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Bandits, Bondsmen, and Leviathans: Ethnic Groups Contesting Local Security After Conflict in the Western Balkans

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Abstract: This study analyzes how processes of contesting ethnically-distinct locales after conflict affects stability and violence after institutional settlements. Local institutions that develop during conflict present an obstacle to states reestablishing a monopoly on force and these locales become sites of continued contestation. Where states attempt to crowd local institutions and elites out of post-conflict policing, they have incentives to use violence against the state and police to upset the status quo. Where local institutions are integrated into state institutions, local elites have the incentive to maintain order and prevent violence to avoid crowding out or inviting police operations by interveners. In this study, I combine rationalist modeling to generate expectations for local elites' behavior with three illustrative case studies from the Western Balkans: Kosovo, Macedonia, and southern Serbia.

Keywords: ethnic politics, ethnic conflict, peacebuilding, institution capture, Western Balkans

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Introduction

The conflicts in the former-Yugoslavia's south, beginning in Kosovo and spilling over into southern Serbia and North Macedonia (hereafter Macedonia), all ended with ethnic minority groups inhabiting distinct territory. Facilitated by weak state capacity during and immediately after conflict, parallel institutions of governance and security developed in these areas. Ethno-territorially distinct institutions, and especially security institutions, challenged the state's monopoly on force as a legitimizing principle. For many in these territories, state institutions and police in particular, were perceived as repressive agents, and local elites considered to be illicit or separatist actors by the state were perceived as providers of key services. As states sought to reconsolidate governance after conflict, following internationally-driven liberal peace blueprints of consensual institution-building, these ethnically-distinct territories with existing local institutions constituted obstacles to state consolidation that required attention. This meant states had to displace existing institutions and elites that provided the same services as the state or integrate them in new state institutions. The purpose of this study is to analyze how states sought to reassert institutional control over these distinct locales either by crowding out or integrating local institutions, and how local elites responded.

Theoretically, this contributes to rich scholarly debates of both peacebuilding and local-level governance by casting the two as inherently linked after conflict and as an important contest between local elites and state institutions. Though drawing conceptually from them, I depart from more recent studies of criminal organizations by also considering the role of a strong external peacebuilder. For example, various studies of criminal or rebel governance depict competition between local and state authorities as a 'duopoly' on force, departing from the Weberian concept of a state monopoly on force.[2] Foreign peacebuilders play a key role in this competition. As scholars of peace interventions have argued, foreign actors can supplement institutional capacity after conflict, taking on certain roles as coercive actors and rule enforcers while new institutions are developed.[3] Recent studies of the Western Balkans make the case that power imbalances between local stakeholders and international actors, though, produced poorly-developed institutions that local stakeholders consciously undermine to pursue their own preferences.[4] Where these two explanations fall short is in explaining the variation in outcomes, especially given that many of the interventions in Western Balkans followed the liberal peacebuilding blueprint and similar designs for mutual institutions, namely power-sharing in governance and security institutions.

In this study, I propose a durable explanation of how local and state institutions interact after conflict, in the presence of foreign peacebuilders, to either consolidate decentralized state institutions or to prolong competition, often violently, after negotiated settlements.

2 Blattman *et al.* 2021.

3 Doyle and Sambanis 2000; Rubin 2008.

4 Visoka and Beha 2011; Elbasani 2018.

After fighting ends, local 'markets' for key services develop, especially for physical security and rule enforcement, those services usually performed by police. In distinct locales that were the subjects of conflict or beyond state control during fighting, three sets of actors can meet this need: (1) local ethnic group elites who emerge during conflict to provide for group-members via local institutions in the absence of the state – the bandit; (2) foreign interveners who supplement institutional capacity in the absence of strong state institutions – the bondsman; and (3) the state, which seeks to reestablish its monopoly on force – the leviathan.[5] The strategic interaction of these three – the bandit, bondsman, and leviathan – produces either conflictual or cooperative outcomes in the early post-conflict period. Findings indicate that where the state attempts to crowd local elites and institutions out of the local policing 'market', by targeting them or preventing them from participating in local policing, they respond using violence that targets state institutions and police. Conversely, where local elites can capture certain responsibilities in policing and integrate existing networks with formal state institutions, they are disincentivized to use violence against the state that would invite crackdowns on them or outside policing that crowds them out. Especially in the early post-conflict period, the foreign intervener plays a key role in preventing escalations between the sides. However, in keeping with other findings, peacebuilders' presence may incentivize marginalized actors to use violence to weaken the other side's position.[6]

Despite critiques of rationalist theorizing in cases of ethnic conflict and work specific to the Western Balkans that refutes traditional rationalist conceptualization of conflict resolution, the use of rational choice-based theory in this study is suitable for three reasons.[7] One is that it allows for the three-way interaction pertaining to specific locales between local elites, the state, and peacebuilders to be clearly outlined. Another is that I do not define rationalist incentives as strictly material, but also consider leaders' status in a group, their reputation, and the loyalty of group-members. Lastly, as the outcome being explained is the choice of strategy or local-level policy, consideration of incentives and strategic logic is apt for analyzing decision-making processes.

The remainder of this study proceeds as follows. In the following section I outline existing arguments on the topics of peacebuilding, local-level institutions, and criminal/rebel governance to formulate expectations. Drawing from these arguments I then outline a simple model of interaction between the three noted actors. After a brief note on research strategy, I outline the contestation over local-level policing in ethnically-distinct locales

5 Olson's theory of the stationary bandit has been a foundational work in statebuilding and more recently criminal and rebel governance studies. He argues that institutions develop naturally when a roving bandit decides to become stationary and instead of plundering as a form of extraction, provides protection in exchange for taxes and political support. A bondsman is a concept borrowed from game theory, in which an external player with set preferences supplements costs of certain decisions that alter other players' choices. See: Olson 1993.

6 Spaniel 2018.

7 Kaufmann 2005; Petersen 2011.

in Kosovo, Macedonia, and southern Serbia. In addition to illustrating theoretical implications of the model, these practical case studies of specific conflict resolution practices contribute to the study and understanding of local-level post-conflict politics in Kosovo, Macedonia, and Serbia. I conclude by considering some other relevant aspects of the cases and their contributions to larger fields of study.

Theorizing Local Security Competition: Three Actors and a Monopoly on Force?

From the starting point of establishing stable security arrangements in contested, distinct ethnic locales after conflict, this section outlines theoretical expectations for peace interventions, local actors and their interactions with state authorities. Many of the arguments and theories considered here have been developed in isolation of one another, including different regional contexts, however, are useful in informing the expectations of this study. Aspects of the theoretical framing are drawn from peacebuilding, ethnic politics, and rebel/criminal governance literatures.

Liberal Peacebuilding After Ethnic Conflict

Foreign intervention after conflict in the Western Balkans followed the template of liberal peacebuilding: the development of inclusive economic and political institutions to prevent recurrent fighting in concert with military intervention.[8] This approach aimed to create ways for groups to access the state to redress grievances or punish actors who sought to use violence as a political strategy.[9] Especially in the context of identity-based conflicts such as in the former-Yugoslavia, this meant creating power-sharing institutions that prevented one group from dominating the state at another's expense.[10] Though such institutional arrangements often included administrative decentralization, or 'territorial power-sharing', authority was derived from a common state organization.[11] Local authority held by municipalities in Kosovo, Macedonia, and Serbia after negotiated settlements was supposedly derived from state institutions, not separatist claims to govern beyond state control. Scholars and practitioners of liberal peace reckoned that strong institutions with more areas of power-sharing would prevent resurgent conflict.[12]

A notable body of literature addresses obstacles to strong power-sharing institutions in peace interventions. In general, these include rationalist issues of trust and power, and more critical understandings of the power-disparities between interveners and 'locals'. By

8 Richmond 2004.

9 Petersen 2011; Matanock 2017.

10 Hartzell and Hoddie 2003; Cammett and Malesky 2012.

11 Call 2008; Steele and Schubiger 2018.

12 Hartzell and Hoddie 2003; Walter 2015.

rationalist explanations, power imbalances between ethnic groups and uncertainty of others' intentions obstruct trust and cooperation, especially for the side that is numerically inferior.[13] This is especially the case after conflicts in which the state's police or security forces were repressive agents targeting or repressing minority ethnic groups.[14] A focus of peace interventions has thus been demobilizing and retraining states' security forces, especially police, to make them less militarized and more representative of the populations they serve.[15]

The other line of theorizing contends that peace interventions are generally undermined by antagonistic or non-cooperative relationships between interveners and local stakeholders. As Ejdus contends, foreign interveners often dictate or offload their own security preferences to local stakeholders, usually in pursuit of stability rather than solving the underlying issue of a conflict.[16] Within the Western Balkans, this practice has been labeled as building 'stabilitocracy' rather than fostering inclusive institutions.[17] A damaging effect is that institutions remain far from reformed and are often coopted by powerful actors able to provide stability.[18] Local stakeholders respond by rejecting these power disparities and undermining internationally-built institutions.[19] Van der Borgh, for example, argues that in Kosovo the construction of parallel institutions by Serbs was a form of 'resistance' to internationally-imposed power disparities.[20]

While these theories are suited to explain the insufficiency of peace interventions in crafting mutually-acceptable state-level institutions, they are less apt at explaining local-level institutions, especially in ethnically-distinct locales or enclaves. For one, studies of post-conflict parties indicate that rebel groups with more developed institutions or 'bush-bureaucracies' are less likely to participate in state institutions at all.[21] Additionally, the conflictual processes underlying the demarcation of distinct ethno-territories within states creates certain institutions and modes of political competition that are incompatible with state institutions.[22] Accordingly, an understanding of local parallel institutions that develop in peripheral locales beyond state control is necessary.

13 Posen 1993; Fearon 1994, 2004; Wolff 2011.

14 Petersen 2011; Duffy Toft 2017.

15 Neild 2001; Greener 2011.

16 Ejdus 2017; Ejdus 2018.

17 Kartsonaki and Wolff 2015; Qehaja and Prezelj 2017; Bieber 2018.

18 Lake 2016.

19 Autesserre 2010; Ejdus and Juncos 2018.

20 Van der Borgh 2012.

21 Marshall and Ishiyama 2016; Ishiyama and Widmeier 2019.

22 Dahlman and Williams 2010; Dahlman 2017.

Local Institutions During Conflict

Recent research has focused on the development of parallel institutions beyond state control, in the context of both conflict and criminality – inherently linked phenomena. A similar body of ethnic politics literature has long recognized the development of both formal and informal governance structures and institutions of exchange within identity groups.[23] In settings of conflict or weak state capacity, ethnic groups turn inward for protection and services.[24] Ethnic boundaries between groups function as markers of who receives benefits from ethnic elites, and shared identity both facilitates distribution of goods and services within groups and deters individuals from seeking them from non-co-ethnic institutions.[25]

Similar studies have traced the development of parallel institutions during conflict. Notable works by Staniland and Arjona equate wartime institution development in peripheral or rebel-controlled territory with state-building theories such as Mancur Olson's theory of the stationary bandit, exchanging protection and other services to a specific clientele, in a specific territory, in exchange for political support and taxation.[26] Amid weak state capacity local parallel institutions become more salient as service providers. This is also argued in studies of criminal organization and especially protection rackets – the concept underlying the 'stationary bandit' theory.[27] Where rebel groups perceive a longer timeline outside of state institutions, they value reciprocal relations with group-members as a means of seeking legitimacy.[28]

For the purposes of this study, it is important to note that these local parallel institutions do not disappear when fighting ends. Rather, established relationships, modes of exchange between elites and group-members, and means of securing resources persist.[29] Often those leaders who emerge as elites at the head of such institutions are those capable of acquiring sought-after goods via smuggling or black markets, and those capable of providing protection via militias or paramilitary forces.[30] Elites who have gained prominent positions during conflict are unlikely to sacrifice those positions for an institutional settlement, or to allow government authorities to recoup territory they control.[31] As argued by King, settlements are obstructed by the private benefits ethnic elites gain during

23 Horowitz 1985.

24 Lake 2017.

25 Habyarimana *et al.* 2007; Kalyvas 2008; Laitin and Van der Veen 2012.

26 Olson 1993; Staniland 2012; Arjona 2016.

27 Varese 2001; Blattman *et al.* 2021.

28 Sisk 2008; Stroschein 2017.

29 Arjona 2014.

30 Collier 2000; Koehler and Zürcher 2003.

31 Collier *et al.* 2004; Zürcher *et al.* 2013.

conflict.[32] Gains from parallel governance, however, may not be strictly material and can include prestige as political leaders, standing within the ethnic community, and loyalty of group-members.[33]

In relating local parallel institutions to the problems of liberal peace interventions, local elites have incentives to reject institutional arrangements imposed by interveners. This is not strictly because of resistance to power disparities or low trust of the state, but rather because of established local institutions of exchange by which ethnic elites are the primary providers of services, chief among which is security. Within conflict resolution literature this has been broadly conceptualized as the spoiler problem: violence by actors whose ideology or personal gains are threatened by settlements.[34] Though violent spoiling may be used as a strategy, spoilers are not necessarily nefarious or warmongering actors, but also ethnic or parallel elites seeking to maintain their positions.

Local Violence and Capture

Further drawing from scholarship of criminal groups and criminal governance, the provision of services within specific locales, in particular physical security, approximates a 'market'. Driscoll, for example, applies this idea to the study of post-conflict settlements and bargains between armed groups.[35] While Driscoll's theory applies primarily to centralized state institutions, observations of local 'markets' from criminal governance studies are applicable to this study. In addition to parallel elites existing beyond state control, they are also typically engaged in otherwise illicit activities such as smuggling and protection racketeering. Though organized crime exists under de jure state authority, criminal organizations exercise de facto control over specific locales including in the field of security, challenging the notion of a state's monopoly on force, and more closely approximating a duopoly.[36] Though states claim authority over these locales, numerous studies demonstrate implicit relationships between states and parallel governance, both collaborative and competitive.[37] Such groups do not benefit from violent competition with the state that invites increased policing, but will use violence against state agents to avoid being crowded out of the local 'market'.[38] Such situations resemble 'spoiling' in the post-conflict context.

32 King 2001.

33 Blattman *et al.* 2021.

34 Stedman 1997; Cunningham 2006.

35 Driscoll 2015.

36 Lessing forthcoming; Blattman *et al.* 2021.

37 Barnes 2017; Magaloni *et al.* 2020.

38 Blattman *et al.* 2021.

An alternative to violent spoiling by local elites, is to coopt or 'capture' local-level institutions. Capture in the context of political-economic development is generally understood as efforts by private 'captors', often oligarchs, to shape laws, policies, and regulations to their own advantage.[39] Captors, in turn, enjoy private advantages such as protection and enhanced performance, often at public expense.[40] Captors are most often 'new entrants' to the market for services, facing a disadvantage compared to state institutions and state-linked providers. Capture serves as a corrupt means of preventing a monopoly by the state or advantaged firms by shaping policy to the captor's benefit.[41] Further work on criminal governance has identified the capture of local political institutions, often by corruption of officials or running candidates in elections, to avoid being crowded out by the state and to set policy favorable to their organizations.[42] Accordingly, parallel institutions seeking to maintain control in specific territory, instead of using violence to avoid crowding out by the state, may seek to capture institutions that shape local-level policy. Within the realm of policing, these policies may include recruiting and appointing group-members or allies, developing mandates and street-level practices that benefit allies or target opponents, and allocating funds or contracts. Importantly, local elites remain providers of services rather than state-level bureaucrats.

To summarize, this theoretical frame shifts the focus from traditional liberal peace critiques of power disparities and rationalist commitment problems to contestation over the 'market' for services, and particularly security in ethnically-distinct locales. During periods of conflict or weak state capacity afterwards, parallel institutions of exchange, often based on ethnic-group-membership, develop in specific locales. These exist prior to any settlement or peacebuilding efforts, but do not cease to exist after fighting ends. Rather than violent spoiling or institution capture being discrete phenomena, they are related strategies for local elites in retaining a share of the local service 'market'.

As scholars of peace operations note, foreign interveners attempt to supplement the coercive capacity of weak state institutions immediately after conflict, often including major policing components in operations.[43] Interveners, though, face their own limits on commitment and short timeframes for deployment, making them only temporary players in local 'markets' for security.[44] In what follows, I outline a simple stylized game between these three sets of actors based upon this framing.

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39 Hellman and Kaufmann 2001.

40 Hellman *et al.* 2003.

41 Hellman *et al.* 2003; Grzymała-Busse 2007.

42 Ley 2018; Ponce 2019.

43 Doyle and Sambanis 2000; Neild 2001; Greener 2011; Hultman *et al.* 2013.

44 Barnett *et al.* 2014; Lake 2016.

The Local Market for Services

Building on the discussion above, this section outlines a three-player interaction between the state (Leviathan), local elites (Bandit), and foreign peace intervener (Bondsman). Though, I draw from Driscoll's conceptualization of a 'market for violence' after conflict, his theory focuses on a central government and a bargain between armed groups to support or contest a civilian government. This model, on the other hand, focuses on the control within distinct ethnic locales and introduces an external peacebuilder. While peacebuilders provide security to meet a share of the local demand, they ultimately do not seek to control institutions, but rather supplement their capacity with the intention that they become self-sufficient in the future. Accordingly, they function as a 'bondsman' in game theoretic terms, in that they supplement a certain value, a 'bond', for the other players, which alters costs of certain decisions and ultimately their decision-making.

The following assumptions can be derived from the preceding discussion:

1. Peacebuilders pursue the constitution of an institutionally power-sharing organization of the post-conflict state. This does not necessarily equate to a unitary state organization, and often includes decentralization, but that local authority is derived from state institutions.
2. State security institutions, including civilian police, often have poor standing in ethnically-distinct locales due to non-co-ethnic identity and memories of repression.
3. Ethnic identity groups, inhabiting distinct territories or enclaves develop reciprocal institutions of exchange in the absence of strong state capacity, which exist prior to settlements.
4. Peacebuilders act as coercive police in the absence of the state, but their commitment decreases over time.

Preferences can be outlined accordingly. Local elites or 'bandits' (*B*) seek to maintain political control over territory – established during fighting – especially in the field of security. Their preference is to maintain a greater share of control over security in that territory than the state does. The state (*Gov*) seeks to re-establish its monopoly on security that it lost during conflict. To this end, the government prefers to monopolize the use of force using state institutions, thus 'crowding out' local elites from the 'market'. Lastly, the foreign peacebuilders (*Pb*) seek to provide temporary security and policing services, while institutions are restructured. Their preferences are for a power-sharing state organization and prevention of resurgent violence.

The policy being bargained over is discretion in policing. Following work on post-conflict policing, areas of policing policy include recruitment, training, mandates and deployment, funding and supplies, appointments of command-level officers, and oversight of operations.[45] Discretion is understood as the ability of designated actors, including locally-select-

45 Hills 2001; Neild 2001; Greener 2011; OSCE 2004a.

ed officials, to make authoritative judgments on policies.[46] Each player's discretion in policing is represented by $xi \in X$, where total discretion is represented by $\Delta X^3_{(i \in j)}=1$.[47] The state (*Gov*) share increases as the commitment of the peacebuilder (*Pb*) declines, represented as $x_{Gov}+(x_{Pb}-\delta x_{Pb})$, where discount factor δ, $1 \geq \delta > 0$, is the rate at which peacebuilders' deployment is reduced. Accordingly: $x_{Pb} > \delta x_{Pb}$.[48]

The local elite (*B*) and state (*Gov*) can choose to alter the status quo by using violence against the other.[49] Violence by local elites would take the form of targeting state institutions, and specifically police deployed in their territory. For the government, this would include special police operations targeting local elites or institutions, restrictions on the freedom of movement, or increased deployments of militarized or specialized police in contested locales. Pursuant to its preference of stability, peacebuilders can impose a penalty (*K*) on both sides in the event of violent escalation, which is equivalent to their previously held share of discretion, where $K=x_{Pb}-\delta x_{Pb}$.[50]

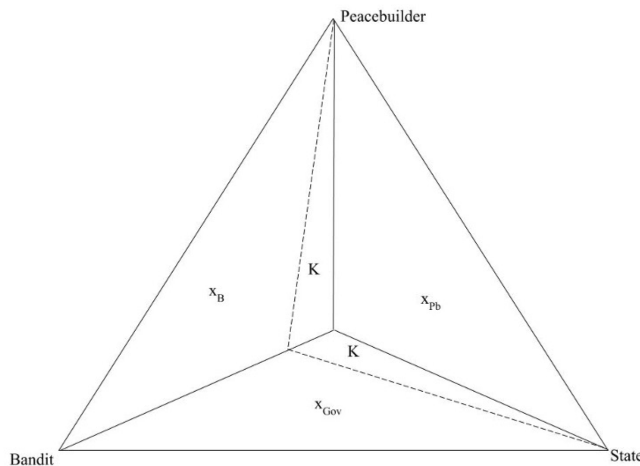

Figure 1: *Enclave market for policing*

46 Fukuyama 2004.

47 Individual shares of the market are proportions of the total value of 1.

48 At the suggestion of the editors, in non-formal terms, this means that: where each players' discretion over policing is a proportion of the total value (1). As *Pb*'s discretion decreases over time by a certain rate (represented by delta), then *Gov*'s share increases by that value, so that the total value remains equivalent to 1 – representing the full range services provided. This is consistent with the assumption that peacebuilders pursue a self-sustaining institutional organization of the state.

49 This is distinct from Driscoll's model which presents the use violence as a coup to revise the status quo. Overthrowing the government is not an option for local-level elites, but escalating the levels of local violence against state institutions, and in particular state police, is commonly observed.

50 This approximates the peacebuilder re-assuming its previously held role in local-level policing.

The following implications can be derived from the model:

1. Local elites will use violence to prevent increased control by the state if their proportion of control, with any penalty subtracted, is greater than the combined shares of the market held by the peacebuilder and the state: $x_B - K > x_{Pb} + (x_{Gov} + (x_{Pb} - \delta x_{Pb}))$. Violence under these conditions prevents the state from crowding local elites out of the market.[51] This is in keeping with existing findings that groups with more developed institutions are less likely to participate in the state after conflict.[52]
2. Conversely, local elites will use violence if their share of control combined with the peacebuilders' is lower than the state's: $x_{Gov} + (x_{Pb} - \delta x_{Pb}) > x_B + x_{Pb}$. Violence under these conditions prevents the state from increasing its share by signaling to peacebuilders that stability has not been attained. Accordingly, value gained by the state from the peacebuilder $(x_{Pb} - \delta x_{Pb})$ remains low.[53]
3. An agreement is reached in equilibrium, such that neither side uses violence to revise the status quo if local elites' share is greater than the state's in their territory, and in turn what it would be if they incurred a penalty from the peacebuilder for using violence: $x_B > x_{Gov} + (x_{Pb} - \delta x_{Pb}) > x_B - K$. Under such conditions, using violence would be suboptimal for both local elites and the state. The penalty imposed by peacebuilders would in effect permit the state to crowd out the local elites.

Overall, this formalized modeling exercise can be understood as identifying conditions under which central state authorities and parallel elites will and will not use violence in competition for 'market' shares of security provision. Drawing from the theoretical framing, the alternative strategy for securing a share of the 'market' is for parallel institutions and networks to capture local security institutions after conflict. Post-conflict violence and institution capture are complex phenomena that should be understood and illustrated beyond the framework of simple modeling. In what follows, this model is mapped into three illustrative cases in the Western Balkans.

Research Strategy

The addition of case studies to the stylized game and its implications serves two aims. First, it applies the modeling to real cases of conflict resolution. This avoids casting the study of phenomena that are costly in human terms, especially at the local communal level, as mathematical exercises, or actors and events being portrayed as rational 'agents' and 'out-

51 Blattman *et al.* 2021.

52 Ishiyama and Widmeier 2019.

53 This follows a similar logic of groups that use violence to incur reprisals from the government as a signal to attract foreign intervention – what is sometimes termed a provocation strategy. This dual focus of signaling a lack of control by the government and drawing attention from external actors: Kydd and Walter 2006.

comes.'[54] Second, properly analyzed case studies can serve as more than hypothesis-testing of models. While modeling answers *what* one should expect, case studies answer *how* those expectations are realized or not.[55] Conversely, then, the value of modeling is that it informs the aspects of the cases that should be analyzed to answer *how* outcomes are reached.[56]

The following section proceeds with three case studies of post-conflict settings in the former-Yugoslavia: Kosovo, southern Serbia, and Macedonia.[57] In addition to these cases being linked to one another in the origins of their conflicts and geographical proximity, they are suitable for two reasons. One is that in all three conflicts, when fighting ended, ethnic minority groups primarily inhabited distinct territories within the respective states. The other is that all three cases demonstrate notable variation including differing involvement of foreign peacebuilders and state actors with different preferences, while also sharing similar institutional power-sharing designs imposed by foreign actors as aspects of peace settlements.

Analysis of each case is guided by the theoretical expectations of the model outlined in the previous section. Specifically, I consider evidence of: (1) parallel local institutions after conflict and efforts to incorporate distinct ethnic locales within centralized state institutions; (2) patterns of state policing within these distinct locales; (3) the use of violence against state institutions and police; and (4) enforcement and policing by foreign interveners/peacebuilders within these specific locales. Evidence is drawn from three sources: (1) official reports by international organizations working in the country cases; (2) local news media; and (3) reports from third-party think tanks. Given the focus of the argument and modeling, the analyses are restricted to the time periods in which foreign interveners were deployed in executive policing capacities. Southern Serbia, which constitutes a negative case, is an exception and is used to illustrate the effects of no foreign intervention.

Cases: Competition Over Local 'Markets' in the Western Balkans

The three insurgent conflicts in the former-Yugoslavia's south were fought primarily over the status of the ethnic-Albanian communities in Serbia (including the province of Kosovo) and Macedonia. The success of the Kosovo Liberation Army (KLA) in wresting control of the autonomous province of Kosovo from Serbia, with NATO support, in 1999, spilled over into conflicts in southern Serbia and Macedonia in 2000–2001. Ethnic-Albanian insurgencies in southern Serbia's Preševo/Preshevë Valley (Liberation Army of Preševo/Preshevë, Medveđa/Medvegja, and Bujanovac/Bujanoc; the UCPMB) and Mace-

54 Walt 1999; Elster 2000.

55 Seawright 2016.

56 Driscoll 2015.

57 Where applicable I use both the Albanian and Macedonian or Serbian names for contested locales.

donia's western regions (National Liberation Army; the NLA) contested their respective states' policies regarding ethnic minority rights and administration of distinct ethnic-minority locales. All three cases ended in negotiated settlements that, amongst other things, sought to incorporate distinct minority-inhabited territories into common power-sharing institutional frameworks.[58] Likewise, settlements in all three cases sought to incorporate ethnic-minorities in policing. All three cases, though, displayed different trajectories in terms of how local parallel institutions were coopted or contested by the state, especially in the policy areas of policing and security.

Kosovo

The formal end of the Kosovo War in June 1999 was followed by a period of indiscriminate violence against the remaining Serb population (estimated between 7–10 percent of the total population), perpetrated by KLA fighters and returning ethnic-Albanian refugees.[59] This had little strategic value, but drove the remaining Serbs into territorially-distinct and defensible enclaves concentrated north of the Ibar River (hereafter the North) and dispersed around southeast Kosovo. KFOR peacekeepers were unprepared for the levels of violence, with the KLA having been formally demobilized and Serbian forces withdrawn.[60] In 2000 alone, 200 murders, 1,300 assaults, 300 cases of arson, and 180 bombings were reported.[61] Facing this indiscriminate violence and weak KFOR protection, Kosovo Serbs turned to co-ethnics for security. This process was accelerated after Kosovo-wide riots in 2004, considered by the UN interim administration (UNMIK) to be a coordinated effort to reduce the Serb population.[62] Elites and the public within Serb enclaves had little trust in Kosovo's institutions to provide security.[63]

Though KFOR eventually secured the boundaries around these enclaves, parallel institutions provided most of the policing within enclaves. Following the Kumanovo Agreement in 1999, Serbian security forces, including the Ministry of Internal Affairs forces (MUP) were withdrawn. During the conflict, though, MUP and the military had operated seamlessly with auxiliary and paramilitary groups which persisted after 1999 as private militias and surveillance networks known as Bridge Watchers. These groups were funded by Belgrade and operated in concert with the MUP command in Vranje, Serbia, which provided covert police. In addition to policing, local elites ran parallel courts and Civil Protection

58 Jackson 2021.

59 Exact numbers unknown, due to irregular migration to and from Serbia-proper and Serbs' boycotting subsequent censuses: Petersen 2011.

60 Primary accounts from the period note KFOR troops having been specifically briefed to protect returning Albanian refugees, but not briefed on how to protect remaining Serbs.

61 UNSC 2000b.

62 Dahlman and Williams 2010.

63 Large-scale rioting in March 2004 left 19 dead, 950 injured, 900 Serb homes and 36 religious sites destroyed, and ~1,200 persons displaced: UNSC 2004a; UNSC 2004b; UNSC 2004c.

units to maintain order and provide dispute resolution.[64] As such, the local enclave elites had a preponderance of authority over policing within enclaves - including recruitment, command, deployment, and oversight (in terms of the model $x_B > x_{Gov} + x_{Pb}$).

The NATO-led peacekeeping force, KFOR, did function to provide a buffer around enclaves, notably preventing large-scale incursions by ethnic-Albanians in Mitrovica in 2000 and in the village of Čaglavica/Çagllavicë during the 2004 riots. KFOR included a large police component, composed of Italian Carabinieri's Multi-Nation Unit and Romanian military police, along with ~3,500 civilian police as part of UNMIK.[65] These units, along with regular peacekeepers, primarily prevented incursions into enclaves from non-co-ethnics, the primary security threat for Serbs. Inter-ethnic violence from 2000–2004 occurred primarily in mixed areas around Prishtina and Gjilan/Gnjilane.[66]

Actor	**Years**	
	Kosovo	***North***
KFOR	1999–2002	1999–2006
UNMIK	2002–2006	2006–2008
Kosovo Police Service (KPS)	2006–	2013–
EU Rule of Law Mission (EULEX)	2008–	2008–
Serbian Ministry of Internal Affairs (MUP)	–1999	1999–2013

Table 1: *Police services in Kosovo*

Efforts to establish control of policing within enclaves, or crowd out parallel institutions, precipitated violent responses against both centralized state institutions (UNMIK-run) and foreign interveners (KFOR). These included attacks on police patrols, vehicles, and facilities in Serb territory.[67] Parallel elites in the North, refused to cooperate with UNMIK and the UNMIK-run Kosovo Police Service (KPS) and refused to allow access to regular

64 The Yugoslav/Serbian constitution permitted the formation of a publicly-funded Civil Protection Corps by municipal authorities for emergency response and public safety services: UNSC 2003.

65 UNSC 2000a.

66 KFOR operated static check points to Serb enclaves until October 2002, search and seizure of weapons was a primary objective for UNMIK police: UNSC 2006b.

67 Noted episodes included an attack on a UNMIK police convoy that left 22 injured in 2002 and grenade attacks on UNMIK police stations in Mitrovica in 2003: UNSC 2004a.

and border police.[68] Though there were more than 700 Kosovo Serbs serving in the KPS by 2008, they served in the enclaves near Prishtina and Gjilan/Gnjilane, with only a small contingent recruited from the North. UNMIK and KPS explicitly reported having failed to consolidate police control in the North.[69] When Kosovo unilaterally declared independence from Serbia in February 2008, 349 Serbs resigned from the KPS, refusing to serve in a centralized chain-of-command.[70]

In response to Kosovo's unilateral declaration of independence in 2008 Serbs in the North used violence against state institutions and foreign interveners, attacking the customs gates on the boundary with Serbia along with UNMIK, KPS, and EU Rule of Law Mission (EULEX) personnel. Armed groups seized the courthouse in Mitrovica, preventing EULEX and UNMIK staff from working there until 2009.[71] Serbs remaining in the KPS were likewise targets of violence. Policing in the North had to be placed under EULEX's control, with local Serb elites and police refusing to work under central authority. Instead, EULEX deployed mixed patrols in the North with little effect, but eventually withdrew them in 2009 and replaced them with their own special units. Officers who resigned in 2008 only agreed to return to KPS under EULEX supervision.[72] However, both mixed and special units were largely confined to their compounds in the North, and conducted only limited patrols or operations.[73] EULEX taking over policing functions in the North constituted recouping a share of the market for peacebuilders in response to violence in 2008, approximating predictions of the model (approximates the punishment K, where $K=x_{Pb}-\delta x_{Pb}$). Importantly, this was restricted to oversight of local policing, but not increasing its mandate or carrying out operations against local elites, which could be construed as crowding out.[74]

Notable changes occurred in the Kosovo Serb enclaves from 2008–2013. One was that in the smaller southeastern enclaves, a group of moderate Serb elites gained support, willing to participate in state institutions and undermining the parallel elites' claims.[75] Another was a significant scaling-back of international oversight by foreign interveners. UNMIK's institutions were turned over to the Kosovars as a new government, supervised by the International Civilian Office, and UNMIK's rule of law functions were transferred to EULEX after 2009, whose executive functions were scaled-back at subsequent two-year

68 UNSC 2004c; UNSC 2006c.
69 UNSC 2006a; UNSC 2006b.
70 UNSC 2008.
71 UNSC 2008.
72 UNSC 2009a; UNSC 2009b.
73 Jackson 2020.
74 *Ibid.*
75 Jackson 2021.

intervals.[76] Lastly, the EU began mediation between Kosovo and Serbia, the 'Prishtina-Belgrade Dialogue', in 2010. During key phases of the dialogue, violence against KPS and EULEX personnel in the North increased, as those institutions attempted to crowd out parallel Serb institutions. Efforts by the KPS to enter the North to enforce border security in 2011 precipitated violence that included barricades designed to block access to Serb-inhabited territory. Similar violence against KPS and EULEX occurred in 2013.[77]

The Brussels Agreement, negotiated through the dialogue in 2013 had the important effect of consolidating a single police chain-of-command in the North, in effect integrating existing parallel policing structures into state institutions. Before April 2013, clandestine Serbian MUP officers and local authorities had complete discretion in the North, including four sub-commands with special units for finance, analysis, forensics, economics, and traffic overseen by MUP commanders. Additionally there were four Civil Protection formations in the North, and six private paramilitary forces linked to Serbian security services.[78] After 2013, The MUP command and Civil Protection were integrated into Kosovo's security institutions, as a regional command, but importantly no longer funded by Belgrade and subject to central oversight. By April 2014, 284 former MUP officers in the North were integrated in the KPS, increasing Serb representation and integrating personnel who had been part of parallel security institutions.[79] The new KPS North command, established by the Brussels Agreement, was staffed by personnel from the north and its commander and deputy commanders appointed in consultation with local municipal governments rather than by KPS command in Prishtina.[80] Additional personnel from the Civil Protection Corps were integrated into regional offices of other central institutions such as the Emergency Management Agency and Corrections Service.[81] Accordingly, despite integration in central institutions after 2013, local elites retained discretion in certain areas of policing: oversight, recruitment (including of former MUP officers), and appointment of command-level positions.

The integration of parallel institutions into centralized ones after 2013 was not to say that disputes between local elites and the central government ceased. However, after 2014, organized violence against central institutions was no longer employed as a form of contestation. EULEX and KPS operations in the North in 2014, 2017, and 2018 precipitated

76 The primary practice of UNMIK had been the development closely controlled democratic institutions, the Provisional Institutions of Self-Governance (PISGs) since 2002, which were turned over Kosovars as the 'Government of Kosovo' in 2008, though technically still under the auspices of UNMIK.

77 Jackson 2020.

78 These groups included SNP 1389, Obraz, Technical Civil Protection, Soko Security (PMC), Narodni Pokret Otacbina, and the Serbian Anti-Terrorist Movement of Liberation. See: investigation by Koha Ditore [in Albanian] (16 November 2012).

79 UNSC 2014.

80 UNSC 2015.

81 UNSC 2016.

public protests or resignations from government by Serb officials, but not organized violence.[82] On the other hand, though, persistent intra-group violence and organized crime in the North, as well as corruption cases against KPS North officers for involvement in organized crime, illustrates the type of ethical dilemmas of integrating parallel institutions in central ones.[83] Though, it is worth noting that these corrupt actors were investigated and caught due to centralized oversight.

To summarize, in Kosovo local parallel institutions within distinct Serb-inhabited locales developed due to the threat Serbs faced from ethnic-Albanian groups after 1999. Local elites had discretion over policing within their areas using a combination of clandestine parallel police, paramilitary forces, and parallel courts backed and funded by the Serbian government. Those elites with Serbian support and in command of such groups emerged as the key leaders in Serb locales, at the expense of elites that were willing to cooperate with UNMIK institutions. Efforts by KPS to crowd out local Serb security providers ($x_B \rightarrow 0$), especially in the North precipitated violent responses that both signaled a rejection of central institutions' authority and highlighted the need for foreign police, notably EULEX after 2008, to oversee policing. Changes after 2013 led to the integration of parallel institutions into state institutions. In the North local elites retained a share of discretion in policing in such matters as recruitment, oversight, deployment, and appointments. KPS retained ultimate oversight of KPS North and provided funding, training, and special policing, while EULEX as an intervener oversaw integration of Serb police personnel. After 2013, the use of violence against police would have been costly and indicated a lack of control, inviting further intervention by EULEX or KPS and incurring a 'penalty' (K). This was illustrated in 2014, when Slobodan Sovrlić was sprung from jail by a mob in the northern town of Zubin Potok, but Serb leaders there agreed to return him to custody, rather than invite a KPS/EULEX manhunt in the North.[84]

Macedonia

The National Liberation Army's (NLA) eight-month insurgency in Macedonia was the final armed conflict in former-Yugoslavia. Unlike in Kosovo, the contested locales between the NLA and the state were not created through conflict processes, but had long been inhabited by ethnic-Albanians, including the western cities of Aračinovo/Haraçinë, Gostivar, and Tetovo/Tetovë. During fighting in 2001, the NLA took control of these cities and more than 100 other villages in Macedonia's northwest.[85] The NLA, whose ability to wage a conflict was facilitated by the availability of weapons and fighters from Kosovo as well as under-developed government forces, demanded an end to institutionalized discrimi-

82 Jackson 2020; Jackson 2021.

83 BIRN (23 November 2018, 16 January 2019, 28 May 2019, 16 October 2019).

84 Jackson, 2020.

85 Grillot *et al*. 2004; Petersen 2011.

nation against Albanians, which included police harassment and perceived second-class citizenship.[86]

The police service prior to 2001 was run directly by the Ministry of Internal Affairs (MVR) and dominated by Slavic-Macedonians, with the few Albanians in command-level officers expelled during inter-ethnic disputes prior to the conflict.[87] Police were considered by Albanians to be the enforcers of a discriminatory constitutional order and particularly harsh in their treatment of minority groups. International reports noted impropriety by police, including systematic harassment, shakedowns, torture, and extrajudicial killings of ethnic minorities. In response to protests over education laws in Tetovo/Tetovë and Gostivar in 1997–1998, national police wounded hundreds of Albanians. After a shooting in Aračinovo/Haraçinë in 2000, police ransacked Albanian neighborhoods, and tortured and disappeared dozens of Albanian men.[88] These practices worsened during the 2001 conflict in which the government's primary fighting force was ~7,000 auxiliary and reservist police recruited for special or paramilitary units. The most infamous of these was The Lions, a 2,000-strong paramilitary force formed from police reservists, right-wing activists, and convicted violent criminals who reported directly to the Minister of Interior rather than a bureaucratic chain-of-command.[89] The Lions were perceived as an ethno-nationalist force, wearing nationalist and Orthodox symbols and more closely aligned to the ruling nationalist party, the VMRO-DPMNE, than the MVR.[90]

The 2001 insurgency ended in the Ohrid/Oher Framework Agreement (OFA), brokered by NATO and the EU. The OFA introduced political and institutional reforms to remedy the Albanians' grievances that had led to the conflict.[91] These included constitutional reforms to increase cultural rights and a reformed institutional arrangement that increased municipal decentralization, specifically in local governance and policing.[92] Per the OFA's terms, policing in mixed or Albanian-majority areas was to be done by a reformed multi-ethnic service that reflected the demography of the municipality. And, as in Kosovo's

86 Primary grievances noted by ethnic-Albanians were dealt with formal restrictions on their national identity, such as bans on the Albanian double-eagle flag, official use of the Albanian language and alphabet, and restrictions on Islam, which was practiced by the vast majority of Albanians in Northern Macedonia. Informally, Albanians complained of widespread discrimination in the public sector and by police. Tensions between ethnic Macedonian Slavs and ethnic-Albanians was exacerbated by war in Kosovo and an influx of refugees in 1998.

87 KosovaPress [in Albanian] (3 March 2000); Amnesty International (1 December 2002).

88 Human Rights Watch (April 1998); Amnesty International (11 July 1997, 21 June 2000, 1 December 2002, 22 January 2003, 1 February, 2003).

89 Observers reported that 850 members of The Lions had criminal charges against them: Daily Telegraph (1 July 2001); A1TV [in Macedonian] (29 January 2003).

90 Grillot *et al*. 2004.

91 Jackson 2021.

92 ICG 2002.

North after 2013, recruitment and appointment of command-level positions was to be done by the municipal government in coordination with the MVR.[93]

Service	Operational	Remit	Strength
National Liberation Army (NLA)	2001	Ethnic-Albanian insurgency – demands for increased political rights	~5,000[94]
The Lions (MVR)	2001–2004	Reservist paramilitary police	~2,000
Special Task Unit – Tigers (MVR)	1981–	Counterterrorism, high-risk arrests, close protection	~200
Reservist police (MVR)	2001	Counterinsurgency	~7,000
Multi-ethnic police	2001–	Local civilian policing in ethnically-mixed or minority-majority municipalities	1,000
Essential Harvest (NATO)	2001	Peace enforcements, demobilization, arms collection	4,500
Amber Fox/ Task Force Fox (NATO)	2001–2003	Peace enforcement, police patrols, close protection of OSCE/EU monitors	700 (primarily German)
EUFOR CONCORDIA (EU)	2003	Peace enforcement/ peacekeeping, arms collection, police patrols	350 (200 armed personnel)
EUPOL PROXIMA (EU)	2003–2005	Policing, police reform	200
EUPAT (EU)	2005–2006	Police reform, civilian police monitoring	30

Table 2: *Police services in Macedonia*

Reform of the stigmatized MVR police was a primary objective for interveners in Macedonia, including the OSCE, EU, and NATO. NATO enforcement of the OFA and police

93 Reka 2008.

94 The Economist 2001.

reform had been a central NLA demand to limit the influx of MVR police into Albanian-held locales. Paramilitary units, including The Lions, remained deployed after the OFA, continuing to harass Albanians.[95] Such groups were considered predatory by minorities and a threat to stability rather than a provider of security.[96] Police reform followed three prongs: (1) recruitment and training of an ethnically-mixed service for Albanian-majority locales; (2) the removal of state police from those locales; and (3) demobilization of special and paramilitary units. The Albanians recruited and trained by the OSCE and MVR included a large number of former-NLA fighters, whose combat experience was permitted to substitute for field-training.[97] By January 2002, ethnically-mixed patrols, consisting of three Albanians and three Slavic-Macedonians were deployed in Albanian locales. Concurrently, The Lions were drawn down in 2002 and disbanded by 2004. By December 2002, the static police checkpoints around Albanian villages and towns were removed.[98]

The deployment of NATO and EU peacekeepers and police in the field, filled the immediate need for policing services while the multi-ethnic force was developed. NATO's Task Force Fox, followed by the EU's CONCORDIA mission actively patrolled Albanian areas. They operated lightly armed patrols in towns and on the main roads, 24-hours-per-day.[99] These regular international patrols were credited with resolving communal disputes and preventing extremists on either side from seizing control of municipalities or escalating disputes.[100] As decentralization in accordance with the OFA progressed, peacekeepers were replaced with EUPOL PROXIMA, a civilian police mission that monitored the performance of local police and prevented aggressive actions by MVR special units.[101] EU and NATO advisors likewise oversaw the demobilization of The Lions.[102]

The pattern of policing that followed the OFA was largely non-confrontational and did not approximate the 'crowding out' of parallel Albanian elites, as observed in southern Serbia. For the most part, the NLA leadership was included in post-OFA institutions, and NLA fighters were recruited into the police. Accordingly, there was limited violence against national police and state institutions. There were initial episodes of violence against police and the multi-ethnic patrols in 2001–2002, but unlike in Kosovo, violence did not

95 Notable examples of harassment included the drive-by shootings of mosques in Veles and Prilep, the arbitrary arrests and torture of former-NLA leaders, and the kidnapping and beating of Muslim Slavs near Struga. See: RFE/RL (5 March 2002); Fakti [in Albanian] (14 October 2002); Fakti [in Albanian] (18 October 2002); Amnesty International (1 December 2002).

96 NATO Press Briefing (21 December 2001); Interview with Agron Buxhaku in Macedonian Radio [in Macedonian] (28 January 2003).

97 OSCE press release (29 July 2002); Fakti [in Albanian] (3 August 2003).

98 Nova Makedonija [in Macedonian] (4 February 2002); Fakti [in Albanian] (27 December 2002).

99 NATO Press Briefings (12 October 2001, 21 December 2001); MIA [in Macedonian] (25 November 2003).

100 ICG 2002.

101 MIA [in Macedonian] (24 November 2005).

102 Nova Makedonija [in Macedonian] (6 February 2002, 11 October 2002).

target interveners.[103] An exception was the ANA, a faction of the NLA that rejected the OFA and participation in democratic politics.[104] However, it gained little support beyond a small number of former-fighters and was ultimately defeated by local police actions and paramilitaries linked to the mainstream NLA-turned-DUI.[105] This is not to say that local Albanians did not use violence or protest police operations during the early post-conflict phase, but violence was not used as an elite strategy to prevent access to or service provision in Albanian locales. Like the Kosovo Serbs after 2013, such operations were protested in government institutions.[106] Accordingly, interveners' presence was gradually scaled back from 2001–2006, without having to penalize state or local actors or recoup control of policing.

An exception to this pattern was in 2004–2005, when a faction of former-NLA fighters seized the village of Kondovo/Kondovë, near Skopje. Approximately 100 well-armed former-insurgents led by Agim Krasniqi took control of the village and prevented police from entering. EU police advisors in the field advised the MVR against trying to retake Kondovo/Kondovë by force, and instead the two major Albanian political parties, the DUI and DPA negotiated an end to the siege with Krasniqi.[107] Krasniqi's force subsequently stood down and both parties opened local offices in Kondovo/Kondovë. When police killed one of Krasniqi's men in Kondovo/Kondovë the following year, public protests occurred in the village, but violence against police did not. The outcome was thus that the Albanians were not crowded out of the local market by the state, but rather increased their institutional presence through local party offices and political organization.

Competition between the two major ethnic-Albanian parties, the DUI and DPA, during the early post-conflict period also illustrated the drawbacks of political capture of security institutions by local elites. Through enhanced decentralization, as per the terms of the OFA, municipal leaders had discretion in the recruitment, appointment, deployment, and oversight of local policing.[108] EU reports noted a high rate of turnover in trained personnel, transfers of police officers, and replacement of local police commanders with party members after municipal elections.[109] Conflicts occurred between municipal authorities and police where they were members of different parties.[110] Notably in 2008, pre-election

103 Vest [in Macedonian] (27 August 2003); The Guardian (8 September 2003).

104 European Commission 2003.

105 The Democratic Union for Integration (DUI), was the political party successor to the NLA, headed by NLA leader Ali Ahmeti. After the 2002 elections it was the largest Albanian party, surpassing the Democratic Party of Albanians (DPA): RFE/RL (28 March 2002); MIA [in Macedonian] (4 April 2002).

106 Makfax [in Macedonian] (6 July 2005); Fakti [in Albanian] (8 November 2007); Vecer [in Macedonian] (28 November 2007); European Commission 2008.

107 MIA [in Macedonian] (23 December 2004).

108 OSCE 2004b.

109 European Commission 2008; European Commission 2010.

110 European Commission 2006; Makfax [in Macedonian] (17 January 2008); BIRN (24 January 2008).

violence increased in Albanian locales, attributed to DPA-aligned police targeting DUI offices and events.[111] Like in post-2013 Kosovo, the cohabitation of private networks, parties, and local police constituted a means for ethnic elites to both distribute positions to supporters and attacking opponents with impunity. Accordingly, those elites that captured local security institutions could not only avoid crowding out by the state, but also enact favorable policies for their political advantage within their communities.

To summarize, Macedonia closely approximates the equilibrium agreement derived from the model. Prior to 2001 the Macedonian state, and particularly the MVR held a preponderant share of policing in Albanian-majority locales, which was perceived as largely repressive and discriminatory. The conclusion of the OFA and process of municipal decentralization gave local officials increased discretion in police recruitment, oversight, and deployment. This was manifested, though, as political capture by the DUI and DPA, evident in election violence in 2008, and the DPA's general opposition to police decentralization while the DUI controlled the municipal governments in the major Albanian locales.[112] The state retained discretion in certain areas of policing, such as regional commands, border security, and special operations, but the MVR had less direct control over municipal policing. Additionally, the state's paramilitary police were disbanded by foreign interveners, who in turn, retained oversight until 2006. It was not in local ethnic-Albanian elites' interest to use violence against the state, or police, and the major parties sought to marginalize those groups that did use violence against the state to avoid heavy-handed police operations that may have resulted in their removal.

Southern Serbia

In the context of this study, the 2000–2001 insurgency in southern Serbia constitutes a negative case in which an implicit resolution to local security provision was not realized. Unlike in Kosovo and Macedonia, foreign intervention was limited to diplomatic pressure and logistical support, rather than a peacekeeping presence on the ground. Fighting in the southern Serbian municipalities of Preševo/Preshevë, Medveđa/Medvegja, and Bujanovac/Bujanoc broke out in January 2000, driven by the end of the Kosovo War. NATO's imposition of a demilitarized buffer zone on the boundary with Kosovo (the Ground Safety Zone) provided an area beyond the control of the state, while the relocation of security forces from Kosovo to the Pčinj district antagonized the region's ethnic-Albanian majority. The ethnic-Albanian Liberation Army of Preshevë, Medvegja, and Bujanoc (UCPMB) began attacking Serbian police in the region, demanding unification with Kosovo. The 18-month insurgency ended in May 2001 with the Končulj Agreement brokered by NATO. Serbian security forces would be permitted to reoccupy the region and patrol the

111 European Commission 2008.

112 Jackson 2021.

boundary with Kosovo in exchange for concessions to the local Albanian population including increased political representation, economic development, and police reform.[113]

Under the terms of the Končulj Agreement, a new multi-ethnic police force was to be developed, similar to the Macedonian case. Local Albanians and Serbs were recruited and trained under OSCE supervision. Newly recruited Albanians were then deployed for field training in mixed patrols with more experienced Serb officers – a reportedly successful practice in which new Albanian officers faced minimal discrimination from more experienced Serb colleagues.[114] Unlike in Kosovo and Macedonia, though, there was no international police presence to supplement the local and state institutions.

The local ethnic-Albanian elite, which included both former-UCPMB commanders and more moderate community leaders, criticized the role and function of the new multiethnic police. They considered it a public relations stunt by the Serbian government to appease NATO, and voiced three major grievances regarding policing.[115] First was the minimal recruitment of former-UCPMB fighters despite a high number of former-UCPMB applicants to the multi-ethnic police, and assurances given to UCPMB commanders negotiating the Končulj Agreement.[116] Second was that bureaucratic education requirements in the police prevented most ethnic-Albanian recruits from being promoted. Avdi Bajrami who was appointed police commander in Preševo/Preshevë was an exception but had served as a command-level officer and had met education requirements for promotion prior to being relieved of duty in 1998.[117] Third, and perhaps most salient, was the restriction of the multi-ethnic police after its deployment in 2002 to marginal duties such as administration or traffic, while the MUP paramilitary Gendarmerie conducted most regular policing duties.[118]

113 ICG 2003; Jackson 2021.

114 ICG 2003; ICG 2006.

115 Statement by Riza Halimi, KosovaPress [in Albanian] (17 July 2001); statement by Naser Azimi, Tanjug [in Serbian] (30 December 2012).

116 Statements by Nazer Haziri and Shefket Musliu (UCPMB signatory of Končulj Agreement), KosovaLive [in Albanian] (6 August 2001).

117 Albanians recruited into the multi-ethnic police service were primarily new recruits without experience, but a smaller group was also recruited and trained separated consisting of ethnic-Albanians who had been police officers prior to 1998 when they were forced to resign: report in KosovaPress [in Albanian] (6 August 2001); Coordination Body News Center (7 March 2016).

118 ICG, 2006.

	Serbian Ministry of Internal Affairs (MUP)	
	Multi-ethnic police	***Gendarmerie (Žandarmerija)***
Remit	Local civilian policing: 'a police force that reflects the ethnic composition of the area… will wear the same neutral black uniform as Belgrade police rather than the regular purple camouflage of MUP'	'Counter-terrorism, ensuring public order and peace in high-risk situations, suppression of prison riots in penitentiaries, emergency assistance and rescue operations'
Strength (in southern Serbia)	437 (277 ethnic-Albanians)	~500

Table 3: *Police services in southern Serbia after insurgency*

This form of policing, in effect, crowded out the multi-ethnic force and undermined its intended purpose in the post-conflict environment. Gendarmerie personnel were not within the regular police chain-of-command, which included Albanian officers in the district and an Albanian commander in the Preševo/Preshevë municipality. They instead reported to MUP command in Belgrade, bypassing local discretion. The heavy presence of the Gendarmerie furthermore undermined police demilitarization negotiated in the Končulj Agreement. Its personnel wore camouflage uniforms, drove armored vehicles, carried long-barreled weapons, and occupied public facilities.[119] Local Albanians reported everyday forms of harassment by the Gendarmerie, such as arbitrary searches, catcalling, driving vehicles over private farmland, and openly wearing nationalist symbols.[120] The Gendarmerie operating from military bases outside of towns contributed to local perceptions of a police occupation.[121]

The only foreign presence in southern Serbia had been the OSCE monitors who oversaw training of the multi-ethnic police in 2002. Accordingly, interveners were unable to impose penalties for transgressive practices by MUP or violence from local parallel actors (*K=0*). Violence by former-UCPMB fighters specifically targeting police personnel and facilities persisted for years after the Končulj Agreement. This included targeting ethnic-Albanian officers and their homes after multi-ethnic patrols began in 2002. Gendarmerie

119 Albanian leaders had specifically requested that the multi-ethnic force not resemble a military force and it was issued black uniforms rather than camouflage. MUP Gendarmerie personnel, though, wore the purple camouflage associated with special police units.

120 ICG 2003.

121 ICG 2006.

operations in Končulj and Veliki Trnovac/Tërnoc i Madh in 2003 and 2006 precipitated coordinated rocket attacks on the Gendarmerie.[122] Violence specifically targeting police increased in 2007–2010 following increased military and special police deployments after new bases were opened in the region.[123] Rocket attacks on police stations and patrols in 2009 and 2012 were attributed to former-UCPMB fighters, reportedly coordinated by former insurgent commanders.[124] In 2013, an operation to remove a UCPMB memorial in Preševo/Preshevë by 200 Gendarmerie personnel was followed by an organized attack on the Gendarmerie force stationed in neighboring Bujanovac/Bujanoc.[125] Continued efforts by the MUP Gendarmerie to crowd out local elites, especially in security, made them a target of violence from local actors for more than a decade after the Končulj Agreement.

One outcome of this competition over policing in Albanian-majority locales was generally low support for the police. The Gendarmerie in particular was perceived as a force of state repression against the ethnic-Albanian minority, but locally recruited police in the multi-ethnic force were likewise targeted. Local leaders, including those perceived as more co-operative, protested the continued Gendarmerie deployment and operations carried out beyond the oversight of municipal authorities.[126] Furthermore, this meant certain rural areas, where neither the multi-ethnic police nor Gendarmerie operated, existed beyond the authority of central institutions. Villages such as Veliki Trnovac/Tërnoc i Madh and Turija were considered 'out of bounds' to police and protected by organized crime groups, which operated unofficial checkpoints.[127]

To concisely summarize the southern Serbia case, the Albanian-inhabited locales that were the subject of the 2000–2001 insurgency remained locations of violent contestation between local actors linked to the UCPMB and state institutions for more than a decade after the Končulj Agreement. Unlike in Kosovo and Macedonia, a cooperative outcome was not reached in the field of security, but rather MUP's paramilitary Gendarmerie, operating outside of local police command held a preponderant share of police authority, in effect crowding out local ethnic-Albanian elites. Despite having negotiated for it, former-UCPMB leaders were unable to 'capture' local security institutions and shape policy favorably for former-fighters. Unlike Kosovo and Macedonia, they were not given discretion in local-level policies such as recruitment, deployment, or oversight. Consequently, those local actors who were crowded out of the local market continued to use violence against state institutions, and the Gendarmerie in particular, from 2001–2013. As I argue elsewhere, this violence only declined after greater economic resources were made available

122 ICG 2003; Glas Javnosti [in Serbian] (14 November 2006); Beta [in Serbian] (8 June 2007).

123 KosovaLive [in Albanian] (11 August 2007); Beta [in Serbian] (5 March 2009); AFP (14 July 2009); RTS [in Serbian] (15 February 2010).

124 Radio B92 (23 July 2009); Politika [in Serbian] (28 December 2012); RFE/RL (17 October 2013).

125 Koha Ditore [in Albanian] (19 October 2013).

126 Beta [in Serbian] (20 November 2006); Vecernje Novosti [in Serbian] (24 July 2009).

127 Politika [in Serbian] (7 August 2007); Vecernje Novosti [in Serbian] (24 October 2013); Blic [in Serbian] (15 July 2014).

to local elites, encouraging more cooperative political competition.[128] Lack of a foreign intervener's presence in southern Serbia, meant that penalties (*K*) would not be incurred for escalations. As a result, the local market for security appeared as $x_{Gov}>x_B+x_{Pb}$, meaning that both sides had incentives to escalate or spoil – crowding out through increased deployments of special police by the government, and organized violent responses from local actors.

Summary

To summarize the three cases, each exhibits a different pattern of competition with the state for the local security market. In Kosovo, which had perhaps the most developed local institutions, due to funding and support from the Serbian government, local security providers retained discretion in 2013, more closely approximating integration by the state. In Macedonia, where the OFA gave enhanced authority to local officials, there was only limited violence against the state after 2001, and incentives for local elites to reduce violent competition. In southern Serbia, where there were no foreign interveners with executive authority, the state attempted to crowd local providers out of the market, precipitating continued violence against police from 2001–2013. In general, these observations are consistent with Fearon and Laitin's theory that inter-ethnic stability is reached through each ethnic group policing itself to avoid transgressions against the other or retribution against the other group for transgressions.[129] This study, however, poses two nuanced modifications. One is that local ethnic leaders will use violence against the state to assert their own agency where they are marginalized or crowded out of policing. The threat of retribution from the out-group that underpins Fearon and Laitin's argument is applicable when local elites have a share of the local 'market' that they stand to lose. The other nuance is that recruiting local police is not the same as integrating existing institutions or networks. In all three cases, post-conflict institutions recruited police from the local ethnic group, but in pre-2013 Kosovo and southern Serbia, they were targets of violence. Where institutions were integrated in Macedonia and post-2013 Kosovo, rather than individual co-ethnic recruits, incentives for violence decreased. Local discretion rather than recruitment is critical.

Another consideration relevant to this study is the role of ethnic kin-states in the genesis and pathology of local-level parallel institutions. As existing studies note, proximate kin-states can affect the ability of ethnic groups to make political claims in their home state, including waging conflict against their home state's government.[130] In all three cases analyzed in this study, links between subject groups and kin-states were evident. In Macedonia and southern Serbia, the Albanian insurgents were supplied and supported by the former-KLA and their leaders retained ties to the ethnic-Albanian elites in Kosovo. Their

128 Jackson 2021.

129 Fearon and Laitin 1996.

130 Brubaker 1995; Cederman *et al*. 2009.

demands for increased rights, and in southern Serbia's case secession, were likewise influenced by Kosovo. In the Kosovo case, the Serb parallel institutions' ability to provide policing services, and survive outside of Kosovo's institutional organization was greatly affected by their links to Serbia. Serbia provided funding and personnel for these institutions and inspired and legitimized claims that these institutions and territories were distinct from Kosovo's central institutions (including UNMIK). Ultimately it was through negotiation with Serbia that the parallel Serb institutions were incorporated into the state. However, in keeping with the theory presented in this study, private actors who stood to be crowded out by a negotiated agreement, even one supported by Serbia, used violence against state institutions at certain points in the Prishtina-Belgrade dialogue.[131]

Lastly it is important to briefly consider the ethical implications of these findings. The findings presented in this study indicate that where local parallel institutions, which develop in the absence of the state, are permitted to capture local security institutions, they will not use violence to challenge the state. Many studies of conflict and post-conflict societies note, though, that the elites that emerge are illicit actors, not only in their rejection of state authority, but their cohabitation with organized crime, smuggling, protection racketeering, and paramilitaries.[132] Allowing such actors to capture official institutions may be counter to peacebuilding and validate its critiques of stabilitocracy-building. Episodes of violence and impropriety by politically-affiliated police in certain locales in Kosovo and Macedonia, illustrates the drawbacks of this. A counterpoint to this may be that such actors exist both in the absence and presence of official state institutions, and it was through the bureaucratic monitoring of official institutions that such actors were identified and held accountable.

Conclusion

The purpose of this study was to analyze competition for discretion in the provision of security and policing in ethnically-distinct locales after conflict. Security after conflict is often an especially sought-after public good given pervasive conditions of uncertainty and low trust between sides previously fighting one another.[133] Within the framework of liberal peacebuilding that seeks to foster stability through strong and inclusive institutions, there are three types of actors providing security: (1) the central state institutions, or leviathan in Hobbesian terms, which are often stigmatized by participation in repression during conflict; (2) local security institutions that develop in the absence of a strong state, akin to Olson's (1993) stationary bandit, to provide protection; and (3) foreign interveners or peacebuilders capable of providing enforcement and supplementing state institutions' capacity.

131 Jackson 2020; Jackson 2021.

132 King 2001; Koehler and Zürcher 2003; Zürcher *et al.* 2013.

133 Wolff 2011.

The interaction of these three actors, the Bandit, the Bondsman, and the Leviathan can be conceptualized as a three-way competition for a local market. As an actor that prefers stability and a timely exit from post-conflict deployments, the interveners or peacebuilders do not seek long-term discretion, but retain the ability to punish the other two for using violence. The other two actors, the state and local elites, seek to increase discretion over policing in specific locales. Drawing on studies of criminal governance, local elites have material, reputational, and social benefits to not being 'crowded out' of the market by the state. The state, though, seeks to establish or reestablish its monopoly on force within the ethnically-distinct locations it may have lost control over during fighting. To avoid crowding out, local elites may use violence specifically against state institutions and police, while the state may escalate its efforts to crowd out ethnic elites by deploying militarized or special police against local leaders. Neither the state nor local elites have incentives to escalate if their shares of the local security market are closely split such that a penalty imposed by peacebuilders would alter their market-share relative to the other. For this outcome to be attained, local elites must be permitted to 'capture' a share of the local market. Following works on the practice of state capture at the state-level, local-level capture entails cohabitation of local administration and armed groups as a means of shaping local-level policy. This effectively binds local elites to the success of institutions, reducing their incentives to alter the status quo using violence.

To conclude, the findings in this study make three broader contributions to the study of local-level political development after conflict. More generally it provides illustrative examples of how competition over local-level policing after conflict, even low-intensity conflict, affects the propensity for groups to continue using violence against state after negotiated settlements. Additionally, this study demonstrates the value of analyzing the political dynamics within groups and especially their ability to organize violence in relation to their integration in security institutions after conflict. Group-based institutions persisted beyond the end of fighting, and negotiated settlements, and the treatment of these institutions as service-providers rather than 'separatists' or rebels can inform policies of integration. Lastly, by conceptualizing armed groups and group-based institutions that develop during conflict as 'new entrants' into the security market, local-level capture can be understood as a mechanism for maintaining stability, and a strategy for local actors to prevent a state monopoly. In this sense, this study contributes a novel understanding to post-conflict institutions in that institution capture in locations of weak state capacity can increase stability and reduce post-settlement violence.

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