Engineering an Ethnic Mosaic: The Institutionalization of Civic Nationalism in Kosovo, Israel, and the West Bank

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Engineering an Ethnic Mosaic: The Institutionalization of Civic Nationalism in Kosovo, Israel, and the West Bank

Abstract
A perfect storm of ethnic-based violence is on the horizon, spurred on by increasing diversity, climate change, and the inability of many societies to handle these trends. This thesis examines the ways through which elites are incentivized to build institutions promoting a specific type of identity and how institutional structures use different means to promote the desired identity. It also addresses the ways through which state-based identity can be adapted to be inclusive while remaining salient. This will be done both through examinations of existing theory surrounding state structure and identity as well as two case studies where identity is a key factor. The first case study being development of identity in Kosovo, which embarked on an institutionally-based process of forming a civic-national identity after its independence in 2008. The case of Kosovo demonstrates how states with a recent history of ethnic conflict can institutionalize civic-national identities and in doing so, reduce the incidence of ethnic violence. The second case is that of Israel and the West Bank where an examination of how the ethnonational identities of the region were formed and the potential outcomes should a one-state solution be implemented demonstrate how different incentives lead to the construction of various institutional regimes. It concludes by using the two case studies to demonstrate how the institutionalization of civic-national identities can decrease the occurrence of ethnic conflict and how examining state institutions can give an overview of the politically salient identities within a state’s borders.

Keywords
ethnonationalism, civic-nationalism, Kosovo, Israel, West Bank, Serbia, Ian Lustick, Lustick, Ian, Political Science, Social Sciences

Disciplines
Comparative Politics | Political Science

Comments
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Engineering an Ethnic Mosaic:
The Institutionalization of Civic Nationalism in Kosovo, Israel, and the West Bank

By:

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This thesis is submitted in fulfillment of:

Bachelor of Arts Degree
Department of Political Science with Distinction
College of Arts and Sciences
University of Pennsylvania

2019
Acknowledgements

I would like to express my very great appreciation to my advisor Dr. Ian Lustick for his incredibly valuable suggestions, comments, and advice through the development and writing of this thesis. His help and mentorship were invaluable and his willingness to give his time is incredibly appreciated. I would also like to thank Karen Gouws for her tremendous support with ArcGIS in the creation of the maps in this thesis and with her assistance in the development and execution of this work. Thank you also to Dr. Robin Dewar, Victoria Gilbert, Helene Highbarger, Mayha Shah, Cecilia Valadez, AJ Mangold, Nia Moore, Otys Dewar, and Lesley Gaetjens for providing their time and energy to help edit and review my thesis. Finally, thank you to Professor Doherty-Sil and the entire honors class for making this experience so fulfilling.
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Abstract

A perfect storm of ethnic-based violence is on the horizon, spurred on by increasing diversity, climate change, and the inability of many societies to handle these trends. This thesis examines the ways through which elites are incentivized to build institutions promoting a specific type of identity and how institutional structures use different means to promote the desired identity. It also addresses the ways through which state-based identity can be adapted to be inclusive while remaining salient. This will be done both through examinations of existing theory surrounding state structure and identity as well as two case studies where identity is a key factor. The first case study being development of identity in Kosovo, which embarked on an institutionally-based process of forming a civic-national identity after its independence in 2008. The case of Kosovo demonstrates how states with a recent history of ethnic conflict can institutionalize civic-national identities and in doing so, reduce the incidence of ethnic violence. The second case is that of Israel and the West Bank where an examination of how the ethnonational identities of the region were formed and the potential outcomes should a one-state solution be implemented demonstrate how different incentives lead to the construction of various institutional regimes. It concludes by using the two case studies to demonstrate how the institutionalization of civic-national identities can decrease the occurrence of ethnic conflict and how examining state institutions can give an overview of the politically salient identities within a state’s borders.
Introduction

A perfect storm of ethnic-based violence is on the horizon, spurred on by increasing diversity, climate change, and the inability of many societies to handle these trends. In areas across the globe, the populist use of nationalist sentiment has given rise to increased conflict and the promotion of more homogenous states and societies. Regions such as Eastern Europe, Africa, the Middle East, and East Asia have all had conflicts instigated and maintained by ethnonationalist sentiment. Simultaneously, ethnic identities are becoming increasingly important throughout Western Europe and the Americas. Ethnic-based social cleavages have become institutionally validated by peace processes driven by the assumption that separation of feuding ethnicities or the imposition of power sharing measures would be beneficial. However, institutions formed post-conflict often serve to further the salience of ethnic conflict. As trends of immigration, globalization, and other threats to the stability of the existing state system continue to grow in severity and importance, it is more than necessary to find a way to reduce the salience of ethnic-based identity and instead work towards forming a civic-national identity.

States play an integral role in socializing their citizens into a desired identity. These identities can be based upon a certain ethnic group, as is common in the Gellnerian nation-state. Some states attempt to ensure loyalty to the state through the institutionalization of ensured representation for ethnic groups through power-sharing or other means, thus constructing the state as an arbiter between group or as a means through which to ensure all groups benefit. Other forms of identity are founded on a non-ethnic basis and may instead be based on birth or residence in a certain territory, sometimes rejecting ethnic identity as a whole and instead homogenizing individuals into a distinct new identity. In contrast to the other forms of identity, the construction of a civic-national identity allows for the expression of minority ethnic identities while forming a cohesive non-ethnic identity based on citizenship and shared values.

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While many articulations of non-ethnic identity struggle to achieve acceptance throughout a state, civic-nationalism can be a successful means through which states can decrease the likelihood of ethnic conflict and increase loyalty to the state by forming binding ties between ethnic groups while allowing the preservation of the cultures of individual ethnic groups. This means that states institutionalizing a civic-national identity do not need to compete against the appeal of ethnic identification to the same level that states attempting to suppress ethnic identity do. The ability of civic-national identities to coexist with some levels of ethnic attachment is especially important as it precludes ethnic appeals as a means to rally opposition to the state. This thesis will demonstrate how civic-national identity can reduce the likelihood of ethnic conflict and allow for inter-ethnic reconciliation and state stability even in regions with a recent history of ethnic violence.

The Resurgence of Ethnonationalism

The rise of ethnonationalist sentiment is often correlated with dissatisfaction with globalization and greater levels of international migration. Far-right movements emerging officially as oppositions to globalization often manifest through ethnonationalist rhetoric and appeals to an idealized history of a more homogenous society. Continuing increases in global migration have led to greater cultural mixing and greater perceived threats against the cultural integrity of the native-born population. At the end of 2017 approximately 258 million people lived outside their state of birth, which marked an increase of 49% as compared to 2000. Ten percent of those migrants were asylum seekers or refugees, with the majority of refugees being located in middle and low income states. The number of cases of forced displacement has been worsened by the approximately 26-38 ongoing global conflicts, some of which

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10 Ibid.
have provoked massive refugee crises.\textsuperscript{11,12} The response from international bodies such as the European Union has, in many cases, been massively unpopular. A 2018 Pew opinion poll reported that the lowest approval rating for the EU’s handling of the refugee crisis was 7\% in Greece with the highest being 37\% in the Netherlands. Individuals in states serving as primary entrance points for refugees into the EU reported greater disapproval than those in states solely bordering the sea and other EU member states.\textsuperscript{13}

This trend has driven greater Euroscepticism in areas such as the United Kingdom, where opposition to perceived excessive EU regulations and the EU policy of free movement played a large part in the Brexit vote. The surge in populist sentiment has played a role in remaining EU member states such as Germany, where the Alternative for Deutschland (AfD) has become the main opposition party in the Bundestag. Hungary and Poland, both of which have experienced serious authoritarian backsliding in recent years, and other EU member states\textsuperscript{14,15,16}

These trends have undermined trust in international institutions and multilateral bodies and led to an upswing in populist sentiment that can manifest as ethnonationalism.\textsuperscript{17} Elites have often used ethnonationalist appeals to turn mass sentiment against migrants through references to the preservation of culture or history. It has also led to a backlash towards multiculturalism in general, with an average of 55\% of people surveyed across 10 EU states saying all migration from Muslim-majority states should be stopped. This majority has held in all surveyed states except for Spain and the United Kingdom.\textsuperscript{18}

Especially in Southern and Eastern Europe, individuals are increasingly stating that diversity makes their

state a worse place to live, with some states reporting that over half of their population held this opinion. No European state had a majority of respondents stating diversity made their state a better place to live. This perception of immigration as a threat to society furthers incentives for political elites to promote ethnonationalist identities in order to maintain political power, creating a self-reinforcing cycle that sows the seeds of ethnic conflict.

This trend seems unlikely to stop anytime soon. Climate change will serve as a powerful force multiplier in future conflicts, increasing the likelihood of migration due to the increased frequency of natural disasters, frequency of flooding due to sea level rise, and conflict related to resource scarcity among other things. This means that climate change will continue to increase factors that lead to upswings in populist and nativist sentiment. This will be exacerbated by the fact that in times of economic difficulty and resource scarcity not only do humans tend to protect the interests of their ethnic or racial in-group but the boundaries of the in-group become tighter and less inclusive. This has been shown by studies demonstrating that in periods of difficulty, individuals tend to exclude biracial people from their perceived in-group. Thus, not only is it likely that the future will hold greater global migration for economic and humanitarian reasons, but it is also likely that global resource difficulties will cause a resurgence of nativist and restrictive in-group vs. out-group thinking. This will remain true so long as ethnic and national identities remain one of the more salient aspects of political identity. While in-groups and out-groups exist in civic-national states, the state-based cohesion would allow greater cooperation within the state, limiting restrictive thinking to between states, which can be mitigated through existing international means.


Ragnhild Nordas, "Climate Change and Conflict," Political Geography 26, no. 6 (2007).
Christopher Rodeheffer, "Does This Recession Make Me Look Black? The Effect of Resource Scarcity on the Categorization of Biracial Faces," Psychological Science, 2012
2083: A European Declaration of Independence, referenced “Kosovo” 143 times, “Serb” 341 times, “Bosnia” 343 times, and “Albania” 208 times. In his manifesto, he states his admiration for the work of Serbian ethnonationalists in attempting to regain control of Kosovo and uses the Bosnian War and the continuation of Bosnia’s existence as a partial justification of his actions. The perpetrator of the 2019 Christchurch attacks in New Zealand played a song honoring Bosnian Serb war criminal Radovan Karadzic during the attacks and who in his manifesto cited his desire to “Balkanize” the United States in order to prevent the US from intervening in situations such as Kosovo in the future. He also marked his weapons with the names of Balkan nationalists who fought against the Ottoman Empire and who in later wars in the region committed atrocities against Muslim-majority populations. These two cases are part of a broader pattern that demonstrates the fact that ethnic violence in one region rarely remains contained to that area and may incite violence even continents away.

At the center of many conflicts is the question of the role of ethnicity in determining the character of the state and the political life of its citizens. Within the Balkan region, all states with the exception of Montenegro, Kosovo, and Bosnia define themselves explicitly as the national homeland of a distinct ethnic group. Bosnia has a political system completely structured around the question of ethnicity. Its constitution mandates ethnic-based allocations for all segments of the government, including its tripartite presidency which consists of one Croat, one Serb, and one Bosniak. This has at times been taken to the extreme, prohibiting individuals who are not members of the three constituent “nations” from running for political office. Kosovo, however, has made distinct progress in the area of creating a unifying civic-national identity despite its recent history of ethnic violence. Within the eleven years since Kosovo’s independence, the vote share going to ethnonationalist parties has decreased markedly and the instance of

25 Ibid.
27 Ibid.
ethnic violence has also seen a stark decrease from 2008 to 2018. This improvement demonstrates that even in cases of recent ethnic violence, states are not doomed to either face a resurgence of conflict or institute policies legitimizing ethnic identification. As will be discussed later, the case of Kosovo demonstrates the means through which institutions can be shaped that allow for the formation of salient non-ethnic identities, even in regions where ethnic identity has been the traditional form of political association.

In the Middle East, elements of ethnic-based political organization remain salient. The Israeli Knesset in 2018 passed the “Nation-State Law”, one of the Israeli Basic Laws that make up its informal constitution, and which officially declares Israel the “nation-state of the Jewish people”. This claim was mirrored by that of the Palestinian constitution passed in 2003 which declared functionally the same territory the national homeland of the Palestinian people. Thus, the strong salience of ethnic-based identities within this region has been reinforced by state structure in a similar way to that of identities in the Balkans. This has led to entrenched conflicts that are largely unsolvable so long as ethnicity remains the most salient factor of identity. The case of Israel and the West Bank will be examined later in order to first examine how incentives shape the decisions of political elites in terms of which identities are promoted as well as how incentives and institutions could potentially be reshaped, using the case of Kosovo as an example, in order to promote non-ethnic identities.

Despite similar circumstances regarding a history of ethnic conflict, the presence of pockets of concentrated minority groups, and a history of colonization by the Ottoman Empire, Kosovo has taken a starkly different approach to the institutionalization of identity when compared with Israel and the West Bank. This thesis will seek to examine how national identity is constructed by and within the context of international disputes and competing claims to territory, culture, and history. It will do so by examining and comparing two cases of disputes driven by territorial and identity-based factors: the Kosovo-Serbia conflict and the Israeli-Palestinian conflict. More specifically, it will look at the cases of north Kosovo...

and the West Bank. While both conflicts have been partially instigated and maintained by ethnic-based nationalist sentiment, the inclusion of north Kosovo and the West Bank allows for the analysis of how minority groups, especially territorially concentrated minority groups, are affected by institutional promotions of identity.

This thesis will examine first the relationship between institutional structures, such as electoral incentives or foreign pressure, and the politically relevant identities of citizens within ethnically heterogenous states. It will take a closer look at how altered incentive structures influence the decisions of elites within states to promote one type of identity over another in order to see how the types of altered incentives affect institutional identity-related structures. It will also use an index of institutional identity underpinned by the work of Liberman and Singh to evaluate how effective institutional structures are at reflecting the politically salient identities of the citizens of a particular state. Finally, it will seek to answer the following question: is it plausible that a non-ethnic political formula based on identity to unite these peoples could develop? It will test the hypothesis that certain incentives as well as changes in elite structure shape which identities state institutions promote. It will then test the hypothesis that with the correct institutional structure, a civic-national identity can help decrease the political salience of ethnic identity in regions with recent experiences of ethnic conflict.

Chapter One: Theory and Methodological Framework

*Institutions and Identity*

The institutional structures of modern states socialize their citizens into specific identities in a variety of ways. For the purpose of this thesis, institutions are defined as the structures that organize the society of a state and organize the relationship of a state to its citizens, citizens to their state, and citizens

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to one another. Institutions can be formal, such as the military of a state or its legislature, or informal, such as norms governing interactions within a society. These informal norms may contravene or contradict the official institutions of a state, but often have greater relevance to citizens than do formal institutions. An identity for the purposes of this thesis is a category an individual can define themselves as part of and most individuals have multiple ethnicities, some more important to them than others, and have some, albeit limited, capacity to switch between salient identifications. A politically relevant identity is one an individual chooses, consciously or subconsciously, as their most relevant identity for the purpose of defining their identity as it relates to their state and ethnic or cultural groups.

The institutional regimes of states serve to reinforce or construct the preferred state identity. The development of systems leading to widespread formalized mass education and literacy led to the possibility that a comprehensive national identity could be spread through a region or state. Mass education and developing linguistic cohesion within states thus enabled the creation of modern nationalism, which relies upon the construction of a national identity containing three main components: 1) a “nation” created from an idealized history of a group, which formed a “state of mind” that is willed into existence and “lives in the hearts and minds of its members”, 2) binding ties such as ethnicity or language that can be inherited through birth or early childhood education, and 3) a way of differentiating between the in-group and out-group while making it difficult to move from one to another. These nations, which form the basis for the Gellnerian nation-state, are usually connected to a specific ethnic group.

Through the process of socialization into a national identity, in a nation-state, the ethnic identity and

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35 Schulze and Yuill, States, Nations, 102.
37 Ibid.
national identity become intertwined, which is not the case for a civic-national national identity or other non-ethnic forms of state-level identities.

A number of key characteristics differentiate ethnic identity from other forms of identity. An ethnic identity is then one where identity is contingent on descent-based attributes where all siblings are eligible to share their identity and the identity is composed of a subset of the general human population.\textsuperscript{38} Within nation-states, state institutions combine ethnic identities and aspects of a perceived common history and cultural attributes to create a national identity that prioritizes one ethnic group above others.\textsuperscript{39} In promoting this group, nation-states often also engage in policies of state homogenization, either via forced or voluntary assimilation of minority groups or, in extreme but not infrequent cases, ethnic cleansing or genocide.\textsuperscript{40}

States with multiethnic populations and without a desire to promote one ethnic identity over others are faced with a number of potential institutional structures that could promote various types of inclusive identities. These institutional regimes seek to develop a loyalty to the state, rather than to an ethnic group. One such identity is the idea of the “melting pot” state, where the identities of multiple ethnic groups are mixed and subsumed under an inclusive umbrella identity of the state as a whole.\textsuperscript{41} Another is that of the “cultural mosaic” form of multiethnic national identity, in which the identities of various ethnic groups continue to exist separate from one another, but as complimentary parts of a cohesive whole.\textsuperscript{42} Another state type along this line is that of a multinational state similar to that of the Soviet Union or former Yugoslavia in which distinct nations are recognized and given specific national rights, but under a similar umbrella identity that serves to supersede the individual national identities.\textsuperscript{43}


\textsuperscript{40} Ibid.


\textsuperscript{42} Ashmore, Jussim, and Wilder, \textit{Social Identity}, 10.

\textsuperscript{43} Aleksandar Pavković, \textit{The Fragmentation of Yugoslavia} (Geelong, Vic.: Deakin University, 1995).
Another type of non-ethnic identity is that of civic-nationalism. In contrast to other forms of non-ethnic identity, civic nationalism seeks to neither homogenize groups into one culture nor to institutionalize the various ethnic identities of all of its citizens, but rather, to promote allegiance to a common set of values. In a state institutionalizing a civic-national identity, allegiance is to “a community of equal, rights-bearing citizens, united in patriotic attachment to a shared set of political practices and values.” This type of nationalism is tied to the notion of constitutional democracy, where the values enshrined in a state’s constitution form the unifying factor for the creation of a national identity rather than that of ethnicity, making a state where one can “opt-in” and “opt-out” of membership without fulfilling ethnic criteria. Will Kymlicka describes the civic nation as “a conception of national identity which is post-ethnic and multicultural; both emphasize the linguistic and institutional integration of immigrants, while simultaneously accepting and accommodating the expression of immigrant ethnicity.” Thus, institutions within a civic-national state allow for the expression of minority cultures while incorporating and integrating them into state structures and institutions and establishing other means of binding citizens together, such as the acceptance of common values.

Another key difference between multiethnic states and monoethnic nation-states is that of the idea of the diaspora. For nation-states, members of the nation living outside of its borders are perceived to still be connected to the nation-state itself as members of its diaspora population. Civic nations and multiethnic nations, in contrast, lack the same sort of ties to those outside their borders as national identity in these states are confined to those living within state borders and governed by the constitution shaping the state and its citizens’ identity. In a world where transnational ties become easier, diasporic identities present other considerations for the formation of non-ethnic based state identities, namely the question of the feasibility of state cohesion in the presence of hybrid identities, the question of to what degree social cohesion in multiethnic societies requires the assimilation of minorities, and if liberal democratic values

can supersede ethnic and kin-based ties in an era of globalization when it is easier than ever to maintain them.\textsuperscript{47} Furthermore, ethnic and civic-national identities are not always dichotomous. One blend is that of a hybrid civic-ethnic national identity where ties to one ethnic group are combined with allegiances to values and, in rare cases, the foreign states that share them.\textsuperscript{48} In these cases, individuals with high levels of ethnic attachment while maintaining an inclusive identity to ethnic out-group members, especially those who share certain values.\textsuperscript{49}

There are a number of benefits to institutional constructions other than those promoting ethnonational attitudes, especially institutional structures such as those found in polyethnic states and similar variants. First, a thoughtful process of state-driven identity construction that creates a non-ethnic overarching identity could serve to lessen the salience of ethnic identity for citizens living within such a state, diminishing the chances of ethnic conflict and diminishing the ability of populists or similar demagogues to use ethnicity as a rallying point.\textsuperscript{50} Second, population diversity itself brings benefits that can only be truly actualized if this diversity is embraced rather than tolerated. The multiculturalism that would come from a polyethnic state would provide a number of benefits such as advantages for collective creativity, linguistic and cultural expertise. These advantages would serve as a positive benefit for both the economy of a state in the increasingly globalized international economy and for a state’s diplomatic and clandestine services.

An official policy of multiculturalism serves as a catalyst to attract skilled immigrants and to assist in establishing a firm system of meritocracy and social mobility for those already residing within a state, reducing the incidence of long-term poverty concentrated in certain minority ethnic groups.\textsuperscript{51} Thus, polyethnic states with official policies of multicultural acceptance have increased benefits in state competitiveness not afforded to more standard nation-states due to their prioritization of one culture and

one ethnic group over all others. Finally, there is the fact that global migration patterns and
globalization, which has not stopped despite populist opposition, means that mixing of cultures and
immigration across borders is likely inevitable and in many cases, including those of the case studies in
question, has occurred already. The most logical and most humanitarian response is thus to find a way to
use these changes for the betterment of the states in question.

It is important also to note that unlike with religion or similar topics, the state itself cannot be
neutral in terms of constructing identity for those within its borders. Everyday actions coming from the
state play a role in the formation and validation of the identities of its citizens and there is no way for a
state to extract itself from this cycle without abdicating many of the responsibilities it holds. The national
identity of a state and the nations included within its borders, are kept alive through a series of banal and
mundane daily practices often carried out with the assistance of state institutions. These practices serve
to form and reinforce the identity of the state and ensure it maintains salient to its citizens even outside of
times of crisis. Thus, the key question in regards to the role of the state in institutionalizing and
promoting identities within its borders is not if the state is doing so but rather what identity the state is
promoting. Furthermore, there is the question of if the identity promoted by the state is capable of being
salient to all individuals within its borders or only to some, thus leaving open room for the development
of alternate key identities that may be antagonistic towards the identity of the state and thus promote
secessionism or related desires. These questions are especially important for states with a history of ethnic
conflict and existing tensions between ethnic and sectarian groups within its borders as proceeding along
with an ethnic-based state identity without modifications often leads to a resurgence in ethnic-based
conflict.

The idea of modification to a state’s population or borders to better accommodate ethnic divisions
of course has a long and horrifying history of violence, human rights abuses, and other forms of ethnic

52 Ibid.
cleansing. Secession does, however, in certain cases exist as a legal option under international law either with the consent of the host state or in exceptional circumstances, such as those resulting from acts of genocide.\(^5^6\) Power-sharing agreements have been another proposed way to facilitate the creation of multiethnic states in states with histories of ethnic conflict and division, but the examples of states such as Lebanon and Bosnia demonstrate that at times they only serve to institutionalize ethnic cleavages. However, there are examples of such agreements leading to more peaceful, if tenuous, domestic situations such as with the Good Friday agreement regarding Ireland and Northern Ireland. However, in all cases, such power-sharing agreements have led to even greater degrees of polarization in the self-proclaimed identities of citizens.\(^5^7\) Other agreements, such as mutually agreed upon assimilation, internal homogenization through state structures such as the federally administered educational system, the formation of consociational democracies, and outside management and arbitration offer additional options for the management of multiethnic populations.

The formation of civic-national identities provides another option for the management of diverse populations. Some evidence exists supporting the construction of a common identity as a means through which to decrease the incidence of ethnic violence. Research done using Kenya and Tanzania demonstrates that active institutional attempts to form a salient state-level identity decrease ethnic violence.\(^5^8\) Furthermore, the study shows that state-level efforts to form a salient national identity increase the effectiveness of public goods provisioning to heterogeneous communities within the state. The case of Tanzania also demonstrates the importance of key institutions in forming a salient state-level identity.\(^5^9\) Experiments done in Mostar, a city in Bosnia divided between Croats and Bosniaks, also shows that ethnic heterogeneity leads to increased pro-social behaviors and altruism between ethnic groups among


\(^5^9\) Ibid.
students, even in a region with a very recent history of ethnic violence between the two groups.\textsuperscript{60} This study further demonstrates that the institutional arrangements of the state are key to allowing this pro-social behavior to emerge by allowing for the sanctioning of non-cooperating members.\textsuperscript{61} The belief in the ability of a common national identity to reduce the salience of intolerant ethnic identities ties into the Common In-Group Identity Model (CIIM). This model suggests that the formation of a salient national identity could lead to decreased ethnic identification between individuals due to the tradeoff between ethnic and national identification.\textsuperscript{62}

**A Framework for Examining the Institutionalization of Identity**

In order to examine institutional shifts, I coded the institutionalization of identity types using an index similar to a model developed by Lieberman and Singh. This model uses an institutional approach to the study of ethnic politics and focuses on the role of institutions and other legal methods in increasing or reducing the salience of ethnic identity.\textsuperscript{63} An important part of the measurement of institutionalization of ethnic identity done by Lieberman and Singh is that institutions that effectively reinforce ethnic divisions but are officially non-ethnic are not considered to create ethnic boundaries.\textsuperscript{64} Only institutions that explicitly create ethnic divisions are coded as being or creating ethnic boundaries. As will be demonstrated in the section on Israel and the West Bank, the exclusion of information regarding the impact in practice of institutional structures overlooks implicit but still meaningful ethnic boundaries. In order to incorporate these distinctions, each indicator is coded for both the explicit institutional structures and the implementation of these structures.\textsuperscript{65}


\textsuperscript{61} Ibid.


\textsuperscript{64} Ibid.

\textsuperscript{65} An explanation of each indicator can be found in Appendix I
Each indicator is divided into one representing the formal elements of the variable, which may or may not be properly implemented, and one representing the implementation of the variable in question. The chosen indicators were determined based on the institutions most prominent in socializing individuals into certain identities according to existing literature. For example, the curriculum of a state’s educational system has historically been one of the main ways states socialize citizens into a desired identity. The composition of the military and restrictions on enlistment also clearly indicate preferences for one group over another and can play a major role in reinforcing or combatting the ethnonationalist identities of states. Imposed restrictions on democratic participation such as voting or protest also impact and indicate the character of the state and play a role in the degree to which political elites are required to take all interests into account. The question of if there is equal provision of public goods throughout the state also demonstrates if there is state preference for one group over another and can lead to either greater investment in the state and thus acceptance of the state-level identity or the evolution of feelings of resentment towards the state depending on the actions of state institutions in this area. Symbolic representations of the identity of the state also indicate the desired character of the state. Similarly, requirements to declare ethnic or national affiliation on ID cards often plays a role in establishing the character of the state and in extreme cases of ethnonational states, can facilitate ethnic violence.

The indicators are scored on a scale of -2 to 2, with -2 representing implementation or legislation that would be found in a pure ethnonationalist state and 2 representing implementation or legislation that would be found in a pure civic-national state. An average is then taken of the total score, which then represents a metric of the overall character of the state. For Kosovo, the index is coded for both the Serb-majority north (Mitrovica District) and Albanian-majority south while in the second case it is coded for Israel and the West Bank. The integration of the implementation score, as well as additional indicator

variables, allows for the examination of not only how the institutional structures of states reflect the desired identity but also how successful these institutions are at promoting the desired identity or if non-explicit aspects of institutions continue to reinforce ethnonational identities or ethnic divides.
Chapter Two: The Republic of Kosovo

After the death of Josip Broz Tito and the fall of Yugoslav communism, the area that now makes up the Republic of Kosovo went through three distinct periods of institutional arrangement. The first set of institutions were those imposed after the revocation of Kosovar autonomy under the government of Slobodan Milosevic. The second set of institutions were those established during the period of international trusteeship under the United Nations Mission in Kosovo (UNMIK). The third and current set of institutions are those established after the 2008 Kosovar declaration of independence, which have since been moderately altered. Throughout these three periods, the elites of Kosovar society remained relatively constant within and across ethnic groups. Despite this consistency in elites, the different incentive structures that shaped the three periods led to the formation of distinct institutional structures that promoted different identities as the ones around which to base political organization and decision-making.

This section first demonstrates how shifts in incentive structures for political elites in Kosovo altered the type of identities promoted by state institutions. The section then builds upon the demonstrated changes in institutional structures and shows how salient identities for Kosovars shifted in correlation with these institutional changes. Given the lack of accurate polling data in Kosovo regarding identity, the politically relevant identities of Kosovars are proxied through the use of election results. Finally, it evaluates the degree to which examining institutional indicators accurately reflects the politically salient identities of Kosovar citizens and how regional variations in incentives impact the development of different politically salient identities. The section as a whole will show how switches in electoral incentives and the introduction of international interests reshaped the identities promoted by Kosovar institutions and the ways through which a civic-national identity was semi-successfully promoted.
The Republic of Kosovo declared independence from Serbia on February 17th, 2008. This was nine years after Kosovo obtained de facto autonomy in the aftermath of the 1999 North Atlantic Treaty Organization (NATO) intervention against Yugoslavia. This intervention occurred in order to stop ethnic cleansing committed against Kosovar Albanians. Since then, Kosovo has been recognized by a majority of United Nations member states but struggles to achieve recognition from a few key states. These states include Serbia and Serbian allies such as Russia along with certain EU member states, especially those with a fear of secessionist sentiment such as Spain. A number of components have led to this struggle. First is the centrality of Kosovo in the Serbian national myth, as Kosovo was the location of the 1389 Battle of Kosovo, which took place between Serbian and Ottoman forces.\(^{70}\) This battle has been memorialized in the Serbian national psyche as one of the key beginnings of the Serbian nation and an expression of their Orthodox Christian identity.\(^{71}\) The second component to Kosovo’s difficulty obtaining recognition is its struggle to establish an identity that is separate from the ethnic identities of its citizens but still salient to them. While much progress has been made in this area since 2008, there remains some portions of this identity formation process where the movement from theoretical actions to complete implementation have faltered. The institutional structures, however, provide useful examples as to how to construct a legal regime that allows for the expression of ethnic-based cultural identities while forming a common civic-national state identity.


\(^{71}\) Ibid.
The Development of Kosovar Identity Institutionalization

The three distinct periods of Kosovar institutions resulted in the promotion of three different types of identities. The first relevant institutional structure was the structure imposed on Kosovo after the revocation of Kosovar autonomy under Yugoslavia, a change that occurred after the death of Tito, the fall of Yugoslav communism, the end of the Cold War, and the rise of Slobodan Milosevic. The second institutional structure came with United Nations Resolution 1244, which created the United Nations Mission in Kosovo, which was designed to ensure the stability of post-war Kosovo and establish provisional institutions of self-government. The third institutional structure came with Kosovo’s 2008 declaration of independence, which established new institutions designed by the Kosovar government. This structure was modified for north Kosovo by the 2013 Brussels Agreement and a heightened involvement from Serbia in north Kosovo affairs and institutions. This section examines the ways changing incentives over time and throughout the West Balkan region influenced the development of different institutional structures and the way these structures institutionalized different types of identities. Figure 2 shows the three major periods, as well as the alteration to the modern Kosovar institutions that came with the 2013 Brussels Agreement, as well as the major events leading to the development of new incentive structures and alternative institutional arrangements.
Figure 2: Institutional Regimes of Kosovo

- Revocation of Kosovar Autonomy
- Beginning of the Kosovo War
- End of the Kosovo War
- Kosovar Declaration of Independence
- Signing of the Brussels Agreement Between Serbia and Kosovo
- Republic of Kosovo
- Brussels Agreement
The first regime structure in the era of modern Kosovo is the structure that emerged after the revocation of Kosovar autonomy within Yugoslavia. Under Tito, Kosovo enjoyed relative autonomy that was not on par with the constituent republics of Yugoslavia but sufficient to protect the linguistic and cultural rights of groups in the region. Thus, under Tito, Kosovar institutions followed others within Yugoslavia in promoting linguistic pluralism and the elimination of ethnic symbol usage.\(^72\) The fall of Yugoslav communism, however, altered the incentives guiding the policies of Yugoslavia towards Kosovo. Tito’s death opened up a power vacuum within the Yugoslav government which was filled by Slobodan Milosevic, a Serbian nationalist leader. The fracturing of Yugoslavia and the resulting resurgence of openly ethnonationalist political organization meant that in the period leading up to the Kosovo War, Milosevic was incentivized to promote a Serbian nationalist identity and in doing so, to use Kosovo’s connection to Serbian history as a rallying point.\(^73\) At the time, Kosovo was considered to be “Old Serbia” by Serbs and the rising ethnonationalist sentiment within Yugoslavia led to resentment towards the autonomy of two regions within Serbia, Kosovo in the south and Vojvodina in the north.\(^74\) The revocation of autonomy for these regions as well as policies that prohibited the use of the Albanian language in schools and other institutions and otherwise promoted Serbian ethnonationalist interests within Kosovo thus proved to be electorally and politically profitable for Milosevic, allowing him to consolidate power within what remained of Yugoslavia post-1995. Thus, the different incentives faced by Milosevic as compared to Tito contributed to the switch from a policy of autonomy for Kosovo and general acceptance of varying identities to a new institutional structure that emphasized Serbian ethnonationalism.

The first incentive was that of the new power vacuum that was filled throughout Yugoslavia’s republics by ethnonationalist leaders, thus incentivizing Milosevic to become that ethnonationalist leader for Yugoslav Serbs. The second was the global fall of communism during the post-Cold War era, which


\(^{74}\) Ibid.
eliminated the unifying ideology that supported the non-ethnic Yugoslav identity while it existed as a politically relevant identity. The third was the continuing dissolution of Yugoslavia and the secession of many of its former republics. This allowed for the Yugoslavia that remained by the beginning of the Kosovo War in 1998 to be less ethnically heterogeneous than it was during its peak. Yugoslavia could then be divided between the politically dominant Serbian in-group and the politically excluded Albanian out-group. It also meant Milosevic no longer needed to appeal to the ideologies of Croats, Bosniaks, Slovenes, or other constituent Yugoslav nations and could instead rely on a Serbian nationalist ideology without risking a backlash from other powerful ethnic groups. As the Kosovo myth within Serbian nationalism remained salient at the time as a political rallying point, by the time the Kosovo War began, Milosevic had been long incentivized to use the province as a means through which to reinforce the Serbian nationalist identity around which he hoped to structure the post-Cold War Yugoslav. Finally, growing unemployment and declining GDP growth increased Serbian resentment towards lesser-developed regions and stoked a sense of victimhood, which meant that political appeals relating to myths of Serbian victimization were popular with the Serbian electorate of the time. In the case of Kosovo, the narrative that Kosovar Albanians stole the land from Serbs and then subjugated them was one such appeal and one that Milosevic was able to utilize by subjugating Kosovar Albanians in an attempt to prove he was capable of reclaiming the dignity of Serbs.

The incentives of this transitional period in Yugoslav history led to the institutional arrangements depicted in Figure 3, which were coded as of 1998 right before the typically accepted beginning of the Kosovo War and persisted through the duration of the war. The indicators coded for this period all received a score of -2 for both implementation and official institutional structure, meaning that the Yugoslav government of the time was solely promoting an ethnonationalist identity within both north and south Kosovo at the time. The parallel institutions established by Albanians in response similarly promoted an ethnonationalist Albanian identity, meaning that no major group was promoting a non-ethnic politically relevant or salient identity in the period preceding and including the Kosovo War. These

75 Ibid.
institutional structures persisted throughout the Kosovo War, which meant that by the end of the war in 1999 and the beginning of United Nations oversight, Kosovo had two parallel institutional structures: one institutional structure that was ethnically Albanian and promoted an Albanian ethnonationalist identity and the second that was an ethnically Serbian and promoted a Serbian ethnonationalist identity.

Figure 3: Institutional Identity Type Scores for North and South Kosovo in 1998

The end of the Kosovo War in 1999 brought about a new change in incentives for elites within Kosovo. First, the area was separated from Serbia and placed under international trusteeship and the United Nations Mission in Kosovo (UNMIK). UNMIK was established under United Nations Security Council Resolution 1244 following an agreement between Milosevic, Finnish president Martti Ahtisaari,
and Russian diplomat Viktor Chernomyrdin. UNSC Resolution 1244 put authority for establishing interim self-governing institutions for Kosovo under the authority of UNMIK. This meant that the incentives surrounding which identity would be most beneficial for elites with the capacity to reshape Kosovar institutions shifted from what they were under Yugoslavia. The first was that the goals of those creating the institutions were different from those who built the pre-1999 institutions. Slobodan Milosevic and other Yugoslav leaders of the time were incentivized by a need to maintain their political position through appeals that would resonate with voters and the majority of the Yugoslav population. For those leading the UNMIK construction of new institutions, there were no electoral incentives as they were appointed by officials at the United Nations. Instead, their incentives came out of a need to comply with Resolution 1244, prevent a second outbreak of violence, and not lose their own positions. Furthermore, as Resolution 1244 had no votes against it, compliance with the provisions outlined within Resolution 1244 meant avoiding conflict between major powers with divergent interests in the region while forming institutions that contradicted Resolution 1244 could mean a resurgence of political conflict between major powers, something that the UN representatives would have wanted to avoid.

Resolution 1244 contained a few key components. The first was a statement supporting the continued integrity of what was then the Federal Republic of Yugoslavia, but with provisions for self-administration for Kosovo. The second component was the demilitarization of the Kosovo Liberation Army (KLA, UCK in Albanian), which was an Albanian nationalist force established by Ibrahim Rugova while Kosovo was controlled by Yugoslavia. The third component was that an international security presence would be deployed to the region under the authority of NATO. This would become known as KFOR. The fourth was that UNMIK would be tasked with establishing provisional institutions of self-governance with the support of other international organizations. This provision introduced another key stakeholder: the European Union, which was tasked with monitoring the status of the rule of law within

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77 Kosovo: Economic and Social Reforms for Peace and Reconciliation (Washington, DC, 2001), 7.
79 Ibid.
80 Ibid.
Kosovo and with supporting the bolstering of Kosovar legal institutions through the European Union Rule of Law Mission in Kosovo (EULEX).\textsuperscript{81} The inclusion of the European Union introduced another interest that would affect the shape of the provisional institutions established under UNMIK as the EU openly stated its interest in assisting rule of law institutions in Kosovo in “on their path towards increased effectiveness, sustainability, multi-ethnicity and accountability, free from political interference and in full compliance with EU best practices.”\textsuperscript{82} This meant that the EU would have an interest in establishing institutions acceptable under EU standards and ones that supported multi-ethnicity rather than the dominance of one ethnic group over another. The fifth key provision was that Yugoslav and Serbian personnel were to be allowed to maintain a presence at Serbian Patrimonial, or religious and cultural heritage, sites and key border crossings.\textsuperscript{83} While this provision was never implemented, it codified the interests of Serbian nationalists under Resolution 1244 by legitimizing their claims to aspects of Kosovo’s land and history due to their connections to the Serbian national myth. Thus, all institutions developed by UNMIK would have to balance the competing desires of international stakeholders as well as regional actors and domestic groups. As a response to the competing interests that UNMIK had to attempt to satisfy, the provisional institutions established a number of democratic institutions that included reserved seats and protections for minorities as well as international supervision of institutions that could be used to perpetuate ethnic violence, such as the Kosovo Police Service.\textsuperscript{84} The scoring for the institutions established by UNMIK as they existed just prior to Kosovo’s declaration of independence in 2008 can be found in Figure 4.

\textsuperscript{81} “About EULEX,” EULEX, https://www.eulex-kosovo.eu/?page=2,60.
\textsuperscript{82} Ibid.
\textsuperscript{83} “Resolution 1244,” United Nations Security Council.
Figure 4: Institutional Identity Type Scores for North and South Kosovo in 2008

One element of note, when compared to the scores for 1998, is that north Kosovo and South Kosovo now have diverging identities despite the fact that UNMIK was theoretically in charge of establishing institutions for the region as a whole. This was due to the fact that many Kosovar Serbs in Serb-majority north Kosovo boycotted UNMIK institutions, participating instead in Belgrade-led institutions that continued to promote a Serbian ethnonationalist identity, which then allowed these institutional structures to be integrated into north Kosovo. Another element is that there is a clear divide between the implementation averages and legal institutional averages for both north and south Kosovo.

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85 No bar represents a score of 0
This divergence represents the fact that many of these institutions were created not to actually socialize citizens into a common identity but, rather to promote stability and avoid a return to violence by granting representation to the various groups. The limited mandate of UNMIK coupled with the varied interests of stakeholders meant that short-term stability rather than long-term cohesion was more paramount for those building the provisional institutions.

One major difference between the situation under Yugoslavia and under UNMIK was the role of international actors. As demonstrated by the exclusion of the topic of Kosovo from the negotiations that resulted in the Dayton Accords, international actors had little interest in the region while the situation remained non-violent and were willing to tolerate non-violent discrimination rather than risking a second war similar to that in Bosnia. Under UNMIK, however, many key stakeholders were international actors and the institutions created had to cater to the interests of all UNSC members, especially the five permanent members. Another difference was the changed regional context. By the time of the establishment of UNMIK institutions, the Dayton Accords that ended the Bosnian War had been successful in preventing another outbreak of ethnic violence within Bosnia. As the Dayton Accords focused on ethnic representation without a common identity as a means through which to reduce violence, many of UNMIK’s institutions attempted to do the same by focusing on granting representation and autonomy for minority ethnic groups while doing little to attempt to decrease the divide between different ethnic communities. This caused a shift in the identity promoted by state institutions, incentivized by the new entry of international stakeholders in addition to domestic stakeholders as well as the incentive structures for those shaping the institutions themselves (the electoral incentives under Yugoslavia as compared to incentives for the non-elected UNMIK officials), contributed to a shift in the identity promoted by state institutions.

As no accurate polling data related to identity exists for this topic in Kosovo, election results can serve as proxies for determining what types of political identities were the most accepted by Kosovars.

The salient identities according to these results can then be compared to those promoted by the UNMIK institutions to evaluate the effectiveness of institutions in promoting their desired identity. Kosovo held three parliamentary elections for the provisional institutions between the adoption of UNSC Resolution 1244 and Kosovo’s declaration of independence in 2008. All three elections had similar results. The top two parties were the same across the 2001, 2004, and 2007 elections with two explicitly Albanian nationalist parties, the Democratic Party of Kosovo (PDK) and the Democratic League of Kosovo (LDK) winning a substantial majority of the vote. At the time, both parties called for unification of Albanian-majority territories. In all three elections, Serbian nationalist parties also won a majority of the reserved minority seats. This demonstrates that the salience of ethnic identities as the main means of political organization remained throughout this transitional period. The continued salience of ethnic identity combined with the decrease in ethnic violence as compared to the preceding period suggests that the UNMIK institutions were successful in their goals of preventing violence and promoting stability but without attempting to reconstruct the salient identities of Kosovar citizens.

The period of time after Kosovo’s declaration of independence represents a stronger shift in the type of institutions promoted by the Kosovar government. The reliance of Kosovo’s post-2008 government on international actors such as the United States and key European Union member states, both of which support the identity of Kosovo as a multiethnic state, along with a desire from Kosovar elites to avoid institutionalizing ethnic cleavages that might lead to later conflict has meant that Kosovar institutions have shifted towards promoting a new civic-national identity. The next section will explore with greater detail how this has been done, the differences in institutional structures between north and south Kosovo, and the degree to which these changes have been successful in promoting the desired identity.

89 Ibid.
The Institutional Construction of Post-2008 Kosovar Identity

The construction of a distinctly Kosovar identity separate from that of an Albanian or Serbian ethnic identity has been a slow process incentivized by Kosovo’s position in a region often beset by ethnic violence as well as Kosovo’s dependence on external sponsors for diplomatic and financial support. However, the process has also been one undertaken purposefully by civil society and Kosovar government officials. A deeper analysis of the means through which Kosovar elites and their international backers have used the new state institutions to promote a central Kosovar identity as well as an examination of the degree to which this identity has become politically meaningful to Kosovars demonstrates that institutions can contribute to the formation of politically salient non-ethnic identities and societal shifts that allow them to remain salient across ethnic divides. This analysis also demonstrates that institutional structures alone are insufficient to explain the key identities within a state but become more meaningful as an indicator of politically relevant identities when paired with indicators showing the divides between institutional arrangements and their actual implementations. The overall nature of Kosovar institutions is depicted in Figure 5 while Figure 6 and Figure 7 depict the average combined scores divided into north and south Kosovo in 2018 as compared to in 1999.
Figure 5: Institutional Identity Type Scores in North and South Kosovo in 2018

90 An example of the rationale for the coding of the scale can be found in Appendices II and III
Maps depicting the comparisons of the combined average, implementation average, and legal average scores across all three periods can be found in Appendix II.
The scores above demonstrate that a clearer divergence has emerged since 2008 between north Kosovo and south Kosovo in terms of the identities promoted by the institutions relevant to each region. It also demonstrates Kosovo’s stark departure from the ethnonationalist identity institutionalized while Kosovo was part of Yugoslavia to the civic-national identity of modern Kosovo. Within south Kosovo, which is ruled solely by the central Kosovar government and regional bodies authorized by Kosovo’s constitution, there has been both the institutionalization of a civic-national identity and active attempts to socialize citizens into this new identity. Within north Kosovo, which is ruled partially by institutions governed by the central Kosovar government, partially by regional autonomous institutions, and partially by Serbian institutions, there has been a lack of cohesion in the identity promoted by the state. This section will examine first how this civic-national identity has been promoted in south Kosovo and the degree to which it has been effective before examining the case of north Kosovo.

One important way the Kosovar government led the construction of a new civic-national identity has been by outlining the specific values and norms that would shape the Kosovar identity, which then allows institutions to promote it successfully. The constitution of Kosovo states that the state identity would be founded upon a commitment to values such as liberal democracy and multiethnic existence. The Kosovar identity would also draw upon Kosovars’ shared experiences as an additional unifying factor while not seeking to eliminate sympathies for ethnic or cultural connections. Instead, the central Kosovar identity, through its more inclusive nature, would seek to allow individual community identities to flourish while also connecting Kosovars across ethnic and cultural lines. This has been done in a number of key ways. The first way has been through the construction of inclusive institutions. The second way has been through the constitutional institutionalization of specific protections for ethnic minorities. The third way has been through the establishment of non-ethnic state symbols and finally, through intensive efforts to further Kosovo’s integration into Euro-Atlantic international institutions such as NATO and the European Union.

Other factors have, however, slowed the process of non-ethnic identity formation. This slowing is clearest in the case of the semi-autonomous and Serb-majority north Kosovo but is also present
throughout the remainder of the state. Despite the active efforts of the Kosovar government and other actors, the experiences of Kosovar Albanians during Yugoslavia and especially the Yugoslav government’s attempts at ethnic cleansing in 1999 have solidified the importance of ethnic identity for ethnic Albanians within Kosovo. Albin Kurti, the leader of the Kosovo’s Albanian nationalist party Vetëvendosje! (Self-determination), stated that “Our [Kosovar Albanian] nationalism is a reaction to oppression by Milosevic and war with the Serbs.”92 The frequent use of the Albanian flag by Kosovar Albanians similarly demonstrates the continued sentimental connections between Kosovar Albanians and the Albanian ethnic identity.93 While the government of Kosovo has attempted to take steps to remedy the continued adherence to ethnonationalism, flaws in institutional arrangement, the inability of Kosovar institutions to exert sovereignty over the entire state due to special arrangements for north Kosovo, and the unwillingness of politicians to break with the support they gain through nationalist mobilization have prevented the emergence of a separate and salient Kosovar identity.94

While implementation has been limited in its success, Kosovar institutions have made concerted efforts to develop a non-ethnic central identity. One key way has been through their actions in regard to language. Under Yugoslavia and prior to the establishment of the Republic of Kosovo, perceived and actual linguistic repression was one of the main offenses that led to the development of a strong affinity towards their ethnic identity amongst Yugoslav Albanians.95 Throughout most of Yugoslavia’s existence the state supported a policy of linguistic pluralism, which allowed and at times encouraged linguistic

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However, post-1980, the policy towards the Albanian language within Kosovo moved to what would be considered a centralist policy.

A centralist policy is one where “national security and national unity are linked with a dominant language, and the dominant ethno-linguistic group sustains its control of political and economic power by rationalizing the exclusion of other languages from public domains, particularly education.” Under Milosevic, state schools within Kosovo ceased teaching in the Albanian language and imposed a curriculum that, according to a witness at Milosevic’s trial at the International Criminal Court, eliminated the history of the Albanian people. The government of Yugoslavia also shut down Albanian language schools in all sectors of the educational system, including primary education, secondary education, and higher education through the Albanian-language University of Pristina. All Albanian faculty members at the University of Pristina were fired and the government stopped paying Albanian teachers at other institutions. Worsening the dilemma, Albanian students who did graduate universities struggled to find jobs as most Albanians were fired and replaced by Serbs from other parts of Yugoslavia. In response to this discrimination, Albanian students and professors began a boycott of state schools and set up parallel educational institutions that taught in the Albanian language and with a more Albanian nationalist curriculum. This led to a growing separation between Serbian and Albanian youth, both due to de facto segregation in the school systems and due to starkly different curriculum. The separation continued into the modern day as the educational system in south Kosovo and north Kosovo remain separate as the north Kosovo system continues to follow standards issues by Belgrade while the south Kosovo system adheres to a curriculum implemented by the central government in Pristina. Thus, textbooks and lessons taken by

100 Ibid.
101 Ibid.
102 Ibid.
Serbian students in the north reject basic premises taught in schools throughout the rest of the state, including Kosovo’s independence and the multiethnic nature of the state. Students throughout Kosovo are then socialized into two separate identities, one Serbian, one Kosovar, leading to continued divisions throughout two portions of the state.

The government of Kosovo has sought to remedy both the linguistic disparities that led to this division and the issue of ethno-nationalist rhetoric in education. The curriculum standards issued by the Kosovo Ministry of Education, Science, and Technology include a section on “civic competence.” The standards state that the goal of secondary education with regard to civic competence under the Kosovar system should include the following. First, that students should “practice civic rights and obligations in concrete situations.” Second, that students should “through different forms of expression, reacts to persons who in any way violate, impinge, or deny the rights of others” and that teachers should educate students on “consequences of these actions for the individual, the group, and the community.” Third, that students should “identify prejudices or bad phenomena in class” and adopt a stance against them. Fourth, that students should take part in classes and activities that promote and respect ethnic and cultural diversity. These, along with other standards issued by the ministry, have developed into a curriculum that attempts to promote the idea of ethnic and cultural diversity, which is supported by coexistence programs funded and implemented by the government of Kosovo along with foreign aid groups and governments. This curriculum has only been implemented in south Kosovo. The lack of universal implementation is one aspect negatively affecting integration of north Kosovo’s population into the broader state as the educational system has been one area largely successful in integrating the non-

105 Ibid.
106 Ibid.
107 Ibid.
108 Ibid.
109 Ibid.
Albanian population of south Kosovo. Groups such as Kosovo’s Turkish, Bosniak, and other smaller ethnic communities have been highly accepting of the educational system implemented in the south.\(^\text{110}\)

Language-specific rights are another area in which, at least on paper, the government of Kosovo has done admirably. The Law on the Use of Languages, passed by the Assembly of Kosovo in 2006, is designed to ensure that the two official languages, Albanian and Serbian, are used equally throughout the state.\(^\text{111}\) It also ensures that languages spoken by at least three percent of the population are considered “languages in official use” and that citizens speaking one of these languages can get documents written in them upon official request.\(^\text{112}\) Also under this law, languages spoken by at least five percent of the population are to be considered official languages of the municipalities where the demographic fulfill this requirement.\(^\text{113}\) These laws then cover the protection of both the languages of the majority and the largest minority as well as those of smaller grouping that nonetheless have legitimate claims to the protection of their linguistic rights. This has then pushed the typology of language rights in Kosovo back towards that of linguistic pluralism, a category that was met with success when implemented in Yugoslavia until central institutions ceased promoting it.

While the legislation on languages in Kosovo is comprehensive, the implementation has been lacking. Bilingualism has been declining in Kosovo and translations from Albanian to Serbian and Serbian to Albanian are often rife with spelling and grammatical errors.\(^\text{114}\) While 89% of municipal officers consider communication in both languages to be important, only 20% use both in their everyday work-related activities, even in ethnically mixed areas.\(^\text{115}\) A key issue here has been a lack of bilingual education. It was terminated within schools in Kosovo in 1989 and has struggled to make a resurgence.

\(^\text{112}\) Ibid.
\(^\text{113}\) Ibid.
\(^\text{115}\) Ibid.
Since then, most translators, especially those working in north Kosovo, have come from the Albanian language department at Belgrade University.\footnote{\textit{Ibid.}}

There are some elements that indicate movement towards a civic-national identity. First, while bilingualism has been declining, government employees still see linguistic diversity as an important value. Second, the government of Kosovo has remained committed to its promises to provide information in both languages and has made no legislative attempts to elevate one language over the other. There has been some progress in implementation of greater bilingualism throughout the state as well. New programs in both Serbian and Albanian have been introduced in Kosovar primary and secondary schools and courses on Serbian have been reintroduced into Albanian-language universities. Albanian language programs have also been introduced on RTK2, the state-run Serbian television station, with Serbian language programs to launch later on RTK1, RTK2’s Albanian equivalent.\footnote{\textit{Balkan Insight, "Languages: The Kosovo." Balkan Transitional Justice.}} However, the separate educational systems and separate governmental procedures operating in north Kosovo and south Kosovo have led to a delayed implementation of many of these programs.

The government of the Republic of Kosovo has also made concerted efforts to recognize the rights of minority ethnic groups, often through institutional protections. In its constitution, Kosovo defines its constituent ethnic and cultural groupings as distinct “communities” that are given special rights and protections under Kosovar law.\footnote{\textit{The Constitution of the Republic of Kosovo states that “the Republic of Kosovo ensures appropriate conditions enabling communities, and their members to preserve, protect and develop their identities. The Government shall particularly support cultural initiatives from communities and their members, including through financial assistance.”}}\footnote{\textit{Kosovo Constitution of 2008,” Constitute Project, https://www.constituteproject.org/constitution/Kosovo_2008.pdf?lang=en.}} By officially attempting to preserve and protect the identities of various ethnic communities within its borders, the government of Kosovo has been attempting to foster a policy of specific polyethnic rights as defined by Kymlicka.\footnote{\textit{Will Kymlicka, \textit{Multicultural Citizenship: A Liberal Theory of Minority Rights} (Oxford: Clarendon Press, 1995), 13.}}

Kosovo similarly grants special representation rights to its minority communities, providing 20 reserved
seats for minority ethnic communities and mandating that constitutional amendments must be passed by both a 2/3rds majority of the entire parliament and a 2/3rds majority of the special reserved seats. It also grants special group differentiated rights as defined by Kymlicka to its minority communities, stating that special funding and assistance will be given to promote the cultural identities of minority communities and that that special assistance “will not be considered discrimination” even if the majority group is not granted it. As such, the structure of the Kosovar government acknowledges the fact that cultural identity provides an “anchor for [people’s] self-identification and the safety of effortless secure belonging.” The government of Kosovo has By not seeking to assimilate its minority groups into the central identity and instead attempting to position Kosovar identity as one that can be held in tandem with ethnic cultural identities, the Kosovar government is pursuing a more plausible central non-ethnic identity than one that would seek to erase the identities of individual ethnic groups.

Kosovo’s national museum similarly incorporates the national myths of different states. Part of it is dedicated to the history of Dardania, the ancient name for the area Kosovo now occupies, and contains artifacts from Roman and Greek eras in an attempt to legitimize the modern independent Kosovar state as a separate entity from both Albania and Serbia. It also contains items from the Kosovo Liberation Army (UÇK) as well as Albanian artifacts and memorabilia from Albanian history alongside items both relating to the Kosovo War. Thus, Kosovo’s continued construction of its own national myth incorporates a mix of respect for the individual ethnic and cultural communities within its borders, a mixing and synchronism of identities from both its kin-state Albania as well as non-kin but ideologically affiliated states and international institutions, as well as its own new but historically legitimized identity. While this has proven effective with regard to minority ethnic groups in south Kosovo, including south Kosovo’s Serbian minority, it has not been as useful in integrating Serbian-majority north Kosovo.

121 “Kosovo Constitution,” Constitute Project.
122 Ibid.
125 Ibid.
126 Božić, “The Ethnic,”.
Other forms of national symbols have also worked to establish a Kosovar identity separate from that of Albania or Serbia. National sports teams and sports victories have played a major role in forming a cohesive identity for citizens of the state. In 2016, Kosovo was granted full FIFA membership. Kosovo also gained membership in the Union of European Football Associations (UEFA), the European soccer federation, and competed in the 2018 UEFA Nations League. During this time, Kosovo’s national team won four of its six matches and tied two. These victories, combined with the growth in matched played in Pristina rather than outside of the state (where Kosovars would have trouble traveling to see due to the EU’s harsh visa regime), has led to an upswing in emotional affiliation with Kosovo rather than greater Albania.\(^{127}\) The Kosovar national team has even acquired its own ultras group, a group of intense fans associated in the European soccer context with strong national pride.\(^{128}\) The name of the ultras group is Dardanët, or Dardanians, referring to a tribe of ancient Illyrians that once inhabited Kosovo’s current territory, repeating the inferred claim of continuity made by Kosovo’s national museum.\(^{129}\) Kosovo’s participation in other international sporting events has also depended the Kosovar cohesive identity. Judo competitions have been another source of national pride for Kosovo and one in which the state has been able to win tacit victories with the Kosovar flag being raised in states not yet recognizing its independence.\(^{130}\) Kosovo’s recent inaugural competition in the PyeongChang Winter Olympics similarly brought out a sense of national pride amongst the Kosovar population and a growing affiliation with the civic-national symbols of the state, symbols which have struggled to gain acceptance. The reputational benefits to Kosovo from these successes also might have assisted in increasing the salience of the national identity by increasing the social status of the state.\(^{131}\)

\(^{128}\) Ibid.
\(^{129}\) Ibid.
Another indicator of the development of a national myth in south Kosovo and the ways in which people are socialized into this myth comes in the form of the flags used throughout the state. Flags hold a special place in the political and social consciousness of Kosovars. This comes first through the importance of the Albanian flag as a symbol of national identity under the later years of Yugoslavia and then through the use of various flags to symbolize the national ambitions of Kosovars in their newly independent state.\(^{132}\) Albania’s national day, which is also celebrated by Kosovar Albanians and takes place on Albanian independence day, is called Flag Day in honor of the Albanian flag and its central place in Albanian cultural identity.\(^{133}\) In general, national symbols take on an important role in state and identity building as they become “modern totems as they merge the mythical sacredness of the nation into forms experienced by sight and sound by blending of subject and object beyond simple representations of nations. In a very real sense, national symbols become the nation.”\(^{134}\) Kosovo’s current flag, a yellow outline of the state on a blue background with six white stars symbolizing the constituent cultural groups, was created under strict rules imposed by the United Nations that prevented any Serbian or Albanian national symbols from being incorporated into the flag.\(^{135}\) This had led to a situation where post-independence, the official flag of Kosovo is respected by its population but not held to the same emotional esteem as the Albanian flag.\(^{136}\)

A 2019 study which found that among younger cohorts of Kosovar Serb and Kosovar Albanian children in south Kosovo there was a greater affiliation with the Kosovar flag as compared to ethnic flags and a declining affiliation with ethnic flags between grade cohorts lends credence to the argument that the Kosovar identity is salient among some portions of Kosovo’s population alongside the ethnic identities of

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\(^{133}\) “Today Is 28th November – Albania’s Flag Day,” UK Albanians, https://www.ukalbanians.net/today-is-28th-november-albanias-flag-day/.


Kosovar citizens.\textsuperscript{137} It further found that association with the Kosovar flag was correlated with less interest in separation between groups and greater pro-sociality, demonstrating the growing success over time in institutionalizing and promoting the Kosovar identity.\textsuperscript{138} Thus, while the movement towards a civic-national Kosovar identity has been imperfect and harmful ethnonational sentiment remains, civic-national institutions have had some successes in promoting the growth of a salient civic-national Kosovar identity, which is then correlated with decreases in ethnic violence and increased pro-social attitudes between Serbs and Albanians within south Kosovo. Furthermore, this process has been done in a way that allows Kosovar citizens to have attachments to both their ethnic and cultural identities as well as their state identity with limited conflict between the two. This allows for pride in one’s ethnic identity and pride in one’s state identity, with the state identity allowing for the development of emotional connections between different ethnic groups. This also demonstrates that the development of attitudes of hybrid nationalism in the minds of citizens can successfully preserve the ability of individuals to emotionally affiliate with multiple groups without being forced to give one attachment up in favor of another.

\textit{Identity in North Kosovo}

There has been some progress in the formation of a Kosovar identity. This success is, however, largely limited to areas of Kosovo south of Southern Mitrovica. From Northern Mitrovica upwards, the shift in majority ethnicity along with the continued massive influence of the Serbian government has prevented the formation of a unified identity across the Ibar River Bridge. This section will examine the effects of different incentives implemented by the Brussels Agreement and the presence of Serbian government influence on institutions within north Kosovo and then on how those have affected the most salient identities within the region.

The Brussels Agreement was concluded in 2013 between the prime ministers of Serbia and Kosovo and under the auspices of the High Representative of the European Union in an attempt to form a

\textsuperscript{138} Ibid.
framework to resolve ongoing disputes between Serbia and Kosovo. It was supposed to replace the Comprehensive Proposal for the Kosovo Status Settlement, also known as the Ahtisaari Plan. The Ahtisaari Plan, which was developed in 2007, was designed to transition Kosovo into a place where it could exist as a stable, multi-ethnic, and independent state, but was rejected by Serbia for this exact reason. This led to its replacement. The Brussels Agreement made greater concessions to Serbian interests in order to obtain the agreement of the Serbian government.

One major concession that distinguished the Brussels Agreement from the Ahtisaari Plan was the demand that the government of Kosovo create the Association of Serb Municipalities (ASM). The ASM would have “full overview of the areas of economic development, education, health, urban and rural planning.” It would also be permitted special rights in regards to the creation of its police force and additional areas of autonomy. The ASM was thus supposed to create a form of group-differentiated citizenship for what would be a minority Serb nation in Kosovo. In theory, this would allow for self-determination for both the Serb minority and Albanian majority and would make membership in the Kosovar state more palatable for Serbs. However, in practice, this agreement allowed for infringement on Kosovar sovereignty by the Serbian government. While the ASM has not yet been fully implemented, the situation in north Kosovo already mirrors much of what the Brussels Agreement envisaged for the organization in the level of autonomy allowed for the region due to the refusal of north Kosovar institutions to participate in the broader state institutions.

The Brussels Agreement text was designed to allow Kosovar Serbs autonomy over welfare systems and the educational system, however, control over these areas ended up in the hands of Belgrade, giving the Serbian government ultimate control over these portions of north Kosovo’s governance structure. As such, the educational system of north Kosovo uses the Serbian curriculum and is in no ways integrated into the educational system of the rest of the state. This has prevented the socialization of

139 “EU Brokers,” Reuters.
141 Ibid.
142 Ibid.
143 “Kosovo Serbs,” Balkan Insight.
citizens of north Kosovo into the Kosovar identity and prevented inter-ethnic exchanges between Serbian and Albanian students. The divergence in welfare structures, the lack of taxes paid by north Kosovo to the Kosovar government, and the rejection of civic national symbols has then prevented integration of north Kosovo into the Kosovar state as a whole.

This has been problematic both for the development of a Kosovar identity as well as for the stability of the state and region. The dispute between Kosovo and Serbia over sovereignty over the north has led to a degree of lawlessness in the region with police having limited powers there. This lawlessness has led to the assassination of politicians promoting integration, journalists, and other members of the north Kosovar community, which has further cemented ethnic divisions in the region. It has also led to institutional dysfunction, with the establishment of parallel healthcare and educational systems that divide Serbs and Albanians and produce inefficiencies and unnecessary overlap, increasing costs and worsening educational and health outcomes. The developing but positive signs of integration of Serbs in south Kosovo into the common Kosovar identity shows that under the system of laws and institutions developed by the central Kosovar government, inter-ethnic reconciliation and the formation of a common identity is possible, if slow. Thus, the problems in north Kosovo can be seen as arising not because of primordial hatreds between Albanians and Serbs but rather due to a lack of institutional socialization and malign foreign influence.

One key issue with forming the ASM is the influence of the institutional structure of neighboring Bosnia and Herzegovina. The Dayton Accords, which ended the Bosnian War, set up a structure highly dependent on ethnic identities and one that allowed for Serbian autonomy through the creation of the Republika Srpska (RS). This autonomous entity, along with Bosnia’s tripartite presidency where each president (one Bosniak, one Croat, and one Serb) holds veto power over any decision, has largely stymied Bosnia’s attempts to join the European Union and NATO as well as Bosnian attempts to reform Dayton.

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145 Ibid.
and create a non-ethnic Bosnian identity. The election of Milorad Dodik, a self-styled Serbian nationalist, first as the head of the RS and now the Serbian member of the Bosnian presidency has only worsened the situation. He has repeatedly stated his desire to win independence or annexation to Serbia for the RS, refused to travel using his Bosnian passport, rejected any emotional attachment to Bosnia, and refused to attend meetings where the flag of the Republika Srpska is not displayed. Throughout this, he has been backed by his patron, Serbian President Aleksandar Vucic along with the Russian government. The continued influence of the Serbian government on Bosnian affairs through the RS and Dodik especially as well as the existing manipulations of Serbia in north Kosovo led to concerns that creating an autonomous Serbian community in north Kosovo would only allow for greater dependency on Belgrade and would further reduce the possibility for the establishment of a common Kosovar identity.

Another key problem is that Serbia has no interest in the success of Kosovo’s state project. Rather, it has an interest in seeing it fail in order to bolster the rationale that its population would be better off as citizens of Serbia. Serbia’s manipulation of Serbs in north Kosovo has extended into intimidation of Serbs who seek to join the Kosovar police force or the Kosovo Security Forces, now the Kosovo Army. Belgrade has also used the Serb List, a political party of Kosovar Serbs, in order to further its own goals, using them and the constitutional mandate that constitutional changes pass a supermajority of the reserved seats for minority communities (50% of which are reserved for Serbs) to restrict changes that would allow for the development of Kosovo’s statehood and identity.

The Brussels Agreement also combined with other geopolitical factors to alter the incentives for Serbian elites and general citizens within north Kosovo. Prior to the 2013 agreement, the dominant Serb political party within Kosovo was the Independent Liberal Party (SLS), which won a plurality of the reserved Serb seats in the 2007 Kosovar parliamentary elections and an outright majority of the reserved

149 Ibid.
152 Ibid.
Serb seats in the 2010 elections. Unlike the Serbian List, the SLS is focused on the integration of Serbs into Kosovar society and the acceptance of Kosovar independence by Serbs and eventually, the Serbian government. Its leader, Slobodan Petrović, was born in south Kosovo and often conflicts with Belgrade over its policies towards Kosovo. The SLS uses mainly symbols relating to the EU and a broader European identity as well as symbols evoking the civic-national symbols of the Kosovar state, further demonstrating its political ideology in regards to the position of Serbs within Kosovo. The 2014 Kosovar parliamentary elections, however, marked a sharp shift in the dominant Serb political party within the state. The SLS lost all of its seats in the 2014 elections and the majority Serb party became the Serb List. In contrast to the SLS, the Serb List rejects Kosovo’s independence and is strongly backed by the Serbian government.

Prior to the 2013 agreement, Serb elites within Kosovo, especially within south Kosovo, were incentivized to advocate for involvement in Kosovar society in order to gain power within the state, especially since no opportunities were available for participation in the Serbian government and the Serbian government would not support Serb politicians participating in Kosovar institutions. The Brussels Agreement shifted these incentives. Now, instead of benefitting from the boycotting of Kosovar institutions, the Serbian government was incentivized to support the involvement of Serbian nationalist politicians in the Kosovar government in order to ensure outcomes beneficial to the Serbian state, such as the formation of the ASM. The Serbian government then shifted its own actions due to these incentives and began supporting the Serb List politicians while intimidating and coercing members of the SLS and their voter base in north Kosovo. This intimidation assisted in the fragmentation of Serbian political society within Kosovo where Serbs within south Kosovo proceeded with some degrees of integration.

154 Ibid.
157 Věra Stojarová and Peter Emerson, Party Politics in the Western Balkans (London: Routledge, 2010), 151, https://books.google.com/books?id=en&lr&id=nmfAQAQBAJ&oi=fnd&pg=PR5&dq=%22serb+list%22+kosovo&ots=X4spxmLvb_sig=8ZTeqGjKFNt8QXE&ctvmi=NOY0#v=onepage&q=%22serb%20list%22%20kosovo&f=false.
while institutions within north Kosovo were incentivized to maintain parallel institutional structures rather than ones integrated with the rest of the state.\textsuperscript{158} The switch in dominant Serb political parties within north Kosovo demonstrate how the changed incentives due to the Brussels Agreement and a switch in the Serbian government’s approach to Kosovo altered the salient identities of north Kosovo and thus reinforced the ethnonationalist institutional structures.

\textit{Conclusion}

The case of Kosovo demonstrates that different electoral incentives, combined with the impact of reliance on international actors, influence the identity types political elites find it most beneficial to shape institutions to promote. Within south Kosovo, a post-2008 incentive to promote a civic-national identity led to institutional structures that sought to both prevent an outbreak of ethnonationalist violence and to socialize citizens into a common Kosovar identity. The affiliation of Kosovars with external non-kin states as well as political acceptance of political parties promoting a civic-national identity demonstrate that this socialization process has been at least partially effective. In contrast, the case of north Kosovo and the change between salient identities pre-Brussels Agreement and post-Brussels Agreement, which were not correlated with demographic shifts or economic shifts, demonstrate the impact of altered incentives relating to investment from kin-states promoting an ethnonationalist identity. The following section on Israel and the West Bank will take these results and see how incentive changes altered the institutional structures of the two regions as well as how the various proposals for a solution to the Israeli-Palestinian conflict might influence new, or reinforce existing, institutional structures regarding salient identities.

Chapter Three: The State of Israel and the West Bank

Despite the focus on a two-state solution as the best remedy for the Israeli-Palestinian conflict, the institutional structures of the State of Israel and the institutions of the West Bank remain closely intertwined. A number of structural and political changes have led to the decreasing likelihood of a two-state solution. These include the lack of territorial contiguity of areas of the West Bank under Palestinian civil or military control, the frequent discussions coming from the Israeli government regarding full annexation of the West Bank, the increasing pace of Jewish settlement building within the West Bank, and decreasing interest from Arab states in continuing to isolate Israel, largely due to a greater perceived threat from Iran.\(^\text{159}\)

These shifts all demonstrate a movement away from a situation where the two-state solution could be feasible.

Furthermore, the rising heterogeneity of the Israeli population, coming from increased migration from the former Soviet Union, increased immigration from African states, and demographic trends pointing towards Arabs representing a larger proportion of the Israeli population means that a two-state solution would still fail to resolve the question of the position of non-Jews and non-Ashkenazi Jews within the broader Israeli state. The presence of a large Arab population within Israel’s pre-1967 borders along with

the growing Jewish population in the West Bank also complicates the exact territorial division that would occur in a two-state solution. This uncertainty increases the likelihood of population displacement, ethnic violence, or forced migration in the case of a solution imposing what would functionally be an ethnic-based partition. Not only does this plan rely on an agreement between the Israeli government and Palestinian Authority, it ignores the implications for Arab Israelis and non-Jewish and non-Arab citizens of Israel that are often ignored in discussions of status and identity. Thus, the changing domestic and international incentives promoting a two-state solution legitimize a discussion over the ways institutions in Israel and the West Bank have promoted specific identities over time and the ways incentives could be shaped under a one-state solution that would encourage institutions supporting a civic-national identity rather than a ethnonational one.

This section will first trace the developments of the institutional structures in the West Bank in order to examine the varying incentives shaping the types of identities promoted by institutional structures within the West Bank and Gaza and how they have shifted over time. It will then examine Israeli President Reuven Rivlin’s proposal to annex the West Bank and provide all its residents with full and equal Israeli citizenship and how it along with other shifting incentives, may shape future institutional structures. Finally, it will examine alternative proposals for annexing the West Bank, including those with a more ethnonationalist leaning, in order to demonstrate how the official nature of the annexation, either civic-national or ethnonational, assists in determining the resulting character of new or maintained state institutions.

The Institutionalization of Israeli and Palestinian Identity

The 1948 War ended with Israel and the West Bank split into two fully separate institutional regimes. While this separation continued while the West Bank was under Jordanian control, the Israeli victory in the 1967 War and the resulting occupation of the West Bank brought the two systems back into contact with each other. This section will examine the development of institutions within the State of Israel (defined as the territory within Israel’s pre-1967 borders) and the West Bank along with the
changes in incentives that caused alterations in institutional structures. Figure 9 shows the major periods of distinct institutional regimes for both Israel and the West Bank along with major events or changes. The first post-mandate institutional regimes were established after the 1948 Arab-Israeli War, post-Israeli independence and while the West Bank was under Jordanian control. The Israeli institutional regime was then altered in 1966 with the removal of military governance over Israeli Arabs. The 1967 Arab-Israeli War led to another shift in the institutional structures of the West Bank after its occupation by Israel. The third major institutional shift came with the 1993 Oslo Accords, which allowed for limited self-government by Palestinians but continued the interconnected nature of Israeli and Palestinian institutions.
Figure 9: Institutional Regimes of Israel and the West Bank

Institutional Regimes of Israel and the West Bank

- Israeli Declaration of Independence (1/1/1948)
- Official Jordanian Annexation of the West Bank (9/2/1949)
- End of Military Rule Over Israeli Arabs (12/8/1967)
- End of the Six Day War (6/10/1967)
- Signing of the Egypt-Israel Peace Treaty (3/26/1979)
- Surrender of Jordanian Claims to the West Bank (7/11/1988)
- Signing of the Oslo Accords (9/13/1993)
- Signing of the The Jordan-Israel Peace Treaty (10/26/1994)
The first period for both Israel and the West Bank began with the end of the British Mandate on May 14, 1948 and the beginning of the 1948 Arab-Israeli War. This, however, did not mean that the impact of the British control over Mandatory Palestine had no effect on the later institutional structures of the state. The British had two main goals during their period of control over the region. The first was to prevent an outbreak of conflict between ethnic groups. The second was to maintain British control over the territory. This led to the imposition of institutions that separated Arabs and Jews while giving each group incentives, which were often conflicting, to cooperate with the British government. An example of these incentives is the contrast between the Balfour Declaration, which promised the establishment of a Jewish national home in Palestine, and the McMahon-Hussein compromise, which promised Arabs independence as a reward for collaboration with the British. One example of the means through which British intuitional structures divided the groups within Mandatory Palestine was the establishment of a divided economy in which the two main ethnic groupings of the region (Palestinian Arabs and Jews) operated in distinct economic sectors with little overlap. This dual economy lessened interactions between members of two groups and removed economic incentives for cooperation. The imposition of these divisive structures combined with the offering of conflicting promises to Arabs and Jews established the groundwork for inter-ethnic distrust within the region and pre-established parallel and divided institutions.

The end of the 1948 War left the West Bank and Israel in two completely separate institutional regimes, one Israeli and one Jordanian. For the Israeli government, a number of incentives went into the construction of an institutional regime that centralized a Jewish national identity. First, there were the circumstances of the immigration of most Jews into what became Israel. Many of those who moved prior to the beginning of the 1948 War did so explicitly in order to be a citizen of the Jewish nation-state or in

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160 While not discussed at length, the coding for the institutions of British-controlled Mandatory Palestine can be found in Appendix III.
order to escape anti-Semitism, even though this was not applicable to all Jews who immigrated. This laid the groundwork for the ideological foundations of the Israeli state and meant that Jewish political leaders would be incentivized to adhere to Zionist nation-statist ideology in order to maintain political support. While Zionism was not always founded on the assumption that it would lead to the creation of a Jewish nation-state, by the time Israeli institutions were established beginning in 1948, existing Yishuv political institutions were primed to transition into state institutions promoting a Jewish ethnic identity as the main politically relevant identity within the Israeli state.

The historical circumstances propelling immigration into what became Israel during the Ottoman period and then the British Mandate also set the basis for an easy appeal to Jewish nationalism by later Israeli leaders. For example, the first aliyah, which took place between 1882 and 1903, occurred due to pogroms in Tsarist Russia and other areas of Eastern Europe. The fifth mass aliyah occurred during the rise of fascism in Europe. In this case, immigration quotas in the US restricted Jews from transatlantic immigration and European immigration quotas also restricted the choices for Jews fleeing persecution, leading to 47% of Jews emigrating from Europe choosing to go to Palestine. This meant that for a majority of the Jews residing in the region by the time of the establishment of the State of Israel, the salience of their Jewish ethno-religious identity had been heightened either due to the conscious choice to migrate in order to fulfill Zionist ambitions or due to being forced to migrate in order to flee anti-Semitic violence. This affiliation was further strengthened by the formation of the Irgun and Haganah, Jewish paramilitary organizations that remained politically powerful after the establishment of the State of Israel by forming the basis for the Israel Defense Forces (IDF) and by propelling the political careers of many of

166 Deborah Bernstein, Pioneers and Homemakers: Jewish Women in Pre-state Israel (Albany: State University of New York, 1992), 4.
their members and leaders. Later Israeli prime ministers and political leaders, such as Menachem Begin, Yitzhak Rabin, Ariel Sharon, Moshe Dayan, and others all had careers begun as part of paramilitary organizations.

The salience of the Jewish-Arab divide arising from conflict over the UN partition and the 1948 Arab-Israeli War incentivized the implementation of parallel legal systems for Arabs and non-Arabs within Israel. While Israeli Arabs were given citizenship, they were also placed under military rule, which then imposed restrictions on the freedom of speech, movement, and expression of Israeli Arabs in addition to other rights. This led to the over-criminalization of Israeli Arab actions, lessen[ing] their desire to form an emotional affiliation with the state. The imposition of different legal regimes for Arabs and non-Arabs began the formation of parallel institutional systems of governance for non-Arab citizens of Israel and Arab citizens of Israel. Furthermore, during this period, the Israeli government dealt with individual tribal leaders and authorities rather than any collective Arab representation. This decision was part of an attempt to prevent the emergence of a unified Israeli Arab identity as a serious political concern.

The imposition of military rule also allowed the Israeli government to better constrain and monitor the non-Zionist Israeli Communist Party and to incentivize Israeli Arabs to instead vote for Mapai, the most powerful Israeli political party of the time. During the period of institutional construction immediately after the 1948 War, Israeli leaders found themselves faced with a number of pressures and possibilities. These competing pressures included the desire to fulfill Zionist promises and thus maintain their political power and concerns over the potential ramifications of a large and politically

equal Arab population. Combined, these factors led to the creation of an ethnonational institutional regime that both actively prioritized Jewish identity and systemically and explicitly discriminated against Israeli Arabs.

While the Jordanian monarchy lacked the electoral incentives faced by Israeli leaders in deciding how to shape their institutions, concerns for regime stability and continuity also underpinned their decisions regarding the institutional structure of the West Bank. Prior to the annexation of the West Bank, the main politically relevant identity of the Jordanian population was the Bedouin identity that underpinned the Jordanian national identity and symbols and played a role in legitimizing the Hashemite monarchy. The annexation of the West Bank appealed to the Jordanian monarchy due to both the new territory it would acquire and due to the fact that control over a unified Jerusalem would increase the religious legitimacy of the monarchy. This annexation, however, would bring with it a large Palestinian Arab population whose major politically relevant identity would be distinct from that of “ethnic Jordanians” and whose population size would be nearly equal to that of East Bank Jordanians.

The Jordanian desire to incorporate Palestinian Arabs into the broader state led the Jordanian government to grant full citizenship to Palestinians, something not done in other Arab states, where Palestinians were often denied citizenship on the grounds that that would risk removing their Palestinian national identity. This denial of citizenship was often due to a desire to ensure the stay of Palestinian refugees in their host states remained as temporary as possible. In the Jordanian case, the incorporation of extra territory along with the absorption of Palestinians meant that some of the concerns faced by other Arab states were not felt as strongly in Jordan, or at least that the incentives of obtaining extra territory and control over Jerusalem’s holy sites were significant enough to overcome concerns about incorporating the extra population. In order to further incorporate the West Bank into the Jordanian state,

178 Ibid.
the Jordanian government simply extended East Bank institutions into the newly annexed territory on a piecemeal basis. This allowed for the Jordanian government, through a combination of institutional integration and the granting of equal citizenship, coupled with appeals to a broader pan-Arab identity, to attempt to overcome the divides between the Palestinian Arab identity and the Hashemite or Bedouin identity held by a majority of East Bank Jordanians at the time. Thus, the desire to integrate the West Bank into the Jordanian state without conflict between the nearly equally sized groups led the Jordanian government to create an institutional regime that emphasized a common Arab Muslim identity within the West Bank. These structures would eventually prove insufficient to suppress tensions between Palestinians and ethnic Jordanians, which culminated in the Black September conflict. While the conflict ended with a continuation of the Hashemite monarchy, it also established deep distrust between Palestinians and ethnic Jordanians within Jordan. The failure of these institutions to remove or diminish tensions between Palestinians and ethnic Jordanians demonstrate how one level of shared ethnic identity can be insufficient to establish unity in the face of other obstacles.

In the case of both Israel and the West Bank during this period, a desire to maintain legitimacy and the presence of a population with an existing common ethnic identity that could become, or already was, politically salient led to the construction of ethnonationalist institutions. For the Israeli government, this choice allowed them to continue to hold the support of their population and potentially to continue receiving support, political and financial, from members of the Jewish diaspora. The need for diaspora support in the early stages of state-building was also salient during the late 1990s in Kosovo as Kosovar Albanians relied partially on support from the Albanian diaspora in order to fund the KLA. For the Jordanian government, the choice to create institutions promoting an Arab ethnonationalist identity allowed them to attempt to bridge the divide between Palestinian Arabs and Bedouin Arabs and to remain

182 Ibid.
united with other states in the Arab world that were displeased with Jordan’s decision to annex the West Bank. The choices of both governments resulted in the following indicator scores as of 1966, which was after the formal Jordanian annexation of the West Bank but prior to the Israeli elimination of military rule of Israeli Arabs. These scores are depicted in Figure 10.

**Figure 10: Institutional Identity Type Scores for Israel and the West Bank as of 1952**

A change in the Israeli institutional structure came at the end of 1966 with the removal of military rule over Israeli Arabs. Repeated inquiries related to corruption and other concerns, starting in 1949 and reemerging frequently throughout the duration of the military government, began to make its continuance
a political liability to the Israeli government.\textsuperscript{183} The emergence of Jewish-Arab organizations opposing the military government led to Prime Minister Ben-Gurion acceding to a series of \textit{haqalot} (alleviations) concerning restrictions on Israeli Arabs and by the time Ben-Gurion retired and new Prime Minister Levi Eshkol took over, the continuation of the military government was both too politically damaging and unnecessary with respect to security to be continued.\textsuperscript{184} The new legal equality of citizenship between Israeli Arabs and Jews led to a divergence between the official structure of institutions and their practical implementations. While Israeli institutions continued to keep their Jewish character, the legal equality of Arabs led to an increasingly non-ethnic nature of some institutions. The practical implementation of some policies, however, led to a continued divide between ethnic groups. This is demonstrated, for example, by the persistent gap in education spending for Jewish and Arab citizens. These divides have been exemplified by the fact that the Israeli government spends an average of $192 per year per Arab student and an average of $1,100 per year per Jewish student.\textsuperscript{185} It also led to the development of some parallel institutions, officially in order to protect the cultural rights of each group. The Israeli educational system was and continues to be divided into distinct segments: state-secular schools, state-religious schools, independent religious schools, Arab schools, and private schools, with the majority of Israeli children participating in state-run schools rather than private ones.\textsuperscript{186} However, the emergence of greater legal equality between Arabs and non-Arabs within Israel led to some institutional shifts and the emergence of new incentives for Israeli leaders.

The 1967 War, which occurred only a few months after the termination of military rule over Israeli Arabs, caused another restructuring of the institutional structures of Israel and the West Bank. The war ended with an uncontested Israeli military victory, resulting in Israel’s occupation of the West Bank along with Gaza and the Sinai Peninsula. This brought Israeli and West Bank institutions into contact again for the first time since the end of the 1948 War. By December of 1967, the Israeli government

\textsuperscript{183}Degani, "The Decline," 3.
\textsuperscript{184}Ibid.
began referring to the West Bank as “Judea and Samaria” as part of a process of legitimizing Israel’s claim to the territory due to the connection to the ancient kingdom of Israel.\footnote{United Nations, "The Legal Status of the West Bank and Gaza," Committee on the Exercise of the Inalienable Rights of the Palestinian People, https://unispal.un.org/DPA/DPR/unispal.nsf/0/9614F8FC82DCA5DF852575D80069E0C0.} The Knesset also passed a law allowing for the extension of "the law, jurisdiction and administration of the State of Israel to any area of Eretz Israel designated by the Government by order"\footnote{Ibid.} and the Ministry of the Interior of Israel issued a new regulation through which the West Bank and Gaza would no longer be considered enemy territories.\footnote{Ibid.}

These new pieces of legislation represented a process through which Israel attempted to exert a legitimate political claim to exercise sovereignty over the newly occupied areas. Existing international law during this period codified the “inadmissibility of the acquisition of territory by war."\footnote{Allan Gerson, "War, Conquered Territory, and Military Occupation in the Contemporary International Legal System," Harvard International Law Journal 18, no. 3 (1977): 525, https://heinonline.org/HOL/Page?handle=hein.journals/hilj18&div=33&g_sent=1&casa_token=.} This meant that rather than being able to simply rely on obtaining legitimacy through military victory to administer the territory, the Israeli government was incentivized to legitimize its control over the West Bank through other means that would be seen as more valid in the post-World War II era, such as historical connections and the Jewish ethnic and religious connection to the region. The fact that the Jordanian annexation of the West Bank was solely recognized by the United Kingdom and Pakistan further complicated matters as it meant that Jordan could not be considered the true sovereign power of the West Bank should the Israeli occupation be seen as illegitimate.\footnote{Ibid.} Thus, the murky legal status of the West Bank along with the ideological incentive of occupation of the West Bank in order to allow for the annexation of East Jerusalem and the potential future incorporation of portions of the historical Israeli state into the modern one, incentivized policies from the Israeli government that paved the way for either continued occupation of the territory or eventual annexation.

The Israeli occupation of the West Bank led to a termination of a majority of the Jordanian institutions operating in the territory. Proclamation No. 2, or the Proclamation Regarding Regulation of
Administration and Law, which was authored by the Israel Defense Forces replaced Jordanian institutions with institutions governed by the IDF. Proclamation No. 2 set the basis for the new institutional structures of the West Bank. Under the proclamation, all property under the control of the Jordanian government in the West Bank at the time of the issuance of the proclamation would be transferred to the control of the IDF. Furthermore, all “authority of government, legislation, appointment and administration pertaining to the region or its residents” would also fall under the control of the IDF.

These institutional changes represented a transition from Jordanian ethnonational institutions to an institutional structure not designed to truly promote any identity but rather solely to ensure the IDF had the capacity to administer the West Bank, placing it in a position of limbo where sovereignty was in the hands of the Israeli state, but citizens of the West Bank were ineligible for Israeli citizenship. In the broader context of the Israeli state as a whole, the occupation of the West Bank without the provision of equal citizenship or rights for its residents once again created a system of systemic and explicit discrimination that furthered the ethnonational character of Israeli institutions. The new indicator scores coded for 1993 (after the consolidation of IDF rule over the West Bank but before the signing of the Oslo Accords, representing the 1967-1993 period) are shown in Figure 11.

193 Ibid.
In 1993, the Israeli government and the Palestinian Liberation Organization signed the Oslo Accords designed to facilitate a settlement for the Israeli-Palestinian conflict through direct negotiations between the two parties rather than intermediaries such as Egypt or Jordan. The agreement established the Palestinian Authority and a new framework for governing the West Bank and Gaza Strip. A number of factors incentivized the shift in institutional structures as a result of the Oslo Accords. The first was the fact that in 1988, the Jordanian government withdrew all of its claims to the West Bank, removing the chance of a repeat of the land for peace deal achieved with Egypt in which Jordan would theoretically

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regain sovereignty of the West Bank in exchange for peace with Israel.\textsuperscript{195} As part of its abdication of claims, the Jordanian government also recognized the Palestinian Liberation Organization as the “sole legitimate representative of the Palestinian people.”\textsuperscript{196} The Jordanian government also dissolved the lower house of its parliament as, at the time, half of its seats were reserved to represent constituencies of the West Bank, further severing West Bank ties with Jordanian institutions.\textsuperscript{197} The recognition and related actions increased the legitimacy of the PLO as the representative of the Palestinian people while furthering the disconnect between West Bank and Jordanian institutions. Furthermore, the preceding Israeli-Egyptian Peace Treaty along with Israel’s new negotiations with Jordan over a peace agreement represented a shift in perceived Israeli-Arab dynamics in which Arab states no longer needed to be viewed as solely hostile actors in the minds of Israelis, thus creating a new potential for the acceptability of a Palestinian state or another form of Palestinian Arab autonomy. Thus, changing international dynamics assisted in shifting the incentives of Israeli leaders towards being more in favor of the potential for Palestinian Arab autonomy or independence.

The so-called “constructive ambiguity”\textsuperscript{198} of the Oslo Accords meant that the resulting institutional structures were both separate from and intertwined with Israeli structures. The 1995 Oslo II Accords divided the West Bank into three areas. Area A, which has no territorial continuity, was placed under full control of the Palestinian Authority.\textsuperscript{199} Entry into this area was forbidden for Israeli citizens, but as of 2002, the IDF abolished regulations prohibiting it from entering Area A and now does so to conduct raids often with the assistance of the Palestinian security forces.\textsuperscript{200} Area B was placed under Palestinian civil control and joint Palestinian-Israeli security control.\textsuperscript{201} Area C was placed under full Israeli civil and security control and contains Israeli settlements and outposts. While the transfer of

\textsuperscript{196} Ibid.
\textsuperscript{197} Ibid.
\textsuperscript{201} "The Israeli-Palestinian," Israel Ministry of Foreign Affairs.
control of Area C to the Palestinians was set to begin by the end of 1999, this failed to occur and the
Israeli government continues to have full control of the area, which represents 63% of the West Bank and
much of its natural resources. While the establishment of the Palestinian Authority allowed for greater
Palestinian control over areas relating to civil concerns such as education and related policies as well as
for the election of representatives and a separate institutional structure, the continued presence of Israeli
military forces and Israeli civil control over much of the territory resulted in the situation that persists
today. This situation makes it so that while separate structures for Israel and the Palestinian Authority
exist, both promoting their own respective ethnonational identities, the institutional regimes remain
interconnected and the West Bank institutions remain heavily dependent on the Israeli ones. This has
resulted in the indicator scores displayed in Figure 1, which are current as of 2018.

202 Danny Rubinstein, "The Palestinian Economy: Israel's Control over Area C Comes at a Price," YNet, last modified 2015,
https://www.ynetnews.com/articles/0,7340,L-4624580,00.html.
While there have been shifts in the institutional regimes of both Israel and the West Bank, there have been no shifts in the types of identities promoted by their institutional structures. Unlike in the situation with Kosovo, international responses to the Israeli-Palestinian conflict have focused on the two-state solution as the proper way of resolving the conflict. Under this solution, rather than forming a common unifying identity, there would be a functionally ethnic-based partition between what would become Israel and Palestine. This solution assumes that ethnic partition would be the best solution to the conflict. It also ignores existing diversity within Israel, where not only is approximately a quarter of the state Arab, but a notable portion of the state is neither Arab nor Jewish, and the existing diversity within the West Bank. In terms of domestic incentives, the growing Israeli Arab population has provoked
backlash from parts of the Jewish majority, resulting in legislative actions such as the 2018 Israeli Nation State Law designed to ensure the Jewish ethnonational character of the state.\textsuperscript{203} Israel’s position as a technologically advanced state has also offered it other avenues to resist demographic incentives to promote a civic-national identity.

The Israeli government provides women under 45 with unlimited funds necessary to undergo IVF treatment to have up to two children.\textsuperscript{204} This policy includes funding a type of IVF treatment that has gained limited acceptance in other states, namely IVF using genetic material from a deceased donor. In order to be eligible, the donor must have either specified their interest in having their material preserved and used later, potentially by a stranger, in a biological will or whose legal representatives make a convincing case that the deceased wanted biological children.\textsuperscript{205} The flexibility given in order to allow for greater use of deceased donor material is due in part to the past traumas making up part of the core of the Jewish Israeli identity.\textsuperscript{206} Past mass killings and genocides along with existing mandatory conscription have led to the Israeli government choosing to “err on the side of life”\textsuperscript{207} in reproductive-related decision-making. While these experiences are central to the Jewish Israeli national consciousness, the demographic challenge posed by Arab birth rates has also induced the Israeli government to take actions beyond promoting Jewish immigration in order to preserve their demographic majority.\textsuperscript{208} These actions have included ones such as the promotion of procedures that would allow for the birth of a greater number of Jewish Israeli children and making decisions such as assuming that deceased Jewish Israelis would want biological children even if they left no written record to that end.\textsuperscript{209} Thus, the lack of international pressure along with the capacity for domestic political elites to both find ways to resist pressures such as those coming from impending demographic decline and to manipulate Jewish ethnonational sentiment for their own political gain has led to the continuation of the ethnonational character of Israeli institutions.

\begin{thebibliography}{9}
\item Nation State Law
\item Ibid.
\item Ibid.
\item Lustick, "Israel's Migration," 35.
\item Rubin, "Becoming Dad After," Undark.
\end{thebibliography}
From the Palestinian side, reliance on aid and diplomatic assistance from states with similar Arab ethnonational identities, such as the rich Gulf States and Jordan, has incentivized the continuation of institutions promoting an Arab ethnonational identity. An emphasis on the failure to provide Palestinians with institutions allowing them to exercise their right to self-determination has also proved diplomatically productive for Palestinian political elites. As this argument relies heavily on assumptions regarding the idea that ethnic and national groups are inherently deserving of self-determination rights, the continuation of institutions promoting an ethnonational identity serves to ensure the legitimacy of this appeal. Thus, Palestinian political elites continue to be similarly incentivized to shape institutions that promote an ethnonational identity.

The 2003 Palestinian Basic Law, along with the 2005 amendments, is the most recent legal documents functioning as a semi-constitution for areas under the Palestinian Authority. Taken together, the Basic Law and its amendments demonstrate much of the legislative components underlying the type of identity promoted for Palestinian Arabs living in the West Bank. One of the first elements made clear in the Palestinian Basic Law is an appeal to pan-Arab nationalism as it states that “Palestine is part of the larger Arab world, and the Palestinian people are part of the Arab nation. Arab unity is an objective that the Palestinian people shall work to achieve.” This represents an appeal to a type of Qawmi nationalism, which in the Arab context refers to a hybridization of nation-statist nationalism, demonstrated through the reference to Palestine as a specific entity worthy of allegiance, and pan-Arab nationalism, demonstrated through the reference to the broader notion of Arab unity. It also emphasizes the Arab identity of the Palestinian state, which is reinforced by the chosen state symbols. The chosen Palestinian flag is modeled after that of the flag of the Arab Revolt and closely resembles the flags of

nearby Arab states, especially the Jordanian flag. Thus, the ethnic aspect of Palestinian identity is one emphasized in the chosen state symbols of the Palestinian Authority, its Basic Laws, and other aspects of its institutional structure, such as its educational system.

The 2003 Basic Law goes on to state that Islam is to be the state religion of Palestine and that “the principles of Islamic Shari’a shall be a principal source of legislation” and that other “divine religions” should be respected as well. The religious aspect of the Palestinian Basic Law along with the religious elements of the Israeli government, particularly the power of Haredi parties in more recent years, points to a common area where the establishment of a non-ethnic and non-religious identity has been difficult in both Israel in the West Bank. Appeals to religion in both cases decrease the capacity for compromise and when viewpoints are legitimized via religious means, such as with the Haredi promotion of Israeli irredentism or Hamas’ appeals to Islamic fundamentalism, it more easily leads to institutional structures that demonize out-groups because of their failure to adhere to the correct religious doctrine.

Also similarly to the divisions within Israeli society, conflicts between Palestinian groups on the importance of religion to the Palestinian national and ethnic identity contribute to difficulty not only in forming a non-ethnic based identity but also forming an ethnic-based identity that remains salient to all its members. The memorialization of individuals who were killed committing acts of terrorism against Israelis in areas of the West Bank as martyrs alongside those harmed by IDF forces while not committing acts of terrorism also both introduce a religious aspect into Palestinian national commemoration and group together all aspects of “resistance”, both violent and nonviolent and against civilians and against security forces.

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While the current incentives promote the continuation of ethnonational institutional structures, these incentives may shift in the future. The next section will discuss the possible shifts in incentives that could lead to the formation of institutions promoting a civic-national identity as well as how these institutions may be structured.

The Construction of a Common Identity

Unlike in the situation of south Kosovo and north Kosovo, neither Israel nor the West Bank has any indicator scores relating to their legal, implementation, or total averages that are above zero. This is in part due to differences in the natures of the two regions. In the case of Kosovo, there are no major actors or proposals that would separate north Kosovo and make it its own independent state. Because of this, the government in Pristina has made efforts to allow for the inclusion of north Kosovo into the central identity of the state, which then also reinforces the need for a non-ethnic central identity supported by Kosovo’s legal regime. The continued focus on the two-state solution as a means of resolving the Israeli-Palestinian conflict, however, means that the West Bank and Israel do not build institutions with the other in mind. Furthermore, the idea of a solution based around ethnic partition, or “two states for two peoples,” legitimizes ethnic-based identities for both the West Bank and for Israel. Neither Israeli nor Palestinian leaders are currently seeking to shape an identity or create institutions inclusive of all individuals living in both Israel and the West Bank, or of all individuals living within their respective areas. This is shown clearly in Figure 12, which depicts the scores for Israel and the West Bank.

This section discusses the ways institutional structures might shift as a result of changed incentives due to the implementation of legislation imposing a one-state solution rather than the more standard two-state solution. It does so by first examining how what the changed incentives would be and how they might change institutions should a one-state solution be implemented that would grant equal citizenship to Israelis and Palestinians. While not discussed internationally, this solution has been met with serious consideration by some Israelis. Among all Israelis, 28% oppose annexation. 11% would
support full annexation with political rights for Palestinians.219 16% support full annexation with no political rights for Palestinians.220 15% support annexation of Area C.221 Among non-Jews, 35% oppose annexation, 20% support full annexation with political rights for Palestinians, 7% support full annexation without political rights for Palestinians, and 4% support annexing Area C.222 The remainder are undecided. The results of this poll demonstrate that support for the two-state solution is shrinking among both Jews and non-Jews within Israel; however, there is also no consensus on the form a one-state solution would take. This section then examines the implications of a one-state solution that annexes most or all of the West Bank but does not grant citizenship to Palestinians. It concludes by analyzing how the nature of the policy of annexation would impact shifts in incentives, especially electoral incentives, and thus shifts in institutional structures.

The maps depicted in Figures 13 and 14 further demonstrate that with regard to the combined averages for both the West Bank and Israel, there are no general categories where either obtain a positive score.223 Figures 13 and 14 also show that when the general averages are compared against each other, Israel scores higher than the West Bank. This is due to the changes made in Israel after Israeli Arabs were no longer under military rule within the 1967 borders, which then led to institutional changes and better protection for linguistic, religious, and other rights of minorities within Israel that could theoretically be applied to those within the West Bank as well. Thus, some actions that have been taken by the Israeli government to justify expansion or annexation also prove helpful in creating structures needed for a non-ethnic identity, or at least the greater acceptance of one.

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220 Ibid.
221 Ibid.
222 Ibid.
223 Maps depicting the legal and implementation averages can be found in Appendix III.
These scores refer to the institutions in place at the end of the British mandatory period.

Maps depicting the comparisons of the combined average, implementation average, and legal average scores across all four periods can be found in Appendix III.
Specifically, with regard to non-ethnic identity formation incorporating both Israel and the West Bank, some proposals have been set forth that would allow this to be considered more seriously. Israeli President Reuven Rivlin stated in 2017 that should Israel annex the West Bank, an idea that has been gaining increased traction, Palestinians should be granted full Israeli citizenship. This aligns well with the ideas of preceding Israeli leaders, such as Prime Minister Menachem Begin, who once proposed in a draft of his autonomy plan for the West Bank and Gaza that Palestinians should be allowed to choose between Israeli and Jordanian citizenship and, if they chose Israeli citizenship, be given full and equal rights as other Israelis. This new form of a more inclusive Israeli identity would align well with the idea underpinning the “I am an Israeli” movement founded by Uzzi Ornan, which seeks reorient the identity of the state towards an “Israeli” nationality rather than a state made up of many nations. This would contradict a ruling from the Israeli Supreme Court stating that no “Israeli” nation exists as that could threaten the Jewish nature of the state. The growth of movements such as the “I am an Israeli” movement, combined with the growing acceptability of suggestions such as granting full citizenship to Palestinians, as evidenced by the Israeli president being able to voice such an opinion, demonstrates that there may be an opportunity for the establishment of a civic-national Israeli identity should the incentives and legislation align correctly.

Shifts in the U.S. government have also opened the door for a one-state solution. The Trump administration stated that support would be given to any solution, one-state or two-state, that could be agreed upon by both parties. New Democratic member of the House of Representatives, Palestinian-American Rashida Tlaib, also indicated her support for the one-state solution, stating that “separate but
equal does not work.”\textsuperscript{231} The growing acceptability of a one-state solution from the perspective of the US government, along with voiced opinions against a two-state or one-state solution with parallel systems and different levels of citizenship could give new incentives for Israeli politicians to move towards a civic-national identity. These incentives could either be a desire for American approval for a one-state solution or a need to maintain American aid funding should the sentiments of individuals such as Representative Tlaib gain broader acceptance. From the Palestinian side, concerns regarding the one-state solution stem largely from concerns that a one-state solution would still contain two separate and inherently unequal systems.\textsuperscript{232} The concerns stemming from Palestinian negotiators, the Israeli president, and outside but invested parties thus point to the central need to find a way to ensure equality in any system that would emerge after a final peace agreement.

The proposal that any solution leading to one state would require equal citizenship for all members would cause a major shift in many aspects of the scores given to Israel and the West Bank. One major reason for the low scores in the area of voting rights, for example, is the fact that Palestinians and Israelis do not have any common representation, a fact that would be changed should they all have the same citizenship, assuming that the solution followed the solution proposed by President Rivlin and provided fully equal citizenship for all residents. This would also be true for areas such as military involvement, where a common citizenship would also allow for broader military participation instead of the situation as it is now, where Palestinians cannot join the Israeli military and have no military of their own. The integration of Palestinians into a common welfare system with Israelis would be facilitated by this as well, even if it would not fully remedy existing inequalities between Jews and Arabs within Israeli institutions.

Some models have been put into place regarding educational systems that would allow for non-ethnic based and co-existence focused education. Two bilingual schools established in Israel have attempted to create curricula that both promote bilingual education and the formation of non-ethnic


identities. This is through both a bilingual and civic-focused curriculum as well as through the establishment of new commemorative ceremonies that include aspects of the various cultures of the students of the school.\textsuperscript{233} One of these is the “Hanukkah-Idel Fiter-Christmas” ceremony, which incorporates aspects from the various holidays into a type of communal celebration that includes the identities of the various students but also allowed the distinct portions to be shown.\textsuperscript{234}

The second type of ceremonies the school marks is that of national ceremonies. The bilingual schools mark both Palestinian and Israeli national holidays instead of attempting to ignore these aspects of the national identities of their students. In allowing students to observe and participate in a variety of national ceremonies, the schools delink these ceremonies from their ethnic affiliation and encourage students to discuss what these events mean in their own personal context.\textsuperscript{235} While both ceremonies were generally accepted by students, teachers, and parents, the first ceremony allowed for the creation of a greater degree of cohesion between students as it allowed for them to participate in one ceremony together (rather than a number of separate ones) while preserving aspects of their cultural identities, which made the giving up of other aspects (such as the more nationalist-oriented aspects of the holiday celebrations) more palatable.\textsuperscript{236} These traditions, combined with aspects of civic education and a commitment to bilingualism at the school, show how integrated education can encourage, even though it would not mandate, the formation of non-ethnic ties and promotion of inter-ethnic reconciliation. These holidays also demonstrate the importance of performative aspects of citizenship and participation in common events in forming non-ethnic ties, something that would also help facilitate the creation of a broader non-ethnic identity.

A one-state solution along the lines of equal citizenship would also alter the legal and institutional regimes present in the West Bank. Instead of it being separated into the areas outlined as per the Oslo Accords, it would most likely be incorporated into Israel as one area, or multiple districts, under Israeli

\textsuperscript{234} Ibid.
\textsuperscript{235} Bekerman, "Can Education," 4.
\textsuperscript{236} Ibid.
civil governance. This would then lead to the possibility of a more fully integrated school system, or at minimum, one where integration could be possible. The influx of new citizens with the capacity to vote would also lead to the establishment of new potential voter bases for political parties and would also incentivize increased bilingual education and material. As seen with the Kosovo model, the granting of undifferentiated citizenship across ethnic lines assists in the formation of salient non-ethnic identities by bringing individuals together into a common system they can all become equally invested in. As seen with the distinction between north and south Kosovo, group-differentiated policies that lessen one group’s investment, such as the fact that individuals living in north Kosovo do not pay taxes to the central government, increase the salience of separate regional or ethnic identities and reduce the salience of the central group one. Thus, the creation of a common citizenship, or the incorporation of Palestinians into the existing Israeli citizenship, would both create incentives for all citizens to become invested in the institutions they stand to be affected by but now have the capacity to affect in return.

The idea of annexing the West Bank and providing equal citizenship to Palestinians is not, however, the only annexation proposal in existence. More ethnonationalist proposals also exist, which would create different incentives for the Israeli government and would impose a different type of institutional structure as compared to those under the civic-national model. Other calls for the annexation of the West Bank do so by calling it the “Zionism of the 21st century,”237 indicating that any annexation would mean the continuation of the present institutional structure, necessitating either explicitly unequal citizenship or the continuation of policies where groups exist on a hierarchy despite nominally equal citizenship. One evidence of such a move is the opening of a new road northeast of Jerusalem between Hizma and Zayem, which would feature completely separate lanes for Israelis and Palestinians.238 The opening of this road is evidence of a different type of annexation, which would create one state but impose parallel and unequal systems for Israelis and Palestinians. Another potential form annexation

might take would be through the annexation of Area C to Israel. This proposal would leave the majority of Palestinians outside of the Israeli state but without the capacity to form their own state because of the patchy and non-contiguous nature of Area A and Area B. These areas would then be provided autonomy but not citizenship, leading to a continuation of the current situation but without the presence of the potential Palestinian state.

Thus, two divergent options exist for the increasingly likely scenario of Israel annexing the West Bank. One would be that proposed by President Rivlin, drawing on ideas promoted by the “I am an Israeli” movement and existing proponents of coexistence and a multiethnic Israel, the other supported by members of the current governing coalition and supporting annexation of the West Bank with a continuation of the ethnic-based characteristics of the Israeli state. The first option would incentivize a more civic-national identity due to the expanded voter base, which would then be much more multiethnic and with a higher proportion of Arabs, while the second would incentivize the continuation of the existing ethnonational identity.

**Conclusion**

The separate systems in Israel and the West Bank have already strongly institutionalized ethnic-based identities through symbols, language policies, educational curricula, and other factors. The increasing diversity within both regions as well as the impact of the West Bank settlements and a lack of true investment in the two-state solution on both the Israeli and Palestinian sides, however, mean that the chances of a one-state solution purposefully or by default is increasing in likelihood. Thus, policies that would be put into place to ensure such a solution could be implemented successfully are worth examining. One clear one that could serve to create a salient non-ethnic identity that would tie all groups within the region together, not simply Jews and Arabs, would be the proposal to grant undifferentiated citizenship to all individuals living within the region after the annexation of the West Bank. This

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240 Ibid.
expanded citizenship, combined with policies that would promote civic engagement and coexistence, along with policies such as those implemented in Kosovo regarding bilingualism, civic education, and protection for cultural identities within the umbrella non-ethnic national identity, could prove successful. Furthermore, these solutions would be applicable to Israel separate from the West Bank or the West Bank separate from Israel should the two-state solution end up being implemented after all. The continued growth of movement across borders, the yet-unresolved issue of Palestinian refugees, and the growing ethnic, religious, and sectarian diversity of both Israel and the West Bank means that even should an ethnic-based partition take place, it would not create the homogenous societies needed to survive and thrive without some non-ethnic unifying factor.
Conclusion

Discussion

Ethnicity remains an important and politically relevant identity across regions and states. The continued relevance of ethnic identity has combined with the heterogeneity of most states, increasing global migration, and impending challenges due to future resource scarcity and climate-change related effects, coupled with the history of political violence along ethnic lines, and the continued primacy of ethnic identity as a form of political affiliation to create a situation where ethnic-based violence has become increasingly likely. The increased likelihood of conflict also leads to the question of if civic-national identities can only be institutionalized and promoted in wealthy, stable democracies or if these identities can be established and promoted within states emerging from ethnic-based violence or other forms of sectarian strife. The importance of incentive shifts in switching the identities promoted by state institutions helps to examine some of these questions and provides insight into the importance of institutions in shaping the politically relevant identities within states.

A combination of examining the evolution of the identities promoted by state institutions and the politically salient identities of a state gives credence to models focusing on the impact of institutional construction as it relates to identity construction and ethnic conflict. Furthermore, dividing the institutional scores from the implementation scores demonstrates that adding in the implementation aspect can give a more accurate picture of the identity being promoted by a state as compared to when the explicit institutional construction is examined alone. This allows for situations where ethnic divisions are created either purposefully but non-explicitly or accidentally but still actively to be observed rather than overlooked. As seen through both the cases of Kosovo and Israel, institutions can lack explicit ethnic barriers but still functionally implement them, and inefficient implementation of institutional regimes can also an idea to be promoted unintentionally. Thus, while models examining the impact of institutional structure on the salient identities present within a state can provide useful contributions, the impact of
non-explicit ethnic barriers and implementation differences should be considered when building models or generally examining institutional identity promotion.

The case of Kosovo demonstrates that the ability to develop a civic-national identity is not dependent on a state's wealth, size, or relative power. Furthermore, Kosovo’s status as a state with a very recent history of ethnic cleansing and position in a region with a history of ethnic conflict and highly salient ethnic identities demonstrates that civic-national identities are not restricted to states without a history of ethnic violence but, rather, can be implemented and developed within states recently emerging from situations of ethnic violence. The Kosovo case also demonstrates the different roles ethnic kin states can play in influencing the salient political identities within a state. In the context of north Kosovo, Serbia played a key role in preventing the ethnic Serb community from integrating into the rest of the state to the point where north Kosovo’s autonomy became institutionalized within the Brussels Agreement. In the case of south Kosovo, however, Albania has not attempted to encourage a “Greater Albania” movement or otherwise annex Kosovo or other Albanian-majority areas, instead encouraging ties between Albanian communities within different states through mutual membership in organizations such as NATO, as exemplified through their support for Macedonia’s ascension process. Thus, the Kosovo case draws importance to the roles of the incentives faced by neighboring and kin states and how those can help or hinder the formation of civic-national identities.

One of the main conclusions that can be drawn from the case of Kosovo is that turnover in political elites is not necessary to ensure the development of a civic-national identity. Some elites from the pre-2008 period remain politically powerful but have moderated their positions in light of new objectives, moving from an Albanian-nationalist identity to a Kosovar one even to the point of supporting removing the Albanian flag from major sites and replacing it with the Kosovar one. This means that given the correct incentives and processes, a mass turnover of elites and bureaucrats—an action that could lead to state instability and resentment—may not be necessary to build a salient civic-national identity. The relatively peaceful movement from UNMIK to Kosovo’s independence, despite major powers opposing Kosovar independence, further demonstrates that the necessary institutional shifts can take place without
mass reorganization or bureaucratic turnover, but other cases also demonstrate that reorganization and elite turnover do not prevent the formation of a civic-national identity.

The case of Israel and the West Bank provides valuable insights as well. First, the impact of civil society organizations in enabling the removal of the military government over Israeli Arabs and later constructing schools promoting civic-national identities and peaceful coexistence shows the ability of civil society to reshape the salient identities within states. It also shows that, especially within democracies, that citizens can play a strong role in reshaping the incentives of political elites in terms of what identities they institutionalize. In the case of the removal of the military government, for example, civil society mobilization made the continuation of the policy politically harmful, thus leading to its removal. This means that while democracy can increase the ethnic nature of some institutions by incentivizing elites to make ethnic appeals to win votes and by increasing competition over resources should the demographic make-up of the government affect public goods provisioning to different areas, it can also incentivize the formation of civic-national identities through electoral pressures. This case also demonstrates that the formation of a civic-national identity is not simply a result of economic development and material gains as Israel is an OECD member and considered a wealthy state. It also demonstrates that wealthy states have options not available to poorer states to promote an ethnic state identity and maintain it even in the face of demographic challenges.

Israel’s movement towards annexing the West Bank also shows how different policy structures can reshape incentives without international or foreign involvement. The structure of the annexation itself, be it an irredentist annexation without equal citizenship for Palestinians or a Rivlin-style annexation that provides full and equal citizenship, would provide political elites with distinct electoral incentives, thus leading to different institutional changes.

**Potential Extensions**

The implications coming from the cases of Kosovo, Israel, and the West Bank on the impact of the construction of civic-national identities have meaning on cases outside of the ones discussed
throughout this thesis. The degree to which incentives change based on alterations to the geopolitical situation surrounding a state, domestic political incentives related to growing heterogeneity of populations, and impending resource scarcity have implications for many states, especially those currently embroiled in conflict or in a tenuous peace. The cases of Rojava, Bosnia and Herzegovina, and the relationship between the Republic of Korea and Democratic People’s Republic of Korea demonstrate other applications of the implications from these cases.

Other cases demonstrate that incentives can switch towards a civic-national identity and away from an ethnic one even without the influence of external actors. The case of Rojava, or Kurdish-majority northern Syria, is one of these cases. The cases of Rojava and Kosovo demonstrate that assumptions stating that peace in ethnic conflict can only come via power-sharing methods or otherwise legitimizing the role of ethnicity within political society are not always correct. These cases also demonstrate that institutions promoting a civic-national identity can be constructed successfully even in situations where violence or a recent history of violence increases the salience of ethnic identity.

Rojava, formally known as the Democratic Federation of Northern Syria or the Autonomous Administration of North and East Syria, was established on March 17th, 2016. It emerged after the withdrawal of Syrian government forces from Kurdish-majority northeastern Syria and the formation of the Syrian Democratic Council, which is composed of Kurds, Arabs, Turkmen, and Christians. In the case of Rojava, the ideology of the dominant political group combined with incentives coming from a need to maintain stability in the face of the Syrian Civil War as well as the opportunity given to reshape institutions due to the inability of the central government to oppose changes to the institutional structure of the region. This led to the establishment of the Rojava Cantons which, according to its social contract, enshrines environmental sustainability, democratic participation, and peaceful coexistence as its central

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principles. Rojava’s social contract also implements an institutional structure that both protects the cultural and linguistic expression of minority groups while ensuring the institutions themselves promote a common identity rather than the identities of the individual ethnic groups located within Rojava. The case of Rojava thus demonstrates that not only can incentives reshape the identities promoted by institutions, but also that these shifts can occur within the midst of a civil war partially along ethnic and religious lines.

In contrast to Kosovo’s attempts to form a unified identity as the basis for their post-conflict society, Bosnia and Herzegovina took a starkly different approach through institutionalized ethnic consociationalism. Bosnia’s institutional structure has led to continued inter-ethnic distrust and highly salient ethnic identities, demonstrating how different institutional approaches to post-conflict state and nation-building result in distinct outcomes for states within the same region and a similar history of conflict. Bosnia’s focus on protections for individual groups rather than forming a unified identity further demonstrates the risk cases like Rojava face when post-conflict, they need to remain unified without the impetus to do so stemming from the presence of external threats.

While the Dayton Agreement was designed to ensure Bosnia’s multiethnic identity is protected, its state structures institutionalized ethnic partition at all levels of government, leading to residual ethnic tension that often threatens to ruin the post-war tenuous peace. Some existing proposals to fully incorporate the Serb Republic of Bosnia into the broader state and transition away from a structure legitimized through ethnic representation would also reshape incentives faced by leaders to alter institutions. Similarly to the case of Israel and the West Bank, this could either be done in a way that would solely increase the ethnic identification of citizens and breed resentment towards the national identity, or could be done a way that would promote equal citizenship. In the case of Bosnia, this could

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244 Ibid.
mean a situation where citizens not members of the three constituent ethnic groups could run for state-
level elected office and institutional barriers preventing voting across ethnic lines could be removed.
Thus, these two cases demonstrate how not only the overall nature of institutional or policy changes
matter but how the implementation of these changes can often be a defining factor in what identities are
promoted and how successful that promotion is.

The question of Korean unification is another area where the development of distinct institutions
relating to identity hinder the resolution of conflicts, even those stemming from non-ethnic sources. The
continued inter-Korean conflict stems from Cold War disputes between communist and capitalist states,
but reunification is hampered now not by divergent political and economic systems but also divergent
identities. The regime of the Democratic People’s Republic of Korea (North Korea) is legitimized through
ethnonationalist appeals to the purity of the Korean people.247 According to North Korean thought, this
purity comes with an inherent innocence that requires the protection of a strong leader.248 This
ethnonationalist identity has also governed North Korea’s actions in the inter-Korean peace process,
leading to the promotion of reunification based on and legitimized by the shared Korean ethnic identity.249
In contrast, the Republic of Korea (South Korea) remains only partially tied to an ethnonationalist
identity. The state’s increasingly heterogenous population due to the need for migrant labor and
intermarriage between Koreans and non-Koreans has led to a shift towards greater inclusion of minority
groups.250 Furthermore, linguistic divergences between North Koreans and South Koreans along with a
growing cultural divide and years of separation have led many young South Koreans to view North
Koreans as out-group members rather than members of a shared ethnic group.251

248 Ibid.
Despite these changes in salient political identities for young South Koreans, both the North Korean and South Korean governments continue to push for reunification because of this shared ethnic identity that is not salient for young South Koreans, leading to a declining approval rating for unification among members of this demographic. As the inter-Korean peace process has been premised on the eventual reunification of the Korean Peninsula, this trend risks upending the fundamental basis of the process. These shifts then show another area in which the development of a civic-national identity may be necessary for the implementation of a peace plan not due to a history of ethnic conflict but rather due to divergences in the concept of what constitutes a member of the common in-group. Thus, while the Korean Peninsula remains largely homogenous despite some demographic changes, alterations in perceptions of who is a member of the in-group demonstrates how the need for a civic-national identity can arise. Furthermore, the changes in South Korean perceptions of North Koreans demonstrate the instability of ethnic-based rationale for agreements and institutional arrangements as perceptions of ethnic membership are not stagnant and can thus shift over time.

**Implications**

The institutionalization of civic-national identities assists in reducing ethnic tensions for states with a recent history of ethnic violence. The development of a civic-national identity also assists in allowing survivors of ethnic conflict to come to terms with their trauma and rediscover their place within the broader society. Healing for victims of ethnic violence and reconciliation between victims and perpetrators is one of the most vital aspects of post-conflict institution building, both in order to ensure state stability and to ensure the wellbeing of a state’s citizens. In Kosovo, wartime rape was one of the main aspects of the campaign of ethnic cleansing against Kosovar Albanians and the promoting of Serbian ethnonationalism. President Atrifete Jahjaga, Kosovo’s first female president, has used Kosovo’s new inclusive identity to also alter the response of Kosovar society towards survivors of sexual

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violence through using the shift in Kosovar culture to disconnect prejudices connected to Serbian and Albanian ethnic identities from the new Kosovar identity. This has allowed for survivors of wartime sexual assault to begin speaking out about their experiences. Traditional Albanian and Serbian cultural mentalities formerly prohibited survivors from discussing their experiences due to fear of societal and familial rejection. Using the space created by the new civic-national identity, which allows for survivors to speak out without fear of harming the “honor” of their ethnic group, survivors have been able to find their place within the state, contributing to the process of post-conflict healing. Opportunities given through the formation of civic-national identities allowing for connections between ethnic groups also allow for the acknowledgement of individual responsibility after ethnic conflict, thus avoiding the allure of abdicating responsibility or indicting the entirety of any ethnic group. In the words of a Serb acknowledging the need for a nonethnic identity in Kosovo and the broader Balkans, institutional changes and the formation of civic-national identities allow societies to “bring back dignity both to the deceased and to the living.”

While an assumption relating to post-conflict state-building assumes a recent history of ethnic violence increases the salience of ethnic identification, this does not preclude the formation of a civic-national identity. The Kosovo War is considered the worst humanitarian crisis in Europe since the end of World War Two. The war contained atrocities ranging from forced expulsions, desecration of religious sites, the burning and looting of homes, schools, and healthcare facilities, sexual violence, and mass executions, culminating in the attempted ethnic cleansing of Kosovar Albanians. This conflict was not an isolated incident, but rather the result of decades of oppression and inter-ethnic distrust and hatred.

between Albanians and Serbs, fueled by institutional promotions of ethnonational identities.\textsuperscript{259} Despite this legacy of conflict and a peace of only twenty years, Kosovo has managed to institutionalize a salient civic-national identity, allowing for a stable state and reconciliation between the ethnic groups within its borders. While the continuation of an ethnonational identity in parts of north Kosovo have limited Kosovo’s progress, the acceptance of Kosovo’s independence and new identity among minority groups in south Kosovo and the movement towards not only tolerance but an emotional attachment to the Kosovar identity demonstrate how even in regions with a recent history of violence can form salient civic-national identities. Furthermore, the continued violence between Israelis and Palestinians demonstrate the danger of the institutionalization of ethnonationalist identity, a danger that has no signs of receding in the near future.

The development of a civic-national identity does not necessitate the elimination of ethnic differences, the creation of homogenous states, or the suppression of minority cultural expression. While impending shocks to modern societies seem poised to reignite conflicts between groups, the cases of Kosovo, Rojava, Tanzania, and many others demonstrate that this conflict is not inevitable. Self-interested elites, while prevalent, are also not completely prohibitive when it comes to constructing an inclusive, stable, and salient national identity. Instead, a civic-national identity can develop through the correct combination of incentives and institutional structures. Even in regions shattered by a recent history of ethnic violence, willing actors can engineer fragmented societies into a sturdy cultural mosaic, with each piece willingly melting with different and distinct elements to form a united story.

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https://www.tandfonline.com/doi/abs/10.1080/02684520802449500?casa_token=ALy-IQOW8xEAAAAA:txn7mIv50q48T-xNVaE90QP2h2KXmIU0LrePto6F2eCLRbTsrz6ikYb_o9xgUFTY9icgmSwPReI.


Appendix I: Institutional Identity Type Score

The scores were developed according to the following indicators, with relevant separations into the category of implementation and written legal standing:

**Total:** Refers to the average of the relevant variables.

<table>
<thead>
<tr>
<th>Total</th>
<th>Identity Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.49-2</td>
<td>Full civic national</td>
</tr>
<tr>
<td>0.5-1.49</td>
<td>Imperfect civic national</td>
</tr>
<tr>
<td>-0.5 - 0.49</td>
<td>Ambiguous identity</td>
</tr>
<tr>
<td>-1.5 - -0.49</td>
<td>Imperfect ethnonational</td>
</tr>
<tr>
<td>-2 - -1.49</td>
<td>Full ethnonational</td>
</tr>
</tbody>
</table>

**School Curriculum:** This variable refers to the degree that the educational system implements curriculums and youth-focused programs that support the development of the central non-ethnic identity.

<table>
<thead>
<tr>
<th>School Curriculum</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>The public education system promotes a non-ethnic identity through the curriculum and other means such as after-school programs promoting bilingualism or cultural understanding.</td>
</tr>
<tr>
<td>1</td>
<td>The public education system promotes the central non-ethnic identity but mainly or solely through the curriculum.</td>
</tr>
<tr>
<td>0</td>
<td>The public education does not promote the non-ethnic identity but remains neutral between ethnic or cultural groupings.</td>
</tr>
<tr>
<td>-1</td>
<td>The curriculum is biased towards one ethnic or cultural group over others, mainly by ignoring the histories of other ethnic groups. It does not advocate for violence nor does it actively/directly reject the non-ethnic identity.</td>
</tr>
<tr>
<td>-2</td>
<td>The curriculum is biased towards one ethnic or cultural group over another. Its content actively or subtly provokes violence against other groups and actively</td>
</tr>
</tbody>
</table>
rejects key elements of the non-ethnic identity.

**Language Rights:** This variable refers to the degree to which institutions protect minority language rights. It also refers to the degree to which all citizens are able to access government services in a language they understand and the degree to which they promote bilingualism, multilingualism, or other means through which linguistic cleavages can be reduced.

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Institutions allow for the institutional protection of language rights and provide accessible translation services. Knowledge of the main languages is promoted for all citizens and especially government officials and cross-cultural language programs are funded and promoted.</td>
</tr>
<tr>
<td>1</td>
<td>Institutions protect language rights and provide accessible translation services. Bilingualism or multilingualism is promoted but not through government programs or with sufficient funding.</td>
</tr>
<tr>
<td>0</td>
<td>There is institutional recognition of minority languages but difficulty in obtaining accessible translation services. Multilingualism is not actively promoted.</td>
</tr>
<tr>
<td>-1</td>
<td>There is no institutional recognition of minority languages and no promotion of multilingualism. Translation services are not provided by the government and may be difficult to obtain.</td>
</tr>
<tr>
<td>-2</td>
<td>There is no institutional recognition of minority languages and linguistic assimilation is promoted and potentially forced.</td>
</tr>
</tbody>
</table>

**Military Involvement:** This variable refers to the degree to which varying cultural groups are allowed to participate equally in the armed forces of the state. It also refers to the question of if military symbols are
biased towards or against one group or another and, if mandatory service exists, if it is applied equally to all groups.

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>The military is open to involvement across ethnic and cultural lines. There is active recruitment of members of minority groups and all symbols are related to the civic national identity and are ethnically neutral.</td>
</tr>
<tr>
<td>1</td>
<td>The military is open to involvement across ethnic and cultural lines with limited recruitment of minority groups. All symbols are related to the civic national identity and are ethnically neutral.</td>
</tr>
<tr>
<td>0</td>
<td>The military is open to involvement across ethnic lines. There is no recruitment of minority groups and military symbols are neutral, if not actively promoting the civic national identity.</td>
</tr>
<tr>
<td>-1</td>
<td>There are factors preventing recruitment across ethnic lines and military symbols may be biased in favor of one group over another.</td>
</tr>
<tr>
<td>-2</td>
<td>There are active pressures, official or unofficial, preventing the involvement of certain ethnic or cultural groups. The military symbols may be biased in favor of one group over others.</td>
</tr>
</tbody>
</table>

**Religious Rights:** This variable refers to the question of if one religion is promoted by the government over others, if freedom of religion is permitted and enforced, and if religious pluralism is promoted.

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Religious freedom is institutionally protected. There is no state religion, religious pluralism is promoted and coexistence programs are provided with support. State symbols are religiously neutral.</td>
</tr>
<tr>
<td>1</td>
<td>Religious freedom is institutionally protected. There is no state religion and religious pluralism is supported, if not actively promoted. State symbols are religiously neutral.</td>
</tr>
<tr>
<td>Score</td>
<td>Description</td>
</tr>
<tr>
<td>-------</td>
<td>-------------</td>
</tr>
<tr>
<td>0</td>
<td>Religious freedom is official if not actively protected. There is no state religion.</td>
</tr>
<tr>
<td>-1</td>
<td>Religious freedom may or may not be protected. There may be a state religion and symbols may not be religiously neutral. There is no attempt to prevent the practice of other religions.</td>
</tr>
<tr>
<td>-2</td>
<td>Religious freedom is not protected. There may be a state religion and state symbols may not be religiously neutral. There are attempts to ban certain religions.</td>
</tr>
</tbody>
</table>

**Civic National Symbol Usage:** This refers to the degree to which state symbols are non-ethnic and the degree to which these symbols have widespread use, and if the general population feels an attachment to them.

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Civic national symbols are widespread and have popularity within the general population. Ethnic-based symbols are not used by the government. The use of these symbols is actively encouraged.</td>
</tr>
<tr>
<td>1</td>
<td>Civic national symbols are widespread and have some acceptance within the general population. Ethnic-based symbols are not used by the government or have limited use without discrimination against others.</td>
</tr>
<tr>
<td>0</td>
<td>Civic national symbols are generally used but potentially in conjunction with ethnic-based symbols. There is limited support for them from the general population.</td>
</tr>
<tr>
<td>-1</td>
<td>Civic national symbols are sometimes used and potentially not at all. There is a bias towards ethnic-based symbols. The civic national symbols have limited support if any.</td>
</tr>
<tr>
<td>-2</td>
<td>Civic national symbols are actively rejected in favor of ethnonationalist symbols.</td>
</tr>
</tbody>
</table>
**Police Force:** This refers to if all ethnic and cultural groups are permitted to join the police force, the degree to which police officers are given cultural training if policing an area of a differing ethnicity, and the ease through which citizens can communicate with the police and if they feel comfortable doing so.

<table>
<thead>
<tr>
<th>Value</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>All citizens are eligible to join the police force. There is active recruitment of members of minority groups and cultural sensitivity training is provided. Citizens are able to speak to officers in a language they can understand and feel safe communicating with officers of a different ethnicity. Police violence against minority groups is largely absent and punished when it occurs.</td>
</tr>
<tr>
<td>1</td>
<td>All citizens are eligible to join the police force. There is some degree of sensitivity training. Citizens can usually speak to officers in a language they understand and feel safe speaking with officers of a different ethnicity. Police violence against minority groups is not widespread and is punished when it occurs.</td>
</tr>
<tr>
<td>0</td>
<td>All citizens are eligible to join the police force. Citizens may have difficulty communicating with police officers if they do not speak the majority language. Police violence against minority groups is not widespread and is generally punished.</td>
</tr>
<tr>
<td>-1</td>
<td>There are official or unofficial restrictions against some groups joining the police force. The majority language is usually required to speak to police officers. Police violence against minority groups may be present but is not state-sanctioned.</td>
</tr>
<tr>
<td>-2</td>
<td>There are official or unofficial restrictions against some groups joining the police force. The majority language is usually required to speak to police officers. Police violence against minority groups may be present but is not state-sanctioned.</td>
</tr>
</tbody>
</table>
officers. There may be state-sanctioned police violence against minority groups.

**Voting Rights:** This refers to if all citizens are permitted to vote and the degree to which voter suppression is present and if there are protections against it.

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>All citizens are permitted to vote and do so without intimidation. There are active protections against voter suppression.</td>
</tr>
<tr>
<td>1</td>
<td>All citizens are permitted to vote and do so without intimidation. There are some measures in place to prevent voter suppression.</td>
</tr>
<tr>
<td>0</td>
<td>All citizens are permitted to vote but some intimidation may be present.</td>
</tr>
<tr>
<td>-1</td>
<td>There may be restrictions on voting biased against one ethnic group or another. Voter intimidation may be present.</td>
</tr>
<tr>
<td>-2</td>
<td>There are active voting restrictions against certain groups or no elections at all. Voter intimidation is widespread.</td>
</tr>
</tbody>
</table>

**Ethnic Categories on Documents:** This refers to the degree to which official documents, such as national ID cards, birth certificates, citizenship papers, and other state-issued documents, make note in a clear way of the bearer’s ethnic or national group.

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Identification and documents make no reference to ethnic groupings, instead only referring to individuals as citizens or otherwise residents of the state.</td>
</tr>
<tr>
<td>1</td>
<td>Identification and documents make no reference to ethnic groupings but make no efforts to reinforce the non-ethnic identity of the state.</td>
</tr>
<tr>
<td>0</td>
<td>References to nationality or ethnicity are absent from documents.</td>
</tr>
<tr>
<td>-1</td>
<td>There is no explicit reference to ethnicity on documents, but there are clear indicators that could allow individuals to assume the ethnic category of the...</td>
</tr>
</tbody>
</table>
Identification and documents make explicit reference to ethnicity.

**Equal Provision of Public Goods:** This refers to if all areas are given equal access to public goods such as educational spending, road construction, and other attributes without consideration of the ethnic makeup of the region. It also refers to if citizens participate in the same welfare system and are eligible to receive the same benefits regardless of ethnic or cultural grouping.

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>All citizens participate in the same welfare system. There are measures to ensure all groups benefit equally from public goods.</td>
</tr>
<tr>
<td>1</td>
<td>All citizens participate in the same welfare system. There are limited measures to ensure all groups benefit equally from public goods.</td>
</tr>
<tr>
<td>0</td>
<td>All citizens participate in the same welfare system. There are no active measures to ensure all groups benefit equally from public goods.</td>
</tr>
<tr>
<td>-1</td>
<td>Multiple parallel systems exist but provide for all citizens, the provision of public goods is unequal across regions or varies based on the demographic makeup of a region.</td>
</tr>
<tr>
<td>-2</td>
<td>Parallel systems exist or some ethnic or cultural groups are provided no welfare benefits. Public good provision is unequal on clear ethnic grounds.</td>
</tr>
</tbody>
</table>

**Existence of Coexistence Programs:** This refers to if coexistence programs exist within the state and the degree to which they are widespread and accepted.

<table>
<thead>
<tr>
<th>Score</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>State-funded and supported coexistence programs exist for all citizens. Participation is actively promoted.</td>
</tr>
<tr>
<td>1</td>
<td>State-sponsored coexistence programs exist but have limited promotion.</td>
</tr>
<tr>
<td>0</td>
<td>Coexistence programs exist but with limited support from the state.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>-2</td>
<td>Coexistence programs are not widespread.</td>
</tr>
<tr>
<td>-2</td>
<td>Coexistence programs do not exist and there are barriers preventing their institution.</td>
</tr>
</tbody>
</table>
Appendix II: Institutional Identity Type Scores for Kosovo

<table>
<thead>
<tr>
<th>District Name (2018)</th>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Curriculum (Implementation)</td>
<td>-2</td>
<td>1</td>
</tr>
<tr>
<td>School Curriculum (Legal)</td>
<td>-2</td>
<td>2</td>
</tr>
<tr>
<td>Language Rights (Implementation)</td>
<td>-1</td>
<td>-1</td>
</tr>
<tr>
<td>Language Rights (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Military Involvement (Implementation)</td>
<td>-1</td>
<td>1</td>
</tr>
<tr>
<td>Military Involvement (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Religious Rights (Implementation)</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Religious Rights (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Civic National Symbol Usage</td>
<td>-2</td>
<td>1</td>
</tr>
<tr>
<td>Integrated Police (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Integrated Police (Implementation)</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Voting Rights (Implementation)</td>
<td>-1</td>
<td>1</td>
</tr>
<tr>
<td>Voting Rights (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Equal Provision of Public Goods</td>
<td>-2</td>
<td>2</td>
</tr>
<tr>
<td>Ethnic Categories on Documents (Implementation)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Ethnic Categories on Documents (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Existence of Coexistence Programs</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>0.24</td>
<td>1.47</td>
</tr>
<tr>
<td>Legal Total</td>
<td>1.43</td>
<td>2.00</td>
</tr>
<tr>
<td>Implementation Total</td>
<td>-0.29</td>
<td>0.86</td>
</tr>
</tbody>
</table>
Explanation for indicators (descriptions are only given for the implementation score when it differs from the legal score):

**School Curriculum (Legal):**

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>-2</td>
<td>2</td>
</tr>
</tbody>
</table>

Schools in north Kosovo do not adhere to the curriculum set forth by the government in Pristina and instead promote a curriculum designed by the Serbian government that includes nationalist material and fails to promote coexistence programs.

<table>
<thead>
<tr>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>The curriculum created by Kosovo’s central government pays special emphasis to the issues of coexistence, bilingualism, and multiculturalism.</td>
</tr>
</tbody>
</table>

**School Curriculum (Implementation):**

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>-2</td>
<td>1</td>
</tr>
</tbody>
</table>

While the curriculum in south Kosovo pays strong attention to issues of coexistence, the implementation has been lacking at times in ensuring integration of students.

<table>
<thead>
<tr>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bilingual education is growing but still limited and translations often have errors.</td>
</tr>
</tbody>
</table>

**Language Rights (Legal):**

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

Language rights for minority groups are ensured and translation services are designed to be accessible within reason.

<table>
<thead>
<tr>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Language rights for minority groups are ensured and translation services are designed to be accessible within reason.</td>
</tr>
</tbody>
</table>

**Language Rights (Implementation):**

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>-1</td>
<td>-1</td>
</tr>
</tbody>
</table>

It is difficult to find adequate translation services and bilingual education is rate.

<table>
<thead>
<tr>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bilingual education is growing but still limited and translations often have errors.</td>
</tr>
</tbody>
</table>
### Military Involvement (Legal):

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

All ethnic and religious groups are able to join the Kosovar armed forces equally.

### Military Involvement (Implementation):

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>-1</td>
<td>1</td>
</tr>
</tbody>
</table>

Strong pressure from the Serbian government makes it more difficult for Kosovar Serbs from the north to join the Kosovar military without facing repercussions from Belgrade.

The government of Kosovo is unable to protect Kosovar Serbs from the north from threats that would hinder them from joining the Kosovar armed forces, making the integration of other Serbs difficult as well.

### Religious Rights (Legal):

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

Freedom of religion is protected by the Kosovar constitution.

Freedom of religion is protected by the Kosovar constitution.

### Religious Rights (Implementation):

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

The Serbian national identity that is prominent throughout north Kosovo has deep ties to Orthodox Christianity, which manifests at times by using national symbols tied to religious imagery and discrimination.

There are occasional instances of discrimination against Orthodox Christians due to the connections between Orthodox Christianity and the Serbian national identity.

### Civic National Symbol Usage:
<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ethnically neutral symbols such as the flag of Kosovo are rejected in north Kosovo in favor of symbols linked to the Serbian ethnic identity.</td>
<td>Ethnically neutral symbols are growing in their popularity but there are still government-sanctioned uses of ethnically-linked symbols.</td>
</tr>
</tbody>
</table>

**Voting Rights (Legal):**

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>All individuals are eligible to vote for representation in the Kosovar parliament equally.</td>
<td>All individuals are eligible to vote for representation in the Kosovar parliament equally.</td>
</tr>
</tbody>
</table>
### Voting Rights (Implementation):

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>-1</td>
<td>1</td>
</tr>
<tr>
<td>Ethnic-based violence occurs around elections and pressure from the Serbian government not to participate in Kosovar institutions diminishes voter participation by Serbs in north Kosovo.</td>
<td>Voter turnout is at times lower in minority ethnic communities but has been growing in recent years.</td>
</tr>
</tbody>
</table>

### Ethnic Categories on Documents (Legal):

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Documents make no reference to ethnic groupings and clearly denote the citizen as a Kosovar.</td>
<td>Documents make no reference to ethnic groupings and clearly denote the citizen as a Kosovar.</td>
</tr>
</tbody>
</table>

### Ethnic Categories on Documents (Implementation):

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

### Equal Provision of Public Goods:

<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>-2</td>
<td>2</td>
</tr>
<tr>
<td>Individuals in north Kosovo do not pay taxes to the central Kosovar government and do not participate in the same welfare systems. The influence of the Serbian government on north Kosovo means homogenous Serbs areas are sometimes given preferential treatment for public goods.</td>
<td>Regardless of ethnic group, all citizens of south Kosovo participate in the Kosovar welfare system and there are no restrictions on ethnic grounds on participation. Public goods are provided without consideration for ethnic group.</td>
</tr>
</tbody>
</table>

### Coexistence Programs:

---

260 While this is not officially approved of by the institutional regime of north Kosovo, some members of the Serb community of north Kosovo use Serbian passports rather than Kosovar ones.
<table>
<thead>
<tr>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>2</td>
</tr>
</tbody>
</table>

Coexistence programs are not supported by institution in north Kosovo but they do exist and their presence is growing.

The government of Kosovo, with assistance from NGOs and other governments, support coexistence programs financially and through other means.
Figure 15: Map depicting the combined average scores for north Kosovo and south Kosovo (1998)

Figure 16: Map depicting the combined average scores for north Kosovo and south Kosovo (2008)

Figure 17: Map depicting the combined average scores for north Kosovo and south Kosovo (2018)
Figure 18: Map depicting the average implementation scores in south Kosovo and north Kosovo (1998)

Figure 19: Map depicting the average implementation scores in south Kosovo and north Kosovo (2008)

Figure 20: Map depicting the average implementation scores in south Kosovo and north Kosovo (2018)
Figure 21: Map depicting the average legal scores in south Kosovo and north Kosovo (1998)

Figure 22: Map depicting the average legal scores in south Kosovo and north Kosovo (2008)

Figure 23: Map depicting the average legal scores in south Kosovo and north Kosovo (2018)
<table>
<thead>
<tr>
<th>District Name (2008)</th>
<th>North Kosovo</th>
<th>South Kosovo</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Curriculum (Implementation)</td>
<td>-2</td>
<td>0</td>
</tr>
<tr>
<td>School Curriculum (Legal)</td>
<td>-2</td>
<td>0</td>
</tr>
<tr>
<td>Language Rights (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Language Rights (Legal)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Military Involvement (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Military Involvement (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Religious Rights (Implementation)</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Religious Rights (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Civic National Symbol Usage</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Integrated Police (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Integrated Police (Implementation)</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Voting Rights (Implementation)</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Voting Rights (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Equal Provision of Public Goods</td>
<td>-2</td>
<td>2</td>
</tr>
<tr>
<td>Ethnic Categories on Documents (Implementation)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Ethnic Categories on Documents (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Existence of Coexistence Programs</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>-0.12</td>
<td>0.35</td>
</tr>
<tr>
<td>Legal Total</td>
<td>0.57</td>
<td>0.86</td>
</tr>
<tr>
<td>Implementation Total</td>
<td>-0.29</td>
<td>0.00</td>
</tr>
<tr>
<td>District (1998)</td>
<td>North Kosovo</td>
<td>South Kosovo</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>--------------</td>
<td>--------------</td>
</tr>
<tr>
<td>School Curriculum (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>School Curriculum (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Language Rights (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Language Rights (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Military Involvement (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Military Involvement (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Religious Rights (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Religious Rights (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Civic National Symbol Usage</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Integrated Police (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Integrated Police (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Voting Rights (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Voting Rights (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Equal Provision of Public Goods</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Ethnic Categories on Documents (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Ethnic Categories on Documents (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Existence of Coexistence Programs</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Total</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Legal Total</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Implementation Total</td>
<td>-2</td>
<td>-2</td>
</tr>
</tbody>
</table>
Appendix III: Institutional Identity Type Scores for Israel and the West Bank

<table>
<thead>
<tr>
<th>District Name (2018)</th>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Curriculum (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>School Curriculum (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Language Rights (Implementation)</td>
<td>1</td>
<td>-2</td>
</tr>
<tr>
<td>Language Rights (Legal)</td>
<td>1</td>
<td>-1</td>
</tr>
<tr>
<td>Military Involvement (Implementation)</td>
<td>-1</td>
<td>-2</td>
</tr>
<tr>
<td>Military Involvement (Legal)</td>
<td>-1</td>
<td>-2</td>
</tr>
<tr>
<td>Religious Rights (Implementation)</td>
<td>-1</td>
<td>-2</td>
</tr>
<tr>
<td>Religious Rights (Legal)</td>
<td>-1</td>
<td>-2</td>
</tr>
<tr>
<td>Civic National Symbol Usage</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Integrated Police (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Integrated Police (Legal)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Voting Rights (Implementation)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Voting Rights (Legal)</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Existence of Coexistence Programs</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ethnic Categories on Documents (Implementation)</td>
<td>-1</td>
<td>-1</td>
</tr>
<tr>
<td>Ethnic Categories on Documents (Legal)</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Equal Provision of Public Goods</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Implementation Average</td>
<td>-1.14</td>
<td>-1.86</td>
</tr>
<tr>
<td>Legal Average</td>
<td>-0.29</td>
<td>-0.86</td>
</tr>
<tr>
<td>Combined Average</td>
<td>-0.82</td>
<td>-1.35</td>
</tr>
</tbody>
</table>
Explanation for indicators (descriptions are only given for the implementation score when it differs from the legal score):

School Curriculum (Legal):

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-2</td>
<td>-2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Israeli schools are divided into separate tracks (state-secular, state-religious, independent religious, and Arab and Druze schools). Each school has distinct curricula and some fail to educate students in key unifying areas.</td>
<td>Textbooks used in the West Bank often uncritically depict a national narrative describing the “other” as an enemy in over 81% of textbooks.</td>
<td></td>
</tr>
<tr>
<td>School textbooks often use dehumanizing depictions of Arabs, especially in Haredi schools.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

261 “Education: Primary,” Israel Ministry of Foreign Affairs.
### School Curriculum (Implementation):

<table>
<thead>
<tr>
<th></th>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>-2</td>
<td>-2</td>
</tr>
</tbody>
</table>

### Language Rights (Legal):

<table>
<thead>
<tr>
<th></th>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The Nation State Law initially downgraded Arabic, moving Israel’s score down from a 2 to a 0 due to the decreased protections for key minority languages. The remaining protections for Arabic and availability of Arabic-language education keeps the score at 1.</td>
<td>-2</td>
</tr>
<tr>
<td></td>
<td>Languages other than Arabic lack institutional protection under the Palestinian Authority and there are limited Arab language programs within Jewish settlements in the West Bank.</td>
<td></td>
</tr>
</tbody>
</table>

### Language Rights (Implementation):

<table>
<thead>
<tr>
<th></th>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>-1</td>
</tr>
<tr>
<td></td>
<td>Despite the lack of institutional protections for other languages, there has been increases in multilingualism among Palestinian Arabs living in the West Bank.</td>
<td></td>
</tr>
</tbody>
</table>

### Military Involvement (Legal):

<table>
<thead>
<tr>
<th></th>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-1</td>
<td>Israeli military symbols are biased in favor of</td>
<td>-2</td>
</tr>
<tr>
<td></td>
<td>Palestinian Arabs living in the West Bank are</td>
<td></td>
</tr>
</tbody>
</table>

---


ethnically Jewish symbols. Mandatory military service is limited solely to non-Haredi Jews. ineligible to join the Israeli military. No Palestinian Authority military exists.

**Military Involvement (Implementation):**

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-1</td>
<td>In addition to the differing legal obligations of various ethnic groups, minorities often have difficulty integrating into the Israeli military.¹⁶⁶</td>
</tr>
</tbody>
</table>

### Religious Rights (Legal):

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-1</td>
<td>Freedom of religion is protected in Israel but freedom from religion is not, which is one of the reasons it received a lower score. There is no civil marriage in Israel and many family-related laws are based on the religious laws of various communities with no civil alternative.(^{267}) State symbols are also not religiously neutral and the Israeli Nation State law further reinforced ties between the state and the Jewish religion.</td>
</tr>
<tr>
<td>-2</td>
<td>The official religion of the Palestinian Authority and Palestinian communities of the West Bank is Islam and Islamic institutions are given preferential treatment. (^{268})</td>
</tr>
</tbody>
</table>

### Religious Rights (Implementation):

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-1</td>
<td>-2</td>
</tr>
</tbody>
</table>

### Civic National Symbol Usage:

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-2</td>
<td>No non-ethnic symbols exist or are in wide usage. Existing</td>
</tr>
<tr>
<td>-2</td>
<td>No non-ethnic symbols exist or are in wide usage. Existing</td>
</tr>
</tbody>
</table>

\(^{267}\) [https://www.thejc.com/lifestyle/family/wedding-woes-1.438450](https://www.thejc.com/lifestyle/family/wedding-woes-1.438450)  
symbols are biased towards a specific ethnic group.

Voting Rights (Legal):

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-2</td>
<td>While Israeli Arabs and Jews have equal voting rights within Israel, the fact that there is no common legislature voted for by both citizens of Israel and those of the West Bank downgrades this score.</td>
</tr>
<tr>
<td></td>
<td>The fact that there is no common legislature voted for by both citizens of Israel and those of the West Bank downgrades this score. This is worsened by the continual lack of elections called by the Palestinian Authority.</td>
</tr>
</tbody>
</table>

Voting Rights (Implementation):

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-2</td>
<td>-2</td>
</tr>
</tbody>
</table>

Ethnic Categories on Documents:

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Labels referring to ethnic affiliations were removed in 2005.\textsuperscript{269}</td>
</tr>
<tr>
<td></td>
<td>ID cards issued by the Palestinian Authority are identical to Israeli cards except for the inclusion of the PNA symbol and a flipping of the order of Hebrew</td>
</tr>
</tbody>
</table>

\textsuperscript{269} The removal of ethnic labels on Israeli ID cards was not in order to support a non-ethnic state identity but rather due to the fact that the Supreme Court of Israel instructed the Ministry of Interior to list those who had undergone a Reform conversion as Jewish. The Minister of the Interior at the time was Haredi and preferred to eliminate the category for ethnicity rather than to list individuals he saw as non-Jews as Jews.
**Ethnic Categories on Documents:**

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-1</td>
<td>Despite the removal of the ethnic affiliations in 2005, ID cards issued prior to then still contain information related to ethnic ID. Furthermore, the decision to include or remove an individual’s Hebrew birthdate on the card is indicative of the individual’s ethnic group.</td>
</tr>
</tbody>
</table>

**Equal Provision of Public Goods:**

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>-2</td>
<td>Israelis and Palestinians participate in two fully separate welfare systems. Things such as educational funding and other public goods are distributed unequally. State spending disparities between Jewish and Arab students perpetuate inequalities between the two groups and fail to foster a</td>
</tr>
<tr>
<td></td>
<td>Israelis and Palestinians participate in two fully separate welfare systems. Things such as educational funding and other public goods are distributed unequally.</td>
</tr>
</tbody>
</table>

---

270 Prior to the removal of ethnic classification from ID cards, the ethnicity category for Palestinians was replaced with one labeled “religion”.
unifying national identity.\textsuperscript{271}

Coexistence Programs

<table>
<thead>
<tr>
<th>Israel</th>
<th>West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Coexistence programs exist but ones between Israelis and Palestinians are focused on coexisting as neighbors of two soon to be separate states, not on forming a common identity.</td>
</tr>
</tbody>
</table>

Figure 24: Combined Average for Israel and the West Bank (1948)

Figure 25: Combined Average for Israel and the West Bank (1966)

Figure 26: Combined Average for Israel and the West Bank (1993)

Figure 27: Combined Average for Israel and the West Bank (1993)
Figure 28: Legal Average for Israel and the West Bank (1948)

Figure 29: Legal Average for Israel and the West Bank (1966)

Figure 30: Legal Average for Israel and the West Bank (1993)

Figure 31: Legal Average for Israel and the West Bank (2018)
Figure 32: Implementation Average for Israel and the West Bank (1948)

Figure 33: Implementation Average for Israel and the West Bank (1966)

Figure 34: Implementation Average for Israel and the West Bank (1993)

Figure 35: Implementation Average for Israel and the West Bank (2018)
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<th>District Name (1993)</th>
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<th>West Bank</th>
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<tr>
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<td>-2</td>
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<tr>
<td>Civic National Symbol Usage</td>
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<td>-2</td>
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<tr>
<td>Integrated Police (Legal)</td>
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<td>West Bank</td>
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</table>
Appendix IV: Note on Intercoder Reliability

The indicators discussed in this thesis were coded independently by three individuals, the author and two informed non-experts. Given the high intercoder reliability, the scores used within this thesis are those coded by the author. Results for intercoder reliability are provided below.

**Average Pairwise Percent Agreement**

<table>
<thead>
<tr>
<th>Average Pairwise Percent Agreement</th>
<th>Pairwise Percent Agreement Coders 1 and 3</th>
<th>Pairwise Percent Agreement Coders 1 and 2</th>
<th>Pairwise Percent Agreement Coders 2 and 3</th>
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</thead>
<tbody>
<tr>
<td>98.611%</td>
<td>97.917%</td>
<td>100%</td>
<td>97.917%</td>
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</table>

**Fleiss’ Kappa**

<table>
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<th>Fleiss Kappa</th>
<th>Observed Agreement</th>
<th>Expected Agreement</th>
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</thead>
<tbody>
<tr>
<td>0.975</td>
<td>0.986</td>
<td>0.454</td>
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</table>

**Average Pairwise Cohen’s Kappa**

<table>
<thead>
<tr>
<th>Average Pairwise Cohen’s Kappa</th>
<th>Pairwise CK Coders 1 and 3</th>
<th>Pairwise CK Coders 1 and 2</th>
<th>Pairwise CK Coders 2 and 3</th>
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</thead>
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<td>0.962</td>
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</table>

**Krippendorff’s Alpha (Nominal)**

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<tr>
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<th>N Decisions</th>
<th>Σ₀,₀c</th>
<th>Σ₀,n₀(₀c - 1)</th>
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</thead>
<tbody>
<tr>
<td>0.975</td>
<td>432</td>
<td>426</td>
<td>84280</td>
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