

Veterans' Politics and Policies towards the Veterans of the Kosovo Liberation Army¹

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RESÜMEE

Im Zentrum dieses Beitrags stehen die Kontroversen um eine angemessene Versorgung von Veteranen und Kriegsoptionen im Nachkriegskosovo. Der institutionalisierte Umgang mit Veteranen in der ehemals serbischen Provinz Kosovo, die von 1999–2008 im Rahmen eines UN-Protektorats verwaltet wurde und am 17. Februar 2008 ihre Unabhängigkeit erklärte, war geprägt von den diametral entgegengesetzten Vorstellungen der internationalen Verwaltung und der albanischen Mehrheitsbevölkerung in Bezug auf den Charakter des entstehenden Staates und damit einhergehend, die gesellschaftliche Rolle der Veteranen. Gegenstand der Untersuchung sind die Ambivalenzen, die sich aus den beiden Staatskonzeptionen für die Veteranen ergeben: dem Aufbau eines national definierten, befreiten Kosovo – in dem ehemaligen Befreiungskämpfern eine privilegierte Rolle zukommt – auf der einen Seite, und der Errichtung einer multi-ethnischen Gesellschaft im Rahmen einer internationalen Friedensmission, auf der anderen.

This article explores the veterans' politics and policies towards the veterans of the Kosovo Liberation Army (KLA), a guerrilla army which fought against regular and irregular Serbian / Yugoslav troops for Kosovo's independence from Yugoslavia. The formerly Ser-

1 This research was funded by the Berghof Foundation for Conflict Studies in the framework of a 28-month research project on "The role of non-state actors in the transformation of the conflicts in Macedonia and in Kosovo", which was located at the University of Munich and supervised by Prof. Dr. Marie-Janine Calic. Results of this research have been published in: Isabel Ströhle, The Politics of Reintegration and War Commemoration. The Case of the Kosovo Liberation Army, in: Südosteuropa (in print). Parts of section 2 are very similar to sections in that article, which is, however, more extensive and focuses on the ex-KLA-members' reintegration and demilitarisation of post-war society. I warmly thank Stephanie Schwandner-Sievers for comments on an earlier draft of this paper.

bian province of Kosovo was administered from 1999–2008 by the United Nations Mission in Kosovo (UNMIK). On 17 February 2008 it unilaterally declared independence with partial international backing on the condition that independence is supervised by a reconfigured international mission.² Social policy concerning the veterans of the KLA in post-war Kosovo was characterised by the fact that the international administration (UNMIK) and the local Kosovan institutions of self-government featured diametrically opposing views with regard to the nature of the state-in-creation and, by extension, to the role that should be attributed to the veterans in society.³

Against this background, this paper will analyse the tensions that have grown out of the different conceptualisations of the nascent state and its regime of social citizenship. The local actors of KLA veterans' circles sought to establish an Albanian nation-state, in which the veterans were to be rewarded with a prominent role as liberators. In contrast, the international administration endeavoured to forge a multi-ethnic society within the framework of the international peacekeeping mission. In this, a collective identity as cultivated by the veterans' representatives was to be weakened, and a civic regime of social citizenship to be created. Described as a situation of 'contingent sovereignty' (cf. Elden 2006), international actors and agencies asserted substantial influence over the drafting of social policy in post-war Kosovo and constructed benefits for war victims as a form of humanitarian relief for those most affected by the war. This model, however, was at odds with the expectations of local actors. Based on the historical experience of Socialist partisan veneration they expected a legally protected status and institutional support rewarding the so-called 'war categories' in the long run.⁴ They engaged in collective forms of war commemoration, which were infused with nationalist contents, yet were to create a new social hierarchy which rewarded the respective contributions to achieving 'national liberation' and an independent state.

The empirical material for this study resulted from six months of fieldwork between September 2008 and April 2010. A first set of qualitative data derives from a dozen informal interviews and fifteen narrative biographical interviews.⁵ A second set includes the results of 25 semi-structured interviews with international and local actors and ex-

2 The UN Special Envoy Marti Ahtisaari, put forward the Comprehensive Status Proposal after the status negotiation between Serbian and Albanian negotiation teams in Vienna had failed. It became a constitutive part of the Constitution of the independent Kosovan state and its implementation is supervised by the International Civilian Office in Kosovo.

3 Since this article puts strong emphasis on the local actors' perspectives, I will use the term 'war' instead of 'conflict' throughout the text. Albanians commonly use the term 'war of liberation' ("lufta e lirisë") or 'armed struggle' ("lufta e armatosur") when referring to the KLA's activities and the fighting between February 1998 and June 1999.

4 The 'categories that have emerged from war' ("kategoritë të dalura nga lufta") are similarly conceptualised to the 'three categories' ("tri kategorije") in Bosnia-Herzegovina and the war population ("boračka populacija") in the SFRY, referring to the 'veterans of the Kosovo Liberation Army' ("veteranë të luftës së UÇK-së"), the 'invalids of the KLA' ("invalidë të luftës") and the surviving dependants referred to as 'martyrs' families' ("familje e dëshmorëve").

5 These were conducted with KLA veterans both on their own and in groups. The interviewees were former members of the KLA from different military ranks, regions and age groups. All my respondents requested the anonymisation of their names and can therefore not be individually identified.

perts in the field of veteran politics.⁶ In the respective institutions, I gathered as many legal documents and as much statistical material as possible. Throughout 2008 and up to April 2010 I collected newspaper articles on veterans' issues and war commemoration in dailies with different political leanings ('Koha Ditore', 'Gazeta Express' and 'Epoka e Re'). In addition to these, I included articles on the veterans' legislation prior to 2008 as well as TV debates and documentaries on related issues, heroic biographies of fallen fighters and other local literature on the KLA and the war.

The KLA: background and numbers

The Kosovo Liberation Army (in Albanian, Ushtria Çlirimtare e Kosovës, or UÇK), henceforth: KLA, was a guerrilla army fighting against regular (and irregular) Yugoslav/Serbian troops for an independent Kosovo.⁷ In response to the abolishment of Kosovo's autonomy and the reinstatement of Serbian centralist rule in 1989, the province with an Albanian majority developed a broad and non-violent resistance movement and set up a parallel system of institutions. It was led by the Democratic League of Kosovo (Lidhja Demokratike e Kosovës, LDK), of which most members belonged to the former Socialist and urban elites. Only when the international community neglected to address the situation of Kosovo's Albanians in the 1995 Dayton peace treaty for Bosnia and Herzegovina, passive forms of resistance increasingly lost their spell among the Albanians. While their President, Ibrahim Rugova, refused to consider more active forms of resistance, the Prime-Minister-in Exile, Bujar Bukoshi, pushed for a more pro-active orientation. Until 1997 only marginal, radical groups like the KLA actively advocated armed resistance. Some proponents of this orientation would later scorn Rugova's non-violent resistance as "morbid pacifism".⁸ The KLA first came to public attention in 1996 when issuing communiqués and carrying out attacks on Serbian police stations and officials as well as on so-called Albanian collaborators. Violence in the Kosovan countryside increasingly escalated when Serbian troops encroached upon the civilian population in responding to KLA guerrilla attacks against Serbian police officers and stations. At the time, however,

6 Among the interviewed were members the staff of the Prime Minister's Office, the Veterans' Office in the Prime Minister's Office, the Department for Invalids and Martyrs' Families Affairs (DFDIL) in the Ministry of Labour and Social Welfare (MPMS), the leadership of the three 'War Associations' on the federal and municipal levels, the Council for the Defence of Veterans' Rights, journalists, members of parliament, but also veterans in difficult material conditions.

7 The KLA's ideological long term objective was the "liberation and unification of all Albanian inhabited territories, as is reflected in the official oath that was sworn to the Albanian flag with the double headed eagle by most, but not all of the fighters: "I, soldier of the Kosovo Liberation Army, swear that I will fight for the liberation and unification of Albanian inhabited territories. I will always be a faithful soldier, a fighter of dignity and freedom, attentive, brave and disciplined and ready at all times to fight for the holy interest of the fatherland (atdhe) without sparing my own life. If I will break this oath, I may be punished with the harshest laws of war and if I should betray it, I may pay with my own blood. I swear, I swear, I swear."

8 James Pettifer, *Koncept për Realitetin e Ri. Dialog me Hashim Thaçin [A Concept for a New Reality. Dialogue with...]*. Prishtina 2001, p. 35.

the KLA guerrilla troops were only a marginal force, consisting of a mere 150 members up until 1997, after which they catalysed into an armed resistance movement of several thousand.⁹ Following this unexpected surge in the number of fighters, the troops needed to be professionalised and organised. Their loose command structure and decentralised operative zones were to be transformed into a formally integrated chain of command during the course of the year 1998. But the KLA, in fact, never became a professional army.

It is relevant to point out that Bukoshi deployed another armed force in Kosovo, the Armed Forces of the Republic of Kosovo (Alb. Forcat e Armatosura e Republikës së Kosovës, FARK). FARK went back to an earlier attempt of the LDK to build up and train a professional defence force made up of former Yugoslav Army officers and policemen as a secret part of their parallel system of governance. When the leaders of the two armed forces, KLA and FARK, however, failed to reach an agreement on cooperation in mid-1998, Bukoshi refused to hand the funds over to the KLA, which had been collected among the Kosovan migrants in Europe;¹⁰ instead he recruited volunteers for his force independently from the KLA.¹¹ FARK subsequently saw itself confronted with accusations of treason and faced even violent transgressions.¹² While some FARK commanders agreed to integrate themselves into local KLA structures, in other zones, most famously in the West Kosovan Operative Zone of Dukagjin, conflict and fighting broke out between the two rival troops. This conflict was later also to be mirrored in the symbolic politics of war commemoration.

The numbers of KLA fighters are very controversial and vary strongly, depending, among other things, on how KLA-membership is defined:¹³ Some sources include those who had been officially recruited and who were clearly integrated into the command structure; others also include those who acted as armed members of a village guard. After the end of the war the International Organisation of Migration (IMO) registered 25,723 fighters, while in 2008 the Veterans' Organisation (OVL) claimed to include 23,000 members.¹⁴ In contradiction to both these figures, a member of the General Staff of the KLA claimed, in one of my interviews, that there were only 17,000 mobilised soldiers in March 1999; however, in subsequent conversation he corrected the number down to

9 Tim Judah, *Kosovo. War and Revenge*, New Haven/London 2000, p. 118.

10 Ger Duijzings/Stephanie Schwandner-Sievers, *War within a War. Historical and Cultural Anthropological Background Report* [Expert witness report commissioned by the International Criminal Tribunal for the Former Yugoslavia, ICTY, in the Hague, submitted 31 May 2004], No. P2011T-03-66-T. The Hague: International Criminal Tribunal for the Former Yugoslavia (ICTY) 2004, p. 79.

11 Interview VI; *Ibid.*

12 One example is the murder of the FARK-commander Ahmet Krasniqi in Tirana, cf. Duijzings/Schwandner-Sievers (2004), p. 113 f.

13 The formation of a governmental commission has been announced that will revisit the registers of the former KLA-fighters.

14 Dmitry Pozhidaev/Ravza Andzhelich, *Beating Swords into Plowshares. Reintegration of Former Combatants in Kosovo*. Pristina: Center for Political and Social Research 2005. Available at: [<http://unddr.org/docs/Beating%20Swords%20Into%20Plowshares.pdf>; accessed on 10.09.2010], p. 4; IOM. *Socio-Economic and Demographic Profiles of Former KLA Combatants Registered by IOM*. IOM: Pristina 2000.

9-10,000.¹⁵ This lower number is supported by the initial estimates of 8-10,000 fighters by KFOR and IOM.¹⁶ The differences in numbers can be explained on several grounds: naturally, the KLA camp profited from the claim that it was a strong fighting force, which provided it in turn with additional leverage in political negotiations. It communicated to the outside that the liberation movement had a broad popular support and therefore legitimised its political demands, but it also conferred legitimacy to the KLA camp in the internal Albanian power struggle between old, urban Socialist elites who had supported the LDK and the new elites who emerged from the war and were rooted in the rural regions. Another factor to be considered is the historical Socialist Yugoslav legacy of including not only those, who participated actively in the war with a weapon in their hand, in the *war population*, but also those who supported it “by other means”.¹⁷ It was repeatedly mentioned in the interviews that people who supplied the troops were added to the KLA registry on the grounds that they had risked their safety.

In the aftermath of the war, the elites who had gained legitimacy and localised authority through their active participation in the armed struggle, politically challenged the formerly urban Socialist elites. To account for the constituency of the KLA and its successor organisations, it is necessary to point out that these are rooted in rural society and in the war-affected communities. An estimated 100,000 people were said to have been more or less directly involved in the armed resistance and according to the IOM registration about 225,000 people – about 10% of the overall population – were considered to be financially dependent as family members on the ex-combatants.¹⁸ Hence, the post-war partisanship for former resistance fighters can also be interpreted as an attempt to advance the position of the rural and underdeveloped communities in the national competition for resources.

International state-building and external politics towards KLA veterans

In this section I outline some characteristics of the international state-building and post-war reconstruction efforts in relation to the emerging welfare regime in post-war Kosovo and in relation to the political symbolism of the nascent state. In his famous 1983 essay, Michael Geyer points to the intimate link between an institutional support for war victims and the rise of the welfare states in Europe by identifying the increasing institutionalisation of war relief as the “precursor of the welfare state”.¹⁹ The wars in

15 Interview VVX.

16 Alpaslan Özerdem, From a ‘Terrorist’ Group to a ‘Civil Defence’ Corps. The ‘Transformation’ of Kosovo Liberation Army, in: *International Peacekeeping* 10 (2003) 3: 79-101, here p. 85.

17 Cf. Heike Karge’s contribution within this issue.

18 IOM (2000), p. 8. One cannot automatically assume that all family members supported the KLA. But since the village population esp. in KLA strongholds such as Glogjan, Malisheva and Skenderaj was subject to heavy primary war experiences and the KLA was perceived as the only defence, one can assume a very high level of support.

19 Michael Geyer, Ein Vorbote des Wohlfahrtsstaates. Die Kriegsoferversorgung in Frankreich, Deutschland und

20th century Eastern Europe were generally represented and commemorated as wars of founding or re-founding nation-states. Hence, it is of particular relevance to examine the nature of the subsequently established welfare regimes in the light of the ways in which they reflect the national identity. In the case of Kosovo, there is a stark contrast between the ways in which the local actors' seek to imagine an Albanian nation-state in Kosovo by commemorating the war as the founding war of this nation-state and the international administration's competing efforts in forging a multi-ethnic society. As I will elaborate in more detail below, this contrast informs opposing notions and expectations regarding an appropriate war-related social assistance scheme and even explains local resistance to the international project.

In the aftermath of the war, UNMIK, mandated with administering Kosovo temporarily on the basis of UNSCR 1244, found itself confronted with the challenge of re-building a social welfare regime for the war-destroyed province. With the caesura of the war, the formal eligibility criteria to Serbian welfare benefits and social security provisions, of which the province of Kosovo had been a constitutive part, ultimately terminated.²⁰ The case of Kosovo, thus, differs somewhat from the other case studies in Eastern Europe. At the turn of the twenty-first century, social policy was no longer the sole concern of the sovereign state but was widely understood that in the context of globalisation, Europeanisation and post-conflict reconstruction, "international organisations compete to influence national social policy through loans, conditional aid, technical assistance, regulatory frameworks etc."²¹ Various analyses suggest that the emerging welfare settlements in Eastern and South-Eastern Europe are the products of multi-actored and multi-layered processes within the politics and economics of globalisation that shape social policy. Noting the considerable influence of international agencies over domestic politics in the context of post-war reconstruction efforts, critics have highlighted that "peacebuilding missions are not merely exercises in conflict management, but instances of a much larger phenomenon: the globalisation of a particular model of domestic governance – liberal market democracy – from the core to the periphery of the international system."²² Yet compared to other case studies in Eastern Europe, Kosovo is further specific in that it constitutes a particularly extreme example of external intervention in policy formation: local actors played a rather insignificant role in the drafting of social policy. According to Cocozzelli's in-depth analysis of the social welfare system in Kosovo, "the policy that emerged did not reflect the preferences of the locals, nor did they express high levels of ownership over the policies or programs in most interviews."²³

Großbritannien nach dem Ersten Weltkrieg. *Geschichte und Gesellschaft* 9 (1983): 230-77.

20 In fact, already during the 1990s, parallel health and social welfare networks had been established in Kosovo as a constitutive part of the Albanians' non-violent resistance movement, in: Fred Cocozzelli (2009), p. 49 ff.

21 Bob Deacon/Paul Stubbs, *Transnationalism and the Making of Social Policy in South-Eastern Europe*, in: *Ibid.* (eds.), *Social Policy and International Interventions in South East Europe*, Edward Elgar: Northampton Mass. et al. 2007: 1-22, p. 8.

22 Roland Paris, *International Peacebuilding and the 'Mission Civilisatrice'*, in: *Review of International Studies* 28 (2002) 4: 637-56, p. 638.

23 Fred Cocozzelli, *Final Executive Summary. Social Policy and Citizenship in Reconstruction: the Case of Kosovo.*

To explicate the limitations in local ownership, it is necessary to point out the distribution of the legislative competencies in post-war Kosovo: The Kosovo Assembly, as part of the Provisional Institutions of Self-Government (PISG), held the legislative competence from 2002-2008, but laws only became operative after the Special Representative of the Secretary General (SRSG), heading UNMIK, would promulgate them as being in accordance with UNSCR 1244. The office of the SRSG served as a supervisory body over the norms of liberal peace- and state-building and the SRSG “used his veto powers regularly to block draft legislation of the Kosovo Assembly and PISG and maintained wide-ranging legislative and executive control by issuing a number of administrative directions and regulations.”²⁴ Since independence in 2007 and with the international presence re-configured, the International Civilian Representative has the power to block legislation, if this would contradict or violate provisions of the Ahtisaari-Plan with its extensive provisions of protecting minority rights.²⁵ This led to a situation, in which the legal architecture for social assistance for the ‘war categories’ would be heavily influenced from outside.

Internationally run Demobilisation, Disarmament and Reintegration (DDR) programmes usually stop short of drafting a long-term social assistance framework supporting war veterans, invalids and surviving dependants. Schafer problematises this approach: “While past Euro-American policies with regard to veterans often appealed to a language of rights and citizenship, nationalism and patriotism, the word ‘entitlement’ is conspicuously absent from recent policy manuals originating from the international institutions centrally involved in ‘reintegration’ programmes for former combatants.”²⁶ In the case of Kosovo, the international administration’s approach towards veterans stood in stark contrast to the politics towards veterans hitherto experienced in Socialist Yugoslavia and the model of institutional support envisaged by local actors. The demobilisation and reintegration efforts undertaken by the International Organisation for Migration mainly focused on the absorption of ex-combatants into the newly created civil institutions (such as the civil protection corps KPC and the police forces) and on providing assistance for their integration into the job market.²⁷ In contrast to these reintegration efforts, also in the case of Kosovo, scholars and policy-makers have neglected social welfare targeting war victims and veterans. This is particularly striking as both the war associations as well as my interviewees expected integration into society via legal regulation, as can be understood from the following opening words of a veteran in a group discussion: “Before

2007. Available at: [http://www.irex.org/programs/symp/08/Cocozelli_Executive_Summary.pdf].

24 Jens Narten, Dilemmas of Promoting “Local Ownership”. The Case of Postwar Kosovo, in: Roland Paris/Timothy Sisk (eds.), *The Dilemmas of Statebuilding. Confronting the Contradictions of Postwar Peace Operations*. Routledge: London/New York 2009: 252-283, p. 265.

25 Comprehensive Status Settlement. Available at: [<http://www.ico-kos.org/d/Ahtisaari%20Comprehensive%20Proposal%20in%20English.pdf>]; accessed on 10.09.2010]

26 Jessica Schafer, *Soldiers at Peace. Veterans and Society after the Civil War in Mozambique*. Palgrave Macmillan: N.Y. 2007, p. 11.

27 The provisions for the process were set forth in the “Undertaking of demilitarisation and transformation of the KLA.” 20.06.1999. Available at: [<http://www.nato.int/kosovo/docu/a990620a.htm>]; accessed on 10.09.2010].

we start the interview, I have to tell you. We are not integrated at all; there is still no law this many years after [the war]”.²⁸

The struggle over war victims’ benefits

The following section outlines the different articulations of war commemoration and the ways in which the inclusive and exclusive boundaries of the ‘war categories’ were formed over time. I will take both the opposing views of the international community and the local actors as well as the local “politics of war memory and commemoration” and power struggles into account here.²⁹ The local actors and the international administration strongly contested the question of whether and how the ‘war categories’ should receive social assistance from local government structures. Ultimately, this question is intimately linked to contested visions of social citizenship.

As Cocozelli points out, “disagreements about social policy are often part of [...] core political contestations because they are so important for the nature and quality of the governing regime and its interaction with the citizenry.”³⁰ As such, they are deeply entangled with the local conflict history and post-war situation. In Kosovo, *memory entrepreneurs* have developed a script for an independent nation-state based on tropes of military resistance, heroic sacrifice and national unity.³¹ The memory entrepreneurs “imagine and concretely locate the nation in the local, traditionalist rural society”,³² that is, in the peripheries of the former Socialist centres of power. Subsequently they ventured to create and defend the boundaries of ethno-nationally defined political and social citizenship, but also to create a new social hierarchy based on anyone’s contribution to armed resistance. These entrepreneurs are mainly represented by the war associations and in some cases are members of the parties with a KLA background.³³ The memory entrepreneurs consequently attacked the liberal citizenship regime, constructed by UNMIK to support

28 Interview III.

29 T. G. Ashplant/Graham Dawson/Michael Roper (eds.), *The Politics of War Memory and Commemoration*, Routledge: N.Y. 2004.

30 Cocozelli (2009), p. 30.

31 Anna Di Lellio/Stephanie Schwandner-Sievers, *The Legendary Commander. The Construction of an Albanian Master-Narrative in Post-War Kosovo*. *Nations & Nationalism*, 12 (2006) 3: 513-529, p. 524. Jelin had originally coined the concept of “memory entrepreneurs” for the Argentinian context referring to “those who seek social recognition and political legitimacy of one (their own) interpretation or narrative of the past. We also find [memory entrepreneurs] engaged and concerned with maintaining and promoting active and visible social and political attention on their enterprise” (Elizabeth Jelin, *State Repression and the Struggle for Memories*. London: Social Science Research Council 2003: 33-34). Schwandner-Sievers and Di Lellio applied the concept on Kosovo with a focus on the nationalisation and territorialisation of memory. In this study I examine how these memory entrepreneurs attempted to translate their war narrative into claims to social benefits.

32 Ibid.

33 The main organs defending the ‘war values’ (‘vlerat e luftës’), lobbying for the recognition and advancement of the status of all war categories by law and for their legal and social protection are: The Organisation of the KLA War Veterans (OVL-UÇK), The Association of the KLA Invalids (SHIL) and the Association of the KLA Martyrs’ Families (SHFD).

a 'Kosovan' identity prioritising individual rights and duties over communal identities and obligations,³⁴ as well as subverted it in order to serve the veterans' own agenda. The institutional support for the war categories by the local governmental structures has steadily increased from the year 2006 onwards. After the declaration of independence in February 2008, the memory entrepreneurs' visions began to prevail on the political level with the introduction of an 'Office for the Veterans of the War of the KLA' in September 2008 and the introduction of new initiatives for a legislation aimed at codifying the 'values of war'.

In the immediate post-war context of emergency response, UNMIK was primarily concerned with providing humanitarian relief for those most affected by the war. However, this social assistance was deliberately not differentiated according to the beneficiaries' contribution to the armed struggle and thereby strengthening internal identity claims in these terms.³⁵ UNMIK Regulation 2000/66, issued in December 2000, and the subsequent administrative direction only regulated the allocation of financial help to both 'war invalids' and 'next of kin of those who died as a result of the *armed conflict*'.³⁶ It defined a 'war invalid' to be "any person who has received physical injury as a direct result of the armed conflict in Kosovo,"³⁷ be it as combatant or civilian. Children under the age of eighteen and spouses of those who died as a result of the armed conflict qualified to receive a pension as surviving dependants, or 'next of kin'. The resulting social assistance, administered by the Joint Interim Administrative Structure's (JIAS) Department of Health and Social Welfare, did clearly not intend it to be an acknowledgement or recognition of contribution to the war. However, this regulation could not strengthen individual over communal identities as envisaged, because it defined the criteria for eligibility very narrowly and did not meet the circumstances at hand: limiting pensions to those with a disability level over 40% would force those with a disability level below 40% to be dependent on their family's support. Also, the fact of restricting benefit payments to one applicant per family only, as well as confining eligibility for the surviving dependants' pension to children and spouses, would be likely to increase family and communal dependency and increase reliance on the veterans' networks.

The "Department for the Families of Martyrs, War Invalids and Families of Civilian Victims" (DFDIL), established as part of the PISG in December 2005 within the newly founded Ministry of Labour and Social Welfare, took the first step to subvert UNMIK's claim to multi-ethnicity and the attempt to weaken the ex-combatants' collective identity. According to its website, the DFDIL is responsible for providing care to all those, who "contributed to the freedom of Kosovo or were victimised over that question." One of its declared responsibilities is "institutional support for all categories in the population

34 Cocozzelli (2009), p. 23.

35 UNMIK Regulation 2000/66 On benefits for war invalids of Kosovo and for the next of kin of those who died as a result of the armed conflict in Kosovo, 21.12.2000; Administrative direction 2001/19 (28.11.2001).

36 Pensions ranged from 70 to 150DM a month. The earliest point in time to receive the benefits was from 01.07.2001.

37 The disability levels had to be determined by a Central Medical Panel.

that contributed to the war of the KLA.”³⁸ This leads us to the question of how the KLA’s memory entrepreneurs conceptualise the hierarchy of victims and define who ought to be entitled to receive war-related social welfare benefits.

The assembly of Kosovo passed the law “On the Status and Rights of the Families of Martyrs, Invalids, Veterans and Members of the KLA”, on 23 February 2006, which had been processed since 2003 and to which the war associations had contributed significantly in the drafting. Passing this law was declared a “moral obligation”, even though the law was envisaged not to be implemented before the year 2008 due to budgetary constraints.³⁹ It specified the following categories of beneficiaries in order to differentiate entitlements: Families of Martyrs; War Invalids and the Families of Invalids after the Invalid’s Death; Veterans / Members of the KLA; War Hostages and Missing KLA-Soldiers; Civilian War Invalids; Civilian Victims of War; Civilian Hostages of War; Missing Civilian Persons. Not only did this law re-introduce a distinction between civilian and military victims (the military categories were rewarded with higher benefits and more generous provisions than the civilian ones), but it also introduced entitlements to payments from a disability level of 10% upwards for KLA invalids. For civilian invalids the eligibility barrier of 40% was maintained. For the families of martyrs and KLA invalids it foresaw a wide array of benefits, such as a legally protected special status, family pension, tax reductions, reduced electricity tariffs, free health care and physical rehabilitation measures, employment privileges and, for the family members of martyrs, preferential and free access to student dorms and free text books.

In an attempt to defend the civic concept of social citizenship, the SRSGs Søren Jessen Petersen mandated several essential changes to terminology: ‘war’ was to be replaced by ‘armed conflict’; ‘martyr’ by ‘hero’; ‘national’ by ‘Kosovo’; ‘enemy’ by ‘adversary in the conflict’; and phrases as ‘liberation war’, ‘war for freedom’ and ‘war against the occupation’ were to be deleted and replaced throughout the text.⁴⁰ After these modifications were announced, the war associations proclaimed that they would not recognise the law with the new terminology and threatened mobilisation for the sake of “defending the values of the war of liberation”.⁴¹ Influential politicians with KLA background, such as Fatmir Limaj, former commander of Brigade 121, used their authority among the veterans to assert their calming influence and to gain time in order to avoid the tensions to

38 Available at: [<http://www.ks-gov.net/mpms/Departamentet/Departamenti-i-Familjeve-Deshmoreve-Invalide-te.aspx>; accessed on 09.09.2010]

39 Ligji për vlerat e luftës miratohet, zbatimi pritët me 2008 [Law on the war values passed, implementation expected in 2008], *Koha Ditore*, 25.02.2006, p. 4.

40 Regulation Nr. 2006/29 on the Promulgation of the Law on the Status and the Rights of the Families of Martyrs, Invalids, Veterans, and Members of the KLA and of the Families of Civilian Victims of the Armed Conflict in Kosovo adopted by the Assembly of Kosovo on 23.02.2006.

41 Organizatat e dalura nga Lufta e UÇK-së kundërshtojnë ashpër ndryshimet në ligj [The war associations oppose the change of the law harshly], 06.05.2006; Organizatat në Komuna të gatshme për mbrojtjen e Vlerave të Luftës [The municipal war associations are ready to defend the war values], 15.06.2006, available at: <http://www.veterani.net/arkivi4.html> [Accessed on: 11.01.2010]

escalate further.⁴² Limaj claimed that the legal office of UNMIK accepted the need for revision and returned the law to the legal office of the UN in New York in May 2006. Since then, there has not been any indication of any further process.⁴³ According to the head of the Office for Veterans' Issues the law was annulled and, indeed, the hyperlink of the regulation, which promulgates the law, has never been activated. That is, the law is neither available on the website of the Kosovo Parliament nor has it been published in the Official Gazette.⁴⁴

In a newspaper interview, Limaj represented the memory entrepreneurs' stance on the international administration's interference in this law:

We cannot accept that somebody should play with our past as it suits them and that somebody should play with terminology based on how others interpret our war. This law has been made for the citizens of Kosovo and will be applied to its citizens. For the citizens of Kosovo there has been a war of liberation, for the citizens of Kosovo there were occupiers and enemies and for the citizens of Kosovo there have been and there will be, martyrs and heroes of the people.

He continues:

*This is a historical law and we will not allow the administrators to write our national history [...] In Kosovo, nobody of whatever leaning ever was able to change our history and even less so with administrative instructions.*⁴⁵

In fact, despite its probable annulation, parts of the law effectively have been implemented. The benefits foreseen in the new law for the war invalids and families of martyrs became available from January 2007, as the matter was seen better not to be left in the care of the international administration.⁴⁶ In contrast, a subsequently issued administrative direction declared UNMIK regulation 2000/66 to stay the legal basis for the financial support for the civilian war categories.⁴⁷ The war invalids and families of martyrs enjoy preferential treatment over the veterans due to "their extraordinary sacrifice and their difficult material and psychological ('shpirtëror') condition."⁴⁸ In January 2010 the monthly payment for the war invalids increased considerably and a small but steady

42 Limaj: T'i jepet kohë PSSP-së ta kthejë 'konfliktin e armatosur' në 'luftë' [The SRSG should be granted time to return 'armed conflict' into 'war'], Koha Ditore, 17.05.2006, p.4

43 Ibid.

44 The editorial office of the Official Gazette confirmed that a law, which does not appear in the official gazette, is not in force. Available at: [<http://www.gazetazyrtare.com>; accessed on: 11.01.2010] Jeta në Kosovë debaton për veteranët e luftës së UÇK-së [Life in Kosovo debates the KLA-war veterans], 04.03.2010, available at: [<http://www.jetanekosove.com/advCms/#id=1310,9925099>].

45 Nuk lejojmë administratorët të na e shkruajnë historinë tonë, thotë Limaj [We don't allow the administrators to write our history, says Limaj] Koha Ditore, 12.05.2006.

46 Interview in MPMS, DFDIL 20.04.2010.

47 Administrative Direction Nr. 02/2007 about the Rules and Procedures for the Implementation of the Law 02/L-2 (09/02/2007).

48 Ibid.

growth in the number of recipients could be observed (see figures 1 and 2).⁴⁹ A comparison of the benefits with other forms of social welfare, such as the social assistance scheme indicates the special status attributed to the ‘war categories’.⁵⁰ For example, €75 was the highest rate of social assistance that a family could claim under certain conditions in 2005, adjustable in lines with changes of the Consumer Price Index, whereas benefits for the ‘war categories’ were considerably higher (see figure 2 below). Furthermore, when taking the high unemployment (46%) and poverty rates into consideration (a third of the population suffers from poverty while another 15% live in extreme poverty),⁵¹ the budget allocated to the “war categories” appears substantial.⁵² Yet the people of the war categories are among the poorest in society. Therefore the war-related social assistance might have had a positive effect in terms of poverty reduction.

Figure 1: Development of no. of recipients of the war-related assistant schemes

	War Invalids	Families of Martyrs	Families of civilian victims
Jan 2008	2,349	1,916	3,679
Aug 2008	2,519	2,038	4,749
Sept 2009	2,860	2,075	5,084
April 2010	2,952	2,066	5,095

Although the law introduced the category of war veterans, the applicable section was not included in the informal implementation. Neither has the provision that veterans are to receive free medical treatment ever translated into practice. As a consequence, a number of semi-formal and informal regulations and practices have emerged. For example, free medical treatment was realised by way of certain personalities “using their authority”; or specific municipalities with an affinity to the local branches of the war associations negotiating and assuring special rights of treatment in the communal health services for the ‘war categories’.⁵³

49 DFDIL: Llogaritja e Pensioneve në bazë të ligjit për Familjet e Dëshmorëve, Invalidëve të Luftës dhe Viktimave Civile me 100% të Pagesës [Calculation of the pensions based on the Law on Martyrs’ Families, War Invalids and Civilian Victims].

50 Cocozzelli (2009), p. 83.

51 The World Bank Kosovo Poverty Assessment, Vol. I: Accelerating Inclusive Growth to Reduce Widespread Poverty, October 2007, p.8-9.

52 Attempting to calculate the amount spent on the different categories, we are confronted with a statistical problem, since the expenses for particular categories are not specified in the statistics. In 2008, €16,631,833 out of €125,398,584 – that is 13,6% of the MPMS’s budget – were allocated for the pensions and benefits of all war categories including civilian victims of war. Out of this sum, about €301,850 can be directly identified as special payments allocated to the war invalids and families of martyrs. Also, €96,000 were payed in subsidies for the war associations, which received an additional €374,000 for summer programmes, prostheses and further unspecified expenses. See: Working Report of the Government of Kosovo, Prishtina December 2008. Available at: [http://www.kryeministri-ks.net/repository/docs/RAPORTI_VJETOR_I_PUNES_SE_QEVERISE_2008.pdf].

53 That is the case in the municipality of Suhareka: Interview with the head of the local branch of the veterans’ organisation in Suhareka on 15.09.2008. In the case of Klina municipality: Veteranët e UÇK-së kontrollojnë falas shëndetin e tyre. [Veterans check their health for free] Koha Ditore, 08.02.2008, S. 8.

Figure 2: Payment schemes for war-related social assistance over time

Category	Payment according to UNMIK Reg. 2000/66+ 2006/29	Payment According to Law 02/L-2	Increased payment from Jan 2010	Foreseen payment from Jan 2011 based on draftlaw (Aug 2010)
Martyrs' Families: 1 martyr >4 martyrs	70 DM- 150 DM (depending on if the 'next of kin' is a spouse or child)	234,00€	234,00€	286€
Families of civilian victims		351,00€	351,00€	719€
		130,00€	130,00€	130€ (1 civ. victim) 156€ (2 civ. victims) 169€ (3 civ. victims) 182€(4 civ. victims) 195€ (>5 civ. victims)
War Invalid: 20-30% body damage Over 80%	100 DM (40-69%)	54,60€ 182,00€	120€ 239€	130€ 286€
Civil invalid: 40-60% Over 80%	150 (>70%)	91,00€ 117,00€	91,00€ 117,00€	65€ 130€

In his study of the general social assistance scheme, Cocozzelli demonstrates that, furthermore, in some municipalities, such as Skenderaj, the veterans' associations and parties with a KLA-background co-opted the welfare system in favour of the 'war categories'.⁵⁴ This is characterised as a maldevelopment by my interviewees, as can be seen from the following statement: "They treat us for free due to generosity, not because of any legal status. Since when do veterans have to rely on generosity?"⁵⁵ Apart from their claim to welfare benefits and health services, in my interviewees' eyes the refusal to institutionally "recognise" their sacrifices for an independent Kosovan state, in particular, is at odds with their self-perception. The Socialist Yugoslavian practice of decorating veterans with honours, according to their time of engagement in the partisan struggle is mirrored by the majority of my interviews. Those who served time as political prisoners, especially, and already from early on been actively involved in illegal movements or the clandestine organisation of the armed struggle, imply that they have contributed particularly much to the cause. A fifty-five year old veteran commented:

54 Cocozzelli (2009), p. 119.

55 Group interview on 20.09.2008.

*I was arrested three times, served eight years in prison altogether, participated in the armed resistance, was eight years in the KPC. And now? Who am I now? Nothing. Nobody. I don't even have a status.*⁵⁶

My interviews suggest that the war of the KLA is understood as the founding war of a nationally defined state. Moreover, the older interviewees use their participation in the war as symbolic capital (in the sense of Bourdieu) to back up political and socio-economic claims while negotiating social status in the process of restructuring post-war society. One of today's social cleavages divides urban communities, which were well integrated in the Yugoslav state structures, from communities of experience that could less partake in the Yugoslav modernisation process and the social mobility which it instigated. The veterans from rural communities tend to explain their recurrent marginal position through a family history of armed resistance, drawing or constructing an historical continuity from their ancestors' participation in armed groups already in the 1920s and at the end of the Second World War, which, they claim, stigmatised them in the eyes of the Yugoslav state, to their own participation in the KLA. Hence, claiming privileged access to social rights serves also to re-define their own relationship with the state in its new form.

That the memory entrepreneurs aimed to create a sense of distance towards the previous Yugoslav state and to monopolise the war narrative is also mirrored in their attempt to marginalise the FARK troops, of which many members had pursued a career in the Yugoslav army and police. The process of demilitarisation was initiated by UNSCR 1244, which demanded that the "KLA and other armed Kosovo Albanian groups end immediately all offensive actions and comply with the requirements for demilitarization."⁵⁷ Yet in the subsequent demilitarisation agreement, signed by the KLA chief Hashim Thaçi and KFOR commander Lieutenant-General Mike Jackson on 20 June 1999, all Kosovo Albanian troops were subsumed under the KLA label.⁵⁸ Also the subsequent IOM registration did not differentiate between KLA and FARK, but registered all Kosovo Albanian combatants as "KLA".⁵⁹ While it should be noted that KLA combatants, indeed, significantly outnumbered those of FARK, the subsumation of FARK under the KLA label both supported and shaped the official definition of who led the Albanian resistance, who brought about liberation, and who should be recognised as such.

Taking into account the power struggles that had occurred, for instance in the Operative Zone of Dukagjin, FARK fighters occasionally found themselves excluded from combatant status after the war due to the rivalry between the two groups, if they had not subordinated themselves to the KLA command. One example of the rejection of the FARK-fighters' contribution was the protest of the KLA veterans' association against the decoration of Ahmet Krasniqi with the official title "Hero of Kosovo". Krasniqi had been the former minister of defence of the Bukoshi government and commander of FARK

56 Interview V.

57 UNSCR 1244, available at: [<http://www.nato.int/kosovo/docu/u990610a.htm>].

58 "Undertaking of demilitarisation and transformation by the UCK", see fn. 25.

59 Pozhidaev / Andzhelich (2005), p. 21.

before he was murdered in Tirana in 1998. The Dukagjin branch of the KLA protested against this award and asked for a reversal of the decision, accusing Krasniqi of hostile agitation against the KLA and of attempting to corrupt individuals with the aim of weakening the KLA.⁶⁰ The restriction of any military categories to members of the KLA only in all legal acts that are issued by the local institutions as well as the fact that access to benefits is conditioned on previous KLA membership, has paved the way for a social mechanism of exclusion. Occasionally this has had consequences for war invalids and families of fallen soldiers of the FARK-troops, both in terms of eligibility for social assistance and of support from the veterans' organisations. These had become dependent on former KLA structures, when these had to confirm the applicant having been a former fighter.⁶¹ To make matters worse, the OVL Statute provides even a vague formulation for withholding membership, which may be used to exclude FARK- members: „Somebody who has acted in contradiction to the principles and the ideal of the liberation war or who has collaborated in some way with the enemy, can in no one way be considered a member of the organisation”.⁶² Considering that the war associations play a significant role as welfare provider and social security networks for the military 'war categories', namely "providing special welfare services aimed at family support" and channelling additional project-bound assistance from the government and private donations, the exclusion from membership can also imply a general exclusion from social support.

The memory entrepreneurs of the KLA veterans' circles were thus successful both in hegemonising the official narrative of the war and in translating their accounts of the war into access to war-related social assistance. A privileged access to social rights was only to be granted to those, who had fought 'the real war of liberation'.

After the veterans had increasingly voiced their dissatisfaction with the institutional neglect through protests and hunger strikes in the years 2008 and 2009, the government ventured to complete the legal architecture of welfare benefits for the 'war categories'. At the time of writing, a law is expected to be passed by the parliament in autumn 2010. The Prime-Minister, himself a former KLA leader, announced that "the aim of this law is the determination of the status and the financial support of the categories that have emerged from the war of the KLA through pensions and special benefits. Because with their sacrifice and contribution they were the decisive factor for the liberation and the

60 Veteranët e Dukagjinit, kundër dekorimit të Ahmet Krasniqit [Veterans from Dukagjin against the decoration of A.K.], Koha Ditore, 16.10.2008. The same harsh reaction followed the decoration of FARK colonel Tahir Zemaj as "Hero of Kosovo" on 10.07.2010 in statements by the war associations from Dukagjin that were published online, calling him a traitor and anti-hero. 'Sejdiu rehabiliton tradhëtinë dhe dezertorin e luftës së UÇK-së' [Sejdiu rehabilitates the betrayal and the deserter of the war of the KLA], available at: [http://pashtriku.beepworld.de/files/kosova_2010/korrik_2010/reagim_shvl_uck_sejdiu_shpall_herro_tradhtarin_zemaj_8.7.10.htm; accessed on 10.09.2010].

61 According to Administrative Direction Nr. 9/2006, Art. 6. a certificate had to be issued by the Kosovo Protection Corps Headquarters that the applicant has been a member of the KLA. In unclear cases, also the war associations might be asked for assistance. In an interview in the MPMS (Ministry of Labour and Social Welfare) it was confirmed that there were cases which could not realise their rights on these grounds.

62 Paragraph 14, Statute of the OVL. Available at: [<http://www.veterani.net/dokumente/statuti.pdf>].

freedom of the country.”⁶³ Of particular interest in this regard is the introduction of the category of national martyrs (*‘dëshmorë të kombit’*) in addition to that of KLA-martyrs. This applies to those who died in resistance to the Yugoslav state after 1945, thereby further stigmatising any active participation in the political system of the SFRY.⁶⁴ In the case that the law will be passed and not vetoed by the ICR for contradicting the multi-ethnic state-ideology inscribed in the constitution, it will ultimately affirm both the new social hierarchy, as envisaged by the KLA’s memory entrepreneurs, and the war categories’ privileged access to social rights. If nothing else, the significance given to this law is indicated by the high impact on the budget which it will have, with yearly costs estimated to range between € 30 and 50 million.⁶⁵

Conclusion

The issue of veterans’ politics and policies towards the KLA veterans has turned into an endurance test for the relationship between the local political actors in Kosovo and the international administration. On the one hand, the expectations of the veterans of the KLA and its successor organisations have been shaped by the historical experience of Socialist partisan veneration. On the other hand, the memory entrepreneurs’ insistence on gaining recognition for their war narrative was particularly conditioned by the local political power struggles waged through the “politics of war memory and commemoration.” The veterans’ struggle for recognition in terms of celebrating the heroic nature of the KLA’s resistance and sacrifice as the foundation of the newly created Kosovan state can be related to their attempts of constructing a system of benefits and pensions that privileges them. Preferential social rights and access to social benefits was to be granted on the basis of a personal distance towards the formerly Yugoslav system, an early adherence to the ideas of armed resistance and the military contribution to the liberation. In contrast, the FARK-forces were to be excluded from the official war narrative and, by extension, from war-related social benefits for the military categories as defined in new legislation.

However, these demands to institutionally support war veterans of a nationalist liberation army as voiced by local actors, led to irreconcilable contradictions within the multi-ethnic political framework of an international peacekeeping mission, which attempted to promote a civic concept of social (and political) citizenship. In consequence of the international administration’s hesitance to approve the locally prepared new legislation of the war veterans’ status, local actors, including veteran circles and municipal structures, engaged in a number of informal and semi-official arrangements to meet the demands

63 Sheti përkujdeset për kategoritë e dala nga lufta [The state provides for the war categories]. Epoka e Re. 03.08.2010.

64 This category will encompass an estimated 1,000 persons. Interview in MPMS 15.08.2010.

65 Ibid.

nevertheless, as they perceived these as legitimate. Yet, instead of weakening the veterans' sense of themselves as a distinct group worth special considerations as intended, a general reliance on the war associations as an alternative social security network was furthered. Furthermore, a lack of legally enforced transparency and accountability regarding selection criteria as well as a lack of engagement with recent local histories cleared the way for internal social mechanisms of exclusion, and veterans continued to be receptive to the idea of political mobilisation. To conclude, UNMIK's attempts at creating a civic citizenship regime in the field of war victims' benefits have effectively been subverted by the KLA's memory entrepreneurs and made to serve their own agendas. My case study is thus an example of possible unintended consequences in post-war peace-building and demilitarisation programmes when local perspectives and agendas are not taken into account.