

STATE, STATE-BUILDING AND SECURITY IN THE WESTERN BALKANS

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Abstract

After the intra-state wars and conflicts in the Balkans region, insecurities caused by weak states still constitute an important concern for stability of the region. Therefore, international community has engaged in some attempts for rebuilding of weak states through state-building efforts in order to prevent the spill-over effects of insecurities originated from them. Because, security issues such as arms, drugs and human trafficking, organized crime, corruption, immigration and refugee problems in the Western Balkans threaten the democracy, the rule of law, human rights, political stability and the economic progress within the region. Albania, Macedonia, Bosnia-Herzegovina and Kosovo as the weak states of the region suffer from deficits in legitimacy, capacity and provision of public goods. That's why, they are unable to implement effective development policies for its citizens' basic needs in terms human security. In this paper, it is aimed to analyse the relationship between state-building process and its security implications in the Western Balkans. Conceptually, state-building refers to the set of actions undertaken by international actors to strengthen the capacity, legitimacy and the institutions of the state where these have seriously been eroded or are missing. The state-building processes of the weak states in the region are closely related to the European integration process of the region. Although there are ongoing efforts in all these countries to reform institutional capacity of the state in accordance to European standards, it can be concluded that these reforms are, at best, only mildly effective. That's why, the paper argues that real success of the state-

building efforts in the region depends on the embracement of these efforts by the people.

Keywords: Weak State, State-Building, Security Issues, Western Balkans

Introduction

The nation-states are regarded to have sovereign control over their territories and are taken to be juridical equals in the arena of international affairs. However, in terms of concept of weak state introduced by Barry Buzan, empirical sovereignty of the state is questioned by several actors inside of it, especially in respect of the idea of the state. Therefore, national identity and institutional structure of the state can be questioned by the significant part of the society. In this respect, one of the most crucial objective of post-conflict era is to build an inclusive state structures and political identities in order to eliminate the root causes of the conflict. Given the importance of weak states for regional and international security and stability, when international community attempts to involve for rebuilding of these states, as a top-down approach, state-building is mostly privileged in terms of consolidating of institutions of the state. But probably as the most crucial reason of being a weak state, nation-building aspect is neglected intentionally or unintentionally. In this respect, it is claimed that post-conflict peace-building process should aim at addressing the root causes of the conflict and restoring the political, economic and social infrastructure in a post-conflict society to establish governance, the rule of law, as well as social and economic justice (Dursun-Özkanca, 2010: 437).

Insecurities of weak states have a spill-over effect. These insecurities include the threat of violent transfers of power, insurgency, secession, rebellion, terrorism, weapons proliferation, organized crime, warlordism, refugee flows, mass migration, regional instability and ultimately, state collapse and anarchy (Patrick, 2006: 1). These threats are making impossible to put sharp dividing lines between internal and external security because of their spill-over effects (Ağır, 2014: 11). Therefore, effects of these threats on regional stability and security show that the repercussions of them will not just be felt locally. When states lose control of some of their territories, it raises security concerns for a given state and its neighbors. Regionally, they can spill

instability well past their borders and create a conflict dynamic affecting neighboring countries.

After the end of the Cold War, weak states have become a common concern in post-conflict situations such as in the former Yugoslavia. For the moment wars were over in the Balkans region, but insecurities caused by weak states constitute an important concern for stability and security of the region (Ağır, 2014: 2). Indeed, the non-traditional security issues in the Balkans threaten the democracy, the rule of law, human rights and the stability and the economic progress within the region, even with an impact beyond the Balkans. In this process, drugs and human trafficking, terrorism, corruption, money laundering and the proliferation of small arms endanger overall security predicaments.

The paper argues that there is a strong correlation between the weak state and security issues, and the main challenge to stability in the Balkans comes from the presence of a chain of weak states in the region. Albania, Macedonia, Bosnia-Herzegovina (BiH) and Kosovo can be classified as weak states (Ağır, 2012: 1). Likewise, Fragile States Index 2016 which is conducted according to some criteria such as uneven economic development, poverty, state legitimacy, public services, human rights and rule of law and security apparatus shows BiH on rank 88, Macedonia on rank 111 and Albania on rank 124 (Fund for Peace, 2016). While statehood problem of these countries limit their ability to provide security, goods and services to their citizens, this problem cannot be addressed only at the institutional level but must be tackled at the social and individual level as well.

A Brief Outlook to Non-Traditional Security Issues of the Balkans

The states which especially emerged from the former Yugoslavia's ruins have been suffering from non-traditional security issues such immigration and refugee problems, terrorism, arms, drugs and human trafficking, and spread of organized crime and corruption. It can be comprehended that a great number of security threats emanate from the non-traditional security issues when it is examined the security strategy documents of the states in the region (See, Palinkasev, 2007: 73-80; Hroni and Qazimi, 2007: 58). Instead of traditional security threats such as inter-state wars, security agendas and conceptions of the countries in the region are mostly focused on

the non-traditional security issues (Ağır, 2012: 2). In addition to the collapse of communism, politically and economically ill-managed liberalization process and the number of conflicts and wars in the region (Ağır, 2012: 1), the weak state phenomenon in the Balkans region underpins these security issues that constitute a threat to individuals, communities and also state itself (Buzan and Wæver, 2003: 384). In this respect, weak states of the Balkans can slow down the democratization process in the region and promote reproduction of instability and insecurity. Because, there is a direct causality between the absence and/or lack of state functions and the likelihood of return to violence in post-conflict environment (Ağır, 2012).

The spread of the organized crime is certainly one of the most significant security risks in the Western Balkans. Because, the organized crime has fed instability in the countries of the region and hindered their transition to more representative political and economic systems, thereby slowing their integration into the world political economy (Levitsky, 2003: 235). The transition from communist rule to democracy, wars on the Balkans region in 1990s with their economic blockades and war economies, and the presence of weak states in the post-war context provided a favourable environment for networks of organized crime to bloom (Stojarova, 2012: 91). In this environment, through exploiting chaos, insecurity, lack of proper organization and nonexistence of the rule of law, the organized crime groups have established their strongholds in the region and created links with high-ranked political officials and parts of the military establishments (Vukadinovic, 1999: 13). Organized crime groups attached to political elites in the various states in the region constitute crucial threats to their economic transformation, democratization and the process of integration into Euro-Atlantic structures. It is claimed that organized crime is still often linked with (persons in) state institutions because of the nature of the weak states in the Balkans (Benedek, 2010: 10).

According to one senior UNMIK official, "When we talk of organised crime in Kosovo, we are very much dealing with politicians, [and] ministers" (United Nations Office on Drugs and Crime, 2008). Under these conditions, the fight against organized crime faces many problems such as the reluctance of local organs to deal with the criminal structures and involvement by the elite in illegal activities (Ağır, 2012: 5; Ağır, 2014: 13). In terms of Macedonia, it has completed its reforms as regards the judicial system and the public administration, and has made progress since becoming a candidate country of the EU in 2005. Accordingly, some progress has been made in the

fight against trafficking of human beings, money laundering and organised crime (EU Commission, 2014). However, the capacity to fight organised crime remains hampered by the operational and institutional shortcomings. When it is considered for BiH, organised crime that consist mainly of drug trafficking, trafficking in human beings and financial crime remains a serious concern. BiH has started to fight against organised crime, trafficking in human beings and terrorism, but sustained efforts over the long term remain necessary (EU Commission, 2007). Therefore, organised crime networks continue to operate throughout BiH and have a negative impact on political structures and the economy (EU Commission, 2011).

As another important security issue, the corruption which is deeply rooted in the region naturally involves the political elites and state institutions. This phenomenon is regarded as a threat for four reasons: 1) because the reform of political institutions is greatly dependent on anti-corruption measures; 2) because the establishment of a healthy market economy is impossible without curbing corruption; 3) because a formal acceptance of anti-corruption measures without their implementation is not sufficient to qualify countries in the region for the European integration; 4) because without adopting anti-corruption laws in line with European standards, it is impossible to adapt to EU regulations (Gazdag et. al., 2007: 17). The Corruption Perception Index of Transparency International shows Albania and BiH equally on rank 83, Macedonia on rank 90 and Kosovo on rank 95 (Transparency International, 2016).

Corruption is still widespread and remains a major problem for weak states of the region. This is due to insufficient legislative and implementing measures and a lack of determination and the weakness of the judicial system. Indeed, the principles of transparency and accountability are not yet fully applied. Therefore, more concrete results need to be seen in practice, both in terms of reduction and deterrence of corruption (EU Commission, 2014). Because, although the legal frameworks for fighting corruption have largely been in place, implementation of existing legislation have been insufficient in weak states of the region (See, EU Commission, 2016b; EU Commission, 2011). In this respect, corruption continues to negatively impact all spheres of life, economic development and the rule of law.

Under the intra-state war conditions, in the name of ethnic homogenisation large numbers of persons are displaced within their own country, while others are more or less forced to flee to neighbouring countries (ethnic migration) or to seek asylum elsewhere (refugees). Thus, displacement became a serious issue in the Western

Balkans after millions of refugees and internally displaced persons (IDPs) were littered across the region (the majority in BiH, Kosovo, and Serbia) as a result of the wars in the 1990s, the 2001 internal strife in Macedonia, and the numerous conflicts in Kosovo in the 2000s. In response to this situation, international agreements like Dayton Accords and the UN resolutions like Security Council Resolution 1244 on Kosovo emphasized the return of all refugees and displaced persons and protection and promotion of human rights of them. In spite of efforts for solving human displacement, according to the United Nations High Commissioner for Refugees (UNHCR), as of January 2009 there were 132,071 refugees and 352,905 IDPs remaining in the Western Balkans (Center for Strategic and International Studies, 2010).

Connected to demographic security of the region, human-trafficking is another non-traditional security issue. The destruction of social fabric caused by the conflicts in the region, coupled with massive migrations, and the economic collapse, worked together to create fertile ground for dealers in human beings. Balkans region is simultaneously the source, the transit route, and the destination for the trafficking of human beings. It is estimated that 120,000 victims of human trafficking or more are coming to the EU through and from the Balkans each year (United Nations Office on Drugs and Crime, 2008). Illegal immigrants also form a natural setting not only for the spread of organized criminal groups but also of terrorist organisations (Moustakis, 2004: 149).

Moreover, due to the civil war conditions in the Middle East, the influx of people transiting along the Western Balkan route has increased rapidly in recent years. For example, in the period from September to November 2015, a total of 428 597 people were registered as transiting Macedonia. Between January 2016 and March 2016, 89 628 foreign nationals -majority of them from Syria, Afghanistan and Iraq- were registered in the country (EU Commission, 2016c). Likewise, statistics show an increasing trend of people coming to BiH from the high-migratory-risk countries. In 2015 the number was 293 943 individuals, compared with 230 974 in 2014 and 209 490 in 2013, mostly from Turkey and Albania but also from China, India and Afghanistan (EU Commission, 2016a).

Another serious security problem that affect the weak states of the regions is terrorism and radicalisation. For example, Kosovo has been affected by the phenomenon of foreign terrorist fighters and radicalisation tendency. Because, 300 nationals are reported as active fighters in conflict zones in the Middle East. However, the numbers

are decreasing and since September 2015 there have been no new reported cases (EU Commission, 2016b) due to the stepping up efforts in the fight against terrorism. As well as the law on foreign terrorist fighters, it also adopted a strategy and action plan on prevention of violent extremism and radicalisation that may lead to terrorism (EU Commission, 2016b). In terms of Macedonia, some progress can be reported in the fight against terrorism. The country became a member of the counterterrorism initiative of the Council of Europe. The Council for the Fight against Money-Laundering and Financing of Terrorism was established as an inter-ministerial body to improve inter-institutional cooperation (EU Commission, 2012).

Post-conflict situations are often characterized by weak states, which still need to consolidate themselves and to reform the police and the judiciary in order to make sure that these are operating in the interest of the citizens (Benedek, 2010: 3). In this context, security sector reform is of crucial importance, because in post-conflict situations the security sector is often linked with organized crime and therefore rather a threat to citizens than a provider of protection. Security sector reform includes the process of transforming or establishing new security institutions, including, the army, police, judiciary, border services and intelligence agencies. The goal is to create a functioning democratic state and society in which the citizens are able to live without fear, whose human rights and fundamental freedoms are guaranteed and whose property rights are protected. The army, police, intelligence agencies and other security sector agencies engaging in widespread abuses, organized crime and corruption became frequent cases in the countries of Balkans in the last decades. And also, they became obstacles in the strengthening of the governance structures in the government and in the improvement of the security situation, contributing to the increase of the instability and insecurity in the region. Although there are now ongoing efforts in all former Yugoslav republics to reform structures of security sector in accordance to European standards, most observers agree that these reforms are, at best, only mildly effective (Anastasijevic, 2006).

Corelations of State-Building and Nation-Building in the Western Balkans

The demand for external interventions to stabilise failing states or rebuild failed ones is quite large, and resources available for these efforts are rather limited.

But it is not only lack of resources which constrains the effectiveness of the international community, it is also the lack of knowledge of which approaches to the stabilization of fragile states work and which instruments are best suited to perform this task (Ottoway and Mair, 2004: 1). The UN is becoming involved in state-building projects without any clear institutional guidelines or political consensus. This has given rise to uncertainty of mandate in ongoing UN operations, as well as the potential for establishing precedents that may confuse the normative framework within which future operations take place.

It is argued that the best way to avoid state failure is to prevent it, and the best way to prevent it is to support broad-based economic growth. According to the World Bank, low-income countries are about 15 times more susceptible to internal conflict than countries in the OECD (Eizenstat et. al., 2005: 140). So, necessity of linking security and development has become a policy mantra, and there are vigorous calls for integrating security and development perspectives and policies (Tschirgi, 2006: 41). But development model for weak states could partly overcome the existing problems. Because the prerequisite for sustainable peace and security in weak states requires democratic government, respect for human and collective rights and satisfaction of the population's basic needs. Thus, socio-political cohesion within a unit can be achieved, and as a consequence of the fact that members may share common norms and values and have a relatively high attachment to institutions which are perceived to be legitimate.

The institutional approach to state-building refers to the set of actions undertaken by national and/or international actors to reform and strengthen the capacity, legitimacy and the institutions of the state (Fritz and Alina, 2007: 13). Thus a state-building model prioritises 'institutionalisation' with a view to legitimizing public power within a given territory. The key goals of state-building include "provision of security, establishment of the rule of law, effective delivery of basic goods and services through functional formal state institutions, and generation of political legitimacy for the (new) set of state institutions being built" (Fritz and Alina, 2007: 13). However, as Kalevi Holsti has highlighted, while institutionalization and the instrumental capacities of statehood are important: 'it is in the realm of ideas and sentiment that the fate of states is primarily determined' (Holsti, 1996: 84). This conception emphasizes a very different conception of the state adopted by institutionalists.

Due to the importance of the state-society relations for the success of state-building processes, international community should focus more on understanding socio-political contexts, how local societies relate to the state and how historical and cultural factors shape public perceptions. Because, a consolidation of the state and its institutions must emanate from the very bottom of society and must be supported by society as a whole. In other words, development of legitimate and effective states cannot be imposed from outside but rather emerges from internal negotiations, as a bottom-up endeavor. Indeed, constituting a state is not necessarily the only way of achieving security. Therefore, in addition to developing viable domestic institutions with international support, international intervention should encourage bottom-up initiatives aimed at re-establishing economic and social ties across different communities (Belloni, 2007: 6). The knowledge of the local context and a bottom-up approach are crucial to increasing the chances of success for international engagements.

In this context, operations that aim to transform the weak states should consider not only state-building efforts, but also nation-building ones. Because, rebuilding a state after conflict is about restoring the people's trust and confidence in governance systems and the rule of law and rebuilding relationships at all levels. These processes are all critical to the consolidation of peace and security in post-conflict situations. When they are neglected, the threat of conflict re-emerging is very real. In this context, instead of concentrating efforts of post-conflict reconstruction primarily on state institutions and the recreation of a state monopoly of force, an integrative model that bring together the humanitarian and societal needs of people, should be given priority in post-conflict reconstruction process. However, it should be emphasized that nation-building seems impossible to contemplate without a secure environment having been established in the first place. Therefore, the processes of state-building and nation-building can be complementary rather than mutually exclusive.

The common response to disorder within states is the regaining and maintaining control, rather than addressing root causes. So, peace-building should involve an effort to eliminate the root causes of conflict, to promote the security of the individual, societal groups, and the state. "Ultimately, peace-building aims at building human security, a concept which includes democratic governance, human rights, rule of law, sustainable development and equitable access to resources" (Barnett and Zürcher, 2009: 26). But also there should not be any fear among sub-national groups that peace-building efforts of international community undermine their power at local level

and increase the state's control over the periphery (Barnett and Zürcher, 2009: 24). Because, it should be stated that all causes of insecurity within weak states is related to the process of state-making and its corollary nation-building.

Analysts use terms such as "nation-building" and "state-building" to describe the phenomenon of international intervention in weak states (Belloni, 2007: 97). So, it seems necessary to make an attempt at conceptual clarification. Although the two concepts are closely related, state-building focuses primarily on public institutions -the machinery of the state, from courts and legislatures to laws and bureaucrats- whereas nation-building refers to the strengthening of a national collective identity, including its sense of national distinctiveness and unity (Paris and Sisk, 2009: 15). There can be a highly effective state apparatus that contributes nothing to the emergence of a sense of nationhood. So, international interventions to build the capacity of state institutions have to be complemented by actions that take into account the roles of perceptions and expectations, of bottom-up consultations and of the degree to which populations feel represented by public institutions. Consequently, this paper argues that while international community has largely focused on state-building, stability requires a deeper process of nation-building. Because, social and cognitive processes of creating a common national identity during post-conflict reconstruction are paramount.

The term of nation-building implies that this political activity is essentially about either creating a nation out of some other forms of community, or making a national identity stronger. Reconfiguring the national identity involves attempting to make it more modern, or less ethnic (Norman, 2004: 84). In this respect, processes of state-building and nation-building cannot be accomplished in the case of absence of common idea of the state among citizens. Because of low level socio-political cohesion, the population is divided along ethnic, cultural, religious and social lines, thereby there would be no consensus within society on political and social organization of a state. In this case, nationalism will contain the seeds of new tensions affecting national minorities (Guibernau, 1996: 141). Because national integration project mostly involves the assimilation of ethnic groups into a single homogeneous cultural system. Thus, a nation-building process can be conceived as a security threat by ethnic minorities. In this respect, trying to build institutions without linking them to shared values and inclusive notions of citizenship and political community can result in the persistence of divisions.

Conclusion

Given weak states have lack of institutional capacities and socio-political cohesion, they would suffer from deficits in legitimacy, capacity, provision of public goods and inclusiveness. Therefore, they can cause important security threats such as terrorism, organized crime, refugee flows, mass migration and regional instability (Ağır, 2014: 21). Indeed, the weak states of the region play an important role in the security puzzle of the Western Balkans. In recent years, there has been positive developments in terms of institutional capacity for addressing the above-mentioned non-traditional security issues in the weak states of the region. However, much remains to be done to strengthen the rule of law, intensify the struggle against organized crime and corruption and ensure the proper functioning of state institutions in the region.

It should be stated that the strengthening of weak states in the region is dependent on the success of state-building processes which are closely related to the European integration process. But most of the threats targeting the physical integrity and dignity of human beings are locally produced and unique to the region. So, it is argued that a bottom-up approach which would provide participation of civil society in agenda-making process rather than setting up a human security agenda in Brussels is necessary (Ovalı, 2009: 177). So, the priorities of the international community should be in line with the needs of individuals and social groups in the region. Accordingly, state-building process should not be seen as only a 'technical' process of creating new state institutions or strengthening existing ones. Because, functioning institutions depend not only on formal design, but also on the social context within which these institutions operate. Formal institutions need to be rooted in society; otherwise they risk becoming useless or being captured by private or patrimonial interests (Troncota, 2011: 72-73).

Given the ethno-national divisions still define the character of the political dispensations in these countries, it is a necessity to constitute an inclusive political and social structures for all segments of the society. In this direction, creation of civic political identities with the help of international community seems crucial for transparency and accountability of the state institutions. Thus, socio-political cohesion and legitimacy of the weak states of the region can be strengthened. Accordingly, efficiency of the state as the provider of security needs for individuals, social groups and state actor itself will be empowered in order to overcome non-traditional security issues.

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