The Question of Democracy in a Limbo State: Case Study of the Republic of Kosovo

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Abstract

The focus of this paper is the question of whether democracy can thrive in limbo states in general and specifically in Kosovo. Limbo states are distinguished in the author's previous work as the "weak state" subset of failed states, which have been described by scholars as states that no longer function as bordered regions with functional governments. Kosovo is divided between Albanians and Serbians and is experiencing internal division since its independence on 17 February 2008. Even though recognized by roughly half of the international community but not yet a member of the United Nations, the government of Kosovo is still challenged by minority Serbs in the north who reject the secession of Kosovo from Serbia. NATO still has a 5,600-strong NATO-led Kosovo Force (KFOR) in Kosovo, almost 14 years since it went to war (1998-99) to halt the massacre and expulsion of Albanians by forces under Slobodan Milosevic (NATO/OTAN online, <http://www.noto.int/cps/en/natolive/topics_48818 .htm>).

Keywords: Limbo State, Democracy, Kosovo, Albanians, Serbians

1. Introduction

On 17 February 2008**,** Kosovo's parliament declared the Republic of Kosovo an independent state, which was recognized by the United States and most EU member states (as of 11 February 2014, the Republic of Kosovo has received the following diplomatic recognition**:** 108 out of 193 U.N. member states, 23 out of 28 European Union member states, and 24 out of 28 NATO member states), but not by Serbia, Russia, and China, among others.[1] The concerns of this action of declaration of independence, to be analyzed in this paper, are**:** 1) did this declaration remove Kosovo from being a limbo state, which this report will define below**;** and 2) has this declaration brought democracy for the inhabitants to the newly created state of Kosovo.

This research project is second in a series of analyses of different aspects of limbo states. This paper explores the question of whether or not democracy in a limbo state such as Kosovo can either exist or, if it does exist in some form currently, will continue to exist. The suggestion is to apply the findings in this project to the future of other limbo states. Before looking at how this concern can be addressed, a look at what constitutes a limbo state is in order. In the first project by the author, the Limbo State Model was established, developed, and defined as a subset of the failed state perspective.

2. The Limbo State Model

Previously, failed states have been described in scholarly publications as states that no longer function as bordered regions within which a functional government provides for the inhabitants border security, political stability, political transparency, economic development, cultural independence, supportive infrastructure, and a judicial system based on rule of law maintaining order effectively.

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[1] Bertelsmann Stiftung's Transformation Index (BTI) 2014 -Kosovo Country Report. Gütersloh: Bertelsmann Stiftung, 2014.

The phrase "failed state" is both a generic term and a specific term. Robert Rotberg distinguishes three types of failed states**:** "weak state," "failed state," and "collapsed state."[2] Briefly, the definitions are**:** weak states have geographical, physical, and economic constrains cultivating ethnic, religious, linguistic or intercommunal tensions**;** failed states are characterized by insurgencies, civil unrest, communal discontent, and civil wars having at the root of the problems ethnic, religious, linguistic or some form of intercommunal enmity**;** collapsed state exhibit a vacuum of authority, which allow substate actors to gain control over regions within what had been the nation-state.[3] The Limbo State Model is an additional subset of failed states.[4]

The central concept of the "limbo state" is that the region or state, while displaying traits of statehood, such as having a border, an infrastructure, seeming economic development, and semblance of a functioning government, is not an independent sovereign state, but is actually a minor limbo state controlled by another major sovereign state that actually controls the minor state in the military, economic, and political realms. The limbo state model in the author's first project answers the research question**:** why, in the cases of Northern Ireland and Jammu-and-Kashmir, did state formation during decolonization by means of partitioning land not succeed in forming sovereign nation-states where the state provides for its population personal as well as border security, political stability and transparency, economic development, cultural independence, supportive infrastructure, and a judicial system based on rule of law maintaining order effectively? The author offers the limbo state concept to explain a subset of failed states that are bordered areas positioned as neither independent nor absorbed into a larger sovereign state.

The limbo state model is based on four empirical explanatory concepts that help define and explain the limbo aspect of this model. These four factors that resulted from extensive political-historical, documental, and survey research are**:** 1) patterns of invasions by and political and administrative domination by a state occupying the limbo state over a period of years (revealed in each region's political history) with limited gaps of self-rule that indicate these areas exhibit limited sovereignty, with resulting consequences such as lack of personal security, personal independence, political stability and transparency for the inhabitants, as well as poor economic development, and weakened or compromised rule of law**;** 2) patterns of weak leadership within the limbo state leading to failure of authority and related consequences as listed in explanatory concept one above**;** 3) patterns of settlers immigrating to the occupied limbo state resulting in diverse religious and ethnic groups with their own agenda of cultural preservation and the resulting partition of the land leading to incomplete, limited, denied self-rule, as well as sectarian conflicts among the varied religious and ethnic groups, resulting, at times, in violent consequences**;** and 4) patterns of complex and paradoxical responses expressed by members of the indigenous population (generally comprised of diverse religious and ethnic groups with their own agenda of preservation of their culture) that are the aftereffect of imposed cultural diversity in the post-partition era. The complex and paradoxical responses have been expressed in a number of ways such as through verbal complaints, whenever possible through political expressions such as voting choices, or through demonstrations and insurgencies that, at times, have escalated into physical violence.

Another expression of these complex and paradoxical responses has been tallied in documented surveys and institutional reports. Information is organized through a thematic design involving external and internal influential events that have historically and politically contributed to and influenced the limbo states' current non-full sovereign, limbo position. These factors are physical evidence of the limbo state dilemma expounded in this report. Use of these external and internal factors help with organizing the information gained in a political-historical pattern in explanatory concepts one (patterns of domination by occupying state), two (patterns of weak leadership), three (patterns of immigrating settlers), and four (patterns of complex and paradoxical responses by the indigenous population) of the limbo state model. The physical evidence of the importance of external and internal influential events will emerge as these factors are developed.

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[2] Rotberg, Robert I. ed. 2004. When States Fail: Causes and Consequences. Princeton and Oxford: Princeton University Press.

[3] Ibid. pp. 4-10.

[4] Author 2009.

[3] Facts.com and Kosovo: History, Geography, Government, and Culture | Infoplease.com http://www.infoplease.com/world/countries/kosovo.html?pageno=6#ixzz2uqwa3cRA

External factors are any events that originated outside of the limbo state but manipulated political, historical, social, cultural, economic, military, and security conditions within each state. Examples of external factors outside of the state include such influences as military invasions, military and political occupations, cultural settlements by citizens of other sovereign states, or instruments such as acts, treaties and laws established by and imposed by the occupying state.

Internal factors are any events that occurred within each state contributing to the territory's current limbo status. Examples of internal factors within the state include such elements as weak leadership, political and cultural division among the populace such as ethnic nationalism that results in sectarian conflicts, violence, insurgencies, and political and/or paramilitary organizations.

Important internal factors involving the indigenous population are documented surveys conducted by objective organizations. Responses to surveys contribute to illuminating explanatory concept four (patterns of complex and paradoxical responses by the indigenous population) of the limbo state model. Surveys are internal factors that reveal the pulse of social and cultural groups within a nation-state. In addition, surveys contribute to knowledge about the indigenous population's views concerning feelings of their current status and, interestingly, even how the grassroots may have contributed to the minor state's limbo status.

3. Kosovo History to 17 February 2008

The history of Kosovo reveals centuries of ethnic conflicts over land ownership of a region of 4,211 sq mi (10,908 sq km) located between the Mediterranean Sea and mountainous regions in southeastern Europe in the central part of the Balkan Peninsula.[5]   The conflict for land possession is manifested primarily by Albanians and Serbians.[6]   It has been accepted that historically the first inhabitants of Kosovo in the Balkan Peninsula region were the Illyrians. The stories of how Albanians and Serbians came to be located within the Kosovo region separate at this point.[7]   Serbs, Croats, and Slovenes were part of the Slavs that crossed the Danube into the Balkans by the 6th century.[8] Serbs claim that by 1190 Kosovo was the cultural and political center of the medieval Serbian state ruled by the Nemanjic dynasty.[9]

Albanians claim to be descendants of the Illyrians, while the Serbians claim that Albanians arrived in that region in the early Middle Ages after the Serbians migrated out of Kosovo after defeat by the Turkish Ottoman in the Battle of Kosovo Polje (The Field of Blackbirds) on 28 June 1389.[10]

By the mid-fifteenth century Turkish Ottoman rule took over the region, which includes Serbia, Bosnia, and Herzegovina, and in the following periods Christians Serbians migrated to the lands of Bosnia, Austria, and Hungary. At the same time Muslim Albanians arrived at the Kosovo region from the mountains of Albania. It should be noted that Kosovo borders Serbia to the north and east, Macedonia to the south, Albania to the west, and Montenegro to the northwest.

Serbia became an independent state in 1878 after the defeat of the Ottoman Turks in the Russo-Ottoman War, but Kosovo remained under Ottoman rule.[11]   At this time Albanians established the League of Prizren giving birth to modern Albanian nationalism for all Albanians in Kosovo as well as Albania.[12]   After the First Balkan War of 1912, Kosovo came under Serbian control. During World War I, Kosovo came under control of the Austro-Hungarian and German armies. By 1916 the Ottoman Empire collapsed and in 1918 Kosovo came under the control of the Kingdom of Serbs, Croats, and Slovenes, which became Yugoslavia in 1929.[13]

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[6] Infoplease.com/world/countries/Kosovo.html

[7] G. Richard Jansen. Albanians and Serbs in Kosovo: An Abbreviated History; An Opening for the Islamic Jihad in Europe.
  Colorado State University, Fort Collins, CO 80523. Updated 22 July 2008, p. 1; and Infoplease.com.

[8] Ibid.

[9] Ibid.

[10] http://news.bbc.co.uk/2/hi/special_report/1998/kosovo/110492.stm

[11] G. Richard Jansen, Albanian and Serbs in Kosovo: An Abbreviated History. An Opening for the Islamic Jihad in Europe.
Colorado State University. Fort Collins, CO 80523. Updated 22 July 2008. P.2.

[12] Ibid.

[13] Carl K. Savich. The Kosovo Crisis: Origins and History. 2000. Title is Online.

During World War II, Kosovo became part of Albania controlled by Fascist Italy and Nazi Germany. After World War II, Yugoslavia consisted of the republics of Slovenia, Croatia, Serbia, Bosnia Herzegovina, Montenegro, and Macedonia.

In the 1946 Yugoslav constitution, Kosovo was not granted autonomy nor was Albanian status recognized as a separate nationality.[14] By 1974 the constitution made Kosovo an autonomous province and one of eight federal units. According to G. Richard Jansen, "From 1974 until the late 1980's Albanians in Kosovo undoubtedly had enjoyed the most administrative and cultural autonomy in their history whether under Serbian, Albanian or indeed Ottoman rule, but for the Kosovars that favored independence, it wasn't enough. Some wanted status as a republic within Yugoslavia, while others favored unification with Albania along with Albanians from Macedonia and Montenegro in a 'Greater Albania.'"[15] As this quotation reveals, division among the inhabitants as to future affiliation foretells conflict among the ethnic groups.

After the death of Yugoslavia's strong arm leader, Josip Tito, in May 1980 Albania riots broke out in Kosovo and by mid-1980s Serbians began to migrate out of Kosovo due to pressure and violence on the part of extremist Albanians. After the Serbian Slobodan Milosevic became president of Serbia in 1987, more demonstrations, riots, and violence broke out in Kosovo. By September 1990 Kosovo was regarded as a region in Serbia by the Serbian constitution. It should be noted that by 1992, the Yugoslavian republics had broken away from the state of Yugoslavia, which became Serbia in name.

The Kosovo Civil War took place from 28 February 1998 until 3 June 1999 between the Albanians and Serbians in Kosovo in which 10,000 people were reported killed. At first NATO did not intervene since Kosovo was legally a province of Yugoslavia. However, proof of civilian massacres led to NATO air strikes on 24 March 1999. After Serbia signed the UN-approved peace agreement with NATO on 3 June 1999, NATO peacekeeping forces were assigned to Kosovo and the UN took over administration of Kosovo.[16]

Currently (2014) some 5,000 troops provided by thirty-one countries from NATO-led Kosovo Force (KFOR) are in Kosovo on the basis of UN Security Council Resolution (UNSCR) 1244, which also established the mandate of UNMIK (United Nations Interim Administration Mission in Kosovo).[17]

In June 2008, NATO created the Kosovo Security Force (KSF). According to NATO, the Kosovo Security Force is, "an all-crisis voluntary, professional, multi-ethnic, lightly armed force with a mandate encompassing crisis response, assistance to civil authorities in responding to natural and other disasters and emergencies, explosive ordinance disposal and civil protection."[18] Thus, the Kosovo Security Force encourages all citizens of Kosovo work together to strengthen the unity of ethnic groups.

4. Post-17 February 2008 Kosovo and the Question of Democracy

As noted above, Kosovo's history reveals a limbo state based on the limbo state model four concepts: concept one, patterns of domination by occupying state(s); concept two, patterns of weak leadership; concept three, patterns of immigrating settlers; and concept four, patterns of complex and paradoxical responses by the indigenous population. On 17 February 2008, the legislative council declared the Republic of Kosovo independent of Serbia. The image conjures a state no longer controlled by a sovereign state and thus no longer a limbo state. Actually, Kosovo is not as independent as the image conjured due to having at least five organizations within the Republic of Kosovo. Currently there are 5,000 NATO-led Kosovo Force (KFOR) within the state, as well as the NATO-created Kosovo Security Force (KSF). With the declaration of independence in 2008, the United Nations Interim Administration Mission in Kosovo (UNMIK) reduced its role to the promotion of security, stability, and human rights complemented by the European Union Rule of Law Mission (EULEX).[19]

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[14] G. Richard Jansen, Albanian and Serbs in Kosovo: An Abbreviated History. An Opening for the Islamic Jihad in Europe. Colorado State University. Fort Collins, CO 80523. Updated 22 July 2008. P.2.

[15] Ibid.

[16] Kosovo Facts.docx online.

[17] NATO: NATO's Role in Kosovo, online; and www.unmikonline.org.

[18] Ibid.

[19] Bertelsmann Stiftung, BTI 2014-Kosovo Country Report. Gutersloh: Bertelsmann Stiftung, 2014.

In addition, the Organization for Security and Cooperation in Europe (OSCE) works with the Kosovo Force (KFOR) to perform their roles as stated in the Security Council resolution 1244 (1999).[20]   As can be seen, post-17 February 2008 Kosovo remains occupied by different administrative and security forces, which are**:** 1) NATO-led Kosovo Force (KFOR)**,** 2) Kosovo Security Force (KSF)**,** 3) Organization for Security and Cooperation in Europe (OSCE)**,** 4) European Union Rule of Law Mission in Kosovo (EULEX)**,** and reduced role of 5) the United Nations Interim Administration Mission in Kosovo (UNMIK)**.**[21] Thus, Kosovo still is a limbo state as it fulfills the four aspects of the definition of a limbo state.

As this report reveals, the current state of democracy in the limbo state of Kosovo faces challenges to democracy in the Republic of Kosovo. Dr. Mark Baskin writes in his report, Developing Local Democracy in Kosovo, **"**International efforts to build and sustain local democracy in Kosovo offer lessons that are significant well beyond the Balkans. Democracy at the local level means the development of municipal administrations that can accommodate many needs of diverse populations. It nurtures a community's economic development**;** it is embedded in networks of independent citizens' groups, but beholden to no single one of them**;** and it is comprised of sufficiently legitimate institutions that can manage social and political conflicts peacefully. Democratic local governance becomes sustainable when it is integrated into a much broader network of autonomous institutions that function according to basic, agreed-upon political values and the principles of democratic political and social organization.**"**[22]

Conditions based on findings by the United Nations and its affiliates reveal conditions that question the existence of Dr. Mark Baskin's definition of what democracy in Kosovo should offer its citizens. While these challenges are varied in scope, they involve**:**   questionable voting irregularities, ethnically-related tensions, and corruption concerns by the population**.**

These challenges to democracy in Kosovo have been disclosed in official documents such as**:** the United Nations' Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, the European Commission Service for Foreign Policy Instruments (FPI) report on the European Union Rule of Law Mission in Kosovo (EULEX), Survey of Awareness of the EU and European Integration Among Kosovo Residents conducted by UBO Consulting for the European Union Office in Kosovo, and International Institute for Democracy and Electoral Assistance**;** organizations such as USAID/Kosovo**:** 2014-2018 Country Development Cooperation Strategy, International Foundation for Electoral Systems, and European Forum for Democracy and Solidarity**;** and official press statements by the United States Department of State, the United Nations News Centre, and Central European Policy Institute.

At the time that the Republic of Kosovo declared its independence on 17 February 2008, the population of approximately 1.8 million was 92% Albanian and 8% other (Serb, Bosniak, Gorani, Roma, Turk, Ashkali, Egyptian). As of March 2014, the reported population is 1.8 to 2.2 million with the ethnic group division as 88% Albanians, 6% Serbs, 3% Bosniaks and Gorani, 2% Roma, Ashkali and Egyptians, and 1% Turks.[23] The first assembly elections in Kosovo after the declaration of independence took place on 12 December 2010.[24]

While the election process was held in an orderly manner as reported by the European Union Foreign Policy Chief Catherine Ashton, voting irregularities have been reported such as multiple votes by the same person, family voting, and pressure on monitors and members of election commissions (CEC). The most flagrant irregularities are believed to have happened in the municipalities of Skenderaj/Srbica and Drenas/Gllogovac where the CEC reported a turnout of 94% and 86% respectively.

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[20] Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo, 30 January 2014.

[21] The European Union Rule of Law Mission in Kosovo, online: http://ec.europe.ed/dgs/fpi/showcases/civilian_mission_ kosovo_en.htm.

[22] Dr. Mark Baskin, Developing Local Democracy in Kosovo, International Institute for Democracy and Electoral Assistance, SE

-103 34 Stockholm, Sweden, 2004.

[23] European Forum for Democracy and Solidarity, file:///C:/DocumentsandSettings/Owner/Desktop/Kosovocountryupdate- EuropeanForum-forDemocracyandSolidarity.htm, and http://www.indexmundi.com/kosovo/ demographics_profile.html, and www.beinkosovo.com/en/kosovo-population.

[24] European Forum for Democracy and Solidarity, file:///C:/DocumentsandSettings/Owner/Desktop/Kosovocountryupdate- European Forum for Democracy and Solidarity.htm.

Parties and NGO observers noticed that such a high turnout was not possible in any municipality since one-fifth of Kosovar voters registered on the electoral lists live outside the country. In a statement on 13 December MEPs wrote: "Serious allegations of fraud in two municipalities have been brought to the attention of the delegation. The delegation encourages the political parties to follow proper legal procedures."[25] The turnout in the rest of Kosovo was 45%. According to European observers the turnout was "alarmingly low." A re-run was held in 21 polling stations on 9 January 2011.[26] The turnout in certain areas was less than expected with some intimidation in Serb-control areas. In central Kosovo, where two-third of the 120,000 ethnic Serb population live, a high turnout was reported.[27] Hashim Thaci, leader of the Democratic Party of Kosovo (PDK), was confirmed the elected prime minister of the Republic of Kosovo.

The Central European Policy Institute expressed election process concerns in the November 2013 elections in the publication titled, "Integration or Isolation? Northern Kosovo in 2014 Electoral Limbo."[28]

This report was written by four observers of the November 2013 elections who were Leon Malazogu, Milan Nic, Filip Ejdus, and Tomasz Zornaczuk. Their reported observations resulted in the following statement: "Forceful intimidation of candidates and voters . . . took place in front of polling stations in Northern Mitrovica on 3 November. To widespread surprise, the light security presence stood idly by as a group of masked men stormed three polling centers in Mitrovica around dusk.

As we predicted for such a scenario, the OSCE [Organization for Security and Co-operation in Europe] withdrew its staff from across the north, closing all polling stations prematurely. Security forces justified their inaction by the sensitive political climate, arguing that intervention or a larger presence would have been counter-productive. Elections were repeated in three polling centres in Northern Mitrovica on 17 November, this time with an unprecedented security presence, made up of EULEX, KFOR, Kosovo Police, civil protection and Serbian security forces in plain clothes. Elections were conducted in a safe climate, although their fairness has been widely disputed. The Serbian government-backed Serbian Civic Initiative (Gradjanska Inicijativa Srpska-GIS) won nine out of the ten Serb-majority municipalities (the exception being Strpce in southern Kosovo). GIS's victory means that political bodies favouring boycott have been marginalised for now, although disputes over symbolism will provide fuel for continuing opposition to the process. Belgrade now fully controls the new municipalities, some of which had been run by parties in opposition in Serbia. Serbia's influence will only increase after Kosovo's national elections in autumn (most likely in September 2014)."[29]

As the above report reveals, Kosovo has a long way to go for elections to be conducted in a safe and open environment in which all citizens feel secure enough to go to the polling station. It should be noted as well that on 19 September 2013, a Lithuanian member of EULEX was shot dead during an attack on two vehicles carrying six staff members on a routine mission in Zvecan near Mitrovica in north Kosovo. In addition, on 15 January 2014, Dimitrije Janicijevic was assassinated. Janicijevic was a Serbian Liberal Party assembly member and former candidate for mayor of the Serb north town of Mitrovica in the 2013 elections. Serb hardliners in the north have rejected any compromise with independent Kosovo.[30]

In the Bertelsmann Stiftung's Transformation Index (BTI) 2014 Kosovo Country Report is stated that, "Democracy in Kosovo is dominated by national party elites, with a very limited role for nonmembers in party affairs; a limited direct role of party members in decision-making; a lack of party factions; weak influence within parties by functional groups like those of youth, women, and retired persons; a lack of affiliated organizations; a hierarchical internal order; simple organizational patterns; and indirect election of central party bodies."[31]

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[25] Ibid.

[26] Ibid.

[27] Kosovan Parliamentary Election, updated 17March 2014, Ask.comEnclyclopedia.

[28] Malazogu 2014

[29] Integration or Isolation? Northern Kosovo in 2014 Electoral Limbo, C:/Documents and Settings/Owner/Desktop/ Integration or Isolation Northern Kosovo in 2014 Electoral Limbo _ cepolicy.org.htm

[30] US Department of State, Election in Kosovo, Press Release

[31] Bertelsmann Stiftung, BTI 2014-Kosovo Country Report. Gutersloh: Bertelsmann Stiftung, 2014, p. 11.

Regardless of announcement of independence, tensions between the Albanians and Serbians continued after 2008. For example, in July of 2011 tensions increased after Kosovo special police forces tried to take control of the two border crossings in Serb-dominated Kosovo region north of the river Ibar. Prime Minister Thaci decided to send in the police after EULEX failed to impose Kosovo's government ban on import of Serbian goods and to establish Republic of Kosovo customs at the border. This was done without the consultation of either Serbia or KFOR/EULEX. One Kosovo police officer was killed and the police retreated from the border crossing after which local Serbs burned down the crossing and KFOR troops took over control of the border. Serbs from the north of Kosovo decided to set up barricades on the main roads and constructed alternative gravel roads.

Interestingly, democracy and ethnic tensions have mixed since the 2008 declaration of independence. According to the Kosovo Country Report, the Kosovo-Albanian parties in the Assembly and the majority of relevant actors have accepted democratic institutions, but examples of actors like the Kosovo Liberation Army veterans' organization or the self-determination movement have questioned the legitimacy of democratic institutions when reconciliation toward Serbia or the Serbian north of Kosovo have been made.[32]

Likewise, the Serbian parties in Kosovo proper have started participating in the independence process; while in the northern Kosovo regions, the Serbian majority is still opposed to acceptance of Kosovo's democratic institutions and recognition of the 2008 declaration of independence.[33]

Though tensions between the two sides eased somewhat after the intervention of KFOR forces, they continued to remain high amid concern from the EU, which criticized Kosovo for the unilateral provocation. Throughout 2012 the security situation in the north remained problematic; the Kosovo government is not able to exercise control in the north. By investing money, they try to involve the Serb citizens in the Kosovo institutions. However, this has not resulted in increased willingness of Serbs in north Kosovo to accept the Kosovo institutions and, with that, an independent Kosovo. An unofficial referendum in February showed 99% of Serbs in north Kosovo reject the writ of the Kosovo's institutions. In April hundreds ethnic Albanians from especially the north of Kosovo demonstrated against the ineffectiveness of the institutions and international bodies to put a stop to the violence.[34]

It should be noted that Kosovo and Serbia did sign an agreement on 19 April 2013 fourteen years after the end of the 1999 Kosovo Civil War.[35] The 15-point agreement provided for the merger of the four Serb municipalities in the north (North Mitrovica, Zvecan, Zubin Potok and Leposavic) subject to Kosovo law. This district would have powers over economic development, education, healthcare, and town planning. Major concern in this region is security. According to the agreement only the Kosovo police force will be deployed in the north, but the regional commander will be a Serb and the force will reflect the area's ethnic make-up. Concerning the legal system, a division of the Kosovo court of appeal would hold a permanent session at North Mitrovica, with mainly Serb judges. As for local councilors, elections will be held this year, also under Kosovo law. The NATO Kosovo Force currently deployed there would play a key role in maintaining law and order during the poll. The last crucial point was that both parties have agreed not to hinder the other's efforts to gain EU membership. It was hoped that the agreement would normalize relations and enhance stability in the region clearing a path for both countries to join the European Union. Still, there was no recognition of Kosovo's independence by Serbia.[36]

The concern about government corruption appeared in a survey conducted by UBO Consulting from May to July, 2013 in conjunction with the European Union Office in Kosovo in association with the Kosovo Government Ministry of European Integration titled, "Survey of Awareness of the EU and European Integration Among Kosovo Residence." In this survey, 1,500 Kosovar participants in 38 municipalities responded to 38 questions agreed in advance by European Union Perspective in Kosovo and European Union Office in Kosovo.[37] In the executive summary is stated that the most important issues facing Kosovo continue to be corruption as well as unemployment and the economic situation.[38]

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[32] Ibid.

[33] Ibid.

[34] Ibid.

[35] Ibid.

[36] Ibid.

[37] Survey of Awareness of the EU and European Integration Among Kosovo Residence, online: eupk_survey_report_2013.pdf.

[38] Ibid., p. 7.

Corruption concerns were also reported in the BTI 2014 Kosovo Country Report in which is noted that "corruption remains widespread and the public infers from its prevalence that elected office holders and civil servants operate with impunity."[39] Anti-corruption pursuits include the Kosovo government approved 2012-2016 strategy against corruption that outline the objectives and preventive measures, the 2012 National Anti-Corruption Council, and the 2013 Kosovo Agency Against Corruption.

With the help of the above program some indictments of corrupt officials have resulted. One EULEX indictment resulted in the arrest of anticorruption prosecutor, Nazmi Mustafi and two others in April 2012 concerning allegations that he took bribes to drop corruption charges against powerful individuals.[40] A UNMIK 2013 report stated that a deputy prime minister, two former ministers, two magistrates, two mayors and other civil servants were either under investigation or indicted on allegations of corruption.[41]

Another area of citizens' concerns involve civil rights, which are guaranteed by the Republic of Kosovo yet violated in the realm of domestic violence or hate crimes against ethnic minorities.[42] Within this area of violations are included human rights defenders and civil rights defenders who have received death threats. In addition, even though the Law Against Discrimination and the Kosovo constitution prohibit discrimination on the basis of sexual orientation, LGBT people are still exposed to threats and are forced to reduce their activities and visibility.[43]

4. Conclusion

The above report on the transitional-to-democracy Republic of Kosovo reveals a state having many supportive international organizations such as EULEX, KFOR, OSCE, and UNMIK attempting to establish a state with strong democratic institutions. At the same time, the limbo state of Kosovo has many obstacles to overcome as the Bertelsmann Stiftung's Transformation Index (BTI) 2014 Kosovo Country Report has disclosed.

In summary, this report depicts a region under continuous land ownership dispute primarily between two ethnic groups, Albanians and Serbians. Within these two groups are different religious groups. The Islamic religion is followed primarily by Albanians and the Christian religion is followed primarily by Serbians even though there are Albanian Christians. The Islamic religion was introduced to the region by the Turkish Ottoman Empire in the sixteenth century. Kosovo remained under the Ottoman Empire until the First Balkan War of 1912 at which time the land came under Serbian control. From World War I until 17 February 2008, as the above narration relates, Kosovo is overtaken by the following states and groups: Austro-Hungarian and German armies, the Kingdom of Serbs, Croats, and Slovenes, Fascist Italy and Nazi Germany (WWII), and Yugoslavia/Serbia.

With massacres of civilians in the Kosovo Civil War 28 February 1998 until 3 June 1999 between the Albanians and Serbians in Kosovo, NATO air strikes on 24 March 1999 led to Serbia signing the UN-approved peace agreement with NATO on 3 June 1999. At that time NATO peacekeeping forces were assigned to Kosovo and the United Nations (UN) took over administration of Kosovo. Because Kosovo needs help in transitioning to a democratic state, five organizations are present in Kosovo.

The declaration of Kosovo independence on 17 February 2008 did not end the presence of the UN and affiliated organizations in Kosovo.

As the information in this paper verifies, the circumstances that kept Kosovo a limbo state as well as question the democratic process in Kosovo after declaration of independence were not only the presence of the five organizations in Kosovo as listed above in section IV, but also the irregularities in the 2010 and 2013 elections, assassinations of a Serbian Liberal Party assembly member, tensions that intensify into violence, and corruption within the ruling government. The final concern contributing to the question of democracy in the limbo state of the Republic of Kosovo is affirmed in the Bertelsmann Stiftung's Transformation Index 2014 Kosovo Country Report.

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[39] Bertelsmann Stiftung, BTI 2014-Kosovo Country Report. Gutersloh: Bertelsmann Stiftung, 2014, p.9.
[39] Ibid.
[40] Ibid.
[41] Ibid., p.10.
[42] Ibid.
[43] Ibid.

Here is stated that, **"**Democracy in Kosovo is dominated by national party elites, with a very limited role for nonmembers in party affairs; a limited direct role of party members in decision-making; a lack of party factions; weak influence within parties by functional groups like those of youth, women, and retired persons; a lack of affiliated organizations; a hierarchical internal order; simple organizational patterns; and indirect election of central party bodies."[44]   Thus, the Republic of Kosovo must allow political participation by all aspects of members of its civil society before it can be considered a state practicing democracy in the true sense of participation in political decisions by all of the state's citizens.

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