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TABLE OF CONTENTS

I. ARTICLES

II. REVIEWS

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I. ARTICLES

Robert IŠTOK, Štefánia NOVÁKOVÁ

GEOPOLITICAL POSITION ANALYSIS
OF TRANSCARPATHIA WITH EMPHASIS
ON PERIOD BETWEEN 1918-1939

Abstract

Transcarpathia as a part of the Soviet Union lost its specific position. The Ukraine cultural influence and Rusyn specifics were in favour in the county, but they were pressed back. After the release of the totalitarian regime in the Soviet Union at the turn of the 80s and 90s there was an activation of several political groups, requiring the change of the area status. The initiative for the dissolution of a contract about the connection to the Soviet Union came into existence. The other group supported Transcarpathia's taking control over the Ukraine's autonomy of the area. In December 1991, the referendum took place on the territory of Transcarpathia. A majority of voters expressed for reinforcement of the local autonomy. Part of the participants voted for separation from the Soviet Union (members of the Hungarian minority, respectively Rusyn Revival supporters).

Key words: Transcarpathia, geopolitics.

Introduction

The end of the First World War meant a significant change of the status quo in the whole Europe. In a large extent, it affected Central Europe which had been highly integrated zone till that time. Its geopolitical base formed Austria-Hungary and Germany, whereby the Czarist Russia partly extend to the Northeast. According the peace agreement, this territory was disintegrated into smaller state units. Thus a number of geopolitical units were created and the nationality was the main subject

to discuss. The result was the fact that the interwar Central European policy had been led by the ongoing efforts of the territorial conquests, which made the cooperation between the countries of Central Europe harder.

The area in the central part of Carpathian Mountains and vicinity of the Carpathian Basin was one of territories whose nationality was discussed. This country had several historic names during the historical development. In this paper we use the term Transcarpathia. This territory entered the 20th century as a member of the Hungarian part of the Habsburg monarchy. In the 11th century, Transcarpathia was attached to Kingdom of Hungary and five Hungarian counties were encroaching on its territory. Its status was changed after the First World War, when it became the part of Czechoslovakia under the name Ruthenia.

When studying the history of Transcarpathia, taking into account the associated spatial factors in the narrower or broader context, we can find a number of geopolitical specificities peculiar to this territory. Several of them had already been applied at the time when Transcarpathia was attached to Czechoslovakia and they also influenced Transcarpathian's development. This area was situated on the periphery of this state, but its geopolitical importance to its existence was very important.

Geopolitical attributes of Transcarpathia

Geopolitical importance of Transcarpathia was increased mainly by its position on the border of Central and Eastern Europe, as well as by its peripheral character of the area in relation to the states that was part of (hence part of Czechoslovakia). In the 20th century Transcarpathia had changed its nationality several times, whereby each change was connected to ground-breaking milestones in European history: until 1918 it was part of the Austro-Hungarian Empire; after a transitional period in 1919, it was attached to Czechoslovakia; in 1938/1939,it was in two stages attached to Hungary; in 1945, after a brief treatment of the Czechoslovak administration, it was attached to the Soviet Union. Nowadays (since 1991) it is a part of independent Ukraine as the Transcarpathian region. We do not consider here a few days duration of independent Carpathian-Ukrainian state (15th – 18th March 1939).

It is obvious that not only Transcarpathia, but also the surrounding area did not have enough of their own sufficient sources for longer stabilization of the geopolitical situation that was mostly dependent on the processes development at European arena. Because of its strategic location, after World War, the territory of

Transcarpathia was subject matter of surrounding states. The political, demographic and economic potential for independent development was inadequate.

Transcarpathia was formed by the Central region of the Carpathians, which was forming a node connecting the western part of the Carpathian arc with its southern part. Czech geographer, J. Hromádka, succinctly defined geographic force-lines in the territory of Ruthenia: east-west direction of Carpathian ridges and north-south direction of river valleys - along with the transitional zone of the Carpathians and Transcarpathian lowlands - where the population and economic life were concentrated. A big mountain rampart created a natural barrier against the influences from the East and oriented this area geopolitically and economically to the opposite side –to the Carpathian basin. From the geopolitical point of view, the "face" of Transcarpathia was quasi faced towards the west and southwest – ergo to the Central Europe. This undoubtedly influenced the political affiliation of Transcarpathia territory during its entire history until 1945. This factor also significantly influenced the way of thinking and values of Transcarpathian inhabitants, which were formed in accordance to the Central European mentality and up to this days it had set them apart from other inhabitants of Ukraine's regions. This orientation also won in 1919 during the deciding of the nationality of Transcarpathia.

Geopolitical aspects of the problem of Transcarpathia nationality after the First World War

Transcarpathia connection to the newly-formed Czechoslovakia state was not the part of program of its founders – T.G. Masaryk and E. Beneš. This program became an issue after the split of Austria-Hungary. At that time, a non-Hungarian communities seated in the territory of the former Kingdom of Hungary founded their own independent states or joined neighbouring states. Therefore the Transcarpathia nationality problem had to be solved by adherence to one of the possible alternatives. During the breaking times of crushing changes of the European political map, after the First World War, several opportunities of constitutional solutions of Transcarpathia were created.

The conception of an autonomous state was unreal because of the external and internal reasons. International situation of those times could not accept an alternative connection to Ukraine or Russia. One of the solutions was to connect Transcarpathia to Czechoslovakia. Czechoslovakia gained territory of Ruthenia

which had not reached its own territorial-administrative realization, thus it was not organized into a compact administrative unit.

Alternative of Transcarpathia connection to the state with a gravitational centre on the east of the Carpathians was problematic. It can be documented by the attempt to create a West Ukrainian People's Republic in 1918, which should have also included Galicia, Bukovina and Transcarpathia (although its power was not big enough). This project met with resistance of the victorious Great Powers. One of the causes can be found in the fact that the movement for the independent Ukraine cooperated during World War II with governments of the defeated Central Powers. We can also state the geopolitical explanation: the formation of unstable buffer state in that area would have affected the geopolitical arrangement, based on a chain of countries forming sanitary cordon. It would have also created a permanent danger of its extinction and the possibility of connection to the Russian state, which would have pierced into the Central European area.

Considering the geographical and geopolitical structure that created the territory of Transcarpathia, it turned out that the most real solution was connection of Transcarpathia to one of three neighbouring states covering into the Carpathian Basin. (Czechoslovakia, Hungary, Romania). The conception of the Transcarpathia's existence within the Hungarian state was not real. Moreover the Declaration of Independence of "Rusyn country", which was announced by government 21.12.1918, did not help its realization. The decision to join Transcarpathia with Czechoslovakia greatly influenced several factors. One of them was the connection of closely neighbouring ethnically related areas to Romania and Poland. Thanks to the peace treaties, Romania gained bigger part of Bukovina and Poland gained territory of Galicia.

However, the most important decisions were these of Rusyn authorities at home and abroad. Although these Committees approved other solutions as well (e.g. autonomy), at the turn of 1918 and 1919, a crucial part of the political establishment at home and in the U.S. declared for connection to Czechoslovakia under the conditions which were partly reflected in the articles of the treaty, concluded in Saint-Garmain. The determining factor was the decision of the Ruthenian National Council in Scranton (Pennsylvania, USA) on 12th November 1918, according to which the Hungarian Ruthenians were attached to Czechoslovakia as an autonomous area. Leading representative of Rusyns G. Žatkovič enforced the resolution according to which the Transcarpathia, "in a high degree keeping their rights as a state, will join with the Czechoslovak Democratic Republic on the

federal principles". Ruthenian Councils in Prešov, Uzhhorod and Chusta formed a common Central National Council that agreed with the decision of Scranton, from 8.5. 1919.

During the Paris Peace Conference in Versailles, Czechoslovak delegation submitted its territorial demands in the form of eleven memoranda. One of them was dealing with the problem of Rusyns in Hungary. On 4 April 1919, Supreme council of Triple Entente approved the Czechoslovakia's demand to make the unity with the area of Transcarpathia, because it was afraid of its attechment to the soviet Russia. According to the treaty, signed on 10 September 1919 in Saint-Germain-en-Laye, Transcarpathia became a part of the Czechoslovak state as an autonomous unit. The Constitution of the Czechoslovak Republic, passed in 1920, declared Transcarpathia an integral part of the state called Carpathian Ruthenia.

In 1934, E. Beneš explained arguments for the attachment of Transcarpathia to Czechoslovakia as follows (quoted Šroněk 1992):

1. Absolute independence was impossible because Transcarpathia was not political and cultural ready and its economic level was low.

2. It was not possible for Ruthenia to stay under the Hungarian law. The main reason was the right of nations to self-determination.

3. Attachment of Ruthenia to the Ukraine or Russia was not possible. The resistance of Poland was an unacceptable obstacle for Ukrainian solution. Attachment to Russia was not possible because of great changes in entire Central Europe. Western allies and the United States were not prepared to allow Russia to get across the Carpathians and became a Central European state.

4. If none of the above mentioned alternatives was acceptable, there would not have been any other solution than connecting Ruthenia to Czechoslovakia on condition of reasonable autonomy (see Šroněk 1992).

We can dispute about above mentioned arguments. Without any doubts, geopolitical factors played a very significant role. One of them stayed behind: the interest of influential powers on Paris Peace Conference – do not allow Hungary to be a neighbour with Poland, in particular to ensure neighbourhood of Czechoslovakia and Romania.

Czechoslovakia founders did not count in their original plans with Transcarpathia attachment. E.g. on the map of the Czech state that T.G. Masaryk took away during emigrating in 1914, Transcarpathian part had not been included. He assumed that the Czech state would border with Russia, which should have included Uzhhorod,

Mukachevo, or Sighetu Marmației. Although the map of the Czechoslovak National Council in Paris attached Uzhhorod to Slovakia, the eastern border was formed by rivers Uh, Ondava and Bodrog. This concept lost its justification after the fall of the tsarist regime in Russia.

Geopolitical aspects of Transcarpathia connection to Czechoslovakia

In the context of Transcarpathia connection to Czechoslovakia, the question is arising: what was the importance of this attachment to its geopolitical position? Transcarpathia (Ruthenia) covered only 8.3% of the area of the Czechoslovak Republic (12,656 km^2) and barely 5% of its population (606,568 inhabitants in 1921). From this point of view, the area did not represent a remarkable reinforcement of Czechoslovak Republic towards neighbouring countries. Transcarpathia was also a multi-ethnic area which created the potential for instability and tensions. Besides Rusyns (62% of the population in 1921) also a relatively large minority of Hungarians (17%) and Jewish (14%) lived there.

The territory was economically and culturally undeveloped and mostly rural oriented, while only a few economic activities had the national importance (timber production, wool production and tobacco planting). Less importance had other various agricultural activities (cattle breeding, pigs and horse breeding, respectively fruit picking). This implies interwar deliberations about the Czech imperialism in connection with Transcarpathia, as well as its naming the "Czech semi-colony" or "Africa in Central Europe".

The territory of Transcarpathia had extremely extended already disadvantageous shaping of the Czechoslovak Republic in relation to its geostrategic situation in Central Europe. The ratio of length and width of the Czechoslovakia was 5:1. On 100 km^2 of territory there was 2,42 km of borderline, while in Poland it was just 1,13 km, Germany 1,16 km and Hungary 1,86. The shape of the area allowed direct contact with several neighbours (but at the same time borderline with Romania was only 5% from all over the country). Thus formed territory had created conditions for transit, but from an inner-state perspective its configuration was considerably unfavourable. Besides military-strategic issues it created conditions for unbearable extension of internal transportation lines and their congestion, which affected mainly Transcarpathia, because it was farthermost from the centre of the state.

The shape of the state territory caused problems with geopolitical vindication of the existence of Czechoslovakia, which apparently formed heterogeneous geopolitical conglomerate. Perhaps the most accurately characterized geopolitical unity of the

state was by Korčák J. (1938), who wrote about three natural units, forming Czechoslovakia: Baltic, Danube and Tisza, which were defined according to three major river-basins. The state was thus known as a set of upper streams of important European rivers and their catchment basins, whereby this character did not disturb the territory of Transcarpathia.

Certain international tensions, stemming from the requirements of independence and also from the territorial claims to extend its territory westwards, came from the Transcarpathia's side. Borders of Slovakia and Transcarpathia (Ruthenia) had been an issue of frequent controversy, which were discussed at the end of 1918, during the negotiations on T.G. Masaryk and G.I. Žatkovič, Rusyn leader. Those negotiations let into the declaration of the existing borders as temporary, and proposed that the boundary line should have provide access of a large part of eastern Slovakia to Transcarpathia (Ruthenia). This issue is analyzed in the next part of this article.

These reasons also took part in enforcement of views that considered attachment of Transcarpathia to Czechoslovakia as a short-term stopgap. K. Kadlec (1920) said: "it is certain that admitting of the Ruthenians to the union means that the bigger burden would lie on us the smaller are rights and benefits. The territory became a new part of republic, the territory which is difficult to coordinate from the centre, the territory which is in its entire nature completely different from the other two components, with the natural people who are not financially secured, an area that can be hardly considered as a permanent member of our state. Let´s say the truth!" He predicted Transcarpathia's attachment to a state which core area is on the east of the Carpathians.

Ruthenian problem and the formation of the Slovak border

Delimitation of eastern borders of Slovakia, ergo Transcarpathia-Slovak border line had been the subject of several studies that arose before the formation of the Czechoslovak Republic. In general, the eastern border of Slovakia was the same with the eastern boundary of the historic Zemplín and in Ung County and the same was with ethnographic border between Slovaks and Ruthenians. The spatial vision of the founders of the Czechoslovak state almost corresponded to this definition.

At the end of 1918 the Hungarian government established already mentioned Ruthenian autonomy named "Russian country", with the Transcarpathia as its core. The territory of this unit was not bounded strictly and Rusyn politicians also demanded to join the parts of Slovakia with enclaves of Rusyn settlements.

Moreover documents of Rusyn panels, approving the attachment of Transcarpathia to Czechoslovakia, applied for attachment of eastern part of Slovakia, what is more they applied for "all Rusyn areas", which belonged to Hungary, Romania and Poland (Klimek, 2003). In the case of Kingdom of Hungary, it was the attachment of the nine counties inhabited by Ruthenians from the Kingdom of Hungary in the northeast. Ruthenian politician G. Žatkovič supported the idea of the creation of the Ugro-Ruthenia State that did not include only the territory of Transcarpathia, but also a large part of eastern Slovakia (see Švorc 1996).

In regard of these circumstances, the delimitation of the Transcarpathia western boundary within the Czechoslovakia (even though it had only the inner state character) was very special matter. Proposals for the course border with the Slovak had consolidated gradually. Proposals for boundary with Slovakia had gradually stabilized. According to the original proposal of the Supreme council of Triple Entente, the boundary went from the north through the river Uh to Uzhhorod and further to the south near the railroad Uzhhorod - Chop. After the declaration of the General statute on November 1919, the definitive boundary was set westerly from the previous proposal. The border line was moved northerly and southwards of Uzhhorod for the benefit of Carpathian Ruthenia (see Trávníček 1992). Other negotiations (Prague, 1920) about their direction were ineffective.

Rusyn politicians accepted the borders under reservations. From an administrative point of view the borders were respected by state institutions, in despite of the fact that they had not been codified by the law until 1938. However, Ruthenians did not agree with the borders and were protesting during the whole interwar period. In 1929, the congress of the Patriotic Youth in Uzhhorod adopted a resolution providing that "the Ukrainian nation lives under the Carpathian Mountains from Poprad to Tisza" (Švorc 1996). The protests were at the highest level in the pre-war period.

Geopolitical importance of Transcarpathia from the aspect of interwar Czechoslovakia

During the interwar period, the geopolitical position had the key importance not only for its geopolitical orientation of Czechoslovakia but also for its destiny. Czechoslovakia extended from the west into the central Europe through the Danube area to the East, where penetrated typically Eastern European regions thanked to Transcarpathia. By the Transcarpathia, Czechoslovakia was bordering with the Black Sea country, Romania, which was important fact from the geopolitical point

of view -the state was bordering with the North Sea-Baltic countries as well as with the Black Sea countries. In that manner, Transcarpathia contributed to Czechoslovakia to fulfil the function of both stabilized and stabilizing factors in Central Europe.

Ever since 1918, T.G. Masaryk was awared of the importance of Transcarpathia to Czechoslovakia. On 23 December 1918 pending the Cabinet Council, he said: "In this moment, there is an opportunity for Hungarian Ruthenians to come. We would be the direct neighbours of Romania; it would have a great importance." The importance of Transcarpathia needed to be understood especially from the geopolitical point of view, which became even more important in the 30s of the last century during the external threat of Czechoslovakia. Transcarpathia created the bridge connecting the state with the allied Romania and thus created territorial continuity of the Little Entente.

Politicians and soldiers emphasized this importance. E. Benes explained it very simply: "The Little Entente is not possible without Rusyn". General of Army, J. Šnejdárek, longtime commander of Czechoslovakian army units on the eastern Slovakia and in Carpathian Ruthenia, stressed it out in the 30s: "Military importance of Carpathian Ruthenia rests in establishment of connection with our friends on the east (Russia and Romania) and interrupt the connection of enemy or less inclined nations (Hungary and Poland)" (Šroněk 1992).

Location of Transcarpathia represented not only very important political and military bridge for Czechoslovakia but also the wall crossing two large lowlands - East European Plain and the Danube Basin. At the beginning Czechoslovakia was surrounded by a "German Sea". The attachment of Transcarpathia opened better opportunities in political and strategic area in the east. All diplomatic attempts to ensure the safety of Czechoslovakia were associated with the mediating function of the eastern part - Slovakia and Carpathian Ruthenia. This effort fetched along the formation of so-called Little Entente.

The political alignment of Czechoslovakia, Romania and Yugoslavia consisted of pragmatic connection of three countries, directed against the restoration of Habsburg dynasty and against the Hungarian revisionism and irredentism. At the same time it served the purpose of enforcement of French interests in the Central and South Eastern Europe. Nevertheless we could see that it was too weak bond for creation of deeper and long-running cooperation which did not find a wider reaction, especially in economic cooperation. From the geopolitical point of view, states of the Little Entente formed an arc enclosing Hungary from three sides. Its

weakest link was the connection of Czechoslovakia and Romania in the area of Transcarpathia.

The Little Entente thus acted as a geopolitical hybrid, consisting of Central European Czechoslovakia, and Romania and Yugoslavia, situated in the southeast of Europe. It did not cause mutual disputes between member states, but some individual interests of countries were different. The interests of Yugoslavia and Romania in the Balkans were quite far so they did not immediately feel the pressure from Germany as Czechoslovakia did. It is symbolic that with the process of the Carpathian Ruthenia falling also The Little Entente became weaker and finally disbanded.

Geopolitical importance of Transcarpathia was significantly affected by its borders. Because of the strategic needs, their northern part, i.e. the borderline with Poland in Carpathian mountain ridge suited them. On the other hand, larger part of the southern borderlines (especially with enemy Hungary) was strategically very disadvantageous and only short parts had boundary on mountain ridges and streams. Inter alia, river running from north to south had allowed easy access to the interior only from the south, hence from the wide valley of the Tisza. The weakness of Transcarpathia's geopolitical position was the communication link with the rest of the territory of Czechoslovakia, which touched the southern part of its territory and after Hungary occupation, under the authority of the Vienna Award (November 1938), Czechoslovak part became almost incapable of economic life. The aim of Czechoslovak Army headquarters was to build up rail and road communications but these requirements for improvement of the geostrategic position of Transcarpathia were not realized during the interwar period.

Geopolitical significance of Transcarpathia in the context of Poland and Hungary

Transcarpathia was a corridor that formed a barrier for the territorial continuity of states, which had strained relations with Czechoslovakia (Poland and Hungary). Power concepts of Poland and Hungary, directed against Czechoslovakia, were meeting in the area of Slovakia and Transcarpathia (Ruthenia). Hungary supported a revision of its borders and renovation of the pre-war Hungarian state. One of the aims of the Hungarian irredentism was Slovakia and Transcarpathia, whereby the attachment of Transcarpathia (Ruthenia) was part of the so-called vertical conception of Hungarian irredentist policy (Deák 1991). The conception counted on

separation of eastern part of Slovakia and its overall weakening, which could have resulted with its attachment to Hungary.

Since the early 20s, Poland had strained relations with Czechoslovakia because of delimitation of boundaries. In addition, Czechoslovakia was an obstacle to the implementation of the Polish interests in the Danube area and the Balkan. It was the historical concept of J. Pilsudski, concerning some "Polish geopolitical vertical", extending from the Baltic to the Adriatic with the dominance on the Polish state (Intermarium). Danube basin Region was quite strange for Poles, because they were always thinking geopolitically in the shear horizontal within Europe, thus via from northern Germany through Poland towards to the Baltic States.

Relationship between Poland and its neighbour was in conformity with well-known rule of French diplomat, Ch. M. Talleyrand. According to this rule, good relationships with states of first class (Czechoslovakia) are not easy; therefore, it is better to have good relations with neighbour states of second class (Hungary) to create pressure on neighbours of first class. Batowski H. (1971) writes that friendly relationship of Poland and Hungary is linked to the year of 1919. They followed the historical sympathies and also pragmatic interests of both countries in relation to hostile Czechoslovakia. Poland did not ratify the Trianon agreement so it indirectly supported Hungarian revisionism, which was also related to the territory of Transcarpathia. Especially Transcarpathia should have become (with aid of Poland) the bridge between Hungary and Poland.

When studying the conception of territorial delimitation of Poland in the period 1864-1921, published by the Polish geographer P. Eberhardt (1999) we may state that various proposals had identified southern border of the Polish state with the Polish-Hungarian range (except parts of Orava and Spiš). Poland did not demand for the territory of Transcarpathia. As late as the 30s last century, Poland was thinking over the attachment of the north of eastern Slovakia and Transcarpathia. However, later on Poland had admitted Hungarian claims for this territory (see Švorc 1996).

After the Transcarpathia attachment to Czechoslovakia, Poland blamed his southern neighbour for encircling tendencies and for endeavour to create "Czech-Russian corridor". Poland sought to obtain a border with Hungary at the expense of Slovakia and Ruthenia, which would open the way to power and business penetration to the south. Key role of Transcarpathia in the concept of Hungarian-Polish border creation was determining throughout the whole interwar period. This area was seen as geopolitically weakest part of Czechoslovakia. Since 30 years,

after obtaining Polish support for the Slovak autonomist movement and thus maintain the existence of Slovakia as an independent geopolitical unit, Transcarpathia was the only alternative of territorial contact of both states. In the second half of the 30s, Germany's interests were applied and these efforts were subdued, as Germany was counting on utilization of Slovakia and Transcarpathia as a corridor for their penetration to the east and south (towards Ukraine and Romania and their sources). The occupation of Transcarpathia by Hungary was realized after its integration into the German power sphere.

Geopolitical aspects of the constitutional position of Transcarpathia in interwar Czechoslovakia

Hronský M. (2011) mentions; requirements, resulting from the peace agreements' articles enshrined autonomy of Transcarpathia, were enshrined in conflict with the centralism of government in Prague. Pragmatic, they were trying to stabilize the existence of Czechoslovakia by the elimination of separative tendencies. The administrative centre of Ruthenia became Uzhgorod, where the Governor and the council, appointed by the president of Czechoslovakia were resided. Rusyn politician were not satisfied with this situation and it led to emigration of G. Žatkovič, the most important Ruthenian policy. Not even the country regime, adopted in 1928, fulfilled the ideas about Carpathian Ruthenia self-government. By convention, Czechoslovakia was divided into four units, one of which was the Carpathian Ruthenia.

The threat to Czechoslovakia by Germany and 30s of the last century finally noted a change of Prague downtown policy towards the Carpathian Ruthenia. In May 1934, E. Beneš declared: "It is decided for centuries how will be the fate of Carpathian Ruthenia look like. Czechoslovakia will never abandon a claim of Ruthenia, will never admit the revision and will always be defending it, if necessary".

It is little problematic to judge the loss of Transcarpathia in 1938/1939 by the participation of central state organs of Czechoslovakia. As we have already mentioned, the process of building autonomy in Carpathian Ruthenia (the implementation of which should fill the contents St. Germain agreement) was slacken and it was one of the causes of the loss of confidence of several Transcarpathian politicians towards Prague. Economic and cultural backwardness, as the main reason for a constant delay in the introduction of autonomy, was

insufficient for many of politicians, especially in the face with an evident geopolitical importance of Transcarpathia.

Intense negotiations on Ruthenia autonomy took place after 1934. It was speculating about its phased implementation, because of the fear of being abused by the neighbouring countries, which sought to destabilize the Czechoslovak state. Carpathian Ruthenia gained the autonomy within Czechoslovakia in October 1938 under the name of Carpathian Ukraine. This change was already done but in a drastically geopolitical and domestic political situation. It was at the time, when the territorial integrity of Czechoslovakia was disrupted by Germany, Poland and Hungary. Following agreements in Vienna, in November 1938, Hungary annexed southern part of Transcarpathia, thus the rest of the territory became defenceless from a geostrategic point of view.

After the obtaining autonomy, autonomous government of Ruthenia was aware of the geopolitical position of Transcarpathia. Its position in relation to Soviet Ukraine was magnified. Ruthenia should be a kind of "Ukrainian Piedmont", the first free Ukrainian territory, independent of the Soviet Union. It was not a pure accident that pending the Stalin negotiations with Germany in 1939, he established mutual agreement not to admit the independence of Transcarpathia (Greguš 1991).

In 1939, twenty-year period of Transcarpathia existence within Czechoslovakia was ended. In March 1939, Transcarpathia was annexed to Hungary. After a brief armed conflict, demarcation with the newly formed Slovak Republic was occurred. Border was moved to the west and Slovakia (on the expense of Hungary) lost the area of 1055 km^2 and 74 municipalities. Poland supported this practice, because the Hungarian-Polish border was extended and it reduced the risk of the threat from the south of Germany. At this time, there was also a symbolic meeting of Hungarian and Polish soldiers on the northern border of Transcarpathia.

Conclusion

In 1919, when political leaders of Rusyns discussed about the future of Transcarpathia, they decided for western orientation in terms of its connection to Czechoslovakia. After the passage of the front in Transcarpathia, in the autumn 1944, activity of Soviet authorities began. It contravened articles of the Treaty on friendship, mutual assistance, and post-war cooperation between Czechoslovakia and the Soviet Union, which entered into a convention in 1943. According to the Treaty, the Soviet Union regarded Transcarpathia as part of Czechoslovakia and accepted its territorial integrity. Since the end of 1944, Soviet agents were

organizing campaigns and petitions, which should promote "reunification" of Transcarpathia with Ukraine. The tolerance of Czechoslovak government to this development was related with its concerns about the fate of Slovakia (see Taborsky 1993).

About 27 years later, after the annexation of Transcarpathia to Czechoslovakia, its population, after the various forms of pressure was forced to accept the east orientation and connect with the Soviet Ukraine in the position of the Transcarpathian region. 29. 6. 1945 a contract of the Unification of with the Soviet Union, was signed.

Since 1945, south of the Carpathians and thus the space of Carpathian basin was part of the Territory of Russian Empire, acting as the Soviet Union. It was a radical geopolitical breakthrough throughout the whole Central Europe. For the first time in the history, the Entire territory of Transcarpathia became part of state formation, the core of which lay east of the Carpathians.

The accompaniment of this annexation, formally affirmed by the Czechoslovak Parliament, was a shift of the eastern boundary of Transcarpathia westward. Slovakia lost 13 municipalities on the behalf of Soviet Ukraine. Changes had concerned mainly the southern part of the original interwar administrative boundary, where Czechoslovakia passed Chop, an important railway junction, to the Soviet Union. Transcarpathian withdrawal was associated with large-scale migration of a large part of its population to Czechoslovakia.

Transcarpathia as a part of the Soviet Union lost its specific position. The Ukraine cultural influence and Rusyn specifics were in favour in the county, but they were pressed back. After the release of the totalitarian regime in the Soviet Union at the turn of the 80s and 90s there was an activation of several political groups, requiring the change of the area status. The initiative for the dissolution of a contract about the connection to the Soviet Union came into existence. The other group supported Transcarpathia's taking control over the Ukraine´s autonomy of the area. In December 1991, the referendum took place on the territory of Transcarpathia. A majority of voters expressed for reinforcement of the local autonomy. Part of the participants voted for separation from the Soviet Union (members of the Hungarian minority, respectively Rusyn Revival supporters).

Proclaimed efforts of achieving the higher level of Transcarpathian's autonomy of the area of Ukraine was not successful in the last twenty years. Paradoxically, in particular Hungarian politicians are nowadays, in foreign policy context, concerned to change the status of Transcarpathia. It is related to the former Transcarpathia

jurisdiction to historical Hungary and also with a large Hungarian minority inhabiting the southern part of Transcarpathia. In the Czech Republic, in 1990, was founded The fellowship of Ruthenia friends, which has been active in the cultural field up to this days.

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Mariusz FALKOWSKI, Marek PYTEL

THE ESSENCE AND NOTION OF TERRORISM IN THE ASPECT OF ASYMMETRICAL THREAT

Abstract

Authors in their article suggest, it that was can divide on two main kinds of activity with terrorism fight: the fight with terrorists as well as the terroristic organizations as well as the liquidating of stepping out causes of terrorism. The joint with international co-operation of states working and the organization in range fighting the terrorism, it can in future contribute to considerable set - back of expansion this dangerous phenomenon even if after this, to the terrorism did not stand the most dangerous "plague XXI in."

Key words: characteristics terrorism, war of terrorism, asymmetrical threat.

Introduction

Recently terrorism has become one of the most serious threats to public order in the world. An analysis of the consequences of its impact, one can assume, that to a certain extent it is similar to the traditional form of a classical war, however, there is one difference, it uses unconventional forms of action. An essential determinant, which distinguishes it from classical forms, is the fact that it uses mainly surprise attack or attack from hiding, i.e. it takes a form of an asymmetrical attack. Quite frequently this form of attack has irregular nature, e.g. partisan attacks, which usually lead to destabilisation of state authority, death of innocent people, substantial spending and involvement of large groups of people. Contrary to conventional wars, it attempts to keep large numbers of people in suspense by intimidating and terrorising them, abduction or using unconventional combat assets. The terrorist message is directed mainly to the attacked subjects, to show them their weakness and lack of control or to signalise that if they continue state policy or – in more general terms – maintain its political direction, they should take into account

substantial damage and losses, i.e. bear enormous political costs. This is why the authors of this article have decided to make an attempt to define its typology in the aspect of academic and scientific analysis.

1. TERRORISM – CHARACTERISTICS OF THE NOTION

An analysis of available secondary sources devoted to the notion of *terrorism* shows that it is not possible to find a few definitions which can unambiguously define it, because, according to numerous authors, it is a multicriteria and multidimensional notion. It is worth emphasising that taking into consideration only the most important secondary sources, one can find more than one hundred definitions. It should be noted that most of them refer directly to the word *terror*, which in Latin means fear, dread, fright, intimidation and repression, stressing at the same time the pejorative meaning of this notion. Thus one should analyse definitions of this phenomenon available in literature.

The definition provided in the PWN[1] encyclopaedia states that *terrorism* is "an activity motivated by various ideologies, planned and organised by single people or groups, resulting in a breach of law. They are undertaken to force state authorities to make concessions. Such actions are performed ruthlessly using various means (physical violence, weapons and explosives) in conditions of purposefully achieved notoriety and fear instilled in the society". Kopaliński (1999) presents a different version of this definition, he defines this notion as "organising coups (armed and bomb attacks) against government members, people connected with authorities, political opponents, representatives of other religions and races, foreigners or accidental passers-by, abductions and plane hijackings committed to gain power, create atmosphere of terror, confusion, chaos, to express protest and obtain benefits for some groups or categories"[2]. Therefore, terrorism can be any action which involves using force or a threat of using it to compel performance of actions or abstain from them for political reasons. Thus terrorism is a phenomenon which does not have a single ideological identity, because its typical characteristic is a tendency to use violence to achieve various ideological, geopolitical, military or social and economic goals, so it can be used by supporters of any views[3].

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[1] *New Encyclopaedia PWN* [in Polish]*,* vol. 6, Warszawa 1997, p. 370.
[2] W. Kopaliński, *The Dictionary of Events, Notions and Legends of the 20ᵗʰ c.* [in Polish], Wyd. Naukowe PWN*,* Warszawa 1999, p. 423.
[3] K. Liedel, *Information Management in Fighting Terrorism* [in Polish] Wyd. Trio, Warszawa 2010, p. 55.

One more different definition is given by Wojciechowski (2009), who understands *terrorism* as the "use of force or a threat of using it for political reasons. It is used by groups or individuals regardless of whether it is used against opposition or the established authority in the state"[4]. However, the most popular definition is the so called academic definition, according to which terrorism is "a method of repeated attacks which causes anxiety, it is adopted by usually clandestine individuals, groups or state entities, it is used for criminal or political reasons and, contrary to assaults against life – direct goals of used violence are not its main goals[5]. Direct victims of human violence are selected accidentally, "blindly" (goals depend on circumstances) or selectively (representative goals) from the target population and are used as message carriers. Threats are used to manipulate the main goal (a community or communities), changing it into the goal of terror, demands or attention focus depending whether in a given situation perpetrators seek for threats, enslavement or propaganda[6]. Another interpretation is presented by the European Commission, which after the attacks of 11 September 2001 proposed a uniform definition of this phenomenon, according to which terrorist attacks are: "all intentional acts committed by individuals or organisations against one or more than one state, their institutions or people for the purpose of intimidation or serious destabilising or destroying the fundamental political, constitutional, economic or social structures of a country"[7]. An equally frequently cited definition has been proposed by the United States Department of State, it defines terrorism as „premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience"[8]. However, according to primary sources related to special tasks performed by special military units, terrorism is "illegal use of force a threat to use it against individuals or binding law (…), it is undertaken to intimidate authorities or to compel particular acts, achieve political, religious or ideological goals"[9]. In this case the notion of *terrorism* is used in a very wide meaning of actions as the author condensed in it the largest possible number of

[4] S. Wojciechowskich, *A Review of Internal Security* [in Polish] Wyd. ABW, No. 1/2009, p. 57.
[5] *http://pl.wikipedia.org/wiki/Terroryzm* (12.05.2012).
[6] M. Flemming, *Political Terrorism in International Legislation* [in Polish], Wojskowy Przegląd Prawniczy No. 1, 1996; T.R. Aleksandrowicz, *International Terrorism* [in Polish], Oficyna Wydawnicza ŁOŚGRAF - Wiesław Łoś, Warszawa 2008.
[7] A. Ciupiński, M. Zając, *Selected Issues in Fighting International Terrorism* [in Polish], Wyd. AON, Warszawa 2003, p. 35.
[8] B. Hoffman, *Faces of Terrorism* [in Polish], Wyd. Klub Świata Książki, Warszawa 2001, p. 27.
[9] S. Kulczyński, R. Kwećka, *Special Actions in Armed Struggle of Land Forces* [in Polish], Wyd. AON, Warszawa 1997, p. 101.

variables. The definition encompasses both objects of terrorist attacks and the most frequently used terrorist methods and goals to be achieved by these methods. According to the authors this definition shows the substance of the problem which is defining the contemporary notion of *terrorism*.

Although quite a few definitions of the notion of *terrorism* developed by various authors, who interpret this phenomenon in a multicriteria and multidimensional way, have been quoted here, it is possible to find common determinants in these definitions. Namely on the basis of analyses conducted by Schmid and Jongman it can be stated that the most frequently mentioned common factors defining terrorism are: violence and force, political grounds of actions, need to make others experience intimidation, fear and terror. Because violence and force are indispensable and basic factors in criminal activity, terrorism should be categorised taking into account another premise, i.e. a political aspect of the consequences of terrorist acts. It is in accordance with the frequency of occurrence of this variable in definitions (about 65%). This criterion allows to avoid an erroneous interpretation of every attack (criminal act), which is performed in an identical way[10] as terrorist acts[11].

One more important issue should be mentioned here, namely that definitions of the notion of *terrorism* to a large extent refer to the notion of *terror*. Unfortunately they are identified with this determinant meaning fear and awe so feelings which are a consequence of violence, use of force or cruelty, so it results from a certain way of action, while *terrorism* is a kind of philosophy based on violence but used to obtain asset goal. By violence acts terrorists first of all want to attract attention to themselves or a certain issue they fight for and they also want to show their power to the public as they want to be taken into account and do not want to be ignored[12].

2. TERRORISM TYPOLOGY

The question of terrorism typology is equally complex as its definition. A commonly accepted division of terrorism distinguished four basic criteria, namely[13]:

- ❖ *Ideology* (e.g. leftist, rightist, ecological, etc.);
- ❖ *Goals* to be achieved by terrorists (e.g. political independence, etc.);
- ❖ *Place* of violent acts (e.g. Middle East or Europe, etc.);

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[10] This the interpretation very often used by terrorists.
[11] K. Jałoszyński, *The Concept of Contemporary Antiterrorist Actions* [in Polish]*, Zeszyty Naukowe AON – supplement, Warszawa 2003, p. 59.
[12] A. Bernard, *Terrorism Strategy* [in Polish]*, Wyd. MON, Warszawa 1978, p. 32.
[13] B. Borkowski (ed.), *Contemporary World Conflicts* [in Polish], Uczelniane Wydawnictwa Naukowo – Dydaktyczne, Kraków 2001, p. 118.

❖ *Historical roots* (e.g. the Irish Republican Army).

Subjective criteria can help to distinguish the following types of terrorism, *non-state terrorism, terrorism sponsored by a state* and *state terrorism*. In this group the most the most common seems to be the non-state terrorism encompassing terrorist organisations acting independently of state structures while possibly making a part of larger international structures or only using their support and maintaining their own autonomy[14]. By contrast terrorism sponsored by the state occurs in situation when the state provides a terrorist organisation with any support. It may happen that the state supports a terrorist organisation, however, it does not control it directly (e.g. help offered by the Soviet Union for terrorist movements around the world in the 20th c. – the rule of a "common enemy") or controls a given organisation requesting it to perform particular acts (e.g. support for Rote Armee Fraktion – RAF, by the Eastern Germany political police Stasi)[15]. State terrorism means a situation when the state uses camouflaged violence (in contrast to the politic of terror), using for the purpose its secret service agents (direct state terrorism) or specially hired groups or individuals, who are not public servants (indirect state terrorism). Terrorism may be used by the state as a political instrument in its interior politics, i.e. violence used against opposition, ethnical minorities, etc., as well as in foreign politics against citizens, institutions and infrastructure of another state[16]. However, taking into consideration the objective criterion, one distinguishes *individual, total* and *economic terrorism*. The first of them refers to violence against individuals, it usually has a symbolic meaning. Total terrorism is directed to accidental units or groups and usually is not strictly related to the terrorist goal. By contrast, economic terrorism is an act of sabotage whose goal is economic destruction[17].

Another terrorism division criterion is its territorial reach. In this case one can divide terrorism into *domestic, international and internal* which is internationally sponsored. The nationality of terrorists and their victims is taken into account as well as the territory on which attacks were performed. Domestic terrorism is directed against citizens of one state by their fellow citizens and is usually related to the territory of their state or possibly property located in the territory of another state (e.g. embassy buildings). In the case of international terrorism, citizens or

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[14] Ibidem, p. 78.
[15] Ibidem, p. 78.
[16] Ibidem, p. 78.
[17] Ibidem, p. 78.

territories of more than one state are involved in it. An attack may take place in the territory of a state which is not the country of origin of terrorists or their goal may be people from another country. Some examples encompass attacking foreign tourists or diplomatic representations of foreign countries, attacking citizens of terrorists' countries of origin who are abroad. Interior terrorism is internationally sponsored, e.g. when a terrorist organisation is externally sponsored while acting autonomously. However, this division, due to globalisation processes and disappearing internal and external borders, enjoys smaller and smaller popularity.

Another classification of terrorism with regard to motivation and political goals, it defines terrorism as *struggle for social reforms, moral order and liberation of ethnic groups*. In the first case the goal of the activity of terrorist organisations is mainly starting a social revolution. Terrorist organisations strive for the achievement of this goal by inciting people making them aware of their real interest (according to terrorists), weakening state structures and power apparatus[18]. However, the goal of terrorism treated as struggle for a moral order is a change of society in accordance with assumptions made by terrorists. All other goals are devoted to "moral revival" or "restoration" of the society. This goal motivates, e.g. the Al – Kaida terrorist organisation[19]. Terrorism understood as struggle to liberate ethnic groups (or national and religious groups) is phenomenon whose goal is the establishment of terrorists' own state or a wide autonomy within an existing state.

The last significant criterion, which is worth discussing, is the criterion of motivation and political goals, whose solid basis is division according to the source of conflict in the expected terrorist attack. The best description of this division is presented by Bolechów (2003), who listed[20]:

- Nationalistic, ethnic, racial terrorism (e.g. ETA);
- Religious terrorism in the form of a lasting religious conflict or terrorism of religious sects with political goals;
- Nationalistic and religious terrorism (e.g. the Palestinian Hamas) and terrorism of the so called pure ideology in the form of left-wing terrorism or extreme right-wing terrorism;
- Para-political terrorism in the form of eco-terrorism, antiabortion terrorism, animal rights terrorism.

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[18] Ibidem, s. 79.
[19] Ibidem, s. 79.
[20] B. Bolechów, *Terrorism in the Bipolar World* [in Polish], Wyd. Adam Marszałek , Toruń 2003, p. 233.

Conclusion

To summarise the above considerations on the typology of the notion of terrorism, it is impossible not to notice that fighting terrorism can be divided into two main types of activity, namely: first of all it is an interim activity, i.e. fighting terrorism and terrorist organisations, as a rule, is not very efficient because one cannot overcome all terrorists, new volunteers may join an organisation at any time[21], second of all, it is temporary activity, its goal is eradication of existing causes of terrorism. The main reason is usually social dissatisfaction connected with a belief that terrorism is the best, and usually also the only way to improve an existing social, political or military situation. Eradication of reasons may have the form of improvement of the economic situation of people in areas where terrorism rapidly escalates and satisfying other social needs (freedom of religion and opinion, acceptable political system, etc.), which are connected with education building a mature society which can change its situation using means other than terror or a society which does not allow others to manipulate it in a way leading to violence.

Therefore, contemporary terrorism attacks all possible goals, such as: government members, representatives of diplomatic institutions, religious and educational facilities, industrial facilities, transport and communication means, including ports and traffic junctions, police stations and military facilities, government structures, media and business centres. Treatment of terrorist acts as international crime or criminal acts, regardless of their political, social, religious and ideological background as well as considering terrorists as criminals posing danger to the humankind, connected with international cooperation of states and international and regional organisations in fighting terrorism in the future can contribute to significant limitation of the expansion of this dangerous phenomenon at least to stop terrosim from becoming the most dangerous "plague of the 21st century"

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Beata JAROSZEWSKA

THE NATIONAL IDENTITY OF THE POPULATION OF THE FORMER YUGOSLAVIA

Abstract

While reflecting on this issue, I would like to note the important role of the disintegration of language known as Serbo-Croatian or Croatian-Serbian. During the existence of federal Yugoslavian state (from May 1945 to spring 1990), the language "was an instrument of policy, which seeks to create a unified society of internationalist socialist consciousness, rather than ethnic one". Along with the change of the political situation, a common language ceased to exist, and its place has been taken by three separate national languages: Croatian, Serbian and Bosnian. However, in the case of identity issues, the notions of identity and human identification should be clarified as well as terms of bratstva and jedinstva ("brotherhood and unity"). Multidimensional issues of the identity and ethnic individuality of the only Slavic Muslim nation are proving the old thesis that mythical production is determined by the political reality. Patriotic consolidation, known well from Polish history of the twentieth century, is clearly based on the sequence rooted in the archetypes of freedom, equality, paradise lost, in the golden age of story, in which a man wishing to devote his existence to a great cause, sincerely believes. This phenomenon has permeated the Balkans that were facing an armed conflict. In their anachronistic view, the power of the state was determined by the size of its territory. Their fight to broaden the borders of the homeland as much possible, was supported by a solid ideological foundation. Bosnians became the subject of many myths, but, by Serbs and Croats, they were simultaneously regarded as a segment of their nation. Both in Belgrade and Zagreb, a romantic plot to create a mega nation - the great family gathering all potential members, conscious or not of his/hers Serbian or Croatian affiliation - would have to result in further proliferation of arguments proving affiliation of neighboring peoples.

Keywords: Croatia, identity, Bosnia, Serbia, language.

The appearance of the new countries on the map of Europe: Slovenia, Croatia, Bosnia and Herzegovina, Macedonia, Montenegro (which was part of the state of Serbia until 2006), resulted in the creation of new languages, the intensification of the identity processes and, consequently, in the display of the individuality. After many years of an uneasy cooperation and coexistence within the boundaries of one country, when for the existence of the federation, the entities that were a component of the state, were ordered to erase the "inconvenient" from the tradition, it was time for a correction of national history image, writing of a new history of literature and re-reading of many phenomena. It was also time to extract from the oblivion, the authors and historical figures whose biographies made them inconvenient in recent years. Trying to recover the lost tradition, all new interpretations are focusing, without an exception, on the situation of oppression and symbolic violence with which they had to deal for many years[1]. It is this aspect of the current functioning of the different cultures that comes to light, and what unites the authors of the 'recovered' history, is the feeling that for many years they were a subject of manipulation. These reinterpretations, were supposed to lead to the consolidation of a new national identities. Since the authors were willing to pass over everything that could indicate a closeness and common characteristics of the different cultures and they were drawing a clear line between civilization (us) and barbarism (them), they condemned themselves for selectivity. The nineties, especially the first half, were a time when the nationalist inclinations were in favor[2].

While reflecting on this issue, I would like to note the important role of the disintegration of the language known as Serbo-Croatian or Croatian-Serbian. During the existence of federal Yugoslavian state (from May 1945 to spring 1990), according to the currently binding terms of *bratstva* and *jedinstva* ("brotherhood and unity"), the language "was an instrument of policy, which seeks to create a unified society of internationalist socialist consciousness, rather than ethnic one". As a result, throughout this period, not only the language was the subject of an artificial and forced integration[3]. Along with the change of the political situation, a

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[1] T. Edensor, *Tożsamość narodowa, kultura popularna i życie codzienne,* Kraków 2004, s. 45-46.
[2] Ibidem, s. 56.
[3] B. Oczko, *Zagadnienia sporne w językoznawstwie chorwackim i serbskim po rozpadzie języka serbsko-chorwackiego,* [w] J. Kornhauser (red.), *Przemiany w świadomości i kulturze duchowej narodów Jugosławii po 1991 roku,* Kraków 1999, s. 241.

common language ceased to exist, and its place has been taken by three separate national languages: Croatian, Serbian and Bosnian.

However, in the case of the identity issues, the notion of identity and human identification should be clarified. Antonina Kloskowska, listed the basic components of identification. The place, role and functions of the national identity are among them, as well as the acquisition of the entire national culture in the total human identity[4]. Kłosowska writes about the national identity, but terminologically identity and identification penetrated everyday consciousness. Translation of these words can be found in today's common Polish language dictionaries, and they are authenticated by the opinions and statements of average speakers, who are participants in national and ethnic culture. Polish Language Dictionary defines identity and identification as follows:

Identity:

1. Our identity is an awareness of our features and of our separateness.
2. The identity of a community, is its internal coherence and a sense of unity.

Identification:

1. Identification of a person is the recognition of his/her identity.
2. Identification of individuals with a group, is an identification with the culture, beliefs, values of that group[5].

As these definitions indicate, the boundary between the concepts of national and ethnic identity is very difficult to determine. In fact, it depends on how we call a group that is a reference point for an identity/ identification. In the case of the national group we can call it national identity, and in the case of an ethnic group - ethnic identity. It is also important to determine the basic parameters of cultural identity. The language is one of the indicators. Dependence of language and identity is bilateral. Researchers who study the identity issues (sociologists, anthropologists, ethnologists, linguists), argue, that the language is one of the key factors that determine the human identity, although it's not simple and unambiguous relationship[6]. There are countries that are multilingual (Switzerland, Canada), there are also languages that are official in several countries (e.g., English in Britain, the United States of America, Canada, or Australia). This case, however, refers to the state nations, and for them language is not a constitutive factor of identity.

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[4] A. Kłoskowska, *Kultury narodowe u korzeni,* Kraków 2005,   s. 104.
[5] www.sjp.pwn.pl. Marzec 2013.
[6] A. Kłoskowska, *Kultury narodowe…,* s. 132-133.

Issues of the identity and ethnic individuality of the only Slavic Muslim nation, are multi-dimensional, proving the old thesis that mythical production is determined by the political reality. Patriotic consolidation, known well from Polish history of the twentieth century, is clearly based on the sequence rooted in the archetypes of freedom, equality, paradise lost, in the golden age of story, in which a man wishing to devote his existence to a great cause, sincerely believes[7]. This phenomenon has permeated the Balkans that were facing an armed conflict. In their anachronistic view, the power of the state was determined by the size of its territory. Their fight to broaden the borders of the homeland as much possible, was supported by a solid ideological foundation. Bosnians became the subject of many myths, but, by Serbs and Croats, they were simultaneously regarded as a segment of their nation. Both in Belgrade and Zagreb, a romantic plot to create a mega nation - the great family gathering all potential members, conscious or not of his/hers Serbian or Croatian affiliation - would have to result in further proliferation of arguments proving affiliation of neighboring peoples[8]. Both sides published materials that were meant to prove that in the pre-Romanesque period, Bosnia was fundamentally Serbian or Croatian, and these, legally and internationally unfounded historical views, were presented as irrefutable. The ritualization was used primarily to mobilize the community in case of possible military effort. In response to the view of the history presented by Serbs and Croats, Bosnians developed their own vision of the past, demonstrating not only the distinction of ethos, but also showing that they had populated the area before Catholic and Orthodox population arrived. Each of the three versions of history: Serbian, Croatian and Bosnian are marked by structural distortions and myths.

While searching for a national identity, Croatian thinkers, sometimes change history. It would be incorrect to assume that non-Croatian researchers, including Dr. Samara Abbas from India, are also biased. According to him, the Croats (Hrvati) come from Iran[9]. Croatian flag – checkerboard – is a Persian invention, and the traditional clothes of both sexes have a lot in common with the Iranian ones. The Swedish geneticists have confirmed that 75% of Croats are probably of Iranian origin. Currently, the areas in Asia from which Croats originated, are populated by Jat people, so Abbas postulates their kinship with the Balkan Slavs. Professor

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[8] A. Gliza, *Narodowe i polityczne dążenia Chorwatów w XIX i na początku XX wieku,* Szczecin 2001, s.108-109.
[9] F. Ziejka, *Współcześni Słowianie wobec własnych tradycji i mitów,* Kraków 2001, s. 67-69.

Mandic argues that *"(...) the historical evidence suggests that social organization, religion, customs, and art of the ancient Croats have the Iranian source (...)"*. Historically, the Croats are divided into White, Red and Green. If we follow the Persian coloring of the parts of the world: black is the north (Black Sea north of Iran), white is the west (for example, in the name of Belarus), red means south (Red Sea), and the green is the east[10]. Organization of the Croatian states, as well as the vocabulary associated with the leadership (King, etc.), are all Iranian. However, prof. Dobrovich believes that the Croats separated from Caucasian Iranians at the time of Roman Empire. Caucasian Antes were another part of that group. On the other hand, according to Professor Zdravko Mandic, *"(...) the ancient Croats arrived in the river Don area from Iran. The inscription on the stone of King Darius (522-486 BC) mentions their name "Haruavat-is" among the 23 subject nations. Persian scriptures Avesti (Vendidad) call that nation Harahvaiti. The areas inhabited by them, included the southern half of today's southern Afghanistan, Balochistan and the eastern part of today's Iran (...)"[11].*

The name of the capital of Zagreb is derived from the Zagros Mountains, that are located in southwestern Iran. Dinara mountains in Dalmatia and the Croatian currency - dinar might be named after the Mount Dinar (Dene) in Iran. The Croats migration route from Asia to the Balkans, led from Harahvaiti and Harauvati in Iran and Afghanistan, through Hurravat and Hurrvuhe in Armenia and Georgia, and Horoouathos by the Sea of Azov and the Black Sea. Some researchers postulate migration through today's Turkey, others through areas north of the Black Sea, connecting Croats and Jat people with Sarmatians in southern Russia[12].

The name of the Carpathian Mountains, where the Iranian Croats mingled with the local Slavs, adopting their language, may come from Croats. After the fall of the Hun empire, the Croats had organized the local Slavs and created the country, naming it after themselves. Prior to the invasion of Avars around 560 years, the White Croats and Antes formed a state, stretching from north of the Carpathian Mountains, to the upper Dniester River and upper Elbe River. According to Z. Mandic, the similarity between the Croatian and Slovak languages, can prove the fact that the majority of Croats arrived in the Balkans from the north[13].

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[10] Ibidem, s. 71.
[11] Ibidem, s. 81-82.
[12] P. Bein, *Chorwaci i Sarmaci z Iranu, www.wordpress.com. Marzec 2013.*
[13] Ibidem.

Professor Rustam Abbas claims that there is a resemblance between the name Serbs the name of the river Seropi (Surappi) in Elam. Elam was located on the Persian Gulf in today's southwestern Iran. It was the first advanced civilisation of Iran and, next to the Sumerian, it is considered as one of the most advanced ones. Polytheism was the ruling religion system in Elam, and one of the most important deities was the goddess Kiririsza (her name is similar in beliefs of other peoples in the region). The researchers believe that the special place the goddess took in Elams pantheon is a sign of matriarchy[14].

Several historians claim that the caste of the Serbian rulers had the same origin as the Croats. In a review of the book by Professor Noel Malcolm, *Bosnia* (1996) about the Iranian origin of these two nations, prof. James Salzman writes that *Croats and Serbs (Slavic tribes with the Iranian caste of rulers or Iranian tribes with the Slavic subjects) came into the Balkans around the 620th, and seized the lands that had already been inhabited by the Slavs*. So, Croats and Serbs, who had been speaking the Iranian language, adopted the Slavic language. History records the cases when rulers adopted the language of the subjects: the descendants of the Vikings - Normans adopted French in Normandy and Anglo-Saxon in England, Germanic Merovingians and Carolingians adopted French, Nordic Visigoths - Spanish, Germanic Lombards - the Italian[15].

Z. Mandić believes that although Serbs are mostly descendants of Slavs with round shaped heads, the Croats significantly influenced the Serbian gene pool. According to his study published in 1970, in the former Bosnia and Herzegovina, probably *32-35% of Serbs population was descended from the Orthodox Croats, 50-52% from non-Slavic Vlachs, 6-7% from assimilated Bulgarians, Greeks, Armenians and Albanians and only 8-10 % from truly ethnic Serbs, who migrated into this area mainly during the Austro – Hungarian rule and during the existence of the former Yugoslavia (before and after World War II)[16]*.

Serbs reject this thesis. To justify the Croats right to secede, what eventually was reached unconstitutionally, Croatian science distorted the facts long before the break-up of the former Yugoslavia. Serbs quote the western encyclopedias from 1956, 1971 and 1990, according to which, the Serbs settled in Bosnia and Herzegovina before Croats and historically they constituted the majority[17].

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[14] Ibidem.
[15] Ibidem.
[16] A. Kłoskowska, *Kultury narodowe…., s. 167-169.*
[17] Ibidem, s. 182.

The Military Frontier Province or so called Krajina (shaded) in the years 1600-1800. The thick dashed line is the boundary between the Ottoman and Habsburg empire. Croatia is a small province, separated from Slavonia, Dalmatia stretches just as far as the Knin on the north. Broz Tito renamed this area collectively to Croatia. During the Islamic invasion, Croatia came under the protection of the Habsburgs in 1527, leaving its southern, adjacent to the Turks, lands abandoned after the population had fled. After expropriating of the landowners, Habsburg Emperor Ferdinand had fortified that area and created there a Military Frontier (Krajina). The Emperor organized the remaining Croats as well as Serbs and Vlachs who had fled north from the Turks, into the military force[18]. Soldiers (peasants), were released from serfdom in exchange for service. Regardless of the deep dissatisfaction of Croatian and Hungarian expropriated land owners, Habsburgs strengthened the Krajina, which attracted adventurous and freedom-loving people. In the second half of the eighteenth century Krajina stretched from the Adriatic through the today's Croatia and Serbian Republic in Bosnia and Herzegovina as far as today's Romania. Even during World War I inhabitants of the Krajina resisted the Croatian nationalists in favor of the Emperor.

Thinkers of each nation, emphasize the dominant role of his own people, forgetting that over the centuries, the state was under the influence of the three great civilizations. Confrontational with each other, bitterly inspired, and provoked by a biased patriotism, "histories remembered"[19] interpret the past in its own way. In the bipolar, black-and-white vision of the world, where only good and evil exists, they present facts very differently. It would be trivial to say that looking at the past is the subject of a permanent reconstruction that depends on the political interests of the ruling[20], but noticing that rule, helps to understand the reason for the construction of so many historical falsifications.

The special role in the development of identity is attributed to the structure and organization of personal judgments. A fully formed identity is probably the one of a person whose self-knowledge creates a hierarchical structure. This structure is the most consistent and best-integrated, and allows to see a person as a whole. It is different with people whose self-knowledge creates more loose structure. The relations between the parts are unclear, vague or absent, and the person can not

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[18] P. Bein, *Chorwaci i Sarmaci,* wordpress.
[19] M. Dobrowolska-Partyka, *Literatura pogranicza, pogranicza literatury,* Kraków 2004, s. 147.
[20] S. P. Ramet, *Thinking ab aut Yugoslavia: Scholary Debates about the Yugoslav Brekup and the Wars in Bosnia and Kosovo,* Combridge 2005, p.76.

form the mature beliefs about their own identity[21]. Self-knowledge is an essential component of the personality of every person. It is located on a continuum, stretching from completely non-structured collection, bold and descriptive judgements, to a coherent system of beliefs about oneself, which constitutes a fully integrated cognitive structure. By combining the development of national ideas with processes that create nations B. Giesen points to the artificiality of national construction, claiming that it is based almost exclusively on building and stressing the differences with respect to internal and international dimensions[22]. The author emphasizes that in the internal national dimension, a specific role is attributed to so-called "bearers of the identity" - social groups, which are responsible for the development and propagation of the national idea.

Along with the progress of the process of building the national structures, the role of the bearers was taken over by the social elite and therefore the elite was opposed to the rest of society. The intelligence gained a certain value in articulating and strengthening of the national myths, which were essential, for the other members of the community, in the creation and propagation of the spirit of the nation. National identity can be also created discursively, it is then a form of social discourse that occurs in many dimensions of social life and in discursive formations.

In the former Yugoslavia (especially during the interwar and postwar period) models of national identity were rising. In some south-Slavic communities, cultural base of regionalism, was most clearly revealed at the end of the nineteenth century. The regional nature of Croatian and Serbian literature, inter alia**,** provides the image reconstruction of that cultural reality. Antun Gustav Matoś, a representative of the Croatian modernism wrote: *"(...) the lands are the people, and people are the lands, landscape is not only our relationship with the mystery of the harmony of the universe, but also a tangible form of the constant interaction of the primitive, original Croatian soul with our own. We are, like an apple and a bunch of grapes, fruits of our land, the plants here speak the same language as the Croats (...) "[23]*. The questions that arise during this period, questions about a specific, geographical location of the center, that is the essence of being Serbian or Croatian, indicate that the relation of identity with the place is essential.

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[21] J. Kozielecki tytuł i miejsce 1986, s.331-332.
[22] A. Bielawska, *'Obcy" i „inni" w teoriach tożsamości europejskiej i wpływ religii chrześcijańskiej na ową tożsamość. Szkic teoretyczny,* Frankfurt (n. Odrą) 2006, s. 57-58.
[23] M. Tanty, *Bałkany XX wieku, Kraków 2003*, s. 99.

Established and mythologized sense of ethnic identity is not, in fact, correlated with any specific space. Ideological homeland became a homeland of reborn nations, with whom scattered and mixed ethnic communities identified[24]. Multidimensional issues of identity and ethnic distinctiveness are proving the old thesis that mythical production is determined by the political reality[25]. The area of uncertain identity involved the perspective of individual and collective experience of its fundamental determinants such as language, tradition, community of origin. This uncertainty also caused ethnicity in this area, to become a component of the lower self-esteem.

Blurred identity (both individual and collective), is transformed into a kind of super identity. It is closed and immune to changes, set of axioms that not only describe the reality but are also a protection against it. The consequences arising from the transfer of a reflection on the issue of identity, from the individual to the collective level of response, are visible in the characteristics of the ethnic conflict throughout the Balkans. In this context, narrative statements expressing community, and even contextual coexistence of Serbian and Croatian nations (Serbs and Croats), are drawing attention. Bosnians, who since the nineties of the twentieth century, have been searching for the definition their own identity and as readily as their neighbors reached for myths, also couldn't escape the frantic search for a lineage that would be distinct from the neighboring nations. The Gothic, Thracian and Ilirian[26] ethnogenesis was argued, and these indigenous theories (often enriched by the element of integration, and the hypothesis of assimilation of Illyrians, the Goths, the Celts and the Vlachs, usually went hand in hand with proofs of strength of Islam in the Balkans. Sarajevo historian and archaeologist E. Imamovic argues that Bosnians are indigenous nation, who had been living in the area for four thousand years. In the process of ethnogenesis an important meaning can be attributed to Ilirian element. Moreover, the uniqueness of this nation is manifested in the fact that despite the migrations, ethnic purity was preserved, as was the case with the Greeks and Albanians[27]. Linguistic relations with the

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[24] Ibidem, s. 103-104.

[25] A. Giza, *Narodowe i polityczne dążenia Chorwatów w XIX i XX wieku,* Szczecin 2001, s. 108-109.

[26] Ruch iliryjski miał charakter zarówno polityczny jak i kulturalny. Propagował utworzenie narodu Ilirijskiego obejmującego Chorwatów, Serbów, Bośniaków i Bułgarów, co wynikało z przekonania o iliryjskim pochodzeniu Słowian. Postulowano zatem przyjęcie wspólnego, iliryjskiego imienia przez wszystkich Słowian południowych połączonych wspólną kulturę narodową i językiem. Stąd też wybór dialektu sztokowskiego łączącego Serbów i Chorwatów. Zob. I. Rapacka, *Leksykon tradycji chorwackich,* Warszawa 1997, s. 74-81.

[27] Ibidem, s. 120-121.

neighbors, are explained by the Slavic influence, which, however, did not change the national spirit and character of the Bosnians[28].

According to many experts in this field, Bosnians have Slavic roots, and because Slavs settling in the Balkans, were ethnically diverse from the very beginning, only Bosnians settled in Bosnia. In addition, in the Balkans settled the nations not only conscious of their separateness, but also their states: Serbian, Croatian, Montenegrin, Bosnian[29].

Bosnians, wishing to indicate their long history, created a myth about the thousand years old statehood. Croats, Macedonians, and Kosovars, are telling a similar story and its source is always the same. In each of these cases we are dealing with neighbors who are questioning the ethnic and historical separateness of the given country. A cursorily marked overtones of Bosnian legends about the origin, have been used by a variety of political options, not only for the differentiation from the Serbs and Croats, but also to serve as an ideological argument for external policy orientation, because supported by the Arab states, Muslim radicals, derive from apocrypha about pre -Turkish origin of Islam[30].

Writing about the structural falsifications of history in Bosnia, Serbia and Croatia, the researcher can also notice a similar phenomenon in his native historiography, and his views on the origins of the nation, seem to be far from patriotic aspirations about the great ancestors. Various discussions about the Bosnian national historical myths, have the task of demonstrating the diversity of the ethnic segment before the advent of the Turkish rule, which seems to be a response to the proclaimed by the Serbian and Croatian historiography position that the Bosnian Muslims were simply Serbs / Croats[31].

With the weakening of the position of the nation-states which are the main guarantors of the existence of nations, the importance of the cultural factor is increasing. A nation can survive without a country, but devoid of culture it loses its identity. The formation of cultural identity has great importance in the context of security threats. The first step is to differentiate, the more clearly the others are seen, the more they are different, and the stronger is the feeling of distinctiveness and identity. The consequence is the formation of a collective self-image, which

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[28] R. Kubik, *Na tropie starożytnych Illirów, [w], Albanistyka Polska*, red. I. Sawicka, Toruń 2007, s. 89-91.
[29] Ibidem, s. 105-107.
[30] D. Herbert, Religion and Civil Society. Rethinking Public Religion in the Contemporary World, Burlington 2003, p. 251-252.
[31] Ibidem, p. 255.

has the following characteristics: duration, the existence of the rituals that are a confirmation of the community, strong links with cultural factors, such as a common origin, religion, historical traditions.

Demographic facts are helping to determine an international relations and national identities to a limited extent. Ethnic spread of nations living in the area of the former Yugoslavia, is mirrored in the statistical reports, censuses and surveys showing the movements of social structures. Since until 1991, that is, until the outbreak of the civil war, these studies were primarily an ideological tool, they are difficult to interpret. The analyzed source materials indicate that the Serbian elite did not express approval of the Croatian peoples' efforts to determine their own national identity[32]. Centralism clashed with the federal way of looking at the state and republicanism proposed by the Croats. Misunderstandings between the political elites of both nations and the constant tension over how the joint state should be managed, hampered Croatian-Serbian relations in the sphere of politics, culture, religion and language. These problems have directly influenced the differences in mentality between the two nations, emerging especially in times of conflict escalation[33].

Table 1. Census data in Yougoslavia in the years 1921 – 1991. Source: own.

Number of inhabitants in Serbia		Number of inhabitants in Croatia	
1948	6.528.000	1948	3.780.000
1953	6.979.000	1953	3.936.000
1961	7.664.000	1961	4.169.000
1971	8.466.000	1971	4.342.000
1981	9.332.000	1981	4.601.000
1991	9.791.000	1991	4.760.000

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[32] J. Rapacka, *Godzina Herdera. O Serbach, Chorwatach i idei jugosłowiańskiej,* Warszawa 1995, s. 54-55.
[33] Ibidem, s. 61.

In the context of analysis of recognition of identity of Croatian and Serbian nations, demographic data can be regarded as a starting point for further studies on issues that are not "statistical". It is worth quoting the data conducted on an extremely difficult subject of demographic research, illustrating the structure of the various nations of the Socialist Federal Republic of

Residents of Serbian nationality		Residents of Serian nationality	
1921	4.791.000	1921	3.427.000
1931	5.848.000	1931	3.788.000
1948	6.547.117	1948	3.784.353
1953	7.065.923	1953	3.975.500
1961	7.806.152	1961	4.239.809
1971	8.143.246	1971	4.526.782
1981	8.140.507	1981	4.428.043
1991	8.526.872	1991	4.636.700

Yugoslavia[34]. According to the last, before the civil war, census, Yugoslavia territory was populated by 36.2% of Serbs and 19.7% of Croats. Statistical research conducted in this area between 1921 -1991, indicates the following demographic movements in the area.

Table 2. Statistical data for the period 1948 –1991. Source: own.

It should be added that according to the census of 1991, in other republics of the former Yugoslavia lived: 2,162,358 of Serbs, and 720,065 of Croats. The national identity crisis that nations living in the Balkans had been experiencing for many years, was not conducive to building a transnational identity. On the contrary, it has caused the awakening of defensive attitudes and often justified fears, of events and groups perceived as foreign. In modern literature, a lot of the chapters are devoted

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[34] Prawie nie ma miejsca na terenie byłej Jugosławii, gdzie nie byłoby konfliktów narodowych, część zaczęła się jeszcze za rządów komunistycznych (konflikt z Albańczykami w Kosowie). Większość rozgorzała w 1991 r., kiedy to poszczególne narody zaczęły ogłaszać niezależność. Źródło konfliktów, to głównie postawa Serbów i ich byłego prezydenta (1986-2000) Slobodana Miloševića, który dążąc do stworzenia „Wielkiej Serbii", rozpalał separatyzm serbski w wielu republikach. W odpowiedzi na agresywne poczynania Serbii ONZ wprowadziła wobec niej szerokie sankcje gospodarcze, kulturalne, polityczne itp. Sankcje ograniczono w 1994 r., kiedy to Serbia przestała wspomagać separatystów w Krajinie, Bośni i Hercegowinie. Zniesiono je po zawarciu porozumienia w Dayton.

to not only the tragedy of the last war, but also to the policy of elimination of the Muslim factor[35].

Sense of separateness forming the identity is based on a number of factors differentiating given community from others. A space, that allows the individual to make the identification based on the fixed elements in a changing reality, is one of the crucial factors. It is not only a place of interaction, the backdrop for the events, but also an elementary component of identity. Affecting the ontological separateness of individuals and communities residing in the area, identity is legitimized through the space, which includes a memorials that are significant for the community; monuments commemorating the local (national) heroes, distinctive buildings, landscape. All these elements are co-creating the landscape, that is characteristic of each place[36]. In the stories, songs, images, the landscape forms the basis that determines one's own existence . Thanks to the presence of symbolic sites, space, is a testament to the history of the region, constituting a community around the area in which interactions take place.

Identity (both local and national), is not only created by "playing" forms of behavior specific to a particular culture, such as holidays, customs, but also by the presence of special places for the community. The values also determine the importance of collective identity. They are a manifestation of the prevailing forms of relationships in the community, which is sanctioned by places important for that community, legalizing the special status of the group. Marking some space as "important" for the community living in the area, can be confusing for the migrant people who are unaware of the history of the area[37].

Construction of the identity (both in the individual and collective experience) is in fact not so much building based on experience as on the existence of an ideal type. Through the collective behavior, the ideal type is designed to confirm the identity of the group, and it has a pragmatic function - the consolidation of the community in the face of possible risks. Once a threat is identified, it will be resolved sooner when a large number of individuals are experiencing it as a real threat, not the abstract one, directed against the specific group. The symbolic nature of the territorial membership strengthens the basis for creation of myths that consolidate members of the community, both in formal and cultural terms[38].

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[35] K. Rosner, *Narracja, tożsamość i czas,* Kraków 2003, s. 73-74.
[36] Ibidem, s.81.
[37] E. Tokorz, *Zmierzch Jugosławii – nowe czasy, nowe języki,* Katowice 2001, s. 89-90.
[38] A. Mutanen, *About the nation of identity,* Limes 2006, p. 28-30.

The formation of ethnic identity takes place based on the cultural patterns internalized in the process of socialization within the community by referring to the memorials. The merging of material and linguistic structures, creates a kind of relationship "the individual - the environment," which contextual nature designates a sense of of local autonomy. Ideological schemes of nations and ethnic groups are part of the model of perception of others, resulting from conscious, intentional actions. They are characterized by a brief history and linked to various parts of the tradition of the group and the paradigm of nations and ethnic groups. National character exists objectively and is reflected in the customs, folklore and the broader culture of the nation. Two decades of change, it's too short time to be able to talk about attitudes that are shaped and about sanctioned changes in the consciousness. Ethnic relations in the above-described countries are normalized, and elements of ethnic animosity are fading. More and more inter-ethnic ties are created. It should be ensured that these processes are taking place through mutual understanding and respect for ethnic diversity.

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Katarzyna STRZELCZYK

THE ISSUE OF RECOGNITION OF KOSOVO IN THE INTERNATIONAL ARENA

Abstract

On February 17, 2008 the Assembly of Kosovo adopted the text of unilateral declaration that proclaimed Kosovo as "an independent, sovereign and democratic country" [1]. *The declaration of independence enacted by Kosovo has instantaneously gained its numerous supporters, as well as opponents. The problem of Kosovo's final status is a crucial issue for the stability on the Balkan Peninsula. Other entities claim that the legitimacy of recognition or non-recognition pf an independent Kosovar state is motivated, on the one hand, by compliance with international law standards and on the other hand by states' own individual interests in the international arena.*

Key words: Kosovo, international relations, international recognition

Introduction

The fact that Kosovo's parliament proclaimed independence triggered a variety of reactions by states in the international arena. The status of Serbian province was being unregulated since the North Atlantic Treaty Organization's (NATO) military intervention ended. Adopting declaration of independence by Kosovo's Parliament on February 17, 2008 ended a period of ineffective negotiations between Kosovars and the Serbian government. The creation of a new state on the Balkan Peninsula entails political and legal consequences. Kosovo's subjectivity under international law is affirmed by recognizing this state by the international community. This issue raises a lot of contradictory reactions among the

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[1]As quoted in: *Kosovo Declaration of Independence*,
http://www.assemblykosova.org/?krye=news&newsid=1635&lang=en/,
17.02.2008. Unless otherwise noted, all translations are bymy own.

participants of international relations. States justified their decisions by referring to issues related both to the creation of a new state and the possible consequences that may arise from the recognition in the international arena. Numerous states opted for recognizing Kosovo and supported President Martti Ahtisaari's plan[2] as a viable solution that would restore the stability on the Balkan Peninsula. Opponents of Kosovo's independence quoted the principle of respecting Serbian territorial integrity and were anxious about the safety of Serbian minority in the Kosovar state. These states held such a position mostly as a result of fears of intensification of separatist attitudes on their own territories.

Historical background of the establishment of the Republic of Kosovo

The creation of an independent state of Kosovo was, among others, a result of separatist trends among Albanians living in the autonomic province of Serbia. The term "Kosovo" needs to be defined using geographical and administrative criteria. It is an area of over ten thousand square kilometres situated on the Balkan Peninsula[3]. In the north-west it borders with the Republic of Montenegro, and the northern and eastern borders are shared with a part of the Republic of Serbia, while in the south Kosovo is bordered by the Republic of Macedonia as well as the Albanian state to the south-west. From the administrative perspective, "the Province of Kosovo and Metohija" (Albanian: Kosovë *e Metohi,* Serbian: Косово и Метохија) was an autonomous region on the Serbian territory under an international government, prior to its adoption of a declaration of independence. The Republic of Kosovo (Albanian: *Republika e Kosovës*, Serbian: *Република Косова*) was proclaimed as a consequence of declaring a unilateral independence by the province's parliament. Serbian authorities did not recognize the establishment of a new state as they saw it to be contradictory to international law standards. Historical experiences of countries in this region, in particular the Albanian and Serbian nations should be taken into consideration when analysing the issue of creation and recognition of an independent Kosovar state.

The Balkan Peninsula is one of the most dangerous trouble areas in the world. A disadvantageous geographical situation influences destabilization in this region.

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[2] Martti Oiva Kalevi Ahtisaari was the President of Finland between 1994 and 2000. He was a European Union negotiator during Kosovo conflict in 1999. Between 2000-2004 he was in charge of International Crisis Group with a head office in Brussels. On October 10, 2008, he became a Nobel Peace Prize laureate.

[3] S. Wojciechowski, *Konflikt w Kosowie*, [in:] W. Malendowski (ed.), *Spory i konflikty międzynarodowe. Aspekty prawne i polityczne*, Wrocław 2000, p. 377.

The Balkans is a part of communication route between Europe and the Arab world. These lands have been a conflict zone for ages, mainly with a religious or ethnical background. The clash of Christian and Islamic civilizations was a source of antagonism between the nations of the Balkan Peninsula[4]. The cultural variety is significantly conditioned by the character of relations between each nation.

Kosovo together with southern Metohija has been a part of Serbia since the end of the First Balkan War, as a result of the Treaty of London of May 30, 1913. Local Albanians, known as Kosovars, constituted around 60 percent of province's inhabitants then, while Serbians were only 30 percent of the population[5]. The First World War changed the situation on the Peninsula. On October 28, 1918 the State of Slovenes, Croats and Serbs was proclaimed as the fights ended. A significant part of Kosovo was still a part of Serbia at that time. The King-Regent Alexander I Karadjordjevic changed the name of the state from the Kingdom of Serbs, Croats and Slovenes to the Kingdom of Yugoslavia[6]. During the Second World War, Albanians living on the territory of Kosovo collaborated with states occupying Yugoslavia[7]. After defeating Yugoslavia, Italian authorities were supposed to make a decision to annex Kosovo to so called "Great Albania". However, the defeat of Axis countries thwarted Italian plans. Great Albania was not created, but Kosovo gained autonomy as a result of Serbian authorities' decision. Thus, the Socialist Autonomous Province of Kosovo with the capital in Pristina was founded. It was a part of the Socialist Federal Republic of Yugoslavia ruled by Marshal Josip Broz Tito. In the beginning, the neighbourly relationships between Serbian and Kosovar Albanians were good. There were plans to create a communistic Balkan federation. However, a growing conflict between J. B. Tito and Josef Stalin, the leader of the Union of Soviet Socialist Republics (USSR), had an impact also on Serbian-Albanian relations. There was no willingness to continue cooperating with Albania, a Soviet Union ally. Yet again, the status of Albanian minority became a problematic issue.

After twenty years, first Kosovo-Albanians' riots occurred. They demanded obtaining a status of the seventh republic of the Yugoslavian federal state for Kosovo, as well as the removal of the second element from the official name

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[4] Bilski R., *Kocioł bałkański,* Warszawa, 2002, p. 22
[5] As in: M. Waldenberg, *Kwestie narodowe w Europie Środkowo-Wschodniej.Dzieje i idee*, Warszawa 1992, p. 97.
[6] Ł. Wróblewski, *Kwestia Kosowska*, http://www.psz.pl/tekst-2827/Kwestia-kosowska, 14.05.2006.
[7] Ibid.

"Kosovo-Metohija" [8]. The leader of Yugoslavia died on May 4, 1980. In the aftermath of his death the antagonism between Yugoslavian nations developed. This led to an intensification of an ethnical conflict. There was also a split among the population of Kosovo. The Albanian society aspired to increase the autonomy of the province, whereas the Serbian minority wanted to deepen the relations with Serbia. The public feeling of discriminated Albanian population was deteriorating due to Kosovo's difficult economic situation, where unemployment rate reached 30 percent. The leader of Albanian minority, Enver Hoxha renewed the demand of annexing Kosovo to Albania.

As a result of elections on December 5, 1989, former chairman of the League of Communists of Yugoslavia Slobodan Milošević became the President of the Republic of Serbia. The most important motto of his government was strengthening Serbian nationalism[9]. Milošević, who was at the same time the head of Serbian Socialist Party, strived to unite Serbians within one state[10]. Creating Serbian enclaves in Yugoslavian republics contributed to an outbreak of a civil war. One of the elements of Slobodan Milošević's policy was the Kosovar issue. His activities were aimed at full integration of Kosovo's territory with the Serbian state. On March 23, 1989 under threat of a military intervention, the Assembly of Kosovo approved changes to the constitution which removed the province's autonomy[11]. This caused bloody clashes between the police and Albanians all around Kosovo's territory.

Albanians held a referendum between September 26 and 30, 1991. Its results confirmed that vast majority of the inhabitants of Kosovo (98 percent) opts for seceding that territory[12]. Serbian authorities did not recognize the voting and increased repressive measures against Albanians living in Kosovo. Belgrade's strategy was to implement a campaign of so called "serbization" of Kosovo. Over hundred thousand Albanians were removed from government offices and enterprises in the province. The authorities supported the influx of Serbian refugees from Croatian and Bosnian territories to Kosovo. This was supposed to change the demographic structure of the province.

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[8] W. Walkiewicz, *Jugosławia. Wspólny byt i rozpad.*, Warszawa, 2000, p. 87.
[9] M. Korzeniewska-Wiszniewska, *Serbia pod rządami Slobodana Miloševicia: serbska polityka wobec rozpadu Jugosławii w latach dziewięćdziesiątych XX wieku,* Kraków, 2008, p. 23.
[10] Ibid., p. 25.
[11] F. Gołembski, *Bałkany w latach 1989–1993. Problemy bezpieczeństwa regionalnego*, Warszawa, 1994, p. 67.
[12] A. Balcer, *Kosowo – kwestia ostatecznego statusu*, „Prace Ośrodka Studiów Wschodnich", 2003, no 10, p. 19.

Albanians all the time limited their activities to passive resistance, yet the international community was aware of the fact that there was a threat of an armed conflict in Kosovo. Faced by no progress in restoring the independence, Kosovar supporters of passive resistance began losing influence among Albanians. Radicals that called for armed conflict were gaining popularity. Serbian acts of violence strengthened the position of an armed organization known as Kosovo Liberation Army (Albanian: *Usztria Çlimritare e Kosoves – UÇK)*. This group originated from People's Movement of Kosovo whose member was Hashim Thaçi, a later leader of UÇK. It points to a pro-independence and anti-Yugoslavian character of this organization. The members of the organization dominantly consisted of Albanian emigrants[13]. At the same time, Kosovar authorities decided to form Armed Forces of the Republic of Kosovo (*Forcat e Armatosura të Republikës së Kosovës –* FARK). UÇK did not accept the formation of another armed unit within the territory of the province. An internal conflict between Albanian fighters and the armed organization of the president of the republic at that time Ibrahim Rugova was growing.

Serbian offensive against increasing independence of Kosovo exacerbated between 1997 and 1999. There were a growing number of clashes between UÇK members, the police and the Serbian Army. Repressions directed at Kosovar Albanians more often became of interest and at the same time worried the international community. On March 9, 1998, Ministers of Foreign Affairs from the states comprising the Contact Group on the Former Yugoslavia gathered in London. Representatives of the United States, Russian Federation, France, Germany, the United Kingdom and Italy took part in the proceedings. The government of Yugoslavia was called on to stop the pacification of Kosovo within ten days[14]. It was a time for humanitarian organizations to reach with help to the needful population that stayed on the territory of the attacked province.

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[13] Ł. Wróblewski, op. cit.

[14] On September 23, 1998, UN Security adopted Resolution 1199 in which it expressed the concern of the international community about the development of conflict in Kosovo. The provisions of the resolution called for suspending war activities in the province and complete withdrawal of Serbian military and police units. It was also emphasized that not undertaking any of these action may lead to using additional measures in order to keep peace and stability in the region. On September 28, 1998, authorities in Belgrade declared the end of military operation against Kosovo Liberation Army. There was a meeting of UN Secretary-General Javier Solana, US Special Envoy Richard Holbrook, Chairman of the NATO Military Committee Klaus Naumann and Supreme Allied Commander Europe of NATO gen. Wesley Clark planned in Belgrade. The objective of the meeting was to bring together Serbian and Kosovar representatives. See more: M. Mihajić, *Bałkański kompleks niestabilności bezpieczeństwa*, in: Bezpieczeństwo międzynarodowe po zimnej wojnie, (ed.). R. Zięba, Warszawa, 2008, p. 318.

Additionally, preparations to start negotiations between the sides of the conflict were supposed to be made. During the autumn of 1998, a series of diplomatic initiatives were taken in order to end the repressions.

On September 28, 1988, the government in Belgrade announced the end of armed operation against Kosovo Liberation Army. On October 8, 1998, UÇK was to official ceasefire[15], however, the fights did not stop. On October 13, 1998, North Atlantic Council (NAC) of NATO issued orders for the execution of air strikes against Yugoslavia. Under the pressure, the President of Serbia agreed to reduce the number of army units in the province. He also allowed the entry of OSCE peace monitors known as the Kosovo Verification Mission. NATO forces began an aerial observation of the province's territory. Special units that were to ensure potential evacuation of OSCE monitors from the danger zone were concentrated on the territory of Macedonia and Bosnia[16]. Both Serbian authorities and Albanians from Kosovo did not fully adhere to the recommendations of international organizations. Armed operations in the region were still in progress.

The Contact Group on the Former Yugoslavia once again called on the sides of the conflict to open negotiations. Their talks began at the Château de Rambouillet outside Paris on February 6, 1999. The Deputy Prime Minister of Serbia Ratko Marković led the Serbian delegation. The Albanian side was represented by President Ibrahim Rugova. Additionally, a representative of Kosovar Albanians Party – Raxhep Qosja took part in the talks. Also five members of UÇK arrived in Paris. Serbians refused to directly negotiate with UÇK members. Delegations stayed in rooms situated away from each other. The mediators' role was fulfilled by: US Special Envoy of the President of the USA William J. Clinton to Kosovo Christopher Hill, European Union representative Wolfgang Petritsch, Russian representative Igor Majorski, as well as delegates of the United Kingdom Robin Cook and France Hubert Vedrine[17]. The base for discussion was a plan of an American diplomat Christopher Hill. Its aims were to establish province autonomy within Yugoslavia, disarmament of UÇK, withdrawal of Serbian army and police from the province, presence of NATO forces in the province and holding a referendum on the future of Kosovo. These conditions were rejected by Slobodan Milošević. The negotiations were suspended as a consequence of this. Secretary-General of NATO J. Solana announced that if the Serbian authorities do

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[15] R. Bilski, *Nie strzelajcie do nocnego ptaka. Bałkany 1997–1998*, Warszawa, 1998, p. 102.
[16] Ibid., p. 118.
[17] M. Mihajić, op. cit., p. 243.

not agree to introduce NATO's peacekeeping forces in Kosovo, the Atlantic Alliance armed forces will commence military operations. J. Solana's demand was not met. On March 24, 1999 at around eight o'clock NATO's military operation "Allied Force" against the Federal Republic of Yugoslavia (FRY) was commenced[18].

On the day the airstrikes began, the President of the USA Bill Clinton declared that "we act to prevent a wider war […]. If President Milošević will not make peace, we will limit his ability to make war"[19]. One of the reasons behind the decision on intervention was a threat of a humanitarian crisis. Moreover, the fact that Yugoslavia rejected the conditions of temporary agreement from Rambouillet was worrying and there were fears of the stability of the region and the safety of the European continent. The following official objectives of the intervention were stated: to express NATO's opposition to aggressive policy of FRY government in the Balkans and to prevent President Milošević from continuing attacks on Albanian civils.

On June 3, 1999, a day after the international community presented the resolutions of a peace plan to authorities in Belgrade, the Serb parliament approved it. On June 10, J. Solana gave the order to suspend "Allied Force" air campaign. The airstrikes could have been resumed if Serbians would not have begun the withdrawal from the territory of Kosovo. On the same day, UN Security Council adopted Resolution 1244. It became the grounds for establishing United Nations Interim Administration Mission in Kosovo (UNMIK).

The air forces intervention led to a ceasefire and allowed the refugees to return. However, the issue of final status of the province was not resolved. Kosovo remained an autonomous area in the territorial borders of Serbia. United Nations Security Council Resolution 1244 of June 10, 1999 sanctioned a formation of an international administration of the province. UNMIK was created pursuant to annex 1 to the resolution. Its objective was to provide basic administrative functions on the territory of the province. Additionally, an international administration was to strive to establish a stable autonomy and self-governance in Kosovo. It was a unit responsible for coordinating humanitarian actions run by international agencies, and a supervising body for the reconstruction of infrastructure on the territory of the province. The primary task

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[18] S. Wojciechowski, op.cit., p. 377.
[19] As quoted in: President Clinton's speech at a press conference, March 24, 1999, in: Pawłowski K., *Kosowo. Konflikt i interwencja*, Lublin, 2006, p. 83.

of the mission was to ensure public order and safety, while keeping international human rights standards[20]. The ratification of *A Constitutional Framework for Provisional Self-government in Kosovo*[21] brought to life interim province's governing bodies, such as: assembly, president, government, courts and other institutions established in the UNMIK document[22].

On October 13, 2003, direct talks between representatives of Kosovo and Serbia were held. Serbian leaders and Kosovar Albanians met in Vienna. The talks were possible thanks to the determination of EU diplomats. Prime Minister Zoran Živković and Deputy Prime Minister Nebojsza Czović led the Serbian delegation. President Rugova and Speaker of the Assembly Nexhat Daci came from Kosovo. Once again, Serbian minority expressed its protest against an independent Kosovo. Serbian authorities took the view that they acknowledge province's autonomy and expect it to return under the administration of Serbia[23]. The consensus that was reached assumed that "Pristina's acceptance not to talk about independence means Belgrade's acceptance not to talk about reinstating Serbian authority"[24]. On November 1, 2005, UN Secretary-General Kofi Annan appointed former President of Finland Martti Ahtisaari as a UN Special Envoy for the negotiations of the future status process of Kosovo[25].

On September 20, 2006, the Contact Group appointed Martti Ahtisaari to prepare a plan for the final status of Kosovo. On February 2, 2007, the so called M. Ahtisaari plan was presented. The UN Security Council Meeting on the settlement of the Kosovar issue based on the proposal by the former President of Finland was held on March 26, 2007. It stipulates granting the province such attributes of statehood as a flag, an anthem, a constitution, an army or the right to join international organizations. The author, however, did not anticipate the province to immediately obtain sovereignty. Serbia rejected President Ahtisaari's proposal, while Albanians from Kosovo supported it with some reservations. Serbian authorities acquired Russian support, which declared that it will block all solutions imposed on Serbia without its approval.

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[20] Ibid.
[21] *Constitutional Framework for Provisional Self-government in Kosovo*, http://www.unmikonline.org/pub/misc/FrameworkPocket_ENG_Dec2002.pdf, 15.05.2001.
[22] Ibid.
[23] M. Zawadzki, *Serbowie i Albańczycy z Kosowa rozmawiają w Wiedniu o przyszłości Kosowa*, http://serwisy.gazeta.pl/swiat/1,34174,1721450.html, 14.10.2003.
[24] As quoted in: S. Parzymies, *Unia Europejska wobec problemu,* „Rocznik Strategiczny. Przegląd sytuacji politycznej, gospodarczej i wojskowej w środowisku międzynarodowym Polski 2003/2004", Warszawa, 2004, p. 114.
[25] Ł. Wróblewski, op. cit.

Faced by an impasse M. Ahtisaari announced the end of Albanian-Serbian negotiations on March 10, 2007. In the report submitted to the UN Security Council, the UN Envoy recommended independence as the only possible solution for a politically stable and economically efficient Kosovo. The work on preparing a suitable UN Security Council resolution began. Moscow expressed its objection and insisted on opening further talks with Serbia. On the other hand, on June 10, 2007 during a visit to Albania, the President of the USA George W. Bush stated that Kosovo should obtain independence "sooner rather than later"[26]. On September 27, during a speech on the forum of UN General Assembly Serbian president Boris Tadić warned that unilateral declaration of independence by Kosovo could become a dangerous precedence that would destroy international legal order and may lead to destabilization of many regions in the world.

On November 17, 2007, there was a parliamentary election held in Kosovo, in which the largest support was achieved by a strongly pro-independence Democratic Party of Kosovo (DPK) led by Hashim Thaçi. On November 29, Serbian Minister of Defence Dragan Sutanovać explicitly declared that Belgrade do not intend to commence a military intervention if Albanians from Kosovo declare independence. On December 19, 2007, UN Security Council held a debate on Kosovo during which Serbian Prime Minister Vojislav Kostunica and the President of Albania Fatmir Sejdiu gave speeches. After the debate the representatives of the USA and European states released a joint declaration stating that "negotiations potential has been depleted"[27] and it is time to start implementing Ahtisaari plan. Russian ambassador Witalij Czurkin had a different opinion. On December 14, 2007, leaders of European Union states decided to deploy a police and administration mission called European Union Rule of Law Mission (EULEX KOSOVO) to Kosovo. The goal was to send 1800 personnel to Kosovo[28]. On January 9, 2008, the leader of DPK Hashim Thaci was elected as Prime Minister of a coalition government by the Kosovar parliament and announced that the province will be declared independent.

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[26] As quoted in: Ibid.
[27] As quoted in: Speech by NATO General Secretary Jaap de Hoof Scheffer'a, *Kwestia kosowska – bezpieczeństwo dla wszystkich*,
http://www.nato.int/docu/speech/2007/s071130a.html, 30.11.2007.
[28] As in: *Wspólne działanie Rady Unii Europejskiej 2008/124/WPZIB, w sprawie misji Unii Europejskiej w zakresie praworządności w Kosowie*,
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:042:0092:0098:PL:PDF,
4.02.2008.

On January 16 at the forum of UN Security Council, President Tadić said that Serbia will newer recognize the independence of Kosovo. However, activities aimed at maintaining Serbian territorial integrity and sovereignty were limited to democratic, legal and diplomatic measures[29]. At the same time, the Serbian government declared *a priori* to recognize Kosovar declaration of independence as void and invalid.

Kosovar parliament unanimously passed a 12-point *Declaration* of Independence at an extraordinary assembly meeting on February 17. The document includes a point stating that Kosovar state shall adhere to democratic standards, respect human rights and follow the rule of law in accordance with the principles of UN Special Envoy on Kosovo Martti Ahtisaari's plan. The first point of the declaration included the will of the people, who strived to create a sovereign and independent Kosovo. It was also noted that the Assembly that proclaims Kosovar independence agrees to the presence and supervision of international community during the process of creating organs of a new state. Both EULEX KOSOVO mission sent to Kosovo, as well as NATO corps are to help state institutions in executing their tasks in the province. The sixth point affirms that because of "reasons of culture, geography and history [...] Kosovo's future lies in the European family"[30]. Being a member of the international community, the new state pledges, point eight of the declaration, to abide by all the principle of the Charter of United Nations, the Helsinki Final Act and other principles of OSCE. Respecting sovereignty of other states and their territorial integrity is also a duty that Kosovo is to obey through their own foreign policy. Point eleven of the declaration states a desire to establish good relations with neighbouring states. Relation between Kosovo and the Republic of Serbia, in particular, shall be appropriate as these states are bound together by historical, social and economic ties[31].

Immediately after declaring independence, the biggest challenge for local authorities but mostly for international forces was preventing outbreak of clashes between Albanians and Serbians as it could destabilize the situation in Kosovo. The most important test for efficiency of UE actions was maintaining stability in the region. Despite existing discrepancies between EU member states in terms of

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[29] A. Kamińska, *Plan Ahtisaariego traci na aktualności?*,
http://www.psz.pl/tekst-5589/UE-Plan-Ahtisaariego-traci-na-aktualnosci, 10.08.2007.
[30] As quoted in *Kosovo Declaration of Independence*,
http://www.assembly-kosova.org/?krye=news&newsid=1635&lang=en, 17.02.2008.
[31] Ibid.

recognition of Kosovo's independence, they have maintained unity in the pursuit of ensuring stability. The European Union decided to oversee Kosovo's independence by maintaining the judicial and stabilizing mission EULEX KOSOVO and a special representative. The main objective of the EU mission was not administering Kosovo as it was in the case of current UN representation – UNMIK, but controlling how its authorities function. The shape of the independence process was consulted with the EU and the USA. Since for Kosovar Albanians the most important was international recognition of the independence of the new state not just the shear fact of proclaiming it[32].

The international community anticipated the reaction of Serbian authorities and society to the declaration of independence by Kosovo. Instantaneously, Serbia expressed a strong protest against Kosovo's sovereignty. There were fears that Belgrade will use force to defend its territorial integrity. However, this did not happen. Diplomatic measures were supposed to be undertaken in order to gain control over the province. On February 18, Serbian parliament unanimously enacted an act which annuls "each and every unilateral acts of declaring independence by the province"[33]. Losing Kosovo means that Serbia loses around fifteen percent of its territory and two million citizens.

While Belgrade authorities were protesting, the Republic of Albania gave its support to the newly created state. The Prime Minister of Albania Sali Berisha declared a desire to establish diplomatic relations of ambassadorial rank with the Kosovar state already on February 18, 2008[34]. It was treated as a willingness to formally recognize Kosovo in accordance with international law standards. Authorities in Tiran supported the establishment of the Kosovar state and saw it as a historical moment in the history of the Balkans. The Prime Minister stated that the independence of Kosovo is an event that ends a long-lasting process which was the breakup of Yugoslavia. Albanian government committed itself to establish good-neighbourly relations with the new state on the basis of its historical ties. In his statement, the Prime Minister Berisha also expressed the respect for the international borders of Kosovo[35]. Albanian elites see opportunities for northern Albania in the development of Kosovo. There will be a new road

[32] R. Sadowski, W. Stanisławski, M. Kaczmarski, W. Górecki, A. Balcer, *Kosowo proklamuje niepodległość*, „Prace Ośrodka Studiów Wschodnich",
http://www.osw.waw.pl/pub/BiuletynOSW/2008/0802/080220/best01.htm, 20.02.2008.
[33] As quoted in: ibid.
[34] *Oświadczenie premiera Albanii Sali Berisha w sprawie uznania niepodległości Kosowa*, http://www.keshilliministrave.al/index.php?fq=brenda&m=news&lid=7323&gj=gj2, 18.02.2008.
[35] Ibid.

between Dures and Pristina that will become a Kosovo's passage to the sea coast[36].

International recognition and the issue of Kosovo's legal status

Proclamation of Kosovo declaration of independence triggered diverse and often emotional reactions in the world. Russia and some EU member states with ethnical minority issues supported uncompromising position of Serbia. Polish diplomacy followed the USA, Berlin, Paris and London by responding to Pristina's declaration with recognition of a state newly created in the Balkans. What kind of international consequences could this situation cause? Kosovo precedence in the international law may trigger a domino effect and encourage other ethnical groups that do not have their own statehood to fight for national independence. This could lead to further destabilization of the Balkan situation. Perhaps Kosovo's independence will be the beginning of region's normalization process and be the basis for new solutions to hard problems of contemporary world.

The legitimacy of recognizing or not recognizing an independent Kosovar state by other entities is being analysed. On the one hand, it is investigated from the perspective of compliance with international law standards. On the other hand, it is seen from the angle of individual interests in the international arena. One key issue is also an analysis of international law factors behind the establishment of the Republic of Kosovo. There is a need to reflect on the problem of subjectivity of the Kosovar state in international law, which affirmation is recognition by other international relations participants.

International law doctrine does not include regulations on creation and collapse of a state. International law points at the requirements that need to be met by a newly-created state to become a fully-fledged entity in contemporary international relations. A distinctive characteristic of international system is the lack of an executive body. Thus, there is no authority that could arbitrarily rule whether a particular entity can be treated as a state. International practice proves that there are many various processes that may lead to a creation or fall of a state. In order to distinguish them there is a need to select a classification criterion. In the most general manner we can claim that "states are created by separation or emergence from existing entities, breakup of such entities, their merger or they

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[36]H. Rigels, *Wielkiej Albanii nie będzie*,
http://wyborcza.pl/1,76842,4969845.html?as=1&ias=2&startsz=x, 27.02.2008.

could be created on a territory which is *res nullius*"[37]. Thus, unification of states leads to the creation of a completely new entity in the international arena. Incorporation of one state by another also leads to the creation of a new international situation. A breakup of one political organism can be the cause behind the establishment of a few new states with each becoming a separate entity in international law.

In our times, the principle that is invoked by societies that aspire to create their own state is the right of nations to self-determination. It has been included in numerous supranational documents and thus defining one of the development paths for international community. Article I paragraph 2 of the *Charter of the United Nations* (CUN) ratified in San Francisco on June 26, 1945 says that one of the United Nations objectives is to "develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace"[38]. Even though CUN does not include a definition of self-determination, the declaration presented in this paragraph imposes on states a duty to support and respect peoples' will, as well as duty to refrain from any activities that could prevent its execution. A limitation to this principle is respect of territorial integrity of states that have effective governments.

On October 24, 1970, the international community in New York adopted the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. According to its provisions "by virtue of the principle of equal rights and self-determination of peoples [...] all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development"[39]. The declaration names three methods of realizing the principle of self-determination. These are as follows: the establishment of a sovereign and independent state, the free association or integration with an independent state or the emergence into any other political status. An example of unification is the integration of Tanganyika and Zanzibar into Tanzania in 1964. A new entity in the international arena was created as a

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[37] As quoted in: R. Bierzanek, J. Simonides, *Prawo międzynarodowe publiczne*, Warszawa, 2005, p. 124.
[38] *The Charter of the United Nations*, http://www.un.org/en/documents/charter/, 26.06.1946.
[39] *Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States* in accordance with the Charter of the United Nations, http://www.un-documents.net/a25r2625.htm, 24.10.1970.

result of this process. The Declaration does not unambiguously define the political form that can be established through self-determination of peoples.

In practice, the realization of the principle of self-determination is carried out in two ways. First one is based on adopting a declaration of independence by authorities that have effective control over a given territory and its population. Despite the fact that the conditions for establishing a new state are fulfilled, the views among international community participants may be divided. To large extent, it is connected to the principles of their foreign policy and national interests. The state of Turkish Cypriots is an example of a newly-created entity that has not been universally accepted by the international community. This ethnic group proclaimed the creation of the Turkish Republic of Northern Cyprus on November 15, 1983. Another unrecognized event was the declaration of independence by Moldavian territory of Transnistria on September 2, 1990, which was not recognized by any international bodies except for South Ossetia and Abkhazia. The second way of realizing the principle of self-determination is to establish own state through general approval of the international community. For example, the Republic of Montenegro proclaimed independence on June 3, 2006. It was a result of referendum that had been carried out among Montenegrins, whose majority wanted to create their own state. The international community supported both the declaration of independence and its development process. A similar situation took place in East Timor which independence is a consequence of a referendum carried out on August 30, 1999.

Whether principle of self-determination of peoples is realized, depends on peoples' consolidation and appointment of a government that is capable to represent its interests in the international arena. Sovereignty is based on a capability to decide on the future of the whole nation. Self-determination can be a method of opposition against unjust authority. Do international documents such as CUN give nations a right to a legal secession? Realizing the principle of self-determination can create favourable conditions for conflicts between states to arise, if there is no approval of the international community or consensus of stakeholders. The nature of the conflict between state authorities and a group on its territory that deems it position as unjust can be ethnical, religious, cultural as well as social, economic or political.

The principle of self-determination of peoples is contrary to another fundamental principle of international law. Self-determination may violate the

obligation to respect the territorial integrity of a state[40]. This principle is also included in many international acts. After the Second World War, inviolability of territorial integrity became a key issue. It is affirmed in article II paragraph 4 of CUN in which use of force, or even such a threat, against the territorial integrity or political independence of a state is prohibited. Territorial integrity was also ensured by regulations in such international agreements like *Helsinki Final Act* from Conference on Security and Co-operation in Europe. In part I of the Act, one can find, for example, declaration on principles guiding international relations. Among them one can list such principles as: inviolability of frontiers, territorial integrity of states, peaceful settlement of disputes, non-intervention in internal affairs[41].

Repercussions of adopting declaration of independence by Kosovo definitely go beyond the Balkan region. A territory of 11 thousand square meters, inhabited by around two million people formally remained a part of Serbia; however, pursuant to United Nations Security Council Resolution 1244 of June 10, 1999, it is administered by the United Nations through United Nations Interim Administration Mission in Kosovo (UNMIK). Establishing the Kosovar state by an ethnic group, which in the perspective of the whole country is a small minority, is perceived as a dangerous precedence by many states. Especially that it was done in opposition to sovereign authority of this particular territory, in this case Serbia. The status of this contentious territory had to be finally regulated but there are views that granting ethnical minorities living on a territory of a state the principle to self-determination does not guarantee permanent peace.

A new geopolitical entity, such as Kosovo after unilateral declaration of independence, requires a full recognition of its entity to be able to enter the international system.

There is no body in the international system that decides whether an entity can be acknowledged as a state. The fact of establishing a new entity is confirmed by other states by recognizing the entity in the international arena. The issue of recognition in international law doctrine has a declarative character. Although, it is a *sine qua non* condition if a new state wants to take part in international relations. Recognition allows the development of interdependencies and ties between states which are inevitable in contemporary world. Thus, it is also a key

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[40] A. Łazowski, A. Zawidzka, *Prawo międzynarodowe publiczne,* p. 95.
[41] As quoted in: *Conference on Security and Co-Operation in Europe Final Act*, http://www.osce.org/mc/39501?download=true, 1.08.1975.

element in the process of shaping statehood. Apart from recognition of the state by other international relations participants, joining UN can be a proof that confirms an establishment of a new state[42].

International recognition is, however, one of the most problematic issues of international law. It can be defined as a unilateral act in which one international law entity explicitly or implicitly announces that a situation or an actual state is in accordance with the international law[43]. In other words, the recognizing entity is accepting a certain fact and is ready to respect legal effects related to it[44]. Once recognition is given "one cannot question the legality of the ensuing situation"[45]. One of the controversies related to recognition is the fact that it is an issue that combines politics and law while its character is optional. It means that to large extent it depends on the status of relations between states. This happens, even though states should use recognition in good faith[46]. Recognition of a state does not create a new legal situation. This was emphasized during International Convention on Rights and Duties of States from December 26, 1933. The state exists regardless whether other entities recognize it or not.

In legal and law international doctrine, there is a division into two types of recognition: *de facto* or *de iure*. The first one is recognition in practice which is incomplete and temporary. A state expresses a willingness to recognize an entity subject to some preliminary conditions. It is a conditional and revokable recognition. It will not be exercised if the preliminary condition is not fulfilled. Fulfilling this requirement by a state aspiring for recognition confirms this act. Expressing a *de facto* recognition does not exclude *de iure* recognition - legal recognition - expressed at a later time. This type of recognition has a complete and irrevocable character. The recognizing state does not impose conditions which the recognized state would have to fulfil. In principle such recognition is final and irrevocable. There are no restrictions for a *de iure* recognition. It is a contentious issue, because it is often the case that states are guided by political considerations and not only by international law standards. If there were no violations of fundamental principles of international relations, the existing and

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[42] A. Łazowski, A., Zawidzka, op. cit., p. 95.
[43] B. Wiewióra, *Uznanie nabytków terytorialnych w prawie międzynarodowym*, Poznań, 1961, p. 106.
[44] W. Góralczyk, S. Sawicki, *Prawo międzynarodowe publiczne w zarysie*, Warszawa, 2007, p. 149.
[45] As quoted in.: A. Potyrała, *Uznanie międzynarodowe państwa – uwagi teoretyczne*, [in:] A. Potyrała (ed.) *Współpraca-Rywalizacja-Walka. Studia przypadków z zakresu współczesnych stosunków międzynarodowych*, Poznań, 2008, p. 21.
[46] Ibid., p. 22.

governing entity should also be legally recognized[47]. The state which recognizes or refuses to recognize should take into consideration ensuing situation of a new state and not assess it in regards to political repercussions[48]. Thus, we distinguish recognition of a state from recognition of insurgents or belligerent rights of party in a conflict.

Another classification criterion is the form of recognition. It can be explicit or implicit. The first method of recognition is executed in an unambiguous and official way that does not raise doubts. For example, it can be done by preparing an official note by the state which is unilaterally recognizing a new state. The second option is implicit recognition that is *per facta concludentia*. In such a case the recognizing entity does not express it in an unambiguous way, however, it results from consequent actions that do not raise doubts about willingness to recognize a new state. Implicit recognition of a state or government is a consequence of establishing diplomatic relations or concluding a bilateral agreement between the recognizing and the recognized state[49].

The timing of recognition is also of a significant importance. It may be expressed prematurely or too late[50]. The first situation occurs when there are no reasons to substantiate recognition, but despite this fact it has been done. It happens when the government of a new state do not exercise effective control over particular state territory, but other states officially recognize this entity. Such an affirmation of statehood by other participants of international relations may be considered as interfering into internal affairs of a state which is a violation of international law principles.

The basis for recognition of a state is the efficiency criterion. It is dependent on emergence of a stable and efficient authority. Other more traditional conditions are also taken into consideration, such as: exercising effective territorial control or governing particular population inhabiting the territory of a state. If these objective conditions are fulfilled it can be decided whether a state should be recognized or not. An entity that becomes a sovereign state, as defined under international law, may be recognized by the international community. Each and every state that is to recognize another state has to individually assess the level at which conditions of subjectivity in international law are fulfilled. "At the same

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[47] R. Bierzanek, J. Symonides, op. cit*.*, p. 140.
[48] D. T. Grant, *The Recognition of states. Law and practice in debate and evolution*, Westport–Connecticut–London, 1999, p. 87.
[49] B. Wiewióra, op. cit*.*, p. 104.
[50] A. Łazowski, A. Zawidzka, op. cit*.*, p. 109.

time, the recognition of a state cannot be executed if it violates basic principles of international law for example, the principle of territorial integrity of a state or the principle of refraining from threat or use of force"[51]. Therefore, any condition for recognition of a state that is not compliant with the international law standards cannot be considered as valid.

These attributes, however, do not oblige any state or international organization to execute automatic *ad hoc* recognition. There is no obligation to recognize a geopolitical body even if it possesses the attributes of statehood. To large extent, recognition has a political character.

A lot of newly-created entities aspire to receive recognition from other members of the international community, even though the recognition is not a condition that needs to be fulfilled to establish new statehood. It happens because recognition influences how the entity functions in the international arena. Lack of recognition prevents an entity from establishing ties with other states. A new political unit does not fulfil one of the requirements of establishing a state if it does not partake in international affairs. Such functions of foreign policy as membership in international organizations, concluding supranational agreements or law of legation and consulate cannot be utilized.

An important ramification of international recognition is legal effects caused by it, both in international law and in internal law of recognized entity. Two competing approaches regarding the effects of international recognition has been formed in international law doctrine, declaratory and constitutive. The first one claims that a state becomes a fully-fledged entity in view of international law only *ex nunc* from the point when it is recognized by the international community or at least by a majority of it. The assertion of states becomes a source that grants subjectivity. The criticism towards this approach stresses its infeasibility and lack of confirmation in contemporary practice. The second approach, the declarative one, claims that a state is established intrinsically through the validity of its own declaration, while international recognition only asserts this status *ex tunc*. The predominant view is that recognition has a declaratory character. It should be noted that according to the declaratory theory, a state not recognized by the international community shall be considered an entity under international law. However, in reality it will not be able to function in the international plane and

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[51] As quoted in: A. Potyrała, op. cit., p. 23.

will not even have a possibility to conclude international agreements if the entity that wants to sign such an agreement does not recognize the state.

International recognition causes legal and political effects. It is the basis of relations between states which in the era of globalization and deepening interdependencies are inevitable. A state that has received recognition in the international arena becomes its full participant. Nobody can deny the existence of that entity. It possesses a defined set of competences: concludes international effect with legal effects, belongs to international organizations and is internationally liable and responsible. Nowadays, recognition should be dependent on compliance with international law standards. It is hard to unambiguously pronounce whether a new state was established with due regard to international law[52]. This is connected with three opposing principles, that are: the principle of sovereign equality and territorial equality of states as well as the principle of self-determination. In practice, however, decisive factors are political considerations since recognition of state is an issue dependent on politics rather than on law[53].

In accordance with the opinion of the Arbitration Commission on Former Yugoslavia, recognition is a discretional act that a state can execute in such a manner as the state considers appropriate[54]. The practice shows that nowadays there is no obligation to recognize a newly-created state. The reasons behind this are difficulties in unambiguous definition of recognition criteria and the status of relations between two political entities. The lack of an arbitrary organ in the international system which would evaluate actual recognition elements lead to a situation where the decision on recognition is left in the discretion of each state.

Kosovar parliament proclaimed *Declaration of Independence* on February 17, 2008 and it triggered various reactions among the international community. The European Union, which was involved in the Kosovar conflict, expressed its approval of Kosovar's aspiration to obtain "supervised" independence by accepting president Ahtisaari plan which was announced on February 2, 2007. On February 18, 2008, the Council of the European Union (CEU) adopted official conclusions on the Kosovar issue during an extraordinary meeting. The document stressed that the values included in Kosovo declaration of independence and the

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[52] A. Potyrała, *op. cit.*, p. 24.
[53] Compare: Rich R., *Recognition of states: the collapse of Yugoslavia and the Soviet Union*, „International Journal of International Law" 1993, vol. 4, no. 1, p. 21–42.
[54] R. Bierzanek, J. Symonides, *op. cit.,* p. 141.

European standards are identical. The key issue for EU authorities was the inclusion of the principles of democracy and equality of all citizens without regard for ethnical minority and the protection of cultural heritage. These became the building blocks of stability as well as law and order in Kosovo. At the same time, CEU noted that EU member states will individually determine their relations with a new state in accordance with international law and national practice[55]. This statement proves that there is a split among EU member states as some of them opted for recognition of a new state, while others opposed to recognition in fear of growing independence aspirations in other parts of the continent.

The European Union has been involved in activities in Kosovo since 1999. Both political and financial efforts were made in order to build a long-lasting peace and security[56]. On February 4, 2008, the Council of European Union established an EU mission for peace and order in Kosovo – EULEX KOSOVO. Under article two of EU document, mission's activities shall "assist the Kosovo institutions, judicial authorities and law enforcement agencies"[57].

Straight after authorities in Pristina declared independence, France became the first EU member state to recognize the independence of Kosovo. In the opinion of French authorities independent Kosovo means the end of instability in Balkans and a solution to a conflict that broke out in 1999. Immediately after the Kosovar state was established, such states as the United Kingdom, Italy, Germany, Poland, Austria, Finland, Denmark, Belgium, the Netherlands, Luxembourg, Slovenia, Sweden, Hungary, Ireland, Lithuania, Latvia and Estonia announced that they will recognize Kosovo[58]. Bulgaria declared that their position towards Kosovo is subject to how Kosovar authorities will implement UN Special Envoy Martti Ahtisaari plan, build institutions and observe ethnical minority's rights.

Some EU member states were reluctant or even opposed to the independence of Kosovo, because they were in good relations, based on historical and cultural ties, with Serbia, which categorically opposed to the establishment of an

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[55]*EU Council Conclusions on Kosovo,*
 http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/98818.pdf, 18.02.2008.
[56] Communication from the Commission, *A European Future for Kosovo*, http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005DC0156:PL:HTM, 20.04.2008.
[57] Art. 2, *COUNCIL JOINT ACTION 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO*,
http://www.europarl.europa.eu/meetdocs/2009_2014/documents/sede/dv/sede260410jaeulex2008124_/
sede260410jaeulex2008124_pl.pdf, 04.02.2008.
[58] Parzymies S., op. cit., p. 125.

independent Kosovo. Some multi-ethnical member states were worried that the Kosovo case precedence may threaten their territorial integrity. Cyprus, Greece and Romania announced that they will not recognize the new state. It can be explained partly by a fear that it would encourage separatist movements and partly by a fear for the stability of the region. This proved to be correct as representatives of Hungarian expatriates claim that the independence of Kosovo may be used by them as precedence. Slovakian Minister of Foreign Affairs Jan Kubisz expressed his fear that Kosovo independence case may be an incentive for the aspirations of large Hungarian minority that lives on the territory of his state[59]. Therefore, authorities in Bratislava did not establish relations with the Kosovar state by not recognizing it in the international arena. Similarly, Spanish government expressed its opposition to the declaration of independence. According to Madrid, the unilateral act of secession of the Kosovo province was unlawful under international law. Spain was afraid that Kosovo precedence will intensify independence aspirations of the Basque. Opponents of an independent Kosovo state claim that recognition of the international community may contribute to the destabilization in European states that have separatist movements. Both Serbians living in Mitrovica, as well as the leaders of Transnistria, a separatist province of Moldavia, could hold acceptance of secession of a Serbian province as an example for themselves.

On February 18, the United States of America formally recognized Kosovo as an independent and sovereign state. Establishing diplomatic relations between the United States and Kosovo was an expression of friendship between those two states. A statement from February 18, 2008 stated that the Kosovo case is unique and cannot be treated as precedence for other areas in the world. At the same time, the USA policy does not exclude the development of relations with Serbia[60]. Belgrade authorities categorically opposed to the establishment of a new state and recalled its ambassador from Washington. This way they wanted to express their disapproval of USA activities aimed at the recognition of Kosovo. The USA did not decide to end the mission of its diplomats in the Serbian capital. Further involvement of American forces into building peace in Kosovo was announced. This was to be done through their participation in KFOR units and the stabilization mission EULEX KOSOVO.

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[59] Ibid., p. 126.
[60] *U.S. Recognizes Kosovo as Independent State*,
http://2001-2009.state.gov/secretary/rm/2008/02/100973.htm, 18.02.2008.

While President Bush's administration decidedly and unambiguously recognized the establishment of new state in the international arena, Russian Federation strongly opposed to the Kosovar state. Different positions of these two states resulted from different connections with West Balkan states. As a Serbian ally, authorities at Kremlin condemned the declaration of independence by Kosovo authorities on the same day it was adopted, claiming that it does not comply with international law standards. As early as on January 28, 2008, Aleksandr Bocan-Harczenko[61] presented an action plan during a meeting of the International Affairs Committee at the Russian State Duma. It included actions that are to be undertaken by the Russians if Kosovo proclaims independence. The measures were adequate to former Kremlin policy which opposed to the adoption of independence by Albanians in the province. A. Bocan-Harczenko explained "Russia closely coordinates all its activities with authorities in Belgrade"[62]. Some experts claim that the Russian support of the Serbian position on Kosovo is a part of rivalry with the United States[63]. Kremlin wanted to play the role of a regional superpower which influences reaches Balkan states. Russian opposition to independent Kosovo was an element of policies towards the USA and NATO.

On July 22, 2010, International Court of Justice (ICJ), following the request of UN General Assembly, presented an advisory opinion that settled the issue of Kosovo declaration of independence compliance with international law. ICJ opinion prompted comments both from the representatives of state that recognized Kosovo and those that strongly opposed to the independence of a new state. During the proceedings both international law standards of general and special character were referred to. According to the opinion prepared by ICJ judges in 2010, the declaration of independence by Kosovo does not violate any standards in international law[64].

States that recognized Kosovo gained a legal argument proving the legality of their actions and allowing them to reject accusations about premature recognition. These states argue that if proclamation of independence is consistent with the

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[61] Aleksandr Bocan-Harczenko – former Deputy Director of the Department of European Cooperation in the Ministry of the Foreign Affairs of the Russian Federation. He took part in "Troika" talks on the Kosovo status.

[62]As quoted in: Kobeszko Ł., *Szczegółowy plan Moskwy w kwestii Kosowa,*
http://www.psz.pl/?option=com_content&task=view&id=8499, 29 .01.2008.

[63] As quoted in: Śmigielski R., *Federacja Rosyjska wobec statusu Kosowa,* „Biuletyn Polskiego Instytutu Spraw Międzynarodowych", http://www.pism.pl/biuletyn_content/id/499, 16.11.2008.

[64] *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, Advisory Opinion*, Internationals Court of Justice, 22.07.2010.

international law and Kosovo fulfils the requirements for new state entities that aspire to obtain international acceptance, there is no justification to refuse recognition. Since states should exercise their recognition powers in good faith with respect for international law standards. States on the other side of the debate on Kosovar issue cite the freedom of recognition of state that arises from international law. Recognition has an optional character and no state can be forced to internationally acknowledge other state. Accordingly, Russian and Cypriot representatives reaffirmed their position on non-recognition of Kosovo and stressed their respect for Serbian sovereignty and territorial integrity, which includes Kosovo.

It should be noted that even though ICJ's advisory opinion is a binding ruling both for the United Nations and member states, it does not pertain to the issue of Kosovo's recognition. The Tribunal considered relating Kosovo declaration of independence to legally binding international law standards that define the legality of the proclamation act[65]. Despite the fact that international recognition does not create a new legal situation and it is not a condition of statehood, functioning of a new state in the international arena is dependent on obtaining it. States recognized by a limited number of states "have difficulties in exercising rights it is entitled to on the basis of international law"[66].

On September 10, 2012, International Civilian Office and International Civilian Representative for Kosovo were dissolved which means a formal end of Kosovo's "supervised independence" period. In reality, the international community will still possess tools with which they can exert influence on Kosovar authorities. This is possible because there are still NATO and EU missions present in the state – civilian EULEX and military KFOR. Kosovo also depends on economic aid from the EU and international financial institutions. The change of the nature of international presence in Kosovo did not cause its wider international recognition. Apart from Serbia, there are five EU member states (including four NATO members), Russia and China, to name a few, that do not recognize the independence of Kosovo. Kosovo's urgent problems are the issue of unsettled relations with Serbia, lack of control over a part of territory inhabited by Serbian minority and bleak perspectives of economic development of the state.

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[65] A. Potyrała, *Kosovo's Independence in the Advisory Opinion of the International Court of Justice*, „Środkowoeuropejskie Studia Polityczne" 2010, no 3, p. 44.
[66] *Zarys Prawa międzynarodowego*, (ed.) M. Muszkat, t. II, Warszawa 1956, p. 6.

Currently, Kosovo can count on recognition from 107 out of 193 UN member states, 23 out of 28 European Union states and 24 out of 28 NATO members (as of July 3, 2014)[67]. Even though, Kosovo can rely on support of 107 states, it is not enough for it to be acknowledged as a full member of the international community. There might be problems for the young state to obtain membership in international organizations. The United Nations membership depends on being granted an approval by UN Security Council; however two states that oppose to Kosovo independence, the Russian Federation and People's Republic of China, are permanent members of the Council with the power of veto. European Union membership also requires an approval of all member states out of which Cyprus, Greece, Spain, Romania and Slovakia are against the independence of Kosovo. Despite the fact that recognition does not create a new legal situation and it is not a condition of statehood, real functioning of a new state in the international arena is dependent on recognition. The polarization of opinions among member states of international communities leads to a situation where Kosovo does not have any chance to be fully active in the international life.

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[67] *Statement by UK Ambassador Michael Tatham of the UK Mission to the UN, to the Security Council meeting on Kosovo, https://www.gov.uk/government/speeches/kosovo-is-recognised-by-over-half-of-the-un-member-states,* 27.05.2014. The Republic of Togo recognized the Kosovar state on July 2, 2014.

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Martin ANGELOVIČ

SLOVAK – UKRAINIAN PART OF SCHENGEN AREA. HISTORY, SECURITY AND QUALITY OF LIFE.

Abstract

This paper deals with the origins, security, history of the Slovak-Ukrainian border, which in 2007 became the part of the Schengen Area. Which can be considered part of the civilizational boundaries, as well as a significant geopolitical phenomenon. We focused on this part of the Schengen border in particular, as it has been through many changes in the last century. These conditions have many impacts on everyday life of inhabitants of border area. We try to approximate the impact of borders through a partial analysis of a questionnaire survey, questions of satisfaction with the place and with life in in border villages. We also pay attention to the border definition and the national border specifically, since we regard it as a significant socio-economical phenomenon, which affects its neighbouring areas.

Key words: Border, Schengen, Quality of life

Introduction

Border as a geographical term has been studied for a long time, and there exist a variety of borders as such. Humane geography uses the term 'state border' most frequently. Academics define state border as a strong socio-economic phenomenon, which significantly influences its surrounding regions. The border should not be understood as an isolated spatial element, since it causes a 'bordering effect', thus determining the border-neighbouring region. Border then is an inseparable part of the spatial differentiation.

In modern, united and borderless Europe there is little interest in examining how the border influences the life of its citizens, since borders are no longer seen as barriers, and as such have become the place for development and cross-border cooperation. The Schengen border seems to be the perfect place for research that

focuses on how the border influences common lives of its inhabitants. It is this part that has turned into a barrier, after Slovakia joined the EU, and thus influences the life of its dwellers even more.

The aim of our paper is to zoom in on the Schengen border as a significant geographical and socio-economic phenomenon. We focus on diversity of perception of this border by the people who live nearby. We analyse the questionnaires distributed in selected bordering municipalities, pointing out the significance the border bears. The questionnaire includes questions that focus on the dis/satisfaction with where the people live, and with life in general, and also possibility of moving out, if given the chance. Our outcome is presented separately; one for the Slovak and the other for the Ukrainian side of the border, and we also emphasise the variety and differences among the respondents.

Methodology

In order to point out the differences in perception of the Schengen border on its both sides we try to establish the basic border elements and how they work, based upon the analysis of the sources available. The most important analysis is the one that deals with the questionnaires distributed in the municipalities of Lekárovce a Storožnica.

The questionnaire analysis used in this paper is a partial analysis of the outcomes arrived at in the author's dissertation, which dealt with the impact of the Schengen border on quality of life. The questionnaire uses two fundamental and one additional question. The question that deals with the satisfaction with life on the border aims to find out whether people living in this region perceive it as a good/bad place for living. Moving-out question provides extra information that completes the picture.

First two questions have been scaled from 1 to 10, with 10 being the most satisfied and 1 the least. The additional question had four options – definitely yes, probably yes, probably no, definitely not.

State border

When examining the quality of life and the border the most influential type of border is the state border. Simple and succinct state border definition is provided by Rumpel (in Baar et al. 1996), who defines the state border as a contract-

defined line on the maps and in terrain, which thus separates the area of one sovereign state from another sovereign state, or from an area that is not liable to sovereignty of any other state, e.g. 'unbound' sea.

There are many state border definitions, and the most common characteristic they all share is the understanding of its core element; that it defines the area in which a particular state realises its authority – sovereignty. In other words, the area determined by a state border applies certain rules, laws and procedures which might not necessarily be applied in the space outside the area. When talking about the political borders one must mention necessity of cooperation at the borders, which, if successful, can eventually result in abolishment of border control, which does not delete the border itself, only allows for a looser regime when crossing.

Slovak-Ukrainian border

The borders of the Slovak Republic went through various stages of development and divide the areas with various degree of development. Our aim is the analysis of the Slovak-Ukrainian border and thus we will not focus on the borders Slovakia shares with other countries.

When the Slovak Republic entered the Schengen Area, only a small part of the Slovak borders became a bridge, not only between Slovakia and the Ukraine, but also the whole of Schengen Area of EU and its eastern partners. The Slovak border also becomes a civilisation border. According to the Huntington (2001) world civilisation division the Western-Christian and Eastern-Christian border runs somewhere along the medieval borders of Poland. With the Ukraine being located at the very area as a sovereign state, this is, by Baar (2002), integrated to the Eastern-Christian civilisation, which eventually makes the eastern border of Slovakia the civilisation border.

This border of Slovakia and the Ukraine separates two different countries, which, on many levels, cannot be compared. At the intrastate level the border separates the administrative parts of the Eastern Slovakia, namely Prešov and Košice autonomous counties and the Transcarpatia district of the Ukraine. When analysing the regions it is possible to state that these border regions are belong to the most economically underdeveloped ones (cf. Angelovič 2010, Angelovič, Klamár, Benč 2011, Matlovič, Klamár, Matlovičová 2008, Yehorova 2011).

Schengen agreement

The Schengen border represents a significant sign of the united Europe. There are no obstacles in the Schengen Area that would prevent free movement of people, services and capital across the borders of the countries within the area. Abolishment of the inner borders enforced stricter controls at the outer borders. The Eastern border of the Schengen Area can be called the poverty border, since these regions represent the poorest areas of the EU. The borders then can help the development of the regions through cross-border cooperation, which is one of the main incentives why we study this particular section of the Schengen border.

The Schengen border is a result of the Schengen Agreement, which was named after the Luxemburg town of Schengen, where, on June 14, 1985 a treaty between France, Germany and Benelux countries was signed, and these countries thus agreed upon continual abolishment of controls of the peoples crossing their mutual borders, which also included more thorough controls at the outer borders. This document is usually labelled as a First Schengen Agreement, as on June 19, 1990, a supplementary agreement was signed, known as the Schengen Agreement (Schengen II).

The First Schengen Agreement did not require ratification and was provisionally carried out. The Second Schengen Agreement, however, requires the ratification. The Schengen I consisted of 33 articles and contained short-term and long-term measures, which, in the Schengen II are more detailed and elaborated (Schengen Agreements).

The Schengen II became legitimate in September 1993. However, France and Germany did not manage to comply with the conditions for abolishment of inner borders, which were appointed in the memorandum, attached to the final act. Hence, the Agreement was only put into effect on March 26, 1995. The inner border controls then ceased to exist only by 1995. In the Amsterdam Agreement (Protocol B) of 1997 the signatory powers agreed upon the Schengen Agreement integration into the EU law. The agreement thus became a part of the Amsterdam Agreement, which was realised on May 1, 1999. The future EU candidates were also to become part of the Schengen Area. Nevertheless, this is not done automatically and the countries are allowed to approach the Schengen Agreement upon complying with the agreement conditions (Schengen Agreement).

The main aim of the Schengen agreements is maximisation of the liberty of movement of people across the borders within the Area. This aim anticipates agreement of common arrangements that would secure safety within the Area and

public order in all the member states. It is implicitly inherent that the outer borders require enforcement, which, eventually, adds a barrier function to the borders as such. This process had also been applied at the Slovak-Ukrainian border.

History of slovak-Ukrainian border

Slovakia and Transcarpatia have been for centuries parts of the Austria-Hungary and the border between them had only had an administrative function. After the Austria-Hungary ceased to exist as a state, it was difficult to know which country should get Transcarpatia and where its actual borders lie. It was around this time the current Slovak-Ukrainian border had been formed.

Transcarpatia, according to the General covenant from November 7, 1918, was attached to Czechoslovakia in the second half of 1919. This attachment was stated in the small Saintgermain treaty between the countries of so called Treaty and the Czechoslovak Republic (ČSR) on September 10, 1919. The Transcarpatia borders were determined by a number of international treaties – Versailles treaty in article 81, Saintgermain treaty in article 53, Trianon treaty in article 48 and partly also in the Northern treaty. Despite the agreement and designing of the border, the border between Slovakia and Transcarpatia remained a rather problematic one.

The Transcarpatia area, attached to Czechoslovakia, was $12\,617$ km^2, containing 487 villages and $604\,593$ inhabitants. The newly formed Czechoslovakia was supposed to become a state with the autonomy of the parts – countries, among which also belonged Transcarpatia. This autonomy, however, as much as Slovakia, had not been given to the countries until 1938 (Pop 2005).

It was a lengthy and complicated process to determine the border between Slovakia and Transcarpatia. When the border between Poland and Transcarpatia was established, it just continued on from the former Hungary border. Territorial jury of the Highest Council Agreement decided that the border between Slovakia and Transcarpatia to run along the Uh river course from north to south, until it reaches the town of Uzhorod. From then the border would run 2-5 kilometres to the east of the railway station Uzhorod-Cop. After the General Covenant had been announced on November 18, 1919, 32 villages located west of the current border were allocated under the administrative governance of the Transcarpatia. This was also declared and confirmed at the district announcement in 1920, which was applied only in Slovakia, though. The border with Romania was determined on

August 7, 1919, with Hungary on June 12, 1919, confirmed by the peace Trianon treaty on June 4, 1920 (Trávniček 1992).

In the 20s and 30s of the 20th century the border situation was reasonably quiet. Major changes took place after the Vienna Arbitration on November 2, 1938. Hungary gained the most fertile, south part of Transcarpatia, along with the towns of Uzhorod and Mukachevo. The remaining part of Transcarpatia gained a new name of the Carpathian Ukraine and on March 14, 1939 declared independence, which did not last for too long, as already on March 18, 1939 the whole area was attacked by Hungary. After the very eastern part of Slovakia was captured by Hungary, the border between Slovakia and Transcarpatia ceased to efficiently exist (Trávniček 1992).

The border line during the WWII did not change. It was clear in 1944 that the Hitler's Germany would fall and the authorities in charge already played with the idea of a new world order. Stalin, despite the fact he had formally agreed with the plans to re-establish the pre-Munich Czechoslovakia, considered the Transcarpatia territory as a part that should be attached to the Union of Soviet Socialist Republics (USSR). After some rough and not very fair political debates the Transcarpatia issues was resolved by the two party international treaty of June 29, 1945, where Transcarpatia was attached to the USSR. The ratification documents between ČSR and USSR were exchanged on January 12, 1946 at the Prague Castle. Since then Transcarpatia became a part of the USSR under the name of Zakarpattia Oblast of the Ukrainian Soviet Socialist Republic (Švorc 1996).

Following the political and economic changes at the beginning of the 90s the Ukraine declared its independence from USSR on August 24, 1991, and it became a sovereign state at the map of Europe. Zakarpattia Oblast was integrated into the Ukraine map as Transcarpatia. The border between Slovakia and the Ukraine has not changed since 1946. After Slovakia entered the EU, and later the Schengen Area, the border became a part of the Schengen border area on December 21, 2007. From that day on, there are no intra-state controls between Slovakia and Poland, the Czech Republic, Austria and Hungary, with controls at the Slovak-Ukrainian border becoming more rigid and the border becoming a sort of a development barrier.

Security

Security, especially with the latest news in the Ukraine, is a very topical issue. The Schengen can be viewed from various angles.

Firstly, Slovakia is a member of NATO, and only two of its neighbours are not NATO members – Austria and the Ukraine. However, the situation on the border varies, since Austria is a EU member and also the Schengen. From the geo-political perspective is thus the Slovak-Ukrainian border a significant element in various international treaties and also a part of broader defensive systems of the EU and NATO.

Secondly, the Schengen has clearly defined rules that concern its function, border crossing for both the people and the goods. This is something that directly influences the life of common people, not only security-wise.

There are many security levels in the Schengen. Direct control at the border-crossing points is just one of many ways of protection carried out at the Schengen border and within. However, the direct control at the border is the most visible one in the bordering municipalities, and as such causes a lot of controversy, which is the reason why we had decided to conduct our research in this territory.

Quality of life

Quality of life has become a very popular term these days, which seem to be the result of social, economic and value-oriented turbulences of the modern world, shifting from the traditional values to the postmodern perception of the world, full of gloomy, bleak and rather non-form structures. Quality of life has become the umbrella that covers both economic well-being and subjective satisfaction of an individual. Geography adds to these two elements [subjective/objective] others, such as spatial dimension, i.e. the place where an individual lifes his/her personally happy life in reasonable wealth. Based upon this characteristics, the geographical space could be divided into several hierarchical levels, with each level need to apply different research methods in order to achieve relevant results (look in Ištok, Angelovič 2013).

Our research presents partial outcomes of assessment of quality of life of people living in the border-neighbouring regions. We chose the place-satisfaction and life-satisfaction analysis, since we consider it the subjective dimension of quality of life of the inhabitants living in the border-neighbouring regions. Quality of life seems to be an appropriate concept to measure how the border affects the life of commoners on daily basis.

Lekárovce

Basic municipality characteristics

Municipality Lekárovce is situated on both sides of the river Uh, located in the East Slovak Lowland, altitude of 99 – 109m. Municipality territory is of 1226 hectares and there were 962 citizens living in the territory by the end of 2012. As for administration, the municipality belongs to the Sobrance borough in the Kosice county.

(Švorc 1996). is the only municipality in Slovakia which was formerly the part of the USSR and then was re-affiliated to Czechoslovakia (Švorc 1996). After Slovakia entered the EU and the Schengen, the part of the territory not only became the state border but also the border of the whole EU. (Švorc 1996). Lekárovce inhabitants have freedom of movement to the Atlantict almost unrestricted, yet they cannot move too much further to the East. These are the elements that influence the quality of life, and hence we decided to carry our research here.

Quality of life

Quality of life in Lekárovce was assessed via the questionnaire distributed and finalised in January – March 2013. Only 5.1% of the citizens of the municipality, older than 16 years, took part, which in total amounts to 42 respondents [47.6% male vs 52.4% female].

Satisfaction with life

All the respondents answered the question that dealt with their level of satisfaction with their life, with the average of 5.1, which means the inhabitants are averagely satisfied with their lives. However, what was more interesting was that the men are less satisfied than woman, though the difference is not that significant [0.6 point].

Satisfaction with place

We also tried to find out if the inhabitants are happy with the place where they live. The inhabitants of this municipality are rather happy with the place they live in, averaging 6.8 on the scale 1 – 10, which is higher than their average achieved in the previous question. This time it was the men who were more satisfied with the place, scoring 7.2, whereas women had only 6.5.

So far the Lekárovce municipality scored mostly on the positive side, as a good and suitable place for living. This is declared not only by the average score of 6.8, but also by the responses concerning moving out from the village, if given the chance. Only 23.8% of respondents answered definitely yes, and probably yes got 11.9%, which sums up to 35.7% of those, who would leave. The remaining 64.3% opted for not moving, with 19.1% voting for probably not and 45.2% definitely not. This just emphasises the level of satisfaction of the inhabitants with their municipality.

Storožnica
Basic municipality characteristics

Storožnica municipality is located on the Ukrainian side of the border. Since it is a neighbouring village to Lekárovce, we decided to study both. There is no border-crossing in the village, and since there used to a road connecting both the villages before the Schengen, it seemed like a perfect fit for our research.

Nowadays the village goes through a phase of growth and re-development, as it is located close to the city of Užhorod, and also sub-urbanisation processes. By the end of 2012 there were 2623 inhabitants in the village, which also provides a kindergarden, a school, a medical centre, a church and a variety of shops.

Quality of life

We used the same procedure as on the Slovak side of the border.   Only 4.5% of the citizens of the municipality, older than 16 years, took part, which in total amounts to 118 respondents [48.3% male vs 51.7% female]. The age group of 26 – 35 was the most dominant and representative, and the education level was mostly maturita/A-levels.

Satisfaction with life

Storožnica citizens are above-average satisfied with their lives, reaching the average score of 6.2. This time it was the male representatives who were happier, averaging 6.6, whereas women came only at 5.8. Men used values of 7 and 8 most frequently, 10times each, whereas women used 5 most often, 15times.

Satisfaction with place

Storožnica citizens are also very happy with the place where they live. The average value of 8.1 speaks for itself, and this is emphasised by the highest value

of 10 that was used by 36% of the questioned. Again, it was men who are happier, having achieved 8.3, in comparison to 'only' 7.9 by women, with both sexes opting for the highest mark of 10 most often.

The values tend to fall into the positive spectrum of the scale heavily; hence it is possible to state that Storožnica is perceived as a very good place for living. Only 13.6% of the respondents said they would definitely move, and 9.3% would probably move, if given the choice, adding up to total of 22.9% of those, who consider the option of moving out. In contrast, 50% of the respondents definitely rejected the move, and 27.1% would probably not move, which totals 77.1% of those, who do not want to move away from the village.

Conclusion

The paper focuses on the Slovak-Ukrainian part of the Schengen border. Our main aim was to point out the differences in perception of this border and the life in its neighbourhood.

The beginning of the paper deals with aims and methodology, and further we deal with the characteristics and the history of the Slovak-Ukrainian border. We also partly cover issues of security and quality of life.

We came to the following conclusions. The inhabitants of Lekárovce are less satisfied with their life than those living in Storožnica. This proves the point that the satisfaction level is not directly connected to the economic status, since the inhabitants of Lekárovce live in better macro-economic conditions than those in Storožnica.

The inhabitants of Storožnica perceive their village as a better place for living, which is indicated by a 1.3 point difference in favour of the Ukraine-based municipality. This is only strengthened by the response to moving-out question, which was again favouring the Ukrainian village. This, however, could be well influence by the position of both the municipalities. Whereas Lekárovce can be seen as a periphery of the EU, on the contrary, Storožnica is located closest to modern Europe, and hence can benefit from the economic advantages of the Schengen border, not to mention its position and closeness to Užhorod. Positive response of the Ukrainian inhabitants is thus massively favoured, when their position within the whole geo-political system is concerned, and as such is the source for optimism.

All in all, the people on the Ukrainian side of the border are happier and more satisfied with both the place and life in general. This issues requires appropriate

attention, and not only on the local, but also on both the regional and the national level. We dare say Slovakia does not do too much to improve the situation in the border-neighbouring regions, especially in the Schengen region, which, from the quality of life perspective, has turned into a periphery.

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II. RECENZJE / *REVIEWS*

Małgorzata Abassy, *Kultura wobec postępu i modernizacji. Rosja i Iran w perspektywie porównawczej*, Wydawnictwo UJ, Kraków 2013, pp. 592. [English title: *Culture Against Progress and Modernization. Russia and Iran in the Comparative Perspective*].

The book consist of four parts. After the introduction, chapter one is interrelated to the problems of culture and language, chapters two, three, and four discuss the experiences of modernization in Russia and Iran under the Romanov tsars and Pahlavi shahs. The last one is comparative perspective.

The Author, outstanding Polish researcher of Iranian and Russian culture and religion, formulated two hypothesis in her book. First: Iranian and Russian culture are typologically similar. Second: the response of these cultures to modernization was determined by internal mechanisms of development and struggle for protection of culture identity. M.Abassy helps us locate an appropriate place of the reaction of the cultures to the process of modernization.

Małgorzata Abassy understand culture as a "dynamic model" which "implies the question about the factor which makes the processes that occur within a culture more dynamic". The author considers the opposition of culture-creating groups against non-culture-creating one. Also skillfully paints *a language picture of the world* in both cultures. Abassy assumed that Iranian and Russsian cultures were typologically similar at the moment of their "clash" with the idea of modernization, wherein this "clash" was recognized as a "challenge".

In her comparative study, Małgorzata Abassy investigates also interesting – from geopolitical point of view – parallel of the monadic conceptions by Konstantin Leontyev, Nikolay Danilevsky, Al-e Ahmad, and Sheykh Shahid Fazlalalh Nuri. In Leontiev's most remarkable book (*The East, Russia, and Slavdom*) he – like Nikolay Danilevsky before him – regarded the Eastern Orthodox Church and traditional Russian Byzantism and as a strong antidote against liberalization and westernization of the Russian society. M.Abassy interesting compares Russian vision of a struggle of the western and the eastern civilization with Iranian

conception of moral development, strengthening of Islam and a renewal of Iranian native culture (Al-e Ahmad).

Abassy's reflections on modernization from above offer valuable insights to the analysis of both the Russian and Iranian experiences by placing them in a broader context of cultural matters and historical events. Particularly interesting are excerpts concerning with the Russian and Iranian secular intelligentsia and its role in modernization of both countries. The author presents culture studies as a vibrant discipline and a powerful set of tools for advancing the study of world politics.

In sum, Abassy's comparative study of the role of culture in modernization and reform in Russia and Iran makes an important contribution to the research on development of the two countries. This is a stimulating read, a fresh take on the causes of the role of culture in political processes, filled with comparative perspective.

Overall, this is definitely an interesting read and compulsory for researchers specializing in Russian and Iranian Studies.

Leszek Sykulski

CONTRIBUTORS

Martin Angelovič – Ph.D. Department of Geography and Applied Geoinformatics, Faculty of Humanities and Natural Sciences, University of Prešov.

Robert Ištok – Professor in geography at the University of Prešov, Department of Geography and Applied Geoinformatics, Faculty of Humanities and Natural Sciences.

Falkowski Mariusz – M.Sc. Eng. – Assistant, Institute of Command, General Tadeusz Kościuszko Military Academy of Land Forces in Wrocław;

Jaroszewska Beata – Ph.D. student at the Faculty of Political Science and Journalism at Adam Mickiewicz University.

Štefánia Nováková – Ph.D. student at the University of Prešov, Department of Geography and Applied Geoinformatics, Faculty of Humanities and Natural Sciences.

Pytel Marek – Ph.D., Assistant Professor, Faculty of Management, General Tadeusz Kościuszko Military Academy of Land Forces in Wrocław.

Strzelczyk Katarzyna – Ph.D. student at the Faculty of Political Science and Journalism at Adam Mickiewicz University in the Department of International Economy.

Sykulski Leszek – Ph.D., president of the Institute of Geopolitics in Częstochowa.

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