

Talking Points
THE CASE FOR MONTENEGRO'S INDEPENDENCE

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Montenegro cannot afford to be a passive bystander toward dynamic developments in South East Europe. A stagnant status quo, through the indefinite postponement of its decision on independence, may heighten the republic's susceptibility to potentially destabilizing pressures from the federal structures in Belgrade. Indeed, the recent conflicts within the federal government, and between the Yugoslav administration and the Serbian republican government over the extradition of Slobodan Milošević to The Hague, indicates the inherently volatile and unstable nature of the Federal Republic of Yugoslavia (FRY).

A renewed Yugoslav federation would be difficult to construct between the Serbian and Montenegrin governments. The administration of Yugoslav President Vojislav Koštunica in Belgrade is not considered legitimate by Montenegro: 75% of the republic's citizens abstained from the last federal elections following illegitimate and unilateral constitutional changes by the former Milošević regime that have not been revised. The Montenegrin authorities therefore support the alternative option of a bilateral and equal alliance with Serbia following the restoration of Montenegro's independence.

An alliance or loose confederation will require two legitimate states agreeing to share some government functions, an arrangement that is the sovereign decision of any state. Any more intensive bi-republican union between two such demographically unequal countries may result in domination by the larger member. A loose association coordinating some aspects of defense, foreign, and economic policy may engender fruitful bilateral cooperation between Belgrade and Podgorica and contribute to security in the Balkans.

With the new government in Podgorica, formed in July 2001, committed to holding a referendum on independence by March 2002, it is worthwhile to consider the case for Montenegro's statehood and avoid any hasty opposition to the demise of the FRY.

Political Stabilization

1. Montenegro's aspirations for regaining its independence have deep historical roots. Montenegro formed the longest continuous independent state in the Balkans, dating back to the 9th century, and surviving as a sovereign entity throughout nearly 500 years of Ottoman domination of the region. The country was forcibly incorporated in the first Kingdom of Yugoslavia in 1918 and had little opportunity to determine its own fate until the democratic breakthrough in the 1990s. Popular support for statehood has grown substantially over the past decade - from an estimated 15% of the population in the early 1990s to approximately 55% in 2001. Moreover, pro-independence voters tend to be young, well-educated, urban, pro-reformist, and pro-Western.
2. Montenegro is determined to avoid any new political experiments with federalism. A century of experimentation with Yugoslavism, communism, self-management, non-alignment, and bilateral federalism constituted sufficient lessons in failure and will prove costly to repeat. Montenegro as well as Serbia have already established the infrastructure of two functioning independent states and should be careful of undertaking any potentially regressive moves.

3. Montenegro wants to avoid a long process of legal wrangles and political disputes with Serbia over federal powers and republican responsibilities. A clean break will enable both Montenegro and Serbia to focus on their crucial domestic reforms and the process of international institutional integration. The federal government's recent proposals for a "new federation" would actually diminish the sovereignty and decision-making powers achieved by the Montenegrin authorities over the past three years, and would undermine the progress of the reforms introduced thus far.
4. Montenegro should not be held hostage by unpredictable developments inside Serbia in which intensified power struggles are brewing between the federal government led by Vojislav Koštunica and the Serbian republican government led by Zoran Djindjic. Concurrently, there is an ideological and political battle in Serbia between nationalists, pragmatists, and civic democrats, which is likely to delay if not derail essential institutional and structural reform. Interestingly enough, the Serbian government is less opposed to the break up of Yugoslavia than the federal authorities and indeed may welcome the creation of an independent Serbia.
5. Montenegro's and Serbia's political and economic reforms are not in sync: indeed, Montenegro is at least two years ahead of Serbia in terms of its internal structural transformation. As a result, Podgorica is seeking a peaceful "velvet divorce" similar to the arrangement between the Czech Republic and Slovakia in 1992 but with a national referendum to involve the public in decision-making. The governing coalition in Montenegro organized early parliamentary elections in April 2001 in order to gauge the mood of citizens and to involve the public in the debate on the vital question of statehood. A narrow majority supported statehood but this number is likely to grow as the benefits of independence and the impediments of federalism are likely to become clearer over the coming months.
6. Non-independence for Montenegro could have several negative political repercussions. In particular, it could escalate frustration, grievance, and resentment inside the republic if independence is thwarted or unrecognized. This would spawn new domestic conflicts, political polarization, and the emergence of rival nationalisms. The denial of statehood could also lead to the growing alienation and radicalization of Montenegro's Albanian and Muslim minorities.

Constitutional Clarity

7. Montenegro has a right to full independence under the 1974 (and the 1992) Yugoslav constitutions, similarly to all other former Yugoslav republics. Given the current dispute between Belgrade and Podgorica, President Vojislav Koštunica has adopted a nationalist rather than a "legalist" posture as the Federal Republic of Yugoslavia (FRY) was constructed in 1992 without public consultation and even its Milošević constitution was violated by Belgrade in framing the general elections in September 2000 that brought Koštunica to power.
8. Relations between Montenegro and Serbia remain frozen in a constitutional paralysis that makes the Yugoslav federation dysfunctional. By dissolving the federation, two governments in the post-Yugoslav space will be more functional than three. Two governments, two presidents, and two parliaments without a federal appendage will make political relations simpler, less conflictive, and more efficient and economical. It would be ineffective to maintain another intermediary tier of government that has never ultimately worked in Eastern Europe. An additional danger is the recreation of another Bosnian-type two-entity system that is inherently politically unstable.
9. Two governments will avoid embroilment in each other's power struggles and internal disputes and can focus on the most important domestic reforms without federal blockages. Any federal framework in this sense would be a distracting and not a driving force toward the establishment of an effective legal apparatus in both republics. Two separate governments can concentrate on direct integration with the international

community without being slowed down by the performance of the other. Serbia, with its numerous unresolved internal problems, should not be in a position to obstruct Montenegro's progress toward European institutions.

Economic Advantages

10. According to leading economists, the economic viability of any state does not depend on its territorial or demographic size but on its ability to stimulate economic entrepreneurship, trade, and foreign investment through the construction of a functioning legal system and a competitive market economy. Montenegro has made a valuable start in this arena by creating a highly liberal and open foreign trade regime, pursuing the privatization of state companies, and seeking to attract foreign investors. By contrast, the Yugoslav structure has enabled Belgrade to block Montenegro's access to various international fora and obstructed the enhancement of regional economic cooperation through such mechanisms as the Adriatic- Ionian Initiative and the Central European Initiative.
11. After being promoted as a positive force in the Balkans for resisting the dictatorial Milošević regime, Montenegro has been subject to pressures by Western governments supporting a unified Yugoslavia. Much of this pressure has been exerted in the economic realm with the threatened severing of assistance funds or the routing of further aid through the federal government in Belgrade. Ultimately, no Western official should want to see Montenegro destabilized through financial sanctions and political isolation because Podgorica decided to exert the same right as all other former Yugoslav republics.

Ethnic Co-existence

12. Montenegro's independence is supported overwhelmingly by the republic's Albanian and Muslim minorities. Independence is likely to enhance their confidence and loyalty toward the new state and its political structures. Indeed, inter-ethnic co-existence needs to be engendered in an independent Montenegro with targeted international assistance. The Serbian minority and the pro-Yugoslav population in particular needs to feel fully engaged and integrated in the development of the new state to avoid potential polarization and militancy.
13. Prospects for domestic instability in the wake of national independence have been diminished by the ouster of the Milošević regime. Violent and separatist forces within Montenegro have largely depended on Belgrade's support and their opposition to independence is likely to be expressed principally through political and legal means. Montenegro has constructed an efficient police force and judicial system that can deal effectively with any isolated troublemakers, and ethnic conflicts are extremely unlikely. Indeed, Montenegro remains as a model of multi-ethnic coexistence in a troubled region.

Bilateral Cooperation

14. Clear differences exist between Serbian leaders Milošević and Koštunica in the means they would employ to keep Montenegro in Yugoslavia, but there seem to be fewer contrasts in their objectives. For Koštunica, the all-encompassing Serbian state remains the principal goal as Belgrade continues to operate in terms of territorial size and regional predominance. Moreover, Koštunica has personal problems in recognizing the existence of a Montenegrin nation and its right to sovereignty. The re-establishment of Montenegrin independence would not only unravel Yugoslavia, but it would also eliminate the fundamental premise of a Serb-controlled south Slav union, as Montenegro was the only other independent state that joined the first royal Yugoslavia following World War One.
15. State separation avoids long, complex, and costly disputes between Montenegro and Serbia over the devolution of powers, federal responsibilities, foreign policy, military

- alliances, economic policies, and business investments. For example, if Serbia seeks close relations with Russia why would it want Montenegro to interfere, and why would Belgrade want Podgorica to be dragged unwillingly into some other bilateral or international alliance. Montenegro does not want to be "equidistant" between the West and Russia, as some Yugoslav leaders have advocated, as it views its place to be unequivocally in Europe.
16. It is easier to dissolve Yugoslavia now than before. Unlike Milošević, Koštunica will not launch another war. If the international community is serious about security rather than a status quo then Montenegro and Yugoslavia should be taken off the Serbian agenda. For over ten years, Serbian politics have been distracted and diverted by self-destructive and regionally destabilizing nationalist causes that allowed war criminals and economic criminals to prosper.
 17. Montenegrin non-independence at a time of economic decline in Yugoslavia could encourage radicalism inside Serbia itself. Nationalists will claim that the tide has finally turned against the shrinking of "Greater Serbia" and may push for the re-incorporation of Kosovo and half of Bosnia into a larger "Yugoslavia." This will of course directly impact on Croatia, Albania, Macedonia, and other neighboring states wary of any new Serbian nationalist resurgence.

Regional Security

18. Podgorica underscores that it wants to cooperate with all of its neighbors, including Serbia, in furthering regional security. Independence will enable the government to play a more positive role in the Balkans and the Adriatic zone as a legitimate partner, facilitator, mediator, or initiator of various regional programs.
19. The final dissolution of Yugoslavia will help terminate the rationale for the large military and security apparatus that Serbia has inherited, and it will help channel scarce resources toward economic rehabilitation. The size of the Yugoslav Army represents the single most significant threat to regional stability as it pressures Serbia's neighbors to direct their budgets toward military expenditures instead of economic reconstruction. The scaling back of the Serb military and a diminution of its offensive posture will undercut security fears in Bosnia-Herzegovina, Croatia, and Albania and enable those countries to earmark a greater share of their budgets toward economic development.
20. The independence of Montenegro would eliminate the need for a costly Yugoslav navy and diminish the military significance of the Prevlaka peninsula, which has been a source of dispute between Belgrade and Zagreb for the past decade. Demilitarization or the creation of a smaller military with an essentially defensive posture in Montenegro will help engender regional cooperation and confidence building in the Adriatic zone.
21. Montenegrin independence will enable a clearer focus on the question of regional organized crime. The post-independence government must be plugged into all regional initiatives for combating criminality. It will also be able to engage in full international cooperation for promoting domestic transparency and anti-corruption campaigns.
22. Montenegrin independence will not directly or negatively affect other pressing issues in the region such as the final status of Kosovo. Kosovar Albanian leaders remain committed to independence regardless of Montenegro's decision and the presence of the UNMIK mission will prevent any possibility of unilateral measures to gain statehood. Even Serbian Prime Minister Djindjic has recently asserted that Montenegrin independence would not destabilize the Balkan region because the republic is not founded on "ethnic principles."

International Involvement

23. Opposition to Montenegrin independence by the international community will have little ultimate effect on either the stance of the government or the aspirations of the public.

Indeed, it may prove counter-productive by hardening positions within the republic against outside interference and encourage militant nationalists on both sides.

24. The current mantra among Western diplomats is "a democratic Montenegro in a democratic Yugoslavia." Such a position is becoming increasingly unrealistic and untenable given the unpredictable developments in Serbia, where according to its leaders the republic faces an accelerating economic collapse and possible social and political radicalization. The Western formula will need to be adjusted to read "a democratic Montenegro and a democratic Serbia regardless of Yugoslavia." Montenegro should not be held hostage by destabilizing power struggles in Belgrade with no clear outcome. The U.S. and its allies should intensify their assistance on behalf of the political and economic transformation in Montenegro with the objective of building a secure, multi-ethnic, and civic society.
25. The Balkans will witness a spreading sense of international illegality if the 1991 European Commission Badinter principles for republican independence are violated by the West. This will undermine public trust in international institutions and encourage the rise of militancy. It will give an impetus to the resurgence of guerrilla formations that may challenge the shape of numerous existing borders, including those of Bosnia-Herzegovina and Macedonia.
26. If Western governments want the two governments to achieve an equitable agreement then Montenegro's hands should not be tied by primarily discouraging "unilateral independence." In effect, the federal government in Belgrade can prevaricate and oppose whatever Podgorica proposes and hold Montenegro hostage indefinitely.
27. The results of the independence ballot in Montenegro must be respected by all sides. Indeed, the U.S. and its European allies should aim to be guarantors of the decision of the Montenegrin electorate and not the protectors of Belgrade's interests. It serves little purpose to waste energy trying to create a fourth Yugoslavia, when all three previous attempts have ended in abject failure.