their own language very difficult. Studying in Tirana was costly, while attending classes at Kosovo's underground educational facilities was dangerous. After demands for university level education in Albanian were completely rejected by the Macedonian government in December 1994, an Albanian language university was founded in Tetovo, through an initiative of the local councils of the towns of Tetovo, Gostivar and Debar. Although the legality of the process was judged dubious, the mayors of 22 municipalities governed by ethnic Albanian parties joined the initial three founders in 1997.² Although at first the Macedonian government reacted negatively to the university, and attempted to close it down when it first reopened in November 1995, the central authorities did not take further action on the issue. Thus, Tetovo University has been functioning ever since, without official recognition, funded by the ethnic Albanian community in the country and abroad. Throughout the 1990's, representatives of the Macedonian Albanian community have consistently pressed for the university to be officially recognized and publicly funded.

Finally, Macedonian Albanian politicians have strenuously advocated for changes to the 1992 citizenship law that established a fifteen-year residency requirement for naturalization to Macedonian citizenship.³ Since thousands of ethnic Albanians migrated to Macedonia from the Serbian province of Kosovo in the 1980's and early 1990's, ethnic Albanians demanded a five-year residency requirement. Macedonia Albanian leaders have been joined in their criticism of the fifteen-year residency requirement by the OSCE's High Commissioner on National Minorities. According to Arben Xaferi, the law disproportionately affected ethnic Albanians who had traveled freely between western Macedonia and Kosovo when Yugoslavia was one state: 'Albanians have

2 Legal experts have noted that the 1995 Law on Local Self-Government gave no jurisdiction over higher education to local authorities.

3 According to the law, citizenship may be acquired in four ways: by origin, birth on the territory of Macedonia, naturalization, or by international agreements. A person may obtain citizenship if he or she was born in Macedonia and at least one parent was a Macedonian national. When born abroad, both parents must be Macedonian nationals. In order to acquire citizenship by naturalization, a person must meet a number of requirements: 1) be eighteen years old; 2) have resided continuously for at least fifteen years on the territory of Macedonia; 3) be physically and mentally healthy; 4) have living facilities and a permanent source of funds; 5) not have been convicted of a crime in his/her state or Macedonia; 6) speak the Macedonian language; 7) accept not to endanger the security and defense of Macedonia; 8) renounce foreign citizenship

been moving freely around this area for centuries. You can't use the term 'emigration'. This law aims at ethnic cleansing because there are a large number of people who are stateless. Approximately 125,000 people are without citizenship'.⁴ Hence, reform of the citizenship law has been one of the major demands pressed by Macedonian Albanian political representatives.

Since independence, the Macedonian political elite has tried to reach out to the Albanian minority. Former president Kiro Gligorov (1991-1999) implemented a discourse based on concepts like interethnic tolerance, patience, interethnic coexistence, and equidistance in relation to Macedonia's neighbors. In his actions, Gligorov was committed to negotiation and frequent contact. In every Macedonian government of the last decade, whether under the premiership of Branko Crvenkovski, of the Social Democrats (1992-1998), or Ljupco Georgievski, of IMRO (1998-2002), Macedonian Albanian parties were represented in the governing coalitions. Thus a number of ministerial posts in the Macedonian executive have been consistently reserved for representatives of the ethnic Albanian community. From 1992 to 1998, the PDP had five ministerial seats and, from 1998-2002, the DPA secured the positions of one of the deputy prime minister, five cabinet ministers, five deputy ministers, and a proportional share in the management of public institutions.

In the sphere of education, improvements have been made to ensure that Macedonian Albanian students receive proper education in their native language. Since the number of the Albanian-speaking students enrolled at the two main universities in Skopje and Bitola in the early 1990's was particularly low, the government recognized this as a structural problem and enacted special measures to tackle it. Thus, in cooperation with the OSCE's High Commissioner for National Minorities (HCNM), Max Van der Stoep, a program for additional education was instituted in order to improve the competitiveness of Albanian minority students in the enrollment exams for Macedonian universities (the so-called 'zero-year').

In addition, affirmative action quotas for enrollment at the Skopje and Bitola universities have been in place since the beginning of the 1992-93 academic year, such that, in addition to the regular enrollment, an additional 10 percent of the places were offered to students from the various national minorities. Since 1996-97, the quota has been calculated separately for each minority according to its proportion of the total

⁴ Human Rights Watch/Helsinki interview with Arben Xhaferi, Tetovo, July 30, 1995, in Fred Abrahams, 1995. But see note 2.

population, with the quota for Albanian speaking students set at 23 percent (Ortakovski 2001, Facts about National Minorities 1997, 14-17). There is evidence of progress in this field, considering the rise in the share of the minorities in the total number of enrolled and graduated university students. The total proportion of minority students enrolled in university for the 1997-98 academic year was 15.7 percent, up from 6.4 percent in the 1991-92 (Report on Minority Rights 1999).

In order to increase the number of Macedonian Albanians, and other underrepresented minority groups, in the police force, a special quota of 15 percent was introduced in 1991. Later, the minority quota for enrollment in the educational institutions that prepare personnel for the Ministry of the Interior was set at 23 percent. As a result, the share of minority employees at the Ministry for Internal Affairs was 8.7 percent in 1996, representing an almost twofold increase from 1993. In the same vein, in 1995, the first Macedonian Albanian army general was commissioned, while several seats on the Constitutional Court and the Supreme Court were offered to ethnic Albanians (Koppa 2001, 48). Improvements were also made in primary and secondary education. Thus, for example, the number of Albanian-speaking high school students in the academic year 1997-1998 rose to 12,114, up from 8,687 in 1994-95, 2,794 in 1992-93, and 2,535 in 1990-91.

Moreover, a variety of reforms have been enacted and improvements made over the last few years, resulting in a significant increase in the level of ethnic Albanian participation in the civil service. The Agency for State Employees (ASE) – using the methods and recommendations of the European Statistic Bureau (EUROSTAT), which is a member body of the European Union (EU), and the International Labor Organization (ILO) – prepared a report on minority representation in the public administration. The report found that, in 1991, ethnic Albanians constituted only 2.5 percent of all public employees, compared to 8.27 percent in 1997, and 10.19 percent in 2000 (Interethnic Relations and Protection of Minorities 2001, 42-3). Thus, in those three years alone, the number of Macedonian Albanian public employees rose by 26.5 percent, while over the same period the percentage of all other ethnic groups in the public administration, including ethnic Macedonians, dropped.

In the troubled region of Tetovo, where Macedonian Albanians constitute an overwhelming majority, there has been significant improvement in the representation of this population in public institutions and enterprises. Thus, in early 2001, in the city of Tetovo, four out of five state-owned companies were managed by ethnic Albanians, while 9 of a total of 14 regional governmental units in the Tetovo region were administered by ethnic Albanians, including the local

offices of the Ministries of Interior, Economy, Justice, Education, and Agency for Pensions and Social Security. In addition, all regional outlets of public enterprises in Tetovo, such as the Regional Medical Center, the Cultural center, the Public Library, the Post Office, the Center for Social Affairs and the local Agency for Urban Planning were run by ethnic Albanians. Moreover, under the auspices of the local extension of the Ministry of Education, in the academic year 2001/2002, four out of five local high schools and 27 out of 33 primary schools had ethnic Albanian head masters (Ibid).

Regarding the demand for Albanian language higher education, it should be pointed out that all Macedonian coalition governments have worked toward diffusing the tensions surrounding the issue, in cooperation with the HCNM. After lengthy discussions with the Macedonian government in May 2000, the HCNM suggested a compromise solution in the form of a private university offering courses not only in Albanian but also in Macedonian and English. The government, including the DPA, reacted favorably to these suggestions and declared its resolve to finally settle the question of Tetovo University. A major positive development came on 25 July 2000 when the Law on Higher Education was adopted by Parliament. According to Article 198 of this law, students from Tetovo University can continue their studies at recognized higher education institutions based on an assessment of their abilities. Article 95 provides that education at private institutions of higher education can also be offered in the national minority languages or in any other language.

Besides tackling the education issue, the 1998-2002 government coalition of DPA and IMRO worked on the contested provisions of the citizenship law. Accordingly, the most controversial requirement of the citizenship law – the 15-year residency requirement – was to be repealed in early 2001.

The Right to Rebel

From the discussion above it becomes clear that newly independent Macedonia fell considerably short of a just union of the ethnic groups living in the country. On the symbolic level, the preamble of the 1991 constitution did not consider the political community of all the ethnic groups living on its territory as constitutive of the nation. Rather, ethnic Macedonians held a privileged position in the polity, with all the other minorities, including the ethnic Albanians, relegated to a secondary role. A similar problem has been noted with regard to the constitutional

standing of the Macedonian Orthodox Church vis-à-vis the country's other religious communities. Moreover, as Macedonian Albanians rightly complained, in the early 1990's, their community's share of public sector employment was alarmingly low. The law on citizenship, especially the residency requirement, imposed overly stringent conditions for obtaining Macedonian citizenship, perhaps stricter than in any other newly democratizing country in Eastern Europe. As a result, many who had freely migrated from other former Yugoslav republics and provinces to Macedonia, and permanently settled there during the time of federal Yugoslav and in early 1990's, had effectively become stateless denizens.

But were these deficiencies in Macedonian democracy sufficient to justify an armed rebellion? In the end, successive Macedonian governments did 'notice that the various ethnic groups contend with unequal initial chances for official recognition and a share of public authority' and 'offered particular assistance to the members of disadvantaged groups in approaching a position of equality'. In the last decade or so, the process of equalizing the life chances of all citizens through various administrative measures and legal reforms was slow but certain. Almost all the issues raised by Macedonian Albanian politicians have been dealt with in one form or another. If the results may have fallen short of the ideal, considerable progress was nonetheless achieved. In any case, the pro-reform stance of the Macedonian governments during the period in question cannot be disputed.

How are we, then, to evaluate the actions of NLA fighters in 2001 as to their right to rebel? How does political theory speak to the moral legitimacy of engaging in the violent subversion of an established political order? No definitive answer has been formulated, but those who argue that there are instances when rebellion can be justified have outlined specific conditions for such cases. Tony Honore, for example, writes that 'given certain conditions, there is indeed a right to rebel, a right which has some claim to a recognized place in international law and political morality' (Honore 1988, 38). However, according to Honore, the right to rebel is a secondary rather than a primary right: 'it exists only when a wrong has been committed.' Honore explains, 'rebellion is the ultimate sanction for the violation of other rights, but to rebel is to play the last card' (Ibid, 41). Furthermore, Honore argues that there are certain goods like 'enough food to eat, equal claim to security in life, body and property' which reflect the minimum demands of justice, and a state which 'neglects its duty to provide these goods runs the risk that there will come a point at which it is no longer entitled to the allegiance of its subjects or some of them' (Ibid, 50). But when exactly is that threshold breached? According to Honore, in order to justify rebellion, the state's

dereliction of duty must be *weighty, crucial, and severe*. The level of state neglect must relate to matters which

'(a) are important in the society in question and which (b) are felt to be crucial to his interests by the individual who suffers from being deprived of them'. In addition, 'he must also be affected (c) to a serious or severe extent, so that in sum his situation becomes unendurable' (Ibid, 51).

David Miller, on the other hand, holds that it is morally legitimate to take violent action against a liberal democratic state in a situation where such violence can 'reasonably be expected to relieve a much greater quantity of harm and suffering than it causes' (Miller 1984, 417). As Miller explains, this principle 'is meant to capture our moral intuition that violence is an evil of such a magnitude that only very compelling reasons can justify its employment' (Ibid). A consideration that 'may tip the balance' is whether the violence 'is used by the relatively powerless to compensate for inequalities of power of other kinds within a liberal democracy' (Ibid).

Paul Wilkinson, one of the leading experts on political violence, offers a similar opinion. He argues that only in 'very extreme and rare cases' is there a *prima facie* case for using violence. These cases involve a 'minority whose basic rights and liberties are denied or taken away by arbitrary action of the government or its agencies,' which 'is attacked by another minority and does not receive adequate protection from the state and its forces of law and order' (Wilkinson 1977, 40). He succinctly states:

'When as is generally the case in liberal democracies, aggrieved minorities enjoy full protection and rights of participation in the liberal state, and their enjoyment of these rights is not under attack by either the state or by other groups or factions, violence for political ends *cannot* be morally justified. It can never be right for minorities – however intensely they may desire to realize particular aims or to redress specific grievances – to use violence to try to coerce the majority or the government into submitting to their demands. They are entitled to use to the full the normal channels of democratic argument, opposition and lobbying through the political parties, pressure groups, the media and peaceful protest. But they must limit themselves to persuasion, negotiation, and peaceful bargaining... Except in *the very extreme and rare cases* we have already identified, therefore, political violence in a liberal democratic state must

be regarded as intolerable. If violence becomes the accepted or normal means for groups to gain political objectives within a state one can say goodbye to liberal democracy' (Ibid).

Thus, as do the other two authors, Wilkinson underscores that rebellion and the use of violence are morally justifiable only under extreme and rare circumstances.

Macedonian Rebellion, 2001

In 2001, despite the commitment of the Macedonian state to continued reforms, radical Macedonian Albanians, citing the problematic aspects of the Macedonian Constitution as evidence of discrimination, in addition to the other arguments mentioned above, undertook violent action against the institutions of the state, with the aim of changing the legal status of the ethnic minority. After a period of armed clashes, under significant pressure from the international community, an agreement was reached, on 13 August 2001 in Ohrid, by the four major political parties in the country – the two ethnic Albanian parties, the DPA and the PDP, and two ethnic Macedonian parties, IMRO and SDAM – to amend the constitution. This agreement, combined with continuous pressure by the international community, brought the fighting to an end.

Based on this brief discussion of the right to rebel in political theory, and the detailed outline of the important developments in Macedonia in the years since independence from Belgrade in 1991, one can only conclude that the violent action undertaken by the NLA in the spring and summer of 2001 was without moral justification. Although Macedonia was by no means a perfect example of liberal democracy, it certainly did not breach the rights of its citizens to such an extent as to justifiably provoke such an extreme reaction. It is demonstrably not the case that Macedonian Albanians, immediately prior to the rebellion in 2001, were affected to such 'a serious or severe extent, so that their situation was unendurable'. Even though it is undeniably the case that, in the early 1990's, there were marked ethnic inequalities in Macedonia, significant steps had been taken to improve the lot of ethnic Albanians and other minorities.

The overall level of representation of Macedonian Albanians in public institutions had gradually improved. In the government, police and army the share of Macedonian Albanian public servants had increased. More importantly, Macedonian Albanians had democratic means at their

disposal to influence policy in the country. To a considerable extent they did so, although they were perhaps not able to achieve all their goals in a very short time. But nobody could have reasonably expected this violent reaction, for democratic politics presupposes negotiation, compromise and the exchange of favors. After all, not all the wishes of every segment of the population can be incorporated in laws and regulations. Besides, Macedonia was one of the countries where the HCNM Max van der Stul had active cooperation from the government and key minority representatives. In fact, the pressure of the international community on the government in Skopje was just beginning to reap dividends when the conflict erupted in early 2001. In short, the predicament of ethnic Albanians in Macedonia cannot be reasonably described as unendurable.

It is even less likely that the NLA's armed struggle 'relieved a much greater quantity of harm and suffering than it caused'. On a number of occasions during the crisis, as a result of the tensions surrounding the violent actions of the NLA and counter operations by the army and the police, there was a danger that ordinary citizens might become involved in the imbroglio, causing the country to slide into civil war, with tragic consequences for Macedonia and possibly the region. Furthermore, although the material damage caused in the Macedonian conflict was relatively minor in comparison to the tremendous destruction of the other wars that followed the disintegration of the former Yugoslavia, the symbolic changes to the Macedonian constitution that resulted from the 2001 crisis could hardly be said to balance the loss of human life (reported to be 64 among NLA fighters, 63 among the Macedonian security forces, and about 60 civilians, see Nagele 2002), and the level of human suffering caused. Even if we accept that there are instances when the right to rebel is justified, as outlined above, the NLA failed to meet the necessary conditions under which such extreme action can be justifiably undertaken.⁵

⁵ In fact, the status of ethnic Albanians in Macedonia cannot be compared with that of some other minorities in Eastern Europe. Ethnic Macedonians in Greece and Bulgaria for example, are denied elementary human rights. Russians in Latvia face a similar predicament. Roma throughout the region have been subject to tremendous levels of discrimination and violence. Yet none of these groups has even hinted at the possibility of a violent reaction against the oppressive regimes under which they live, despite the much greater wrongs done to them

Conclusion

A careful analysis of the state of affairs in Macedonia before the 2001 crisis reveals that the NLA had no moral right to rebel and that therefore its insurgency was unjustifiable. In fact the eruption of fighting in Macedonia caught many observers by surprise. The IMRO-DPA coalition government at the time had done much to improve the lot of Macedonian Albanians and ease interethnic tensions. Indeed, in February 2001, the same month the conflict started, public opinion polls indicated a high degree of satisfaction among Macedonian Albanians with regard to inter-ethnic relations in the country (Early Warning Report 2001; Vankovska 2002; Balalovska et al. 2002, 9, 11). Even though Macedonians had a slightly different perception, the public did not view interethnic relations at that time as the most difficult problem facing the country. Rather, 'the country was shaken by political scandals (the phone tapping affair) and a rift within the governing coalition, and citizens in general were more concerned with crime, corruption, and poverty' (Vankovska 2002).

But if neither the conditions under which the ethnic Albanian minority lived, nor the general state of interethnic tensions, in early 2001, was the cause of the conflict, then what did precipitate such a violent response? It is most likely that the genesis of the Macedonian conflict lies in the struggle among various Macedonian Albanian groups for power, in the political but also in the criminal realm. As one author suggests 'the origins of Macedonia's conflict lie in the struggle among various ethnic Albanian groups for domination of the territory and criminal enterprises of the country's western region. Several NLA commanders and supporters confirmed that they picked up weapons *primarily to challenge the DPA* [emphasis added] and that joining Ali Ahmeti's NLA came as an afterthought' (Pearson 2002, 4). Control over crime, corruption and clandestine activities were the stakes worth fighting for. The most likely motivation for engaging in conflict is perhaps best described in an excerpt from an International Crisis Group report which elucidated how 'a borderless criminal network already operated freely in Macedonia, Albania, and Kosovo...Keeping Macedonia at risk allows contraband trade in drugs, weapons, cigarettes, and humans to flourish unchecked. A destabilized Macedonia is profitable both for criminals and for those who dream of a pure Albanian section of Western Macedonia' (Macedonia: the Last Chance for Peace 2001). The trans-border Albanian networks involved in criminal activities such as smuggling, money laundering and

extortion had every reason to instigate violence when, in February 2001, Macedonia and the Federal Republic of Yugoslavia reached a border agreement, allowing for tightened border controls and making it more difficult to cross back and forth. The hypothesis that a violent conflict that essentially started as an inter-Albanian power struggle, and only later turned into a rebellion for the improvement of the political rights of Macedonian Albanians, seems quite plausible. Yet the damning verdict remains: by the standards established in moral and political theory, this rebellion had no moral justification.⁶

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