

NATIONAL IDENTITY AND COLLECTIVE HUMAN RIGHTS: LESSONS WE DID NOT LEARN FROM THE CRISES IN SOUTH-EAST EUROPE

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ABSTRACT

The international community does not share a common diagnosis of the causes of the crises created by the disintegration of the multi-national states: Yugoslavia, Soviet Union, and Czechoslovakia. The process of globalization has enabled the national independence of small nations emerging from multi-national states. Globalization is a two way process: a process of integration of countries on economic, technological, communicational and cultural levels, and a process of individualization of nations. The basic values of small nations are their desire for their own state, national independence, freedom, and sovereignty. Therefore, each newly liberated nation would like to protect its collective human rights and national identity, and to occupy its own place in the democratic world.

Introduction

We have been invited here to discuss the issue of European security and stability in Southeastern Europe, at the beginning of the 21st century. The question is whether a European crisis in Southeastern Europe still exists, and whether we can count on peace and stability in the near future?

We are not here to analyse the history of crises in the former and current Yugoslavia, but to offer estimates of possible future developments. I am convinced that without an accurate diagnosis of causes and the current status of the crisis, an accurate prognosis cannot be given about the ways and means of resolving the crisis.

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The problem is that the international community does not share a common diagnosis of the causes of the crises created by the disintegration of the former Yugoslavia. Therefore, the international community does not share a common vision and objectives as to how to solve the crises. Even today, it is utilizing an imprecise objective to solve the crises: democracy. Of course, democracy is the most valued objective in the modern world, but it is also the most nebulous.

Diagnosis of the crises

In order to resolve the crises, we need a rational explanation of the nature of former Yugoslavia, and of the historical events in Europe in the last decades of the 20th century.

I offer the following explanation. In the late 1980s and early 1990s, significant changes took place in Europe:

- the dissolution of the Communist system and the Warsaw Pact;
- the disintegration of many multi-national states: the Soviet Union, Czechoslovakia, and Yugoslavia;
- the emergence of new, national states.

The byproducts of those changes were:

- the end of the Cold War and the transformation of NATO;
- wars on the territory of former Yugoslavia, accompanied (at the beginning of the crises) by the inaction of European, or, rather, North Atlantic security mechanisms.

The West was pleased with the disappearance of the Communist system and the Warsaw Pact, even though there had been no prediction that those systems would collapse overnight like a house of cards; the fact is that those systems did not disintegrate due to economic or military breakdowns. Even today, there is no commonly accepted interpretation of this collapse.

It is also true that the West was not at all enthusiastic about the disintegration of multi-national states: Yugoslavia, Soviet Union, Czechoslovakia. And the West is still upset with the disintegration of multi-national states. Why?

To protect their own national interests and avoid security problems, the EU and NATO started integrating contemporary civilizations economically, technologically, communicationally, and culturally after the Second World War.

Today our civilization has been integrated. Globalization is the ruling ideology of the developed world, and its main values are human rights, democracy, and market economy.

But parallel with this process of integration is the process of individualization on a national level. The world is integrated on one side, but on the other, we have a process of disintegration of multi-national states and the emergence of new states, new historical entities.¹ In the last decade Latvia, Lithuania, Estonia, Ukraine, White Russia, the Czech Republic, Slovakia, Slovenia, Croatia, Macedonia, Bosnia and Herzegovina have come into existence through the process of disintegration. Perhaps even Montenegro or Kosovo will emerge in this same way.

Globalization is a two way process: a process of integration of countries on economic, technological, communicational and cultural levels, and, at the same time, a process of individualization of nations, since every nation wishes to protect its national identity and take its place in the democratic world.

This process of the creation of new states is often described as an anachronism, or as the nationalism of small nations. It is felt that these processes of disintegration destabilize the existing world order because they endanger the balance achieved in European and world integration, although such processes represent one of the most basic democratic rights of nations to national independence, freedom, and development.

Globalization and/or universal human rights

The United States of America, as the leading world power, has a key role in international organizations and NATO, and is therefore able to successfully impose upon these organizations its values and model of behavior. The United States is the ruling world power, but the values which ensure America's national identity and prosperity are not universal.

American policy was guided by the human rights principle as determined by President Clinton's directive,² Executive Order 13107, "implementation of Human Rights Treaties", December 10, 1998. This Executive Order compels all governmental agencies to apply these principles in the implementation of American foreign policy.

However, American policy only acknowledges individual human rights, and treats them as if they were universal human rights. Individual human rights form the basic principle upon which rests the American globalization policy. Unlike the American approach, Europe acknowledges both individual and collective human rights: the right to culture, religion, language, nation, etc. The Greek-Turkish conflict on Cyprus, Israeli-Palestinian conflict in Israel, Serbian-Bosnian-Croatian conflict in Bosnia and Herzegovina, or the Serb-Albanian conflict in Kosovo are essentially about collective, not

individual human rights. It is because of their failure to recognize this difference that the NATO troops in Kosovo misdirected the goal of their mission. KFOR now has no realistic prospects of ending its mission for many years.

National identity and collective human rights

Individual human rights are not necessarily universal; they differ from culture to culture. Even "everyday" activities such as music fall into the category of entertainment in European culture, but in Indian culture, music is connected to life philosophy. Privacy and public life have different values in different cultures, as do politically nuanced issues such as women's rights, etc. Basic political concepts also create confusion, misunderstandings and conflicts. For example, three Bosnian-Herzegovinian parties accepted the Dayton Agreement under the condition that Bosnia and Herzegovina be a state consisting of three constitutive nations; that is, a multi-national state. In the English language, the expression multi-national has a different meaning than in Croatian and other European languages (according to the New Shorter Oxford English Dictionary, multi-national means: comprising or pertaining to several or many nationalities or ethnic groups³). Americans speak of multi-ethnic and multi-cultural Bosnia and Herzegovina without showing any understanding for a multi-national Bosnia and Herzegovina. National and ethnic communities in European law are minorities, and that is what the Croats, Serbs and Bosniaks do not wish to be in Bosnia and Herzegovina. This leads to open misunderstandings, because the main political and legal problem has redefined itself as a cultural and technical problem.

Each of the three nations in Bosnia and Herzegovina considers itself constitutive, and each member of these nations considers itself endangered in the event that its collective rights are endangered; that is, its right to its language, culture, and religion - not as an individual, but as a member of the Croatian, Serbian, or Bosniak nation.

The international protectorate in Bosnia and Herzegovina is imposing a resolution based on the protection of individual human rights, and this cannot satisfy all three nations. A flag, coat of arms, hymn, currency and passport have been imposed upon Bosnia and Herzegovina. People as individuals have accepted this, since they must travel, shop, and live; but they have not accepted this as the three nations. These symbols therefore do not represent collective values, but rather technical solutions imposed by the international community.

One of the basic values of small nations is their desire for their own state, national independence, freedom, and sovereignty. In Europe

a series of small nations, including Croatia, have achieved this desire during the past ten years. The paradox is that the international community considers the majority of these movements nationalistic or right wing, not primarily democratic, liberation movements. These are young states, and states in transition are still in the process of constructing state institutions. Just because they are confronted with problems which developed countries have already resolved does not mean that the motives, actions, and goals in these countries are undemocratic or that they are historical anachronisms. It is therefore paradoxical that the international community has often assisted former Communists and their parties to reassume power in the name of democracy.

South-East Europe in the "waiting room"?

The refusal to acknowledge, validate or accept collective human rights - especially those which are critical to national interests and the goals of nations - leads to unreal expectations about actions and operations that have been undertaken.

The military intervention in Kosovo in 1999 is one example. 'The fact that Secretary of State Madeleine Albright advised President Clinton that Mr. Milosevic would fold after a few days of bombing was a testament to how little she understood Serbian intransigence.'⁴ After the removal of Milosevic and the election of Kostunica as President of Yugoslavia, the international community is again making false evaluations and hasty conclusions. Another example is Special Envoy to the UN Secretary General Carl Bildt's recent "non-paper,"⁵ which promotes stability in the "Balkans", but first by placing these countries in quarantine, then integrating them by the formula 5 plus 1 plus 1, and allowing them the right to satisfy only the minimum of national interests.

Carl Bildt does not consider these countries equal partners or partners in European integration; they are simply countries with "low-level sovereignty", consigned to the "waiting room" for integration into the democratic world. Bildt's proposal does not respect the views, interests, and values of countries in the region; it simply imposes resolutions. This conflict broke out precisely because individual nations revolted against the hegemonistic dictates of the stronger powers.

A recent statement by George Bush, Jr., who said that American foreign policy should stop being so arrogant and stop imposing its political and cultural values on other countries is therefore reassuring. I quote: "I just don't think it's the role of the United States to walk into a country and say, we do it this way, so should you. I think the United States must be humble and must be proud and

confident of our values, but humble in how we treat nations that are figuring out how to chart their own course."⁶

The democratization of Europe

Not all problems share the same source. We know that problems appear in a different light when measured against other criteria or seen through other mirrors. Croatia is a small country in southeastern Europe. For various historical and political reasons, it is very sensitive about its independence, freedom, and sovereignty and will therefore expend all its energy in preserving its national identity and prosperity.

Croatia sees its future in European and North-Atlantic integration and organizations. Croatia has no interest in participating in this integration through "Balkan associations".

Croatia wishes to have good relations with its neighbors, but wants to be an equal partner and member of the international community.

The process of globalization has enabled the national independence of small nations emerging from multi-national states to be realized. The democratization of Europe would not have been possible without ensuring the rights of all European nations to self-determination.

Small nations who now have their own states have become subjects on the international scene and have a chance to achieve freedom, self-sufficiency, and development in cooperation with other nations of the world. The process of integration of the former Communist countries and new sovereign states in European and North-Atlantic organizations is unavoidable. The process of democratization and modernization of transition countries will be painful, for these countries must pay a high price if they wish to attain the high standards which exist in Europe. But this process can also be fraught with misunderstanding and unnecessary conflict if the international community does not "democratize" at the same time; that is, if it does not envision integration as a two-part process in which, on the one hand, new states will fulfil the high standards of the international community, but, on the other, their national identities, security and prosperity are guaranteed.

Notes

- 1 F. Tadjman: "The Process of Democratic Transition in South-Eastern Europe", 11th International Conference on Policy and Strategy, Institute for Foreign Relations "Franz Josef Strauss - Symposium", Munich, November 18-20, 1990.

- 2 Executive Order 13107, "Implementation of Human Rights Treaties," December 10, 1998.
- 3 National relates to a nation or country in total, ("pertaining to a nation or country, esp. as a whole; affecting or shared by the whole nation.") New SOED. Nation even means a country or kingdom, i.e. United Nations (united countries).
- 4 David Owen, The Wall Street Journal, September 26, 2000.
- 5 Carl Bildt: "To prepare for Peace - Towards Self-Sustaining Stability in the Balkans", September 2000.
- 6 Presidential Debate at Wake Forest University, October 11, 2000.