

**The Continued Relevance of Sovereignty in a Globalising World: Yugoslavia
and its Successor States**

Paul Tsoundarou*

The end of the Cold War saw a rapid increase in the demands for statehood claimed by various ethnic groups and national minorities throughout the globe. The conflict and tension over ideology had come to an end after fifty years, and was replaced by a period of uncertainty and instability. The period between 1989 and 1999 was a turbulent decade for many people, including the regions of Eastern and South Eastern Europe, Central Africa, the Middle East and many parts of Asia. Contributing to the decade of instability and uncertainty was the demand by various ethnic and national groups to their own statehood. In order to establish the statehood these people desired, they would have to separate from the state they were citizens of, along with territory and the community they belonged, and declare a new independent state. In the case of the Union of Soviet Socialist Republics and the Socialist Federal Republic of Yugoslavia, federal entities which consisted of core national groups seceded from these two 'super-states' to form a number of smaller, independent states. For Yugoslavia, the process was tragic with hundreds of thousands of deaths which are attributed to the succession of wars accompanying the disintegration of the state. The Soviet model of disintegration was more varied, with the formal dissolution of the state being peaceful, but the loss of centralized authority resulting in numerous peripheral conflicts between the newly formed states as well as internal strife within them. What the collapse of these 'super-states' and the establishment of smaller states demonstrates is that

the concept of the state is still relevant, and that stateless national and ethnic groups make the dream of state-making and state-building a priority, whether or not the price is high.

The desire for statehood has been evident since the Westphalian system became dominant. The international community currently consists of some 190 states, the largest number ever and an increase of some 23 states since 1989. That increase is primarily attributed to the collapse of the Soviet Union, which left fifteen newly independent states in the aftermath, Yugoslavia also contributed significantly with six successor states, Czechoslovakia was split into two successor states. The significant movements behind the establishment of these embryonic states, whether being nationalist or religion based, proved to be one of the most obvious problems in the current international political climate, and the expression of identity through the formation of states, in some instances through violent conflict, being the result. This paper will examine the case of Yugoslavia and the Soviet Union, how the federative structures of both states failed and gave way to smaller independent states.

The Yugoslav State has a history dating back to the end of the First World War. In 1919, The Kingdom of the Serbs, Croats and Slovenes was established as the first ever Yugoslav or South Slav state. It was a voluntary union of the south Slavs into a common state, with the Slovenes and Croats formerly being dominated by the Austro-Hungarian Empire, and the Serbs, Montenegrins and Muslims being successors to the Ottoman Empire's legacy. The Serbs, due to their population size and their experience as a self-governing people, were the natural leaders in the new state, with their royal family becoming the Yugoslav one. Resentment amongst the smaller ethnic groups, particularly the Croats, was not long in coming. By the 1930's, there were demands for recognition of autonomy by the Yugoslav government of Croatian territories, and negotiations were conducted. In April 1940, the Germans invaded Yugoslavia and occupied it,

leaving a considerable area for the ultra-fascist Croatian Ustache to establish their own state under Ante Pavlic. Croatian Ustache units were sent on a massive slaughter campaign of Serbs, estimates range from 250,000 to 1,000,000 Serbs killed during the reign of the Nazi backed Croatian regime.

The concluding stages of the Second World War saw the Italians, and finally the Germans, pulling out of the Balkans. Serbian Nationalists, or Chetniks as they were called, were fighting the Germans using guerilla tactics within Serb areas. The Yugoslav Partisans on the other hand consisted of people from all ethnicities of the pre-war Yugoslavia, and were fighting for a unified Socialist Yugoslav state. By 1945, the Partisans had control of Yugoslav territory, and under the leadership of Josip Broz Tito, established a Socialist state closely aligned with Stalin's Soviet Union. Tito structured the Second Yugoslavia in-line with the Soviet model, declaring it the Socialist Federal Republic of Yugoslavia. It consisted of six constituent republics, Serbia, Croatia, Bosnia-Hercegovina, Slovenia, Macedonia and Montenegro. Each had theoretical powers which enabled them to maintain separate culture, tradition and education from the federal national unit. These republics were constitutionally equal in status with one another, hence the hope that this would suppress any discontent or resentment through domination by one ethnic group which existed in the first Yugoslavia.

Tito recognised that fragility of his 'super-state' early, and centralised much of the power within Yugoslavia to the federal government which was headed by him. He kept control of the diverse ethnic groups through force of character, as well as the loyalty of the Yugoslav People's Army, which was the institution of unity within the country. Highlighting the centrality of the essential powers by Tito is demonstrated by Gordon Skilling, who observed "The lion's share of legislative power remained with the federal organs, which retained a sphere of exclusive

jurisdiction and were empowered to enact fundamental or general legislation as a framework for action by the republics” (Gordon Skilling, 1966, p.153). Although Tito demonstrated competence in the art of unity, there were simmering ethnic tensions between some of the national groups within Yugoslavia which constantly needed attention. Examples of this could be seen in the Serbo-Albanian conflict in Kosovo-Metohija from the 1950s, and the Croatian uprising of 1971 which demanded greater autonomy. The League of Communist in Yugoslavia continuously promoted the ideal of ‘brotherhood and unity’, a slogan which supposedly represented the cornerstone of Yugoslav national identity and community. Ultimately, this slogan was to fail dramatically.

Vesna Pestic describes below why the Yugoslav State was formed, what it tried to achieve and how and why it failed in its prescribed task;

While Yugoslavia was a practical compromise solution to the conflicting national questions contained within its borders, the Yugoslav State lacked the integrative potential necessary to create institutional frameworks and workable procedures of democratic rule that could accommodate the conflictual relations among its different national groups. It was particularly unsuccessful in establishing the latter, as it was constantly trying to "resolve" national questions--mainly through its repressive state apparatus--that were anathema to the establishment of a democratic state (Pestic, 1996).

What Pestic indicates is the lack of social and cultural cohesion between the distinct ethnic groups, which any kind of institutional process attempting to create a common identity could not surmount. Examples of the ‘super-states’ failure to resolve national conflicts within its

boundaries in the long term are obvious now that the state has since been dissolved, but the forty five year history of repression of Serbian, Albanian and Croatian nationalism both by constitutional means as well as by force were a clear failure. The 'cutting down to size' mentality exercised by Tito toward Serbian national interests within Yugoslavia was, perhaps, the most disastrous mistake he had made throughout his leadership. His granting Kosovo, an integral region of the Serbian republic, first provincial, then later full autonomous status in the 1974 constitution, found the Serbs resentful and downbeat. By dividing Serbia up effectively into three separate constitutional units, Serbia Proper, Kosovo and Vojvodina, Tito thought he had put limitations on the threat of domination the largest ethnic group represented in Yugoslavia. Instead, it was the 1974 constitution which fostered displeasure, rejection and disgust amongst the Serbian people and calls for the reversal of these 'anti-Serb' actions. It also triggered a shift in the overt mentality of the ethnic groups from support of the 'brotherhood and unity' ideal, to a more nationalistic approach.

The Serbs began to consider their national interests more crucial than Yugoslav ones, and Albanians began urging for complete secession from the Serbian republic, pushing instead for full republic status within the Yugoslav Federation. Dobrica Cosic wrote after the 1974 constitutional changes affecting Serbs;

Every Serb who had participated in the national liberation movement became convinced that the new Yugoslavia was becoming an inter-nationally founded federation in which . . . the ideological principle had precedence over the national." This conviction, "as shown by the identification with Yugoslavia as a formula of inter-nationalism, was the core of most Serbs' national consciousness up until 1974. . . . (Cosic, 1991).

Cosic, who was an influential Serbian writer, and later became president of the third Yugoslavia (Federal Republic of Yugoslavia), was active in promoting Serbian national consciousness, particularly after 1974. His views, as above, reflected that of many disgruntled Serbs who saw their vision of Yugoslavia being considerably disrupted to their detriment. Serbs had historically considered themselves the dominant south Slav group, and had the inherent right to rule and represent the other peoples of Yugoslavia accordingly. Other Serbs saw Yugoslavia not as Serbian, but as an extension of a 'Serbianised' identity which they were responsible in promoting and enforcing. The further decentralisation of Yugoslavia in 1974, of which the Serbs were the losers, begged the question 'Where is our Yugoslavia going'?

A detailed analysis of the Yugoslav constitution of 1974 certainly contributes to understanding the resentments indicated above, especially by the Serbs who were, clearly, the party which stood to lose the most. Part of the preamble of the 1974 constitution stated "The nations of Yugoslavia, proceeding from the right of every nation to self-determination, including the right to secession, on the basis of their will freely expressed in the common struggle of all nations ..." (Weller, 1999, p.54). This recognition of 'national self-determination' is crucial because it signified that the only way to potentially appease the various national groups within Yugoslavia was to demonstrate that they enjoyed self-determination. The main problem with the 1974 constitution, according to the Serbs, was that the sensitive region of Kosovo-Metohija and Vojvodina, both integral regions of the Serbian Republic, were given full autonomous regional status.

Under the 1974 constitution of the Socialist Federal Republic of Yugoslavia, the Serbian areas of Kosovo and Vojvodina received equal rights to the six federal republic within

Yugoslavia. Article 4 of the 1974 constitution defines the status of the autonomous provinces in the following terms:

The Socialist Autonomous Province are autonomous socialist self-managing democratic socio-political communities based on the power of an self-management by the working class and the working people, in which the working people, nations and nationalities of the Socialist Republic of Serbia in the common interest of working people, nations and nationalities of that republic as a whole, they do also within the Republic (Weller, 1999, P.54).

Noel Malcom defines what the above article meant in real terms after its implementation.

The 1974 constitution ... gave the autonomous provinces of Kosovo and Vojvodina a status equivalent in most ways to that of the six republics ... with their own direct representation on the main federal Yugoslav bodies ... also making them equal to the republics in most forms of economic decision-making, and even in some areas of foreign policy (Malcom,1998, p.327).

They were to set up their own state institutions and administer their own education (including University). In Kosovo, Albanian was designated an official language along side Serbo-Croatian. Encouragement from the federal authorities saw Kosovo establish trade links with Albania, as well as recruiting Albanians into prominent positions such institutions such as the police force, where traditionally, were controlled by the Serbian minority. The Albanian flag was already permitted to fly in Kosovo as early as 1969, but this devolution of power to the

regions, which also automatically meant devolution along ethnic lines, was to become an important catalyst for the eventual disintegration of Yugoslavia.

As Malcom stated above, the equivalent nature of the autonomous provinces along side the republics went much further than just re-adjusting the constitution to allow the Albanian language to be spoken and the Albanian flag to be raised, it had serious consequences for the role to be played by the Serbian government in Belgrade. The consequence, specifically of the 1974 constitution, was Belgrade's diminishing political control over its two 'autonomous provinces', Kosovo and Vojvodina, which effectively were governing themselves. Article 5 of the 1974 constitution is a clause which gave each republic within Socialist Federal Yugoslavia the right to control its territory, specifically, no alteration to boundaries could be made without the specific consent of the republic concerned. What gives credibility to Malcom's statement of 'a status equivalent in most ways to that of the six republics' is the extent to which the constitution accommodated the 'self-management' of the autonomous provinces. As mentioned, the republics had the right to determine any boundary changes which affected them, but the constitution also afforded the autonomous provinces within the Serbian republic the same right, effectively cutting Belgrade out of decisions regarding its own territorial composition.

Apart from securing the right to defacto territorial sovereignty in the 1974 constitution, the establishment of independent economies, particularly for Kosovo, and the setting up of 'National Banks' in the autonomous provinces underlines the extent to which the term 'autonomy' is to be used loosely during the period 1974-1989, because along with taxation policy, its own constitutions, executive councils, provincial administration, legislative assembly, constitutional and supreme courts, and universities, the only difference between the republics and the autonomous provinces was the denial of the right to secede from Yugoslavia in the latter

case. Another notable constitutional article, in particular the ‘Socialist Autonomous Province’ constitutional article 294 states ‘Agencies in the Autonomous Provinces shall be responsible for the enforcement and implementation of republican laws and other republican regulations, applied throughout the territory of the republic, in the territory of the province’ (Weller, 1999, p.57). Article 294 can be seen as the final nail in the provincial coffin for Belgrade, and Serbia as a whole, with Serbian law enforced by Albanian administrators and enforcers, it was safe to assume that Kosovo was free to do as it pleased, even though officially had to enforce Serbian republican law as well as its own.

As has been defined above, the 1974 constitution was designed to relieve some of the aspirations of the Kosovo Albanians for self-determination by giving them nationality status, a place among equals, in the Yugoslav federation. Tito’s desire to see Yugoslavia stay together, was administered with a balance of carrot and stick, eventually the carrot prevailed for the Kosovo Albanians, much to the discomfort of the Serbian people. The 1974 constitution would prove to act as a catalyst for the disintegration of Yugoslavia for two reasons. Firstly, it gave the ethnic Albanian population of Kosovo a true taste of freedom and independence from Serb rule, which appealed to them greatly, and any return to pre-1974 conditions would prove to be unacceptable, even though it was not the Serbian people who decided Kosovo’s status in 1974, but rather a Serb-Slovene President intent on keeping together his country, at the expense it seemed, of the Serbian nation. Secondly, the Serbian response, although mute initially, was one of disappointment and disillusionment, a sense of loss over Belgrade’s slipping grip over effective control of Kosovo. It was the political and cultural status of Kosovo, largely allocated by the 1974 constitution, which the former Serbian and Yugoslav President, Slobodan Milosevic, was able to manipulate to his advantage to attain political and military control of Serbia.

Milosevic's rise to power was the single most determining factor in the outbreak of the Balkan wars of 1991-1999.

Andrei Simic in 1993 discusses how the entire concept of Yugoslavism was weak, although most did not perceive it as such because of the strong communist system imposed by Josip Broz Tito.

It was perhaps a decade ago when I first heard a bit of popular wisdom asserting that "Tito was the first and last Yugoslav." Although this was hardly the literal truth, it has proven, in retrospect, all too prophetic. Be this as it may, at that time, I did not take such expressions very seriously. For example, in 1981 when I wrote an article about South Slav nationalism as a folk ideology (published in 1991), I was not entirely convinced of the strength and tenacity I myself attributed to it. Somehow, in spite of the many danger signs, I was hopeful that almost a half century of Marxist (and quasi-Marxist) rule would have succeeded in transcending the various constituent national loyalties and imposing a more universalistic, though probably no less mystical, Pan-Yugoslav concept. Unfortunately, another adage turned out to be closer to the truth, "Woe unto a brotherhood and unity imposed by force of law" (Simic,1993)

The point that Simic is making is that although communism appeared successful in not only diluting the constituent national loyalties in favor of the pan-Yugoslav identity, the death of Yugoslavia's founding father, Tito, led to the death of the order he had brought about through his character and force of arms. The ideal of 'brotherhood and unity' was upheld by a strong Yugoslav leader, but the vacuum he left in Yugoslav politics was enough for nationalist

aspirations to grip the various ethnic groups throughout Yugoslavia. Supporting this argument, Stevan Pavlowitch, qualifies that the reunification of the Serbs and Croats into a common state, so soon after their savage acts of war against one another during the axis occupation, giving them ethnic recognition which was not afforded to any of the ethnic groups under the old Yugoslav state, Tito's communists, although not being able to solve the various national questions, gave a [theoretically] more solid basis for a solution (Bennett, 1996, p.51).

Marshal Tito's death was more significant than the 1974 Yugoslav constitution. Tito, through both his strength of character, and his tight grip on the Yugoslav Peoples Army, kept the artificial construct of Yugoslavia together. The new constitution of 1974, the last of which Tito had personally contributed to its formulation and implementation, was designed by him as the basis for the governing of Yugoslavia after his death. Ironically, the man who was the most crucial figure in securing the unity of the state, was also the one who was weakening its central authority continuously, in preparation for his death. This indicates that Tito believed that the only hope for maintaining a unified Yugoslav state, was to decentralise it as much as possible and allow the various national groups to express their 'sovereign rights' in a more meaningful way. Mikhail Gorbachev signified a belief, in his final attempts to revitalise the fledgling Soviet Union in 1990-91, that a similar model which a new Union based on high autonomy for the federal units, could be a reasonable and necessary compromise to maintain the unity of the Soviet Union. Bennett states :

... the Yugoslavia of the 1970s and 1980s was a very different country from that of 1945. Yugoslavia had evolved into a genuine federation of eight units and had even acquired some of the trappings of a confederation. Both devolution and, in

particular, the emancipation of Yugoslavia's non-Slav populations went against the previous 150 years of Serbian state tradition" (Bennett, 1996, p.80).

In May 1980 at the age of 87, Tito died. There was no clear successor apart from a clumsy and cumbersome collective presidency, which ultimately failed to keep Yugoslavia not only from disintegration, but also failed to keep the process peaceful. Yugoslavia, and all its peoples, went into a genuine state of mourning after the passing of their long time leader. That outpouring of grief indicated two specific concerns on behalf of the Yugoslav people. For the young generations, under the age of 35, there was no re-collection of any other leader apart from Tito, and in turn caused great anxiety over future prospects for a country that lost their great leader, with no clear or deserving successor. The other concern was, without their founding father, would the state be able to resist the tendency to move toward the national awakenings which were occurring throughout the rest of Eastern Europe after the fall of communism. Christopher Bennett states the very panic amongst the Yugoslav leadership after Tito's death, and the actions they took immediately after to secure the country :

In the months leading up to and immediately after Tito's death the JNA was on a state of high alert in case the Warsaw Pact decided to invade the country at this critical juncture. In reality, Yugoslavia's new leaders exaggerated the Soviet threat in an effort to bring the country together ... The threat to Yugoslavia's security came in the absence of external danger. For the real threat came not from without, but from within' (Bennett, 1996, p,77).

Paul Moon also emphasizes the uncertainties that gripped the country after their long time leaders death :

Even years after Tito's death, the Yugoslav dictator was viewed by much of the world as something of a hero – he had led an apparently successful, politically autonomous socialist experiment in Europe for over three decades. Within the country though, the signs of decay had been evident long before 1980, and pressures for change were building up behind the dam of Tito's archaic Communist ideals. The only certainty as that with Tito's death, all sorts of new ideas, opportunities, and dangers would be hurled through Yugoslavia' (Moon, p.32, 2000).

The 'collective presidency' was the system designed by Tito, in addition to the 1974 constitution, which took effect after his death. It worked on the idea that each constituent republic and autonomous province, Serbia, Croatia, Bosnia-Herzegovina, Slovenia, Macedonia and Montenegro, as well as Kosovo and Vojvodina, alternated the presidency every year. The President of the republic whose turn it was to preside over the federation, automatically became the 'President' of the 'collective presidency'. The other seven Presidents were also involved, and decisions by the 'collective presidency' were carried out by a majority vote. The system gave each national group, equal representation and disproportionate power in the federal institutions. With Tito's death and the imposition of the 'collective presidential system', individual national interests of the republics and not the overall interests of the Yugoslav federation were pursued with fever and intensity which the Tito era did not afford them.

The emergence of Serbian nationalism after Tito's death was not completely unforeseen, as both Bennett and Moon could testify to above, it was just a matter of which nationalism from the main Yugoslav groups would grip the country first, and perhaps the intensity of its emergence. The frustration of the Serbian people with the status left to them within Yugoslavia by Tito began to manifest definitively on September 24th 1986, where a memorandum of the Serbian Academy of Sciences and Arts was published in the mass-circulation paper 'Vecernje Novosti', which by later standards was quite mild in terms of nationalist rhetoric, but for that particular period, it was considered a politically destabilising publication. Following is an excerpt relating to the situation the publication saw the Serbs of Croatia in :

Except during the period of the NDH (the fascist Croatian state formed in 1941), Serbs in Croatia have never been as endangered as they are today. The resolution of their national status must be a top priority political question. If a solution is not found, the consequences will be damaging on many levels, not only for relations within Croatia but also for all of Yugoslavia (Little & Silber, 1996, p.32).

The significance of the reference to the Croatian Serbs was to be seen later in the Yugoslav Peoples Army eventual role as the protector of the Serbian nation, through the direct control and manipulation of Slobodan Milosevic, but its immediate effects can also be seen as shocking at best. Up until that point, it was taboo to refer to the 'national interests' ahead of the bigger 'Yugoslav brotherhood and unity' principle. The fact that the publication was given credibility through its association with the Serbian intelligentsia was even greater cause for concern, being that the Serbian intellectuals were seen as the driving force behind the new found nationalism. Apart from the veiled attack on Croatia, the memorandum listed Serbian grievances

about the status of Kosovo. The Serbian leadership, under President Ivan Stambolic was just as surprised by the memorandum's contents, many of the ruling elite of Serbia condemned it, except Slobodan Milosevic, who remained conveniently silent. According to Little and Silber :

The draft Memorandum did not create nationalism, it simply tapped sentiments that ran deep among the Serbs, but which were suppressed and, as a result, exacerbated by Communism. The Academy's tract echoed opinions whispered throughout Serbia (Little & Silber, 1996, p.33).

The Croats and Slovenes were relieved that the Serbian political leadership condemned both the memorandum, and the Serbian Academy of Sciences and Arts, but instead of taking that as a sign that the leadership did not want to pursue the road of nationalism, the Croatian Communist leaders relied on a 30-page pamphlet which was produced by Croatian émigrés known as the 'the Croatian National Council'. Alex Dragnic analyses the reaction of the Croatian National Council to the memorandum in the following statement :

The pamphlet had all the familiar anti-Serb statements, e.g. that the Serbs only wanted the type of Yugoslavia which they could use to dominate the other peoples of the country ... moreover, the pamphlet, far from criticising nationalism and separatism, saw in them positive meaning. In Yugoslavia, it said, the desired goal was a confederal arrangement whereby the republics would have the status of sovereign states, while the common state would become an association of states. This was clearly in conformity with the course that the Croatian leaders had already chosen (Dragnic, 1998, p.69).

The Croatian response, as indicated above, to the SANU memorandum was to up the ante, by breaking more taboos and declaring that they are in favor of a Yugoslav confederation where each republic is sovereign, and only loosely associated with the other 5 republics. Rather than using the usual 'brotherhood and unity' rhetoric, the Croats not only jumped on the bandwagon of nationalism, they were keen to steer it in the direction in which would benefit them the most. Nationalism, rather than being condemned as an irrational course of action, was embraced. The Croats decided to condemn the legitimacy of Serbian grievances, and resort to tactics of hate and fear by claiming aimed at dominating Yugoslavia, rather than seeing the memorandum as an unauthorised work by the SANU. Thus, the seeds for ethnic conflict and disintegration of the 'super-state' in preference of its successor states had been sewn.

Reviewing the chronological course of events of Yugoslavia since its establishment as a federation in 1945 enables understanding of the underlying nationalism which has always plagued the region. The period after Tito's death, some of which has been dealt with above, was a difficult and extremely complex one which fundamentally set the course of which the peoples of Yugoslavia would pursue. The rise of nationalist leaders such as Slobodan Milosevic, Franjo Tudjman and Alija Izetbegovic only fuelled the fire, raising the stakes from ethnic and religious rivalry to territorial aggrandizement. Pesic observes:

As communism collapsed, the strategies of the political actors in each of the Yugoslav republics were determined by specific elements of the national question on the one hand, and the search for an exit from the communist system on the other ... The dual games (national and ideological) played by all the republics to a greater or lesser extent actually precluded both of two possible paths to a resolution of the federation's crisis. The republics' leaders were unable to either

re-imagine Yugoslavia as a democratic and minimal state or break away peacefully by creating new, separate democratic states (Pesic,1996).

This leads to a period of vigorous political action from all the republics, which had by mid-1990, decided that their futures were not necessarily going to be linked with one another through a common 'super-state', but perhaps at most, a loose confederation of independent states. Again, a similar situation to that which developed in the Soviet Union. The difference was that in the Soviet case, the Presidents of Russia, Ukraine and Belorussia, all of which were federal republics of the USSR, jointly decided to replace the old Communist Union with a loose commonwealth of independent states (CIS). Unlike Yugoslavia, the CIS was able to formalise a continued relationship between the former Soviet states, apart from Georgia and the Baltic States, without breaking out in civil war. The USSR dissolved peacefully on December 25th 1991, with President Mikhail Gorbachev's resignation. His resignation speech explains,

Dear compatriots, fellow citizens, as a result of the newly formed situation, creation of the Commonwealth of Independent States, I cease my activities in the post of the USSR president. I am taking this decision out of considerations based on principle. I have firmly stood for independence, self-rule of nations, for the sovereignty of the republics, but at the same time for preservation of the union state, the unity of the country ... And today I am worried by our people's loss of the citizenship of a great country ... many things could have been done better, but I am convinced that sooner or later our common efforts will bear fruit, our nations will live in a prosperous and democratic society (Gorbachev, 1991).

In his speech, Gorbachev recognised the legitimacy of the 'sovereignty of the republics'. He realised that the only way to preserve the Unity of the State was to recognise their separate rights as republics, but this was not enough for the fifteen republics. Gorbachev, unlike some of the federal leadership in Yugoslavia, decided that there was little he could do to discourage the establishment of sovereign statehood by the former republics. Since Gorbachev's resignation, the Soviet Union ceased to exist and the international community recognised the independence and sovereignty of the twelve republics, just as they had recognised Lithuania, Latvia and Estonia previously.

The Yugoslav case however was not to be resolved so easily. Pressure by Serbian, Croatian and Slovene nationalists were tearing the country apart, ultimately, unlike the Soviet Union, the SFRY would disintegrate with a series of wars. The desire for sovereign independence by Slovenia and Croatia in particular, and their willingness to fight against a vastly superior force to achieve it, is testament to the continued relevance of sovereignty in international politics.

Slovenia

Unlike the other wars which broke out in the former Yugoslavia from 1991 – 1995, the conflict in Slovenia differed significantly in two major aspects, it was a very short conflict and it was not fought over ethnicity. Slovenia, the small and lightly populated federal socialist republic was positioned in the far North-East of Yugoslavia and comprised mainly of Slovenes with no real significant other minorities, unlike its counterparts within the federation.

General Kadijevic, Defense Minister of SFRY, was scathing of Slovenia's President and his spearheading Independence for his republic.

'Kucan (President of Slovenia) is attacking the Presidency of the League of Communists of Yugoslavia in order to cover up his own mistakes in letting an anti-Army atmosphere develop in Slovenia ... In the future the Army will act the way it sees fit' (Little and Silber, 1996, p.53).

On the 24th June 1991, Slovenia officially declared its independence from Yugoslavia. Slovenia took advantage of the chaos that existed in the institution of the federal presidency, where Croatia's Stipe Mesic, the next in line to take over the collective Presidency, was blocked by the Serbs mainly because he had no intention of working toward keeping Yugoslavia together. The Slovenian prime minister, Lojze Peterle, stated that since Slovenia no longer was a member of the federation, the Yugoslav State no longer existed (Mojzes, 1994, p.97). Under such conditions, the Army decided it was best to avoid the political institutions and unilaterally began to station personnel and equipment in an effort to resume control of the border posts of Yugoslavia with Italy and Austria, which had been taken over by Slovenian TO forces. Perhaps the most disturbing aspect to this move by the Slovenes as far as the federal authorities were concerned was the attendance of the 'Austrian Consul General and several provincial governors' at the independence ceremonies (Woodward, 1995, p.162).

The Slovenian political leadership considered the intervention of the JNA a likely scenario once they had declared independence. They had prepared for this intervention by purchasing weapons and discreetly training the Slovenian TO. Figures vary depending on the source, but Warren Zimmerman who was the last U.S. ambassador to Yugoslavia, claimed that the JNA only used 2,000 troops in the Slovenian conflict. The Slovenian Defense Minister claimed that 22,000 JNA personnel were involved in the 'aggression' and that 2,000 retreated across the border with their equipment, 12,000 were unaccounted for during the conflict until its end, and 8,000 were captured and released to go where they wished (Meir, 1999, p.179). Either

way, it is easy to argue that the JNA had the overwhelming capability to overrun the Slovenian forces if they had the will, it is perhaps the very lack of will that was shown by the JNA in Slovenia which helped the latter win the conflict. Slovenia 'won' its independence and quickly established itself, through the brief conflict, as a prosperous economically viable state which aspires to be in the first wave of EU expansion.

Slovenia's example was followed closely by Croatian, Bosnian and Macedonian declarations of independence. The difference with these cases, as opposed to the Slovenian, was that significant ethnic minorities, particularly Serb, were involved. The cause for the series of ethnic conflict were numerous, but amongst the most significant was 'self-determination', 'sovereignty' and 'independence'. The confused and bungled attempt by the JNA to interfere in Slovenia was an attempt, according to Tim Judah, to grab as much of the disintegrating Yugoslavia as possible for the Serbs (Judah, 2000, p.179). The war in Croatia, which was not long after the Slovene ten-day war, was certainly an attempt to ensure that Croatia's Serbs would not be incorporated into the emerging Croatian State. According to the 1981 census of Yugoslavia (since the 1991 cannot be considered as reliable due to the circumstances), Croatian Serbs made up 11.6% of Croatian population. In Bosnia-Herzegovina, again the Serbs were the second largest community according to 1981 census, with 32% of the overall population (Bennett, 1996, p.113).

Croatia

Croatia also declared its independence on June 24th 1991, although in Croatia's case, Serbian militia began the task of inciting incidents with Croatian forces early while Croatians metered out similar punishment to Serbs. The ethnic Serbs within Croatia were concentrated

in 3 regions, Eastern Slavonia, Western Slavonia and the Krajina region. After the JNA's attack on Slovenia, most non-Serb officers, thinking that force was finished, left, leaving primarily Serbian officers and personnel. This made the JNA a Serbian army, which was convenient considering the well-established positions they had deployed to throughout Croatia and Bosnia. On May 12th 1991, Serbs in the Krajina were asked to determine their future status, where joining the Serbian republic was an option (Judah, 2000, p.181). War broke out soon after and raged until January 2nd 1992, when a cease-fire was signed in Sarajevo. The outcome of the conflict was that 1/3 of Croatian territory was seized by the JNA in addition to local Serbian forces.

Bosnia-Herzegovina

The situation in Bosnia was similar but more complex than the ethnic conflict in Croatia. The Serbs within Bosnia had declared 'Republika Srpska' as their own independent state. Bosnian Muslim, Bosnian Serb and Bosnian Croatian forces battled each other from March 1992 – November 1995. Although in practice, Bosnia was partitioned, officially it is functioning as a 'federation' between 'Republika Srpska' and the Muslim-Croat Federation. Roland Rich, through, describes the official and unofficial aspects of 'statehood' for Bosnia,

In Bosnia and Herzegovina's admission to the UN, the UN Security Council had unanimously recommended this country's membership and the General Assembly had unanimously accepted the recommendation. Yet every newspaper reader in the world knew by that time that not only could Bosnia and Herzegovina not be accurately described as independent, but it could hardly be described as a state (Rich, 1996).

This is primarily to do with the fact that the officially recognised government of Bosnia-Herzegovina was not representative, it was not in exclusive control of its declared territory, and many its 'citizens', such as the Bosnian Serbs and Bosnian Croats, did not recognise the legitimacy of the state.

The upside for Slovenia, Croatia and Bosnia after their bloody conflicts was eventual recognition as sovereign, independent states, "On 15 January 1992, basing themselves on the opinions of the Badinter Commission, the EC decided to extend recognition to Croatia and Slovenia ... culminating in the admission of Croatia and Slovenia as well as the Republic of Bosnia and Herzegovina to the United Nations on 22 May 1992" (Rich,1996).

Kosovo and FYROM

The Socialist Federal Republic of Yugoslavia disintegrated with an orgy of violence, which its legacy is still with us. Kosovo (which officially remains a province of Serbia) and the Former Yugoslav Republic of Macedonia still have sovereignty and self-determination issues to solve. The Kosovo Albanians and the ethnic Albanians in FYROM are also seeking to either established their own state (Kosovo in particular), or unite with neighbouring Albania. Although the international community (through NATO and UN) was quick to act on behalf of ethnic Albanians in these two regions, they are adamant that, for now, sovereignty cannot be afforded to both groups. In return, the ethnic Albanians are equally adamant in their desire to achieve independence,

- Misha Glenny foresaw the problems in FYROM, "The danger facing FYROM is that the Albanian community will withdraw its commitment to state structures and establish

alternative political institutions in Tetovo. Were this to happen, FYROM will have taken a large step on the road to war. War in FYROM is not inevitable” (Glenny, 1996).

- War did explode in FYROM between the Slavic Macedonians and the ethnic Albanians, who were seeking autonomy and greater rights. Sovereignty, whether in the case of the Macedonians and Serbs being to retain it, or to the ethnic Albanians in Kosovo and FYROM to attain it, is still very much a relevant concept. James Mayall suggests that the Cold War cut down almost all challenges to sovereignty, but that the end of the Cold War that freed Eastern Europe, the Soviet republics and the Yugoslav republics saw ‘conventional interpretation’ of self-determination and sovereignty win out (Mayall, 1999, p.54-81). All six former republics of Yugoslavia and all fifteen former Soviet republics had either before their official recognition, or since, fulfilled the minimum requirements of statehood as according to Alan James. James states that in order for an entity to be regarded as a state, it needs to fulfill the following criteria : (A) Territory, the boundary of the State; (B) A population, the life of the State; (C) A government, the administration of the State (James, 1999, p.35-38).

In the decade which saw the European Economic Community adopt the Maastricht Treaty which established the ever closer European Union, the year that saw the United Nations come together as never before to eject Saddam Hussein’s Iraq from its occupation of Kuwait; where ideological indifference and humanitarian intervention are co-existing in international affairs, sovereignty has come through its challenges to retain its important position. In the age of integration and globalisation, stateless peoples still expressed their desire to be free from ‘super-states’, whether those states in their form would become members of supra-national bodies (such as Yugoslavia and the EU) and trade those potential economic benefits for self-determination.

Newly established states such as Slovenia, Croatia, Bosnia-Herzegovina, Lithuania, Latvia, and Estonia were willing to endure international isolation, heavily civilian casualties and infrastructural ruin in order to achieve their perceived right to statehood. They are now sovereign, independent states, joining the more than 23 new states which were established throughout the 1990's. Now that they are sovereign, they are now choosing to become part of the international community with their own identity, applying for and receiving United Nations membership, and Slovenia and Estonia set to be in the next wave of EU expansion. It is, therefore, inaccurate to declare sovereignty as irrelevant, since the international political system still rests on this centuries old concept as proven in the case studies of this paper, but rather, that the notion of 'super-states' which attempt to unify several nationalities in one unrepresentative state is dying. It is doubtful that the process of fragmentation has ended, and other 'super-states' such as the United Kingdom, where Scottish and Welsh nationalism have demanded self-government, could yet see their demise in preference to smaller, sovereign and independent entities which can directly enter supra-national institutions based on equality and freedom.

* Associate Lecturer in International Politics, University of Adelaide, Australia

References

Bennet, Christopher, 1996, *Yugoslavia's Bloody Collapse : Causes, Course and Consequences*, Crawford House Publishing, Bathurst.

Cosic, Dobrica, 1991, *The Serbian People's Great Illusion*, Politika, Belgrade.

Dragnich, Alex, 1998, *Serbia and Yugoslavia*, Colombia University Press, New York.

Glenny, Misha, *Emphasis: A Journal of Hellenic Issues*, 1st edition, <http://www.hri.org/emphasis/is1-2.html>

Gorbachev, Mikhail, 1991, *Resignation Speech*, <http://www.publicpurpose.com/lib-gorb911225.htm>

Gordon Skilling, H., 1966, *The Governments of Communist East Europe*, Thomas Y. Crowell Company, New York.

James, Alan, 1999, *The Practice of International Statehood in Contemporary International Society*, Blackwell Publishers, Oxford.

Judah, Tim, 2000, *The Serbs : History, Myth and the Destruction of Yugoslavia*, Yale University Press, London.

Little, & Silber, 1996, *The Death of Yugoslavia*, BBC and Penguin Books, New York.

Malcom, Noel, 1998, *Kosovo : A Short History*, Papermac, London.

Mayall, James, 1999, *Sovereignty, Nationalism and Self-Determination*, Blackwell Publishers, Oxford.

Meir, Viktor, 1999, *Yugoslavia : A History of its Demise*, Routledge, London.

Mojzes, Paul, 1994, *Yugoslavian Inferno*, The Continuum Publishing Company, New York.

Moon, Paul, 2000, *Milosevic, Yugoslavia, and the Kosovo Crisis : A Concise History*, Campus Press, New Zealand.

Pesic, Vesna, 1996, *US Institute of Peace*

Rich, Roland, *European Journal of International Law*,
<http://www.ejil.org/journal/Vol4/No1/art4.html>

Simic, Andrei, 1993, *Special Issue: War among the Yugoslavs*, Vol. 11, Nos. 1-2 Autumn.

Weller, Marc, 1999, *The Crisis in Kosovo*, Documents and Analysis Publishing, Cambridge.

Woodward, Susan, 1995, *Balkan Tragedy : Chaos and Dissolution After the Cold War*, The Brookings Institution, Washington D.C.