

# **I INTRODUCTION**

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This introductory chapter frames the ideas that have preoccupied me in relation to the nature of post-war reconciliation among the parties to the Bosnian conflict and the role of external actors in facilitating this reconciliation. This thesis is the result of my profound interest in Bosnia-Herzegovina and the doubts raised with regards to its fate: whether or not this newborn is a stillborn? My interest in the case in hand led me to explore several fascinating topics, most of which triggered new ideas and an ambition to research them more fully.

## ***I-1 RESEARCH PUZZLE***

My interest in the subject of the international intervention in Bosnia-Herzegovina came from a profound puzzlement with the mishmash of policies the international community was implementing in Bosnia-Herzegovina and the confusion among policy-makers and scholars alike about its merits and ultimate consequences. The key question is whether the complex matrix of change can lead to the creation of long-term stability and prosperity in this war-torn part of the world? Will the state building intervention finish in success, that is will the state that the international community is setting up in Bosnia-Herzegovina be accepted by the Bosnians and will they continue to maintain it once the international force leaves the country? On a more theoretical level I am interested to see whether policies that the international community is implementing in Bosnia-Herzegovina are building blocks of the international 'know-how' to create a lasting peace in war-torn societies?

This thesis is being written while the intervention in Bosnia-Herzegovina is still underway and this fact hampers the possibility of placing the case in a clear-cut analytical framework and of making any definite conclusions. The research focuses on the period from the beginning of 1996 to the end of 2003. These eight years represent a period in which the peace process was shaped and thus serve as a legitimate framework for an analysis. Therefore, this research is circumscribed to explain how the international intervention proceeded in

Bosnia-Herzegovina in the period 1996-2003, and still look one step beyond.

However, due to the fact that this phenomenon is evolving, information is still segmented at best. Adam Przeworski gives the following advice in relation to studying 'moving targets':

[I]n assessing the current state of knowledge we must guard against intuitions derived from some of the natural sciences. Social reality changes. Moreover, it changes incessantly and during the recent era has changed very rapidly. Thus one difficulty in accumulating social scientific knowledge is that our object is a rapidly moving target. To accumulate knowledge is not to fall too far behind the societal change, to be close enough to make intelligible the current possibilities of influencing processes of social transformation in accordance with our values and goals. We are not astronomers, whose distance is measured in light-years. Nor can we wait for methodologists to tell us what to do before anticipating what might be around the next corner of history. Sadly, many large-scale, well-organized, methodologically sophisticated, co-operative cross-national projects address questions which are of interest to no one when the results are finally published ten years later. Thus we must beware of both methodological purity and grand organizational designs.<sup>1</sup>

In relation to studying peace processes, be they evolving or not, it is useful to consider another piece of advice: studying local actors is a way to derive more plausible inferences – while the rationale and the interest of international actors in a peace process may vacillate, quite the opposite is expected from local actors – they cannot freely substitute their problems for other people's problems and lend their expertise to the latest collapsed state. Local actors will be stuck with the results of their deeds and thus, assuming their rationality, would look for the maximum gain from their actions. However, individual interests do not necessarily

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<sup>1</sup> Adam Przeworski, "Methods of Cross-National Research, 1970-83: An Overview" in Dierkes et al (eds.), *Comparative Policy Research. Learning from Experience* (Aldershot: Gower House, 1987), pp. 31-2.

translate into group interests as Levi rightfully warns: “Although the choice of each actor may be intentional and individually rational, the results to all may be unintentional and socially irrational.”<sup>2</sup>

The basic aim of this research is to systematize a huge amount of empirical material on the post-war intervention in Bosnia-Herzegovina, to regroup essential questions related to the intervention, and as far as possible, to answer them. A frustrating, but all the same appealing feature of this research is that it never gives as many answers as a number of new questions it raises. The attraction lies in the fact that the subject and the work have a future.

### ***I-1a Analytical framework***

One of ambitions of this research is to succeed in delineating a *model of intervention*, capturing the dynamic of the Bosnian case and by doing so saying something about cases of post-war state building under foreign supervision in general. This, however, is to be done with a certain degree of caution due to the open-ended nature of the process. The open-endedness impacts the use of data. In an analysis in which both a beginning and an end are known, data is evaluated in relation to these two evident values. However, if a researcher is analyzing an open-ended process, then the discrimination between relevant and irrelevant data becomes more difficult simply because a researcher can only speculate what will happen in the end.

The open-ended topic requires the research to be inductive in character. Researching a process that is not finished should be aimed at accumulating data, assessing the existing literature and generating hypotheses as they apply to the part of the process analyzed. Moreover, the concentration on a single case limits the extent to which findings from one particular case can be applied to other similar cases. Single case studies are indispensable in subsequent comparative research, but are themselves, in general, an insufficient source for theoretical

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<sup>2</sup> Margaret Levi, “A Model, a Method, and a Map: Rational Choice in Comparative and Historical Analysis” in Lichbach, M.I. and Zuckerman, A.S. (eds.), *Comparative Politics. Rationality, Culture and Structure* (Cambridge, MA: Cambridge University Press, 1997), p. 20.

generalizations. Thus, the goal of an inductive single case study, such as the present research, is to accumulate and systematize data, to analyze it and to generate hypotheses that can be tested in subsequent research. One of major strengths of this research is its capacity to address a broader range of historical, attitudinal, and normative questions than are possible in *large-n* studies.

This is a case study research, an empirical inquiry that

- investigates a contemporary phenomenon within its real-life context; when
- the boundaries between phenomenon and context are not really evident; and in which
- multiple sources of evidence are used.<sup>3</sup>

A rationale for using a single case is, among several others, when the case represents an extreme or unique case, as one could describe the international intervention in Bosnia. The holistic design, i.e. a research strategy that addresses the case as an interpretable whole, is the central approach to this case study.<sup>4</sup> However, the holistic design does not mean that embedded subunits within the case do not exist. The intervention in Bosnia-Herzegovina is defined by specific Bosnian conditions, but this does not mean that every aspect of the intervention in Bosnia-Herzegovina is novel. By means of several detailed, concentrated steps, I wheedle out certain elements and come up with a set of explanations that can be analytically comparable.

### ***I-1b Core question***

The core questions follow from the research puzzle: *What policies has the international community been implementing with the objective of creating the conditions for a lasting peace in Bosnia-Herzegovina? Which policies have and which have not been successful in creating the conditions for a lasting peace? What are the phases in the peace process and which policies are being implemented in which phase?*

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<sup>3</sup> Robert K. Yin, *Case Study Research. Design and Methods* (Beverly Hills, London, New Delhi: Sage Publications, 1984), p. 23.

<sup>4</sup> Cf. Charles C. Ragin, *Fuzzy-set Social Science* (Chicago: The University of Chicago Press, 2000), p. 22.

*More generally, to what extent can an external actor influence and control the process of change in a target state?*

The following sub-questions may help us to clarify the core question:

- Who are main actors in the intervention and what roles do they play? The main distinction is between foreign and local actors, but these two can be further differentiated.
- What has been the interpretation of the text of the Dayton Peace Agreement? Is there a consensus over the interpretation?
- Under what conditions and with what objectives was the multilateral intervention launched in Bosnia-Herzegovina? What was the mandate of the intervening forces? How was the multilateral framework envisaged and implemented? What impact has the coordination of international forces (or lack of it) had on the peace process?
- In what ways has the intervention evolved to embrace policies of state building? What does the task of state building encompass? What are the conditions for successful state building?
- What has been the perception of the domestic actors in the peace process? What have been their objectives and interests? What kind of policies have they pursued with regard to the implementation of the peace plan?
- What pattern of interaction can be discerned between foreign and domestic actors? What impact has this interaction had on the peace process?

The international community drafted the text of the Peace Agreement, pressured the parties to the conflict to sign it, launched the peace process and has since supervised its implementation. Therefore, the name of the international community is closely tied to the outcome of the peace process. The intervention consists of three crucial elements: security, institutional and normative change. These three elements define the nature of the engagement which has surpassed way beyond a 'traditional' intervention of a third party in a target state, although the Bosnian intervention is neither the first nor the last example of

externally sponsored state building.<sup>5</sup> It has only been the longest and the most comprehensive state building intervention since the end of the Cold War.

### ***I-1c On the merit of the research***

The international intervention in Bosnia-Herzegovina came after nearly four years of war that left the country in shambles. Over two hundred thousand dead, over a million refugees and around million and a half internally displaced. Considering that the population was four and half million before the war this meant that in late 1995 every second Bosnian citizen was either living abroad as a refugee or in Bosnia-Herzegovina as a displaced person in a house that belonged to someone who was forced to leave his or her home. The level of human and physical destruction was immense and the population depended on humanitarian aid in food and medicine to survive.

The literature on the wars in the former Yugoslavia is ample and a legitimate question is why another book on this topic? Moreover, even if one accepts the fact that there may be room for adding new information, how reliable is the analysis of a phenomenon that is not finished?

My answer to the first criticism is that this research broadens the topic by concentrating on the post-war period and the ongoing peace process. Consequently, it introduces new concepts and asks new questions. The theoretical validity of the research lies in its capacity to apply existing theoretical propositions to aspects of the peace process that relate to it. For those aspects of the peace process for which valid theoretical propositions do not exist, the value of the research lies in its capacity to expand the existing theory or introduce new theoretical propositions. The research's main restriction – its exploratory nature - is at the same time its main advantage. The lack of theoretical models on post-war state building allows for innovation and creative thinking.

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<sup>5</sup> Post-Cold War state building was carried out in El Salvador, Cambodia and even Somalia prior to the intervention in Bosnia-Herzegovina, while after Bosnia-Herzegovina state building was initiated in Kosovo, East Timor, Afghanistan and Iraq.

The criticism on the temporality of the research has already been touched upon. Suffice to say that social phenomena are always in a state of flux. Certainly, events in Bosnia-Herzegovina have undergone many unpredictable changes, but there is nothing unscientific in observing and analyzing a rapidly changing phenomenon. The intervention in Bosnia-Herzegovina relates to the literature on military interventions, conflict regulation, nationalism, democratization, state building, and integration; it uses assumptions derived from these subjects and refines them further.

## **I-2 BACKGROUND**

The war in Bosnia-Herzegovina ended in late 1995 with the signing of the General Framework Agreement for Peace, popularly known as the Dayton Peace Agreement (DPA), since it was negotiated and initialed at the Air Force base in Dayton, Ohio. The Agreement was officially signed in Paris on December 14, 1995 by the Bosnian president, Alija Izetbegović, Croatian president Franjo Tuđman and Yugoslav president Slobodan Milošević, and witnessed by the EU representative and the leaders of the Contact Group countries – the United States, Great Britain, France, Germany, Italy and Russia.

Years of negotiations had not delivered any settlement that could stop the war until the negotiations in Dayton under U.S. supervision took place. None of the parties to the war were thrilled about the Agreement. All three Bosnian peoples - the Bosniaks, the Bosnian Serbs and the Bosnian Croats – were mutually dissatisfied with the provisions of the Agreement, but found themselves in a situation where the decision not to sign would cost more than the decision to sign. The Western countries, especially the United States who conducted the negotiating process, exerted pressure on the parties to accept the conditions for peace. It went so far that an international official claimed that the Agreement was good exactly because none of the parties endorsed it fully.

European efforts to stop the fighting from 1992 had not been successful.<sup>6</sup> It was the increased involvement of the Clinton administration which

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<sup>6</sup> David Owen, the EU negotiator in the framework of the ICTY (the International Conference on Former Yugoslavia) during 1993/94, stated in *The Balkan Odyssey* that

produced the first breakthrough in the third party mediation marathon to stop the war in Bosnia-Herzegovina. The US brokered an agreement in February 1994 between the Bosniaks and Croats to stop the fighting between them and establish a Federation of Bosnia-Herzegovina, which came to be the basis for the final peace agreement negotiated in Dayton. It was preceded by the ceasefire of October 1995 between the three armies in Bosnia. The ceasefire itself came as a result of several earlier events.

Emboldened by humiliating the U.N. peacekeepers in May 1995, in July the same year the Bosnian Serb army focused pressure on the two isolated Bosniak enclaves in eastern Bosnia – Srebrenica and Žepa, – which had been completely surrounded by Serb forces since early in the war and which the United Nations Security Council had designated as ‘safe areas’ in 1993. The Bosnian Serb army started shelling Srebrenica on July 6, 1995 while the town and its surroundings were filled with refugees, numbering around 40,000.<sup>7</sup> The Srebrenica massacre was the catalyst for a profound change in the Western response to the Bosnian conflict. The executions of civilians in a U.N. ‘safe area’ in the presence of the U.N. peacekeepers who were stationed in Srebrenica to protect the civilians revealed the impotence of the U.N. format of operation. “The Bosnian Serbs were entirely to blame for the massacre at Srebrenica in July 1995. But it could take place only because of the dreadfully flawed decisions made over a number of years by members of the Security Council of the United Nations.”<sup>8</sup> Although some may take it as a too harsh criticism of the United Nations, this conclusion of a veteran journalist captured the prevalent belief of who was to blame for the Srebrenica massacre.

On July 10, 1995 the Bosnian Serb forces took the town and the next day the commander of the Bosnian Serb army, General Ratko Mladić, entered Srebrenica and announced that he was “presenting this city to

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the Americans got involved when the conflict was actually ripe for resolution, thus did not require extensive effort on the part of the US negotiators to bring the parties to accept the final peace proposal.

<sup>7</sup> Carl Bildt, *Misija mir*, (Sarajevo: Zid, 1998), p. 91.

<sup>8</sup> William Shawcross, *Deliver Us From Evil*, (New York: Simon & Schuster, 2000), p. 167.



the Serbian people as a gift.” He added, “Finally, after the rebellion of the Dahijas, the time has come to take revenge on the Turks in this region” – a reference to a Serb rebellion against the Ottomans that was brutally crushed in 1804.<sup>9</sup>

On July 13, Kofi Annan, at the time the U.N. undersecretary for peacekeeping, issued a report that stated that “there were now four categories of Muslim men in Srebrenica: those alive and trying to escape through the woods; those killed on that journey; those who had surrendered to the Serbs and had already been killed; and those who had surrendered and would soon be killed.”<sup>10</sup> Richard Holbrooke observed that at the time there was no more energy left in the international system. “Everywhere one turned, there was a sense of confusion in the face of Bosnian Serb brutality.”<sup>11</sup>

On Monday, August 28, 1995 five 120mm mortar shells smashed into the marketplace in the center of Sarajevo killing thirty-eight and wounding around ninety people. This mortar attack was hardly the first challenge to the Western policy, nor was it the worst incident of the war. However, it was the last. These deaths, in effect, ended the war in Bosnia-Herzegovina. The U.S. government initiated the ‘endgame strategy’ that led to massive NATO strikes. On August 30, 1995 the operation *Deliberate Force* began at 2.00 A.M. local time. More than sixty aircraft, flying from bases in Italy and the aircraft carrier *Theodore Roosevelt* in the Adriatic, bombed Bosnian Serb positions. It was the largest military action in NATO history. Richard Holbrooke, the chief negotiator at the U.S. team, cites four factors for this sudden change of heart in the Western alliance: “the sense that we had reached the absolute end of the line, and simply could not let this latest outrage stand; the grim, emotional reaction of Washington after losing three close and treasured colleagues on Mount Igman;<sup>12</sup> the President’s own

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<sup>9</sup> Richard Holbrooke, *To End a War* (New York: Random House, 1998), p. 69.

<sup>10</sup> William Shawcross, *Deliver Us From Evil*, p. 169.

<sup>11</sup> Richard Holbrooke, *To End a War*, p. 70.

<sup>12</sup> Robert Frasure, a senior U.S. diplomat and a deputy chief of the negotiating team, Joe Kruzel from the Pentagon, and Nelson Drew from the U.S. National Security Council, all members of the newly appointed negotiating team under Richard Holbrooke, died in a road accident on August 19, 1995 when their vehicle slid off the

determination; and the strong recommendation of our negotiating team that bombing should take place regardless of its effect on the negotiations.”<sup>13</sup>

The bombing was suspended on September 1, resumed on September 5 and ceased on September 14. The military phase of the negotiations was over and the negotiations would continue from there on by political means. The delicate military-political balance reinforced conditions for successful negotiations.<sup>14</sup> Richard Holbrooke records the details of preparing the final settlement:

To determine our negotiating goals, we needed to know what Izetbegović and his government wanted. This proved far more difficult than we had expected, and began a debate that would continue for years, one that went to the heart of the matter – the shape of a post war Bosnia-Herzegovina, and whether it would be one country, or two, or three... We would return to this issue repeatedly – and after the end of the war it would take center stage as people debated whether or not the attempt to create a single multiethnic country was realistic. Many in the West believed – and still believe – that the best course would have been to negotiate a partition of Bosnia. At the outset we were ready to consider this approach, even though it ran against the stated goal of both the United States and the Contact Group – but only if it were the desire of *all three ethnic groups*. Most Bosnian Serbs would want to secede from Bosnia and join Serbia itself – this was after all the issue that had led to war. Similarly, most of the Croats who lived along the strip of land in the west bordering Croatia would, given a free choice, seek to join Croatia. But there were also many Serbs and Croats in towns and villages that were ethnically mixed and isolated who could not survive in anything other than a multiethnic state. There was no easy answer to this crucial question: to divide Bosnia-

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narrow, winding road on Mount Igman on their way to Sarajevo. In August 1995 this dangerous road was the only connection Sarajevo had with the rest of the world, because the airport was closed by Serb artillery.

<sup>13</sup> Richard Holbrooke, *To End a War*, p. 103.

<sup>14</sup> Cf. James Gow, *Triumph of the Lack of Will* (London: Hurst & Company, 1997), esp. pp. 260-297.

Herzegovina into two independent parts would legitimize Serb aggression and ethnic cleansing, and lands that had been Muslim or Croat for centuries would be lost forever to their rightful inhabitants. On the other hand, trying to force Serbs, Croats, and Muslims to live together after the ravages and brutality of the war, after what they had done to one another, would be extraordinarily difficult. The key voice in this decision had to be the primary victims of the war.<sup>15</sup>

The peace process initiated at Dayton was tumultuous from the start. It opened the way for reconstruction that was wider in scope than simply restoring physical infrastructure. It included the fostering of economic and political cooperation, the return of refugees and displaced persons, a provision that was vital for the long-term success of the process, and “an educational policy that favored understanding of the past and notions of reconciliation.”<sup>16</sup> The relatively brief text of the Agreement was supplemented by eleven annexes (in reality twelve because the first annex on military issues was *de facto* two separate documents), as well as one hundred and two maps.<sup>17</sup> The military part of the Agreement was straightforward in contrast to the civilian aspects of the Agreement that made up five sixths of the documentation. The civilian implementation would define Bosnia’s future.

#### ***I-2a Peace implementation***

The real test for the success of the international intervention in Bosnia-Herzegovina is the viability of the state that is being created. The Dayton Agreement defined a single, independent and sovereign state for all three Bosnian constituent peoples and others, within the pre-war boundaries of the Republic of Bosnia-Herzegovina. The country would be called Bosnia and Herzegovina, (dropping the previous designation of Republic), and it would be a democratic state operating under the rule of law and with free and democratic elections.<sup>18</sup> The country was to be comprised of two entities, the Federation of Bosnia-Herzegovina and the

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<sup>15</sup> Richard Holbrooke, *To End a War*, pp. 96-7.

<sup>16</sup> *Ibid.*, p. 296.

<sup>17</sup> *Ibid.*, p. 286.

<sup>18</sup> Annex 4 (Constitution of Bosnia and Herzegovina), Article I.2.

Republika Srpska.<sup>19</sup> The Federation was the entity of the Bosniaks and the Bosnian Croats comprising 51% of the territory, while the Republika Srpska, as its name would suggest, was the entity of the Bosnian Serb people comprising 49% of the territory.

The city of Mostar, situated in the southwestern part of Bosnia-Herzegovina, was administered by European Union from the summer of 1994 through the European Union Administration of Mostar (EUAM). Following the election in September 1996, the EUAM Office was transformed into the Office of the Special Envoy for Mostar (OSEM), which existed until the opening of the Regional Office of the High Representative (South) in Mostar in January 1997.

At the Dayton Peace Talks, the Bosnian parties were unable to agree on control of the municipality of Brčko. The dispute was put to international arbitration in Annex II of the DPA. On February 14, 1997, the Presiding Arbitrator of the Brčko Tribunal, Roberts Owen (U.S.) issued a decision placing the portion of the Brčko municipality within the RS under international supervision. The Arbitral Tribunal further extended the supervision period, on March 15, 1998, for a year. The Final Award was issued on March 5, 1999. The Final Award created a Special District for the entire pre-war municipality whose territory belonged to both entities, the Republika Srpska and the Federation. An Annex to the Final Award, issued by the Arbitral Tribunal on August 18, 1999, deals with issues such as the structure of the District Government, the judicial and penal system, the police, education, taxation and others.<sup>20</sup>

Both entities were given substantial authority except for those powers that were listed in the relevant Annex (Annex 4) as belonging to central state institutions. Although in the preamble of the Constitution (Annex 4) Bosniaks, Croats and Serbs (along with Others) were given equal constitutional status in the whole country, the entities' own constitutions defied this provision. For years, Serbs were treated as a minority in the Federation, just as Bosniaks and Croats were treated in the Republika

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<sup>19</sup> Annex 4 (Constitution of Bosnia and Herzegovina), Article I.3.

<sup>20</sup> Information available at [www.ohr.int](http://www.ohr.int)

Srpska. The 2000<sup>21</sup> Bosnian-Herzegovinian Constitutional Court decision that all three peoples enjoyed equal rights in the entire Bosnia-Herzegovina and not only in their respective entities was a crucial blow to the entrenched ethno-politics that plagued the country for years.

In the DPA, the central institutions of Bosnia-Herzegovina were given authority over foreign policy, various aspects of economic policy (foreign trade, customs, monetary policy, finances of the central institutions, and servicing the international obligations of Bosnia-Herzegovina), immigration, inter-entity communications and inter-entity and international criminal law enforcement.<sup>22</sup> The budget of the central institutions was to depend on entities' contributions, thus having no independent source of income.<sup>23</sup>

In assessing the first six months of the intervention, Susan Woodward wrote:

Extraordinary effort, goodwill, and resources are being spent to implement the accord without any coherent design for how to achieve a stable outcome. It is said that the Dayton accord establishes a process by which Bosnians can reverse the current reality of partition with elections and economic reconstruction and restore a multiethnic, unitary Bosnia. But in fact only one option holds any possibility of long-term success – a recognition of the right of all three nations of Bosnia to territorial self-governance (its current political partition) and, at the same time, of their strategic, cultural, and economic interdependencies that require them to cooperate if each is to survive. This outcome of progressive reintegration will not occur on its own. Outsiders must design and execute an integrated strategy that enables Bosnians to live in one state and brings peace... No negotiated

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<sup>21</sup> Constituent Peoples Decision of the Constitutional Court of Bosnia-Herzegovina, September 14, 2000. See also the Agreement on the Implementation of the Constituent Peoples' Decision of the Constitutional Court, March 27, 2002.

<sup>22</sup> Annex 4, Article III.1.

<sup>23</sup> Actually, the only direct income for the central government were to be various fees charged by Bosnian Consulates in the world.

settlement to a civil war succeeds without effective implementation.<sup>24</sup>

The civilian implementation of the Dayton Agreement was to be a real test of the commitment and the ability of the international community to lead successful state building. The stated goal of the intervention has been building a stable, democratic and self-sustainable state. However, the institutional structure in itself is not the ultimate goal. *The ultimate goal is to entrench a perception that single and undivided Bosnia-Herzegovina offers more to each of the three Bosnian peoples than any other solution.* A way ahead is through the process of reconciliation that allows the three peoples to solve their problems without a third-party mediator.

Dayton institutional structure is there only to provide a framework within which peoples of Bosnia-Herzegovina can work out a formula for mutual co-existence. But institutions created on the basis of the Dayton Agreement are not and should not be irreversible. They represent a phase, a Dayton phase, in building the Bosnian state and are as such a product of the time. That means that they can, and moreover, should be pliant to refining in order for Bosnia-Herzegovina to meet challenges that new times bring.

The DPA is not a holy script or a well of wisdom that contains a solution to any imaginable problem. Its (hopeful) ingenuity lies in its capacity to *loosen up* over time allowing other solutions, which build upon the Dayton foundation, to emerge. The success of Dayton will be assessed against the fact whether Bosnia-Herzegovina becomes a single, democratic and self-sustainable state and whether its people are devoted to preserving it. All other solutions within these parameters are arbitrary and negotiable.

Under ideal conditions, the international community would engage in post-war state building by consciously circumscribing its role to

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<sup>24</sup> Susan Woodward, "Policy Brief #2", *The Brookings Institution* (July 1996), p. 2. See also by the same author "Bosnia After Dayton: Year Two", *Current History*, 96(608): 97-103 (March 1997).

assisting locals in implementing peace agreements. It could even offer its own list of preferred solutions, but it would not engage, under ideal circumstances, in intricacies of local relationships to define the substance of the state-to-be. This would have to be done by locals who are to live the solutions being made. However, there is no ideal in this world and thus plenty of room for improvisation.

The key criteria for measuring success in externally-sponsored state building is whether a new state can sustain itself without external buttressing once the external force leaves. A state is a living body, not simply a meticulously written constitution or an array of imposing government buildings. It is about people, their identities, their fears and their interests. If the people in any given state choose not to sustain it, no amount of external support can save it. This is because a state requires domestication, its borders separate the internal from the external (regardless how limited the list of internal issues is). And only insiders can define the internal.

However, this is easier said than done. In most cases, massive external support for state building occurs because a majority of locals do not share the same vision of their state as the interveners. If locals prefer other options to building a particular state, then the international community, as the sponsor of state building, has double task – to carry out state building in cooperation with supportive locals and to persuade/pressure opponents to join in. If weak or weakened, opponents can also be marginalized. The point is that there are various strategies how the international community can carry out post-war state building.

In the Bosnian case, the international community had to devise strategies to resist local opposition and sway disbelievers to its cause. Dayton Agreement came not as a result of the will of the three Bosnian peoples, but rather of the will of the international community. If the international community manages to expand the level of support for its project within all three camps, Bosnia-Herzegovina visualized at Dayton may realize. If it fails, the Dayton Bosnia-Herzegovina will exist only in academic texts as a failed model of international intervention.

### ***I-2b Overall structure***

Bosnia-Herzegovina that was created in Dayton had three constitutions, sixteen parliaments (two at the state level, two in the Federation, one in each of ten Federation cantons, one in the Republika Srpska, one in Brčko), fourteen governments (one state government, one in each entity, one in each of ten cantons, and one in Brčko), three presidents, three constitutional courts, three supreme courts, and three supreme commanders of the armed forces. All these institutions have been formally subordinated to the central institutions and both entities were required to amend their constitutions and make them consistent with the state constitution, but this process was remarkably slow.

One of the most common definitions of a state says that a state is characterized by the monopoly of legitimate violence.<sup>25</sup> Another definition says that a state is “an organization which controls the population occupying a definite territory” with the following characteristics, “(1) it is differentiated from other organizations operating in the same territory; (2) it is autonomous; (3) it is centralized; and (4) its divisions are formally coordinated with one another.”<sup>26</sup>

If assessed against these brief definitions, the structure of the Bosnian state has been problematic. Its institutions are numerous and ran in parallel with each other, although less and less over the years. In the beginning, the central state institutions had very limited power and no budget of their own and the entire structure was highly decentralized.

By a conservative calculation – on average fifteen ministries in each cabinet (less in the central, but more in entities’ and cantonal cabinets) times fourteen cabinets – it comes that Bosnia-Herzegovina has over two hundred ministers. Each minister has his/her deputies, secretaries, drivers and other administrative staff. The Dayton bureaucratic

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<sup>25</sup> Max Weber’s definition of state holds that “the use of force is regarded as legitimate only so far as it is either permitted by the state or prescribed by it,” Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, edited by Guenther Roth and Claus Wittich, p. 56.

<sup>26</sup> Charles Tilly, “Reflections on the history of European state-making” in *The Formation of National States in Western Europe*, ed. by Charles Tilly (Princeton, NJ: Princeton University Press, 1970), p. 70.



apparatus is immense and while it would be a heavy burden for a rich country, it is absolutely unsustainable for the poor Bosnian economy.

On the one hand, ‘optimists’ think that this extensive bureaucratic apparatus is unavoidable in a transition from war to peace where each side requires maximal protection of its interests. Once mutual fears lessen and the social trust develops, Bosnians will be able to do away with the overwhelming bureaucratic apparatus that stifles their economy and reduces prospects for joining the European Union.

‘Pessimists’, on the other hand, hold that such institutional structure is the maximum that can be achieved in a hostile and distrustful environment as Bosnia-Herzegovina is. According to this view, the present structure will remain in place as long as the international community is there to guard it, but the moment it leaves the three Bosnian peoples will abandon it to carve out their mini-states and once again redraw the map of Southeastern Europe.

Bosnia-Herzegovina is a complicated case, but no case of post-war state building where external actors initiate extensive political, social and economic reforms is simple. The magnitude of these reforms requires vision, patience and long-term commitment to be successfully carried out.

To separate the armies in the beginning was relatively easy. To organize the elections was to meet an important technical and political challenge, but that also worked. However, to bring former enemies into joint sessions and into common institutions and to compel them to accept mutual responsibility for the future of the country was something completely different.<sup>27</sup>

To sum up, Bosnia-Herzegovina, one of the smallest countries in the world, has one of the largest administrations (two entities, three peoples, and four levels of governance – municipal, cantonal, entity and central). To guarantee rights and to facilitate the development of trust, the international community used power-sharing formulas to create numerous administrations. However, in the end, to erect a viable state,

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<sup>27</sup> Carl Bildt, *Misija mir*, p. 414.

the international community will have to partially dismantle what it created. The way for combating fears in the first post-war years was found in military and political mechanisms. Subsequently, a solution has to be found in economic and normative mechanisms. These are less visible policies, but necessary if state building is to be finished.

### ***I-3 ACTORS IN THE PEACE PROCESS***

The first delineation of actors in Bosnia-Herzegovina is between the locals and the internationals. The local political elite is further divided into many camps, but crudely there are four camps – three nationalist ones and one non-nationalist.

The international community is a key term that refers to a range of different international actors that operate in Bosnia-Herzegovina. Initially, this was a conglomerate of actors whose mandates and policies have not been necessarily coherent and coordinated, but they evolved over time. The international community is analyzed along the following lines:

- the number and roles of different actors who make up the international community in Bosnia-Herzegovina;
- the policies adopted by different actors to facilitate the implementation of the peace plan (the Office of the High Representative, NATO forces, the OSCE, the UN agencies, the EU agencies, the World Bank and the International Monetary Fund);
- the activities of different non-governmental organizations and their impact upon the peace process;
- the role of foreign media in the peace process;
- the impact of events in foreign actors' domestic settings that influence their performance in Bosnia-Herzegovina and consequently the peace process (change of government, loss of public support for the intervention);
- important international developments that influence the activities of foreign actors in the peace process (emerging crises elsewhere, the relationship among intervening actors in other areas of interaction – EU enlargement, economic issues, etc).

As explained, the term international community in Bosnia-Herzegovina describes the collective presence of various foreign bodies in the country – governmental, intergovernmental, international, military, and non-governmental. In the beginning a number of observers criticized the international role in Bosnia-Herzegovina, frequently using the argument that the intervention was not succeeding precisely because there were too many actors with too many separate agendas. The international community was criticized for a lack of cooperation, a lack of coordination, a lack of communication, for inter-institutional competition and for overall ineffectiveness. However, the internal organization of the interveners evolved over time mainly as a result of a *try and see* approach that gradually led to the accumulation of knowledge.

Local political elites in Bosnia-Herzegovina are both subjects and objects of the intervention. They act independently in the peace process, while at the same time they are acted upon. The international community, as the driving force of the peace process, controls its dynamic and sets the interventionist agenda. The intervention fosters change in the behavior and, to a certain extent, the objectives of the local political elites. Their actions are assessed along the following lines:

- the extent to which elites seek to achieve their goals outside the peace process (important relations that may exist with actors that are outside the international community framework in Bosnia, i.e. the presence/absence of an outside sponsor for each elite);
- how national elites answer demands from their electorate and how they represent their respective electorates' demands to the international community, the notion of partial accountability;<sup>28</sup>

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<sup>28</sup> The concept implies that national elites who won in the first post-war elections managed to retain power and perpetuate themselves in office over several subsequent rounds of elections, in part due to the fact that they managed to institute themselves as intermediaries between the international community and their respective ethnic groups. Thus, they draw strength from both sides, but are only partially accountable to each. As long as they can benefit from such a position, they have no real incentive to fully implement the peace plan, as that would mean undermining their position of intermediaries. (I borrow the term 'partial accountability' from James Rogan of OSCE in Bosnia-Herzegovina).

- benefit derived from the peace process (is elites' existence supported or threatened by the international presence: are elites in power dependent<sup>29</sup> on international community to retain that power, are emerging elites dependent on international community to gain power?);
- effects of the intervention on the behavior, norms and strategies of the local elites (an assessment of the change of the wartime goals of the local parties in the context of the peace process);
- an assessment of the learning process and its impact on all participants in the process;
- the extent to which the peace process constrains the behavior of local elites (which rules they have to adopt in order 'to play the game', i.e. be a part of the peace process);

The existence of strategic partners or sponsors outside the peace process influences the behavior and strategies of national elites. Particularly this applies to the existence of neighboring kin-states to two ethnic groups in Bosnia-Herzegovina, i.e. the Republic of Croatia to the Bosnian Croats and the Federal Republic of Yugoslavia to the Bosnian Serbs. It refers also to the wartime relations of Bosniaks with some Islamic states or states supportive of their cause.<sup>30</sup> The international community viewed

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<sup>29</sup> Dependency in this context implies reliance of local elites on the international community in Bosnia-Herzegovina to deliver the 'goods' of the peace process. In that sense it breeds irresponsibility amongst local actors as they avoid taking upon the task of implementing the peace plan, and consequently being accountable for their actions. It suggests a practice whereby local elites assign more the difficult tasks of implementing the peace plan to the international community at the same time as seeking to preserve the loyalty of their respective ethnic groups. However, this practice does not only refer to elites in power, it has been recently noticed also with those who seek to gain power, as they need international support to win office. In that sense, the international community while withdrawing support from one camp and extending it to another has not managed to change the 'dependency mindset' in the initial years of the peace process. Dependency in this context is a different phenomenon from the one that the dependency theory sought to explain, for example, Latin American development.

<sup>30</sup> Neither states that form the core (the Contact Group) of the international community were perceived as neutral: the perception was that the United States supported Bosniaks; Germany supported Croats and thus Bosnian Croats; while Russia, along with Great Britain and France (though after changes in leadership in these two countries – Blair replaced Major in Britain, and Chirac replaced Mitterand in France – their policies changed) supported Serbs in the FRY and Bosnia.

these relations as undermining the peace process and therefore sought to impair them, but with mixed success.

It was most successful in breaking up Bosniak relations with Islamic states for three reasons. First, because these relations do not go far back in history, they were the result of circumstances and a by-product of war, not necessarily a strategic orientation of the Bosniaks. Second, it was easier to reduce contacts between Bosniaks and their 'sponsors' at the other end due to physical distance that exist between them, not to mention the difference in appearance, tradition, language and worldview. And third, the Dayton Agreement guaranteed the preservation of a single and independent state of Bosnia-Herzegovina, which was Bosniak goal throughout the war. Thus, it is only to be expected that they would demonstrate the utmost will to cooperate with the international community in implementing the Dayton Agreement.

As for the Bosnian Croats, as long as President Tuđman was alive and in power in Croatia, the international community had hard time in loosening up the ties that existed between the HDZ-led Croatian government and the Bosnian HDZ. Once Franjo Tuđman left the political scene and the new party came to power in Croatia, relations between Croatia and the Bosnian Croats gradually formalized and became more transparent. The return of the HDZ-led government in Croatia in late 2003 did not translate into the return of intensive and obscure Croatian support of the Bosnian Croats. The unequivocal orientation of all key political parties towards the European Union means that Croatia is willing to make any effort necessary to systematically apply European norms and standards to all areas of its political, economic and social life, including relations with the Bosnian Croats.

Severing relations between Serbia and Montenegro and the Bosnian Serbs has been a more difficult task. The change of government in Serbia, the extradition of former president Slobodan Milošević to the Hague Tribunal and the continuous pressure from the international community on the Serbian and the Federal government apparently were not sufficient to break up strong ties that exist between the Bosnian Serbs and their sponsors in Belgrade. Despite a strong pressure from the

Office of the High Representative on both Banja Luka and Belgrade, which included removal of highest ranking officials in the entity, it seems that every new Bosnian Serb leadership, much to the dissatisfaction of the international community, maintains the tradition of weekly consultations with Serbian/Yugoslav officials in Belgrade.

Any analysis of the local actors must necessarily be complex and requires a systematic approach. The conflict in Bosnia-Herzegovina revolves around competing views among the three peoples' strategic interests.<sup>31</sup> Each of the three ethnic groups in Bosnia-Herzegovina had its own preferred political option that by and large stood in opposition to options of other groups. The war ended in such a way that none of the three groups triumphed, but rather the peace brought about the fourth option – the one preferred by the international community but inasmuch it retained the single Bosnian state it coincided with the Bosniak interests. This fourth option is multiethnic Bosnia as a counterbalance to options of ethnic exclusivity pursued (to different degrees) by the three nationalist parties. To succeed, the international community has to gain support among all three ethnic groups since there will be no multiethnicity without their active participation.

As already said, local actors are divided between nationalists with three ethnic labels and non-nationalists. The international community, as the third or fifth actor (depends whether one sees all nationalists as same) in the Bosnian peace process, has given itself a role of the leader of the

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<sup>31</sup> When the intervention began, the elites who led the war in Bosnia-Herzegovina remained in their positions. This fact raised doubts about the elites' capacity to transform and endorse the peace process in earnest.

See Lyon, M.B. James, "Will Bosnia Survive Dayton?", *Current History*, Vol.99, No.635, March, 2000, 110-16. Also, Burg, L. Steven, "Bosnia-Herzegovina: a case of failed democratization" in Bianchini, Stefano (ed.), *State-building in the Balkans* (1999); Roland Paris, "Peacebuilding and the Limits of Liberal Internationalism", *International Security*, Vol.22, No.2, Fall 1997, 54-89; J. Lenard Cohen, "Whose Bosnia? The Politics of Nation Building", *Current History*, Vol. 97, No. 617, March 1998, 103-12; Misha Glenny, *The Balkans 1804-1999. Nationalism, War and the Great Powers* (London: Granta Books, 1999, esp. pp. 647-652); Richard Holbrooke, *To End a War* (New York: Random House, 1998, esp. chapter 20); Chester A. Crocker, and Fen Osler Hampson, "Making Peace Settlements Work", *Foreign Policy*, No. 104, Fall 1996, 54-71.

non-nationalist camp in line with its goal of multiethnic (or rather a-nationalist) Bosnia-Herzegovina. Its capacity to win over support for the multinational cause and reduce support for exclusive ethnicity will determine the success of the international mission.

As in any other place on this planet, what happens in Bosnia-Herzegovina is not so unique and exceptional to be incomparable. However, just as Bosnia-Herzegovina resembles other places in how it tries to solve problems in its community, how it tries to overcome the memories of a violent past, how it tries to build upon memories of past cooperation and trust, it is also unique in a way that any community and any individual on this planet is unique. Just as it is up to every individual to decide how he or she wants to live, so it is up to each community to define how it is to live. What kind of life does the community imagine? What kind of future does it desire? What kind of values does it espouse? Which cost will it accept to realize its vision?

Each mature community has to answer these questions for itself. Answers will, of course, differ but most important is to keep the dialogue going on; a dialogue that must be carried on by those who will live with the consequences of decisions taken. This is important to bear in mind when the role of interveners in defining the future of a recipient state is analyzed. Basic elements of a state structure are common to most democratic states since democracy has been accepted as the best political system available. But the nuances of each particular state will have to remain particular and local. The nuances and details of how a particular community is to live can be defined only by the members of that community.

Some may question the necessity of discussing these issues here at such length. An intelligent reader probably thinks that it is common sense that correct decisions concerning life in a certain community are only those made by the members of that community. However, this seemingly redundant observation ceases to be so when we take a deeper look at how many communities in the world function today. And just as there are individuals who live in a state of sweet oblivion as to their true nature and their true desires but rather follow the dictum of others, be it family, friends, school, political party or church, so there are

communities who accept incompetence to decide on their own destiny and wait for others to solve their problems. It does not take sophisticated methods to conclude that the people of Bosnia-Herzegovina have been perpetuating this attitude for years.

#### ***I-4 LOCAL POLITICAL REGIMES***

The forces at play within Bosnian society are more complex than they first appear. Ethnic conflict is the dominant feature and the root cause of the tumultuous nature of the peace process. However, ethnic reconciliation represents only one element of the peace process. Others are the transition from a communist to a democratic society and the search for a peaceful solution for the entire Balkan region.<sup>32</sup>

Prior to the collapse of the former Yugoslavia, three nationalist parties – the Bosnian Croat HDZ,<sup>33</sup> the Bosnian Serb SDS<sup>34</sup> and the Bosniak (Bosnian Muslim) SDA<sup>35</sup> – won the first democratic elections in 1990. Wartime conditions gave these parties even more power. Nationalist

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<sup>32</sup> “Refocusing international policy in Bosnia and Herzegovina”, Part One, *European Stability Initiative*, p. 1, <http://www.esiweb.org/Report1-1999.htm>. With slight changes, this description appears in the cited Report.

<sup>33</sup> The local acronym for *Hrvatska demokratska zajednica* (HDZ) is used instead of the English translation – the Croatian Democratic Union (CDU).

<sup>34</sup> The local acronym for *Srpska demokratska stranka* (SDS) is used instead of the English translation – Serbian Democratic Party (SDP). A reason to use local acronyms is to avoid confusion which may emerge with translation (the party of reformed communists is called *Socijal-demokratska partija* – SDP, the same acronym for the SDS in English).

<sup>35</sup> The local acronym for *Stranka demokratske akcije* (SDA) is used rather than the PDA – the Party for Democratic Action. As a reader may notice, only the Bosniak party does not have ethnic denomination. The reason is that this party was inaugurated in May 1990 when the electoral rules prepared for the first democratic elections in the Socialist Federal Republic of Bosnia and Herzegovina forbade the use of religious or national designations. However, already in July that same year this provision was abandoned and in the same month two other national parties – HDZ and SDS – were inaugurated.

In September 1993, the Bosniak Sabor (the gathering of representatives of the Bosniak people) voted to change the name of Bosnian Muslims into Bosniaks, an old name for the Bosnian Muslims. The DPA also recognized Bosniaks as one of the three constituent peoples in Bosnia-Herzegovina. Hereafter, I use the name Bosniak, unless required otherwise by the context.



leaders have had a strategic interest in maintaining the conditions on which their power depended: ethnic separation; fear and insecurity among the population; a lack of democratic accountability; breakdown in the rule of law; control over the army and the police; and illegal economic activity.<sup>36</sup>

‘Nationalists’ in the post-war Bosnian context are often wartime racketeer networks, grown rich on an abnormal political and economic situation, who manipulate the fears of the impoverished people of their respective groups in an effort to preserve their own dominance, and profit-making. Their apparent espousal of the collective identity and common interests of their national group is often simply a superficial ideological camouflage for their racketeering activities.<sup>37</sup>

Although this profile nicely describes the majority among the nationalist elites in Bosnia-Herzegovina, for the sake of accuracy it should be added that not all are in politics only for personal enrichment. Some yearn fame. They project and relish the image of modern Messiahs. Personal enrichment is not necessarily the central goal of their political engagement. Financial rewards are accepted, but out of duty, almost as a burden and an unpleasant yet inevitable part of their job. Or so it appears. The point is not what the truth is, but that people believe them. Nationalist parties, among else, got reelected because they offered to their electorate images of national heroes, of defenders of national identity and tradition.

Nationalist rhetoric was a political tool – nationalist parties exaggerated threats posed by other ethnic groups to consolidate their groups.<sup>38</sup>

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<sup>36</sup> “Refocusing international policy...” The same explanation as in the footnote 32. applies here. This is because I found the analysis contained in the ESI Report so concise and straightforward that I had difficulty of finding a better way to express the given phenomenon.

<sup>37</sup> Sumantra Bose, *Bosnia after Dayton. Nationalist Partition and International Intervention* (London: Hurst & Co., 2002), pp. 6-7.

<sup>38</sup> *Reporter* magazine analyzed the electoral campaign prior to the September 1998 elections. The article concluded the following:

Moderates who emerged within the group were described as traitors and collaborators with the enemy.<sup>39</sup> Implementation of the Dayton Agreement, such as facilitation of minority return, creation of multi-ethnic institutions, or carrying out basic economic reforms were resisted because they were seen as threats to party's interests, and consequently, explained as threats to existence of an entire ethnic group. Thus, in

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- Nationalist parties use all means to stir inter-ethnic tensions and fears of alleged threat of two other rival ethnic groups, including terrorism since the beginning of campaign. The goal is to ethnically homogenize voters for a respective party that defends national interests.
  - Within its national corpus, these parties use nationalist arguments to denounce those who oppose ethnic exclusivity. Thus, they declare non-nationalists as traitors and collaborationists or, at least, weak Serbs, Croats and Bosniaks. HDZ qualifies in this way Krešimir Zubak and the New Croatian Initiative, SDS and the Serb Radicals qualify in this way the government of Milorad Dodik and the Coalition *Sloga*, and the SDA Bosniak democratic opposition in general.
  - Governing nationalist parties usurp the power to destabilize opposition parties and their candidates by exerting various kinds of pressure on them (job layout, blackmail, corruption, intimidation). Even Dodik government in the RS went as far as dismissing directors and chief editors at 16 local radio and TV stations because they were judged to promote the SDS and the Radicals in the election campaign. *Republika*, Feljton: Izbori u Bosni i Hercegovini, "Poljuljan monolitni tronožac SDA, SDS i HDZ", No. 196, August 1998.

<sup>39</sup> On October 22, 1999 a bomb exploded under the car of Željko Kopanja, the editor-in-chief and founder of *Nezavisne novine* (Independent). As a result of the assassination, Mr. Kopanja lost both legs, but he continued to publish his newspaper. Prior to the attack, *Nezavisne novine* published a series of articles about crimes committed by Bosnian Serbs during the war. The newspaper also exposed numerous cases of corruption and embezzlement in Republika Srpska. Marko Vešović, a Bosnian Serb who remained on the side of the Bosnian government throughout the war, has been often referred to as a traitor in the Bosnian Serb media.

In 2001 the car bomb also exploded in front of the house of Mladen Ivankić – Lijanović, a Bosnian Croat businessman and a founder of the Party for Prosperity. The Bosnian press connected the incident to hardliners in the Bosnian HDZ. Ivan Lovrenović, an academic and a scholar, has been criticized for years by Croats in Bosnia-Herzegovina for his criticism of the Croatian politics.

Two editors-in-chief of two main independent magazines in Bosnia-Herzegovina – Senad Pećanin and Senad Avdić – on several occasions reported receiving threats for exposing corruption and criminality in the SDA structures.

SDS, SRS<sup>40</sup> and HDZ political rhetoric, the international community was often accused of pursuing an agenda that threatened the physical security (territorial integrity) of their respective ethnic groups. Extreme nationalist rhetoric thus was not necessarily a sign of real inter-group hostility.<sup>41</sup>

To undermine the power of nationalist parties, which were seen as incapable to guarantee peace and stability in Bosnia-Herzegovina, the international community offered direct support to non-nationalist parties, but the result of this support was rather mixed. In the November 2000 general elections, the third since the end of the war, the non-nationalist Social Democratic Party managed to secure a narrow victory within the Federation, mainly among Bosniak voters. The HDZ and the SDS won landslide victories among the Bosnian Croats and the Bosnian Serb electorates respectively. These elections were yet another blow to the international approach that was trying to marginalize nationalists and institute non-nationalists through elections.<sup>42</sup>

Many in the international community had hoped that democratic change in Zagreb and Belgrade in 2000 would translate into change among Bosnia's Croats and Serbs. Initially, however, these democratic victories did the opposite – they energized extremists within these two camps. With the death of the Croatian President Franjo Tuđman in December 1999 and the defeat of the Croatian HDZ in the January 2000 general elections, the Bosnian HDZ lost its sponsor and was therefore forced to show to its friends and foes alike that it would survive the loss of sponsorship. The Bosnian HDZ had to show that they would not only

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<sup>40</sup> *Srpska radikalna stranka* – the Serb Radical Party – was banned in 1998 by the High Representative Carlos Westendorp on the grounds that its political rhetoric and the political action openly defied the DPA.

<sup>41</sup> See “Changing the Logic of Bosnian Politics”, Discussion Paper on Electoral Reform, *International Crisis Group* (Sarajevo: March 10, 1998).

<sup>42</sup> Under the Dayton Agreement, OSCE was in charge of running elections in Bosnia-Herzegovina until the Election Law was adopted. Provisional Election Commission, chaired by the OSCE Head of Mission, was to establish rules, oversee electoral campaigns and sanction irregularities. The Election Law was adopted in August 2001 and the Election Commission of Bosnia-Herzegovina appointed in November 2001.

maintain their previous rhetoric, but also that they could take a more radical position and still survive.

Reinforced extremism was even more pronounced in Republika Srpska. Bosnian Serb candidates – including western favourite Mladen Ivanić – linked the position of Republika Srpska in Bosnia-Herzegovina to Kosovo's position in Yugoslavia (FRY) arguing that Republika Srpska should be allowed to join Yugoslavia in case Kosovo is granted independence. This should come as compensation to Yugoslavia for losing its southern province. Vojislav Koštunica, newly elected Yugoslavia's President (outvoted Milošević in the September 2000 elections), openly supported the SDS, the party of the indicted war criminal Radovan Karadžić, in the November 2000 elections in Bosnia-Herzegovina.

Since 1996 the international community has attached too much importance to elections and has seen them as proof of progress in Bosnia. Although there is certainly progress in Bosnia since 1996, the elections as such have not generated it. One could almost say that Bosnia-Herzegovina has moved forward *despite* the regular elections that repeatedly brought back nationalists to power.

Elections were conducted without regard for the need to sever the link between the ruling political parties and their financial sources – state-owned companies and individuals enriched by and through the war, which further weakened the possibility for elections to be carried out in a tolerant and open fashion in an already weak postwar democracy.<sup>43</sup> The international community was at pains because it had clear preference for the non-nationalists, while at the same time it also had a clear goal to strengthen the legitimacy of the election process – the very one through which the nationalists kept returning to power.

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<sup>43</sup> In November 1999, OHR and OSCE created the Legislative Advisory Group on Defamation and Freedom of Information Legislation. The Group was to facilitate the adoption of laws that were to protect the right of citizens and journalists to access information held by their governments and public institutions.

In 2000 the international community decided to intervene. It brokered a deal among ten parties and supported the creation of the ten-party coalition governments, led by the Social Democrats, at the state and the Federation level. In Republika Srpska the maximum the international community managed to do was to exclude the SDS from power despite a relative majority of votes it received. A task to form a new RS government without SDS ministers was given to Mladen Ivanić from the PDP (*Partija demokratskog progresa* - Party of Democratic Progress), a small party that gained prominence largely thanks to its president, Mr. Ivanić, who intelligently balanced international requests and Bosnian Serb interests.<sup>44</sup> The exclusion of the SDS came as a result of the American ultimatum which warned that the U.S. would suspend its aid to Republika Srpska if the SDS entered the new government.

The two-year mandate of non-nationalists at the state level and in both entities was spent in turf fighting between coalition parties over the distribution of power. The least energy was devoted to carrying out necessary reforms. Thus, in the 2002 general elections, the electorate punished the non-nationalists by voting nationalist again. The successor to Wolfgang Petritsch, the new High Representative Paddy Ashdown, explained that the swing in the Bosniak vote, which was mainly responsible for bringing the non-nationalists to power in 2000, was not a sign of their renewed nationalism but rather a sign of the SDA's shift to the political center. The nationalist parties of the Bosnian Croats and the Bosnian Serbs, the HDZ and the SDS respectively, although receiving a relative majority of their ethnic groups' vote, in absolute terms saw a decline in their share of the vote in these elections.

The results of the general elections last weekend in Bosnia-Herzegovina have been described as a swing back to nationalism – a vote for the parties that fought the Bosnia war. This makes good headlines at a time when the Balkans are finding it hard to

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<sup>44</sup> In November 2000 elections, the SDS received 38% vote, the PDP of Mladen Ivanić 13%, the same as the SNSD (Srpski narodni socijal-demokrati – Serb People's Social-Democrats) of Milorad Dodik, a former RS prime minister. The SDA received 6% vote and had one minister in the Ivanić's cabinet (Fuad Turalić, minister of foreign economic affairs, the first Bosniak member of a RS government). For the elections results see [www.oscebih.org](http://www.oscebih.org)

make the news – but it is wrong... [The] issue that dominated this election campaign was not nationalism, division or demands for secession. It was reform. And this was reflected in the parties' messages. All of them, including the old nationalist parties, talked almost exclusively about how to provide jobs, tackle corruption and fight crime. It was the first election since the war not to be dominated by a big nationalist question.

That is why I do not believe Saturday's vote was a vote for nationalism. It was instead a vote for faster reform, for real change, for more progress. Ask any Bosnian the question: was the last government punished for changing too much, or for changing too little? - and the answer you get could not be clearer. The voters sent an unequivocal message to the politicians: stop messing about and get on with changing the country. That is what the parties have promised. Now is the time to do it.<sup>45</sup>

Although Mr. Ashdown, the fourth High Representative, explained that the 2002 elections were a vote for reform, not for nationalism, the fact that the nationalist parties had been voted in did not raise hopes of those who believed that the way out of Bosnia's quagmire was the defeat of the nationalist parties.

There is, however, another way of looking at the post-2002 elections results. Perhaps the best way to weaken nationalists is to give them power. Democracy, with its system of checks and balances, can become quite a burden for those who prefer to work in conditions of obscurity and unaccountability. The only way for such individuals to prolong their stay in power is to ensure that democracy is slow to take the root. Nonetheless, even in an unconsolidated democracy as Bosnia-Herzegovina is, a number of people who believe that a position in power should include responsibility is growing. Despite still strong nationalist sentiments among parts of the Bosnian population, the proportion of those who would rather have higher living standards than keep reviving national myths is growing. If unable to meet the needs of the electorate, the nationalist parties will inevitably suffer a loss of credibility. The

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<sup>45</sup> Article by the High Representative, Paddy Ashdown, "Bosnia wants change not nationalism", *Financial Times*, October 11, 2002.

same applies to non-nationalist parties – if unable to offer more than a self-righteous sense of superiority over the nationalists, they will be punished at elections.

#### ***I-4a Profiles of the local regimes***

Although the three nationalist parties share a number of key structural features, there are important differences between them, both in their origins and in their evolution since the war. The Serb SDS and the Croat HDZ were both instrumental in establishing the de-facto independent statelets of Republika Srpska and the Croatian Union of Herceg-Bosna respectively, under the direction of their political sponsors in Belgrade and Zagreb. By contrast, the main Bosniak party, the SDA, fought a defensive campaign throughout the war to prevent the dissolution of the Bosnian State, to avoid being left with a non-viable Bosniak enclave surrounded by hostile neighbors.<sup>46</sup>

The paragraph closes with the observation that “this basic strategic profile remains relevant, and can lead the nationalist parties to behave in quite different ways.”<sup>47</sup> Although there is more complexity to the Bosnian post-war situation than this delineation suggests, I believe that this diagnosis has been correct and has stood the test of time.

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<sup>46</sup> “Refocusing international policy in Bosnia and Herzegovina”, Part One, *European Stability Initiative*, p. 7, <http://www.esiweb.org/Report1-1999.htm>

<sup>47</sup> Ibid. Nonetheless, a number of local analysts insisted on difference not only among nationalist parties within Bosnia-Herzegovina, but also among leaders in the region. For example, “Tudman, who in spite of his fervent nationalism and his famous gaffs...was eager to establish Croatia as part of the 'West' cannot be compared to Milošević. Though he tried to destabilize Yugoslavia, he lacked the military capability and resolution to use force in order to achieve his goals... Similar behavior on the part of Izetbegović has been explained as an attempt to maneuver a dissolution without using force... Thus, the theory of equal guilt can only be seen as having therapeutic functions for Western leaders whose inaction or mistakes can, thus, be excused.” Josip Županov, Duško Sekulić and Željka Šporer, “A Breakdown of the Civil Order: The Balkan Bloodbath”, *International Journal of Politics, Culture and Society*, 9: 401-22 (1996), p. 411.

As already said, the international community forced the warring parties in Bosnia-Herzegovina to sign the Dayton Agreement. However, this was no novelty. The three leaderships from Bosnia, including the leaderships from Zagreb and Belgrade, took part in a series of peace talks since the beginning of the war and signed a number of peace plans that were loudly announced and silently buried quickly after. Thus, they also questioned the longevity of this Agreement although this time it was the Americans who stood behind the deal and pledged their commitment to its successful implementation.

Initially, the Dayton Agreement did not alter the Bosnian Serb and the Bosnian Croat wartime goals. The Bosniaks were more enthusiastic about the Agreement because it preserved the state of Bosnia-Herzegovina within its pre-war borders and brought peace, albeit an unjust peace, as Alija Izetbegović, the Bosnian president, declared. The sloppy nature of the implementation of civilian aspects of the Dayton Agreement encouraged hardliners' hopes that with enough patience and with an appropriate strategy they would eventually realize their wartime goals. Such hopes were, however, strongly counterbalanced by the military implementation of the Agreement, which was vigorous and efficient, and prevented anti-Dayton elements from pursuing their goals by force.

The Dayton Agreement brought peace which in reality did not stop the war. The war continued by bureaucratic means of postponing and avoiding. The Dayton Agreement created two entities and gave them authority over police, army, the postal services, taxes, regulations. What is then the state government for? There are three Presidents who rotate every eight months, which means there is no concentration, no focus, no continuity and no responsibility.<sup>48</sup>

Rhetorically, the international community always stood on the position of the single and integrated Bosnia-Herzegovina, but their actions or

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<sup>48</sup> Jacques Paul Klein, the Head of the UN Mission to Bosnia-Herzegovina, in an interview to magazine *Reporter*, July 20, 2002 (translation mine).



simple inaction raised doubts about 'true' goals of the international community. A number of observers questioned the international commitment and even its *raison d'être* to pursue (re)integration of a state not wanted by two of its three peoples.

The Agreement, as already said, was dual in character since it preserved a single Bosnia-Herzegovina, while at the same time it acknowledged the internal partition of the country. And since the interests of the nationalist parties did not change, it was expected that each would seek to emphasize a feature of the Agreement that corresponded with its interests – the SDS and the HDZ would reinforce partition, while the SDA would reinforce reintegration of the country. Thus, there were to be no surprises in the Bosnian post-war equation.

However, SDA's actions raised some doubts about its true interests and/or intentions. As it was expected to be fully supportive of the international re-integrationist agenda, occasions when it failed to do so brought into question its true intentions, but also the utility of the overall objective – building a state that is rejected by the majority of its people.

The reason why at times the SDA failed to support the international goal more forcefully is to be found in the nature of a political party and the democratic system. A goal of every party is to win at elections and their actions are thus circumscribed to the elections' framework. From a short-term perspective – the election interval – a decision to fully support the international agenda would have probably cost the SDA a substantial proportion of votes and reduce the likelihood of its victory. It would have had to make a number of measures extremely unpopular with its electorate and would have to suffer the loss of support. For example, the SDA insisted on the right of refugees and displaced persons to return to their homes. However, when it came to evicting a family of a Bosnian Army soldier or a Srebrenica family who occupied an apartment that originally belonged to a Serb or a Croat who fled Sarajevo, then they resisted eviction because it would directly harm their interests – winning the next mandate. They did not want to undermine their power base, even at the price of undermining the peace process.

The SDA example explains why there were voices in Bosnia urging the international community to show more initiative in the peace process. A number of those who actually supported the Dayton Agreement could not act out openly without a risk of losing their political status. Instead, they transferred the responsibility for the implementation of the Agreement to the international community while they remained 'loyal' to their electorate. This partly explains why there was little or no significant resistance when some of the most unpopular measures in the implementation of the Dayton Agreement were taken.<sup>49</sup>

Those impatient with the slow progress of the peace process accused the international community of a lack of commitment since it vacillated in its will to assume the full command. Although such cautiousness is understandable on the part of the international community, there may be a reason why foreigners rather than locals may be better suited in situations like this to put the peace process in gear – they do not have to face reelection. They are not accountable to the local electorate and therefore enjoy almost free reign. Of course, free reign is a double-edged sword because the lack of accountability carries a risk that foreigners can further aggravate the situation without having to answer to the people whose lives they control, but it also carries a possibility for faster improvements than would be the case if the process was left in the local hands.<sup>50</sup>

Final outcome, however, rests with the locals. At some point they have to take over if the intervention is to succeed. The entire logic of an intervention is to help locals overcome difficulties so that they become self-reliant. However, this is another issue that I shall return to on a later stage in this thesis.

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<sup>49</sup> The international community opened roads, guaranteed safe return to refugees and displaced persons, shut down TV and radio stations, dismissed high ranking officials, arrested indicted war criminals – heroes in their communities – without losing a single soldier. Despite some very unpopular measures, none of the three groups in Bosnia mounted any significant resistance to the international community.

<sup>50</sup> This is due to the nature of post-war period in which there is no obvious winner.

The following sections give basic profiles of the main protagonists of the Bosnian peace process. Knowing their character and interests facilitates our understanding of their actions.

#### ***I-4b The Bosnian Croats***

The party that, since the first democratic elections in 1990, has received the majority of the Croat vote in Bosnia is the Croatian Democratic Union, the HDZ.<sup>51</sup> It is an affiliate branch of the HDZ from the Republic of Croatia, whose founder was Dr. Franjo Tuđman, the first president of Croatia.<sup>52</sup> During the war, the HDZ fought a campaign to establish an independent statelet called Herceg-Bosna, carved out of the territory of Bosnia-Herzegovina, and possibly join Croatia. The Croat Union of Herceg-Bosna<sup>53</sup> was established on November 18, 1991 as a regional entity comprised of 30 municipalities, with the city of Mostar as its capital.<sup>54</sup>

Dr. Ciril Ribičič, a Slovene professor of constitutional law and an expert on constitutional arrangements in the former Yugoslavia, was approached by the Office of the Prosecutor at the War Crimes Tribunal for the former Yugoslavia in the Hague, to give an expert opinion about the establishment and the functioning of the Croat Union Herceg-Bosna. His analysis of the *Decision to establish the Croat Union Herceg-Bosna* stresses that the Croat Union Herceg-Bosna was established by the decision of “Croats of Bosnia-Herzegovina” and that it was created with a goal to “defend the Croat ethnic and historical territories and the Croat

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<sup>51</sup> As already explained, in this thesis I use local acronyms for the political parties as translating them might cause unnecessary confusion. Moreover, the international community in Bosnia-Herzegovina uses local acronyms and as such they are known to a foreign reader who follows the topic. See fn. 34, 35, and 36.

<sup>52</sup> Under the Charter of the Croatian Democratic Union of Bosnia-Herzegovina, “the HDZ of Bosnia-Herzegovina is the constitutive element of the integral HDZ with the seat in Zagreb.” (*Charter of the Croatian Democratic Union of Bosnia and Herzegovina*, Sarajevo, August 18, 1990, article 4), quoted in Ribičič, *Geneza jedne zablude*, p. 46.

<sup>53</sup> In original, *Hrvatska zajednica Herceg-Bosna*.

<sup>54</sup> Dr. Ciril Ribičič, *Geneza jedne zablude (The Genesis of One Fallacy)*, p. 36. The book also contains the scanned original issue of the *Narodni list HZ Herceg-Bosna* (*Official Gazette of Croat Union Herceg-Bosna*) of September 1992 which published the *Decision to establish the Croat Union Herceg-Bosna*.

people in Bosnia-Herzegovina.”<sup>55</sup> Taking into consideration a number of articles of the *Decision to establish the Croat Union Herceg-Bosna*, Ribičić concludes that the “Croat Union Herceg-Bosna was intended to become a union of (all) Croats who live in Bosnia and Herzegovina, and not the union of (all) citizens of 30 municipalities (who make the Croat Union Herceg-Bosna), regardless of their nationality.”<sup>56</sup>

The politics of Croats in Bosnia-Herzegovina and the politics of the Republic of Croatia towards Bosnia-Herzegovina were multilayered. In the beginning of the war, the Croat and the Bosniak forces fought together against the Serbs. It was these two nations who overwhelmingly voted for independence in the referendum of February 1992, an act which marked the final declaration of the goals of the three peoples in Bosnia-Herzegovina. The majority of Serbs boycotted the referendum and the Serb leadership accused Bosniaks and Croats of joining forces against the Serb people. The Bosniaks and Croats voted for independence on the premise that they did not want to remain in a rump, Serb-dominated Yugoslavia. The war started soon afterwards with the Serb-dominated Yugoslav Army (JNA – *Jugoslavenska narodna armija*) and Serb irregulars entering villages and towns, terrorizing the non-Serb population, and instigating their exodus from the territory that was soon demarcated and named Republika Srpska.

At the beginning of the war in Bosnia-Herzegovina, the Croats were much better prepared to deter the Serb assault than were the Bosniaks, whose forces were poorly organized and largely unarmed. On June 16, 1992 presidents Tuđman and Izetbegović signed an agreement on a military alliance,<sup>57</sup> although it materialized only in June 1995 prior to the joint Croat-Bosniak offensive in Western Bosnia.

While on the one hand Croatian leadership pursued cooperation with Bosniaks, on the other the Croatian president Franjo Tuđman discussed

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<sup>55</sup> Ribičić, *Geneza jedne zablude*, p. 38.

<sup>56</sup> Ibid.

<sup>57</sup> Daniel Bethlehem and Marc Weller, *The 'Yugoslav' Crisis in International Law* (Cambridge, 1994), quoted as forthcoming in Noel Malcom, *Bosnia: A Short History*, p. 240.

the option of dividing Bosnia-Herzegovina between Serbia and Croatia, a step towards creation of the Greater Serbia and the Greater Croatia.<sup>58</sup> Such a plan was not new in the history of the region and had already been tried in 1939 with the Cvetković-Maček agreement. *Banovina Hrvatska*, the Croatian territory under that agreement that incorporated the territories of Bosnia-Herzegovina, was mentioned in the preamble of the new constitution of the Republic of Croatia in 1991. According to Zdravko Tomac, the Vice Prime Minister in the first Croatian government, Croatian politicians at the beginning of the war in Bosnia-Herzegovina had not decided which path to choose: to insist on the preservation of Bosnia-Herzegovina as a state or to respect the 'reality' that Bosnia-Herzegovina would disintegrate. "It had to be decided either to enter negotiations with Milošević about Croat-Serb separation line in Bosnia-Herzegovina, or insist on military alliance with Bosniaks, because the war would not end until the Greater Serbia was created or the idea of the Greater Serbia was defeated."<sup>59</sup> Several options were tried simultaneously: alliance with the Bosniaks, negotiations with Milošević, support for the preservation of Bosnia-Herzegovina, and division of Bosnia-Herzegovina.<sup>60</sup> Tomac also noticed that the discussion on the partition of Bosnia-Herzegovina between Croats and Serbs at the expense of Bosniaks<sup>61</sup> would ultimately lead to a war between Croats and Bosniaks.<sup>62</sup>

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<sup>58</sup> See Miloš Minić, *Dogovori u Karađorđevu o podeli Bosne i Hercegovine* (Negotiations in Karađorđevo About Partitioning Bosnia-Herzegovina), (Sarajevo: Rabić, 1998). See also a number of interviews of Stipe Mesić, a former close associate of the late Croatian President dr. Franjo Tuđman, who left the HDZ over disagreement with the Tuđman's politics in Bosnia-Herzegovina. Mesić succeeded Tuđman as Croatian President in 2000. See also the book by Stipe Mesić, *Kako je srušena Jugoslavija* (How Was Yugoslavia Destroyed), (Zagreb: Mislav press, 1994). The original title of this book was *Kako smo srušili Jugoslaviju* (How We Destroyed Yugoslavia), but subsequent editions carried the changed title.

<sup>59</sup> Zdravko Tomac, *Tko je ubio Bosnu?* (*Who killed Bosnia?*) (Zagreb: Birotisak, 1994), p.26.

<sup>60</sup> Ibid, p. 27.

<sup>61</sup> The so-called Boban-Karadžić agreement signed in Graz, Austria in April 1992 defined the terms of the partition of Bosnia-Herzegovina between the Croats and the Serbs.

<sup>62</sup> Cf. Zdravko Tomac, *Tko je ubio Bosnu?*

The Office of the Prosecutor at the War Crimes Tribunal for the former Yugoslavia made public some of the documents they used in the trial against the Croatian general Tihomir Blaškić.<sup>63</sup> One of the documents made public by the Office of the Prosecutor is the *Minutes of a meeting between the President of the Republic of Croatia, Dr. Franjo Tuđman, and a delegation of the Croatian Democratic Union of Bosnia and Herzegovina, held in Zagreb on 27 December 1991. Also attending were officials of the Republic of Croatia.*<sup>64</sup> At this meeting the wing of the Bosnian HDZ, which was in favor of cooperation with the Bosniaks, was marginalized and the president of the Bosnian HDZ at the time, Stjepan Kljujić, was pushed aside. He officially resigned from the position soon afterwards. Discussing options for Croats in Bosnia-Herzegovina, President Tuđman offered the following argumentation.

...[The] survival, the sovereignty of Bosnia in the present circumstances, from the Croatian standpoint, is such that not only do we not have to advocate it, we must not even raise the issue openly. However, why not accept this offer of demarcation when it is in the interest of the Croatian people here in this Republic, and the Croatian people in Bosnia and Herzegovina. Because I do not see a single reason, a single serious reason, against it... And to create a statelet, therefore, out of the remaining part around Sarajevo where mostly Muslims and some Catholic Croats would stay which would resemble the small historical land of Bosnia. It would, therefore, be a buffer zone in the demarcation of Serbia and Croatia and in such conditions it would have to rely on Croatia to a large extent. That would also satisfy international actors who are now surely seriously counting, as you mentioned, on Serb policing for that Muslim element, Islamic element in Yugoslavia, whose intention it is to establish with the help of Teheran and Tripoli an Islamic state in Europe.<sup>65</sup>

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<sup>63</sup> Blaškić was initially sentenced to forty years for crimes against humanity, but the sentence was subsequently reduced by the Court of Appeal of the Hague Tribunal.

<sup>64</sup> United Nations International Criminal Tribunal for the Former Yugoslavia, Prosecutor's Exhibit, Case No. IT-95-14/2-T, Exhibit No. 2717a, English translation of 2717.

<sup>65</sup> Ibid, p. 20.

Miro Lasić, at the time a minister in the Bosnian government, at the same meeting warned about the possible consequences of supporting territorial partition.

Europe does not want to open a Pandora's box of borders. We must be fully aware that borders are a Pandora's box. The current relation of political and social forces is not the solution. Namely, the solution, which in the present relation of political and social forces may seem optimal, is to preserve Bosnia and Herzegovina as a whole and not touch its borders. And if we had Bosnia and Herzegovina as a whole, sovereign and independent, its convergence with Croatia would be completely certain, completely certain... A political solution could be found, for instance, between the Croats and the Serbs. I believe that some time ago I told the President, too, that Radovan Karadžić offered me personally to inform President Stjepan Kljujić<sup>66</sup>, and so I did, that he offered talks. But when asked what about the Muslims, he replied, "We will send them to the sea, all the way to Bari and the Italian coast." It is also possible to agree with the Muslims, for us Croats to talk with the Muslims. So, an agreement between the two of the peoples is possible. But a very important question arises: what about the third people? The Serbs are offering us talks. But I am certain that they are offering us false gifts and that at a certain moment, when they find it suitable, they will simply walk out on us and shift to an agreement with the Muslims. We always have to keep in mind that this is Byzantine, Byzantine politics, Byzantine mentality.<sup>67</sup>

The goal of demarcating the Croat territories in Bosnia-Herzegovina ran directly against the interest of the Bosniak people who, in time, found themselves confronting two hostile forces, those of Serbs and Croats in Bosnia-Herzegovina. The war between Croats and Bosniaks took place in 1993 and early 1994, to be officially ended on March 1, 1994 when the agreement on the creation of the Bosniak-Croat Federation of Bosnia-Herzegovina was signed by the officials of the two peoples. This Agreement was the result of a U.S. diplomatic initiative which judged

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<sup>66</sup> At the time the President of the HDZ of Bosnia-Herzegovina.

<sup>67</sup> *Minutes of the meeting...*, pp. 28-29.

that the only effective way to end the war was to unite the two people against the third, i.e. the Serbs. Otherwise, the picture of the war as the fight of all against all was chaotic for which no viable solution could be found. Certainly, the U.S. exerted strong leverage on both sides to cease fighting and sit at the negotiating table. The Federation of Bosnia-Herzegovina was a marriage of convenience in which the two sides had to accept the fact that the only way to realize their goals was through mutual support.

The functioning of the Croat Union Herceg-Bosna did not end in 1994 and it would be years of continuous pressure by the international community before its structure was dismantled. In 2001, the High Representative in Bosnia-Herzegovina removed the Croat member of the state presidency and several other high-ranking HDZ officials on the grounds that they were undermining the Dayton peace process.

In banning Ante Jelavić from public office yesterday, I fulfilled my mandate to protect the Dayton Peace Accords and so secure the hard-won peace in Bosnia and Herzegovina... It is time to exorcise some Balkan ghosts... Time is not on the side of the nationalists and the institutionalized banditry that has plagued Bosnia, Serbia and other Balkan states for too long.<sup>68</sup>

Despite the HDZ's continuous hold on power, it was not the only Croat voice in Bosnia-Herzegovina. Throughout the war and after, there were strong Croat voices who insisted on defending and preserving Bosnia-Herzegovina in its entirety, who did not support ethnic exclusivity but rather the notion of tolerance and multiculturalism. Croats of northern and central Bosnia felt betrayed by their southern brethren, who, they claimed, neither represented nor defended their interests. Several high-ranking officials accused the Tuđman regime, the ultimate decision-maker in all matters related to Croat existence in Bosnia-Herzegovina, as having sold out Posavina, the northern part of Bosnia, where a substantial number of Croats lived.<sup>69</sup> The Franciscans of central Bosnia vehemently opposed the politics of partition and were active in

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<sup>68</sup> Wolfgang Petritsch, *Financial Times*, 8 March 2001.

<sup>69</sup> Ante Prkačin, the commander of the Croatian army in Posavina, on a number of occasions publicly accused Tuđman of selling out Posavina to Milošević.



promoting the idea of peace, shared history and the notion of *komšiluk* – the neighborhood.<sup>70</sup> The Croatian Peasant Party, the HSS, was from the beginning in favor of preserving the Bosnian state, as were a number of scholars, journalists, artists, and many others. The Catholic Church always held the position of preserving the whole of Bosnia-Herzegovina, fearing that the partition would leave a substantial number of Catholics outside the Herceg-Bosna borders. The Bishop of Bosnia-Herzegovina stayed in Sarajevo throughout the war.

#### ***I-4c The Bosnian Serbs***

The key party of the Bosnian Serbs was the Serbian Democratic Party, the SDS. Its wartime president was Radovan Karadžić, the indicted war criminal who, under conditions negotiated at Dayton, had to withdraw from public life. “During the war, the SDS leadership had two explicit objectives: to establish an ethnically pure Republika Srpska in the largest possible portion of the territory of Bosnia; and to prepare Republika Srpska for unification with Serbia.”<sup>71</sup>

All those who worked on a project of creating ethnically pure territories in Bosnia-Herzegovina have their hands stained with blood. Bosnia-Herzegovina had mixed population throughout its territory and a continuous and ethnically pure stripe of land could be created only by means of force. The SDS, as the executor of the policy of ethnic cleansing, functioned as a terror organization that bred fear not only among non-Serbs but also among Bosnian Serbs who did not necessarily support the SDS goal.

However, according to many analysts, the masterminds of the Bosnian Serb politics during and after the war did not sit in the SDS headquarters in Pale and Banja Luka, but in Belgrade. The puzzle of who controlled whom and where were the sources of real power during the war is slowly being put together, much as the result of the work of the Hague Tribunal. Through the cases it has processed so far, the Tribunal has

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<sup>70</sup> Fra Petar Anđelić, a Franciscan priest, was remarkably vocal throughout the war about the dangers of partitioning Bosnia-Herzegovina.

<sup>71</sup> “Refocusing international policy in Bosnia and Herzegovina”, Part One, (Sarajevo: October 14, 1999); available at [www.esiweb.org/Report1-1999.htm](http://www.esiweb.org/Report1-1999.htm)

‘written’ new chapters of the Bosnian and the post-Yugoslav recent history. However, the two most wanted indictees – Radovan Karadžić, the war-time SDS president and Ratko Mladić, the war-time Bosnian Serb Army commander – are still at large. ‘As long as those charged with war crimes are at large, the real process of reconciliation cannot start’ is a commonly accepted statement. The successful completion of the work of the Hague Tribunal will bear significant weight for measuring the success of the entire international mission in Bosnia-Herzegovina. However, it is not a panacea for a palette of fearful memories and painful experiences imbedded into a post-war Bosnian reality.

In Dayton, the international community acknowledged the success of the SDS wartime project by recognizing Republika Srpska and granting the Bosnian Serbs the right to maintain the entity created, in the opinion of many, through genocide. “In the territory controlled by the Army of Republika Srpska (*Vojska Republike Srpske* or *VRS*), fewer than two per cent of the original non-Serb population remained, and a large number of mosques, Catholic churches and other traces of non-Serb culture had been destroyed. Republika Srpska was economically and institutionally linked with the Federal Republic of Yugoslavia, using the Yugoslav Dinar as currency. Its payments system was linked to the central bureau in Belgrade, making it in practice one system. Public utilities, including electricity and telecommunications, were integrated with the former Yugoslav system. All public services, insofar as they functioned, were segregated from the rest of Bosnia, and the school curriculum and textbooks were provided by Yugoslavia. SDS leader Radovan Karadžić, speaking before the Republika Srpska National Assembly in the spring of 1996, described Republika Srpska as “a state which the government bodies and citizens are bound to preserve and – at a favorable political moment – integrate into the motherland Serbia, that is, Yugoslavia.””<sup>72</sup>

Just as other nationalist parties, and even more so, the SDS draw its strength from the support received from its sponsor and from illegal and criminal activities. The international community accused the SDS for

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<sup>72</sup> “Refocusing international policy...”, p. 11. For Karadžić’s statement see also “Bosna: država na papiru”, *Oslobođenje* (Sarajevo: May 5, 1996), p. 4.

protecting and controlling the black market in coffee, fuel, cigarettes, and alcohol. The post-war period with the endemic lack of rule facilitated introduction of previously marginal forms of criminal activities – drug trade and human trafficking. In addition, a number of stories which described foreign soldiers involved in criminal activities circulated among the locals. Criminal activities came to be a source of living for substantial portion of the population, particularly demobilized soldiers and paramilitaries.

“Local SDS party leaders exercised tight control over local economic activity, and corruption was endemic. The autonomy of these power structures was maintained through an aggressive ideology of isolation, which included not only a refusal to permit minorities to return to Republika Srpska, but also a rejection of foreign assistance.”<sup>73</sup>

However, by the time of the Dayton Agreement the Belgrade support for Republika Srpska decreased as a result of Milošević’s break with the SDS and economic hardships Serbia experienced. There was hardly any production in Republika Srpska and the economic activity was based on trade, the largest chunk of which was in smuggled goods.<sup>74</sup> The impoverishment of the population contrasted even more sharply with the SDS leadership and the new elite who accumulated their wealth through criminal activities.<sup>75</sup>

Economic hardships and military setbacks suffered in the NATO bombings and the joint Bosniak-Croat offensive in the summer of 1995 bred dissatisfaction. Public morale was low and internal problems mushroomed, which in 1997 facilitated the defection of Biljana Plavšić, Karadžić’s successor as the President of Republika Srpska, and the relocation of the capital from Pale to Banja Luka.<sup>76</sup> “If there was a

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<sup>73</sup> “Refocusing international policy...”, p. 11.

<sup>74</sup> Anyone passing by the Arizona market in the northern Bosnia (close to the District of Brčko) or driving along the so-called 'Corridor' tying up two parts of Republika Srpska would see numerous sellers of smuggled cigarettes and pirate CDs.

<sup>75</sup> A number of articles were published in *Nezavisne novine* and *Reporter* on these topics.

<sup>76</sup> Biljana Plavšić, who went a long way from the close Karadžić's ally to an SDS defector and the President of Republika Srpska, ended up as an indicted war criminal

motivation for Plavšić's coup beyond political opportunism, it seems to have been concern about the viability of an internationally isolated Republika Srpska, bearing in mind the fate of the Serb Krajina Republic in Croatia. Plavšić's speeches during 1997 revealed an awareness that, without Milošević as patron, Republika Srpska was dependent on the international community for economic and military security. Plavšić sought to gather public support by naming those figures in the SDS who were responsible for corruption. She described the way the SDS party-state functioned: "A part of the population are not paying customs, they are not paying taxes, they are robbing the state. This is why you have no salary, no pension... I would no longer allow phone calls telling the judges what to do. I would not disconnect electricity when somebody says something unpleasant about me."<sup>77</sup>

Plavšić managed to carry out the coup relying heavily on the international community's assistance. Interestingly enough, neither the Bosnian Serb army nor ordinary citizens saw this coup as a reason to protest or show disagreement in any significant way. In the end, she was even able to appoint her own people to the military command.

"Since then, the international community based its Republika Srpska political strategy on strengthening the loose anti-Pale coalition in the National Assembly, and maintaining the political isolation of the SDS"<sup>78</sup> with intermittent attempts to separate the SDS leadership. After Biljana

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and was tried at the ICTY. The Tribunal is to pass the sentence in the early spring of 2003. Although she offered remorse for crimes she was charged for, her earlier statements remain. As a scientist and a biologist, she introduced racist criteria for cleansing Bosnia-Herzegovina of Bosniaks "who abandoned their Serb origins." In an interview with *Novosadski svet* of September 6, 1993 she reiterated the thesis that Bosniaks originally were Serbs: "It is true. The genetically deformed material embraced Islam. And with every new generation this gene simply becomes more concentrated." Following these ideas, Plavšić's concludes: "We are disconcerted with the fact that a number of mixed marriages between Serbs and Muslims has grown, because mixed marriages lead to the exchange of genes between ethnic groups, that is they lead to Serb degeneration." (Translation is mine).

<sup>77</sup> "Refocusing international policy..." , p. 12.

<sup>78</sup> Ibid.

Plavšić marginalized hard-liners, or so it seemed, international reconstruction aid was offered to Republika Srpska in significant quantities for the first time. With this strong weapon in their hands, the international community began to tie the delivery of financial aid to Republika Srpska with its readiness to implement the Dayton Agreement. However, the mixture of financial rewards and political pressures appears not to be an incentive strong enough to compel the Bosnian Serb leadership to abandon their wartime goals. Minority returns, a prerequisite for restoring some of the Bosnian multiethnic identity, have been limited to a few parts of Republika Srpska.<sup>79</sup> Even in Banja Luka, the power base of political moderates, there was no significant progress in minority return.<sup>80</sup>

Despite economic hardship, political pressure and the indictment of a substantial number of high-ranking officials from the political and military spheres, Republika Srpska practiced a very low pace of reintegration with the rest of the Bosnian state. To those who fought with the objective of separating themselves from the rest of the country it was very difficult to undergo the mental transformation and accept reintegration as a new objective. Such an objective questioned the utility of the sacrifice made in the quest for separation and bred frustration. It was humiliating to a nationalist to be forced to open his door for others, the very ones who he managed at high cost to get rid of. Those who were the chief executives of the project of ethnic cleansing felt betrayed by their brethren who in new circumstances saw an opportunity to get into a chief executive office.

Thus, the transition from one state of mind to another was characterized by harsh internal turmoil and struggles. The outcome of this struggle had a considerable impact upon the peace process as whole. The

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<sup>79</sup> For example, Dobož is a place where a large portion of pre-war Bosniaks returned despite the fact that it was the SDS-stronghold for years.

<sup>80</sup> The reconstruction of the destroyed *Ferhadija* mosque, which was built in the 16<sup>th</sup> century, was stopped in May 2001 by Bosnian Serb protesters who beat to death one and wounded a number of Bosniaks who attended the ceremony of the commencement of the mosque reconstruction.

interveners learned that the best strategy was the effective marginalization of the side that opposed the goal of the interveners. Openly fighting hardliners would reinforce their power base and result in an increase of possible conscripts for their cause. In general, the stronger unwittingly delivers some bonus relevance to the weaker by confronting them openly. The low profile tactic of marginalizing the opponent is more time consuming, but in the long run stands a better chance of succeeding.

The international community tried several strategies with the Bosnian Serbs, from appeasing them, openly fighting them, and rewarding them to strategically manipulating them. During the war, appeasement did not work, as the Bosnian Serbs eventually went as far as committing massacres of Srebrenica proportions.<sup>81</sup> The international community had to face the fact that its policy of not getting involved was interpreted as active appeasement. Open fighting followed, but this strategy, although it created a breakthrough, unified Bosnian Serbs against the powerful enemy. The policy of reward was practiced with Milorad Dodik when this Republika Srpska prime minister was heavily rewarded for rhetorically supporting the international community's objective, but hardly ever fulfilled any of his promises. And finally strategic manipulation came as a mixture of different tactics whose final goal was to strengthen the moderates and marginalize the hardliners. Of course, the promotion of moderates does not happen overnight. For the very reasons already discussed, i.e. the wartime ambitions, the lack of physical security and other factors, moderates had a limited chance of success in the beginning. But once the elements that created the war mentality are removed or weakened, a mentality more favorable to peace can emerge.

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<sup>81</sup> The Bosnian Serb army onslaught on the UN protected safe haven of Srebrenica on July 11, 1995 left between seven and eight thousand victims, mainly men. The General Secretary of the United Nations, Kofi Annan, five years later admitted that the world did not do enough to protect the civilians and that it shares its part of responsibility for the terrible event. The Dutch government, whose peacekeepers were in Srebrenica at the time of the massacre, collectively resigned in April 2002 after the report on Srebrenica, requested by the Dutch parliament, was released.

#### ***I-4d The Bosniaks***

The main Bosniak party was the Party for Democratic Action, the SDA, whose wartime interest was to defend the Bosnian state which it saw as the best way to protect Bosniak interests who, if the Bosnian state were divided between Croatia and Serbia, might cease to exist as a nation.

The Bosniak delegation in Dayton expressed the greatest interest in establishing and strengthening the central state institutions. The other two delegations – represented by Tuđman and Milošević – were obviously considerably less interested in building the Bosnian state. However, the position of the Bosniak delegation at Dayton was puzzling. According to the chief negotiator at Dayton, the Bosniak delegation made hardly any vital contribution to the definition of the institutions to be established in the new state.

On the eve of the talks, the Bosnians [the Bosniak delegation] still had serious internal divisions within their government, few clear positions, and no qualified international legal experts.<sup>82</sup>

Yet, because of their strategic orientation, the SDA was more cooperative and supportive of the Dayton agenda although during the implementation of the Dayton Agreement, the SDA occasionally found itself unable to mount support for the Bosnian state beyond the party interests. Therefore, although the interests of the SDA coincided with the interests of the international community, the SDA did not manage to rise above limited party interests and become a true state-building party.<sup>83</sup>

“The SDA exhibits a greater diversity of opinion within its ranks than the other nationalist parties, and includes voices supportive of Dayton

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<sup>82</sup> Richard Holbrooke, *To End a War*, p. 224.

<sup>83</sup> For the purpose of clarification, I would like to say that the statement that the SDA did not manage to rise above its particular party interests is not to be interpreted necessary as a terrible fault on the part of the SDA – all parties follow particular interests. Unfortunately, Bosnian postwar situation required a leader able to transcend particular interests and embrace common interests. As much as this statement may be seen as reflecting political naivety, I insist that only a leader/political party capable of offering a common vision to all Bosnians will put the state-building in the right gear.

implementation as well as xenophobic elements. The isolation of Bosniak pockets from each other during the war led to the development of localized power structures which were formally part of the SDA, but which operated with a high degree of autonomy. As a result, the central SDA leadership is not always able to control cantonal and municipal authorities, which may be as obstructive as those found in Croat- and Serb-controlled areas.”<sup>84</sup> “Analysis of the evolution of Bosniak power structures shows that fragmentation of central authority can have contradictory effects: towards encouraging political pluralism on the one hand, but also towards replicating authoritarian power structures at a local level on the other. Some foreign observers avoided the complexity of the character of the three parties and their behavior in the war by attributing a false equivalence to all of them in the name of impartiality. Others interpret Bosniak politics only from the perspective of their wartime status as the defenders of a multiethnic ideal. Both generalizations are misleading.”<sup>85</sup>

During the war, within the SDA-controlled territories an effort was made to preserve the multiethnic character of communities as a guarantor of the existence of the Bosnian state. The SDA, as already said, did resort to actions that undermined the Dayton agenda.<sup>86</sup> However, on a general level, the level of security for non-Bosniaks was considerably higher within the SDA-controlled territories than it was for Bosniaks on territories controlled by other two parties.

“On the whole, there was a higher level of responsible governance in Bosniak areas, and signs of institutional weakness were less pronounced. There was a degree of dispersal of power among independent institutions.”<sup>87</sup> There were attempts among the judiciary, the police, and the public administration to emphasize their profiles as based solely on

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<sup>84</sup> “Refocusing international policy...”, p. 13. Bugojno personalized in Dževad Mlaćo, Goražde in Rijad Raščić, Sanski Most in Mehmed Alagić, and Bihać in Mirsad Veladžić are examples of localized Bosniak power.

<sup>85</sup> Ibid.

<sup>86</sup> The SDA had a problem of double standards where it insisted on the right of free return of refugees and displaced persons, but it, for example, resisted free return of Serbs to Sarajevo.

<sup>87</sup> “Refocusing international policy...”, p. 15.



professionalism, not a party affiliation. As the OHR identified the fight against corruption as one of its priorities, the SDA led cantons also came under scrutiny.<sup>88</sup>

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<sup>88</sup> For example, the investigation of corruption in the Tuzla canton in 1999 resulted in bringing up charges against the cantonal SDA prime minister Hazim Vikalo. In defense, Vikalo accused a few prominent SDA members of concealing their own criminality by setting him up. The initial charges, however, that operated with the figure of several hundred thousand KM ('convertible marks' are Bosnian currency tied to the German mark) of embezzlement were gradually reduced during the trial and in the end Vikalo was acquitted in 2003. His lawyer Faruk Balijagić explicitly accused the SDA for sacrificing his client in a cosmetic effort to gain a few points in a pre-election year by appearing determined to fight corruption. The international community welcomed and supported the local elite attempt to fight corruption within its ranks. "Two cases that the OHR's Anti Fraud Unit (AFU) closely monitored, assisting local authorities to investigate and prosecute suspects are on trial. The 'Tuzla case' against former Tuzla Canton Prime Minister Hazim Vikalo and three other government officials started at the Tuzla Municipal Court on November 2, after ten months of investigation and removal of Tuzla Canton Minister of Interior and four Tuzla prosecutors. Mr. Vikalo and others are charged with the abuse of office and negligence in official conduct involving multiple violations of cantonal and Federation laws and regulations. Current charges involve several hundred thousand KM. Financial aspects of investigations and a majority of charges that are currently being investigated are based on a 4000-pages report of the Finance Police on Tuzla Canton budget for 1997 and 1998." OHR: Economic Newsletter, Vol. 2, No 10, November 1999. Bosnian independent media, however, maintained that although Hazim Vikalo deserved no sympathy as a corrupted official, he deserved some as a member of the SDA. As small fish within the party's structure he was expendable in a way that big fish was not. "Regardless of the fact that there is no legal decision yet, all circumstances connected to the 'Tuzla case' indicate that his departure represents an act of basic justice... However, it would be considerable injustice if Hazim Vikalo were to remain an exemplar of a 'moral monster' of post-war Bosnia-Herzegovina, because he represents a model of local strongman who is characteristic for the entire Federation. If other cantons would 'unpack' in the same way as Tuzla canton, it would be quickly revealed that Hazim Vikalo is considerably lagging behind, for example, two Bakirs in Sarajevo (Bakir Izetbegović, the son of Alija Izetbegović, and Bakir Alispahić, former Interior Minister who was removed under the U.S. pressure over Pogorelica training camp affair, exp. mine), Veladžić family in Bihać, Čengić family and Šaja in Goražde..." Hasan Hadžić, "Tuzlanski kanton: Vikalov kraj", *BH Dani*, No. 102, May 14, 1999.

Alija Izetbegović cultivated the image of the sole defender of his people. The nature of the relation of the Bosniak people towards its leadership was mixed and somewhat confused, mainly as a result of the war experience and the tendency of Bosniaks to perceive themselves as the major victims of the war. In that regard, any strong criticism of Bosniak politics was rebuffed with a reply that the critic was insensitive and disrespectful of the victims. The victim mentality seriously undermined the capacity of Bosniaks for political evolution.

There were also instances when the role of the SDA as the defender of the multiethnic Bosnian state was questioned. A few former members of the political establishment accused the SDA of hypocrisy and dishonesty. Sefer Halilović, a Bosnian Army general and the Chief of Staff of the Bosnian Army in 1992-94, accused Alija Izetbegović and the SDA of deliberately executing the policy of partition of Bosnia-Herzegovina.<sup>89</sup> Rusmir Mahmutćehajić, an influential minister in the Bosnian government at the beginning of the war who resigned from his position over his disagreement with Izetbegović, in his book *Kriva politika (The Wrong Policy)* maintains that the key SDA leaders gradually agreed to the partition of the country, in conformity with the project carried out by Tuđman and Milošević, as well as the international community during the first years of the war.

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<sup>89</sup> Sefer Halilović, *Lukava strategija (The Shrewd Strategy)*, (Sarajevo: Maršal, 1997). On the role of the KOS (the former Yugoslav Counterintelligence Service) cadre among the Bosniak leaders, see Munir Alibabić, *Bosna u kandžama KOS-a (Bosnia in the claws of KOS)*, (Sarajevo, 1996). At one point in his book (p. 23), Halilović recalls a conversation with Izetbegović on the flight back from Geneva on January 1, 1993 [where peace negotiations took place at the time under the International Conference for the Former Yugoslavia – ICFY, headed by David Owen on behalf of the European Union and Cyrus Vance, later replaced by Thorvald Stoltenberg, on behalf of the United Nations]. Halilović quotes Izetbegović as saying: “Let me tell you what Araft told me. He asked me: ‘Alija, are they offering anything to you?’ I told him: ‘They are, they are, and a good chunk too.’ And Araft says: ‘Take it, Alija. They made offers to me but I didn’t want that, I wanted it all. In the end I was left with nothing. Take it, Alija, while they are offering, because in the end you will be left with nothing too.’ When he had told all this, he looked straight at me and said: ‘You harbor dangerous illusions. Man, we have to take a chunk of Bosnia. Let the people return to this chunk of Bosnia, bring order and create a state. If we carry on like this, we will end up with nothing too.’”

Only on that platform becomes understandable the chain of events that gradually but steadily led to reducing the state to the 'Muslim content' as a way for the Bosniak political leadership to clearly utter its position that Bosnia should be reorganized as a union of three states, one of which would be "Muslim" in character. Almost all political action among Bosniak politicians have been directed towards this goal from the summer of 1993. The principle of partition was accepted and the later discussions focused on percentages and details. The Bosnian public, immersed in the war destruction, in general knows very little of what takes place during negotiations.<sup>90</sup>

One camp of critics held that the SDA practiced the politics of double standard: rhetorically supporting the multiethnic Bosnia-Herzegovina, while in practice working towards the separate state for the Bosniaks – a Muslim mini state in Europe. This was the argument of the late Croatian president, dr. Tuđman, who appealed to the West to support Croatia in defending the Christian civilization from the Muslim threat.<sup>91</sup> Another camp of critics would not deny that the SDA fought for the preservation of the Bosnian state, but would claim that it was the strategic maneuvering of the SDA as its ultimate goal was to subdue the entire state of Bosnia-Herzegovina to its rule. According to these critics, this was a reason why the SDA insisted on defining Bosnia-Herzegovina as a state of its citizens, while the other two nationalist parties insisted on defining Bosnia-Herzegovina as a state of its nations.

However, criticisms of this sort are still largely based on speculation. Thus, claiming that the ultimate goal of the Bosniak leadership was the creation of the separate state for Muslims is not based on a concrete fact – a written document, a public speech of an SDA leader, the political program – but on the understanding that the SDA could not be any different from other nationalist parties.

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<sup>90</sup> Rusmir Mahmutćehajić, *Kriva politika* (Tuzla: Radio Kameleon, 1998), p. 66.

<sup>91</sup> For this argument of Franjo Tuđman, see Warren Zimmermann, *Origins of a Catastrophe. Yugoslavia and Its Destroyers – America's Last Ambassador Tells What Happened and Why* (New York: Random House, 1996); and Carl Bildt, *Misija mir* (Sarajevo: Zid, 1998).

Those who defend the SDA politics, in reply, use the argument that a sustained campaign of ethnic cleansing was never mounted on the SDA-ruled territories. Critics, again, reply with two arguments. One is that the SDA leadership, because of its ambition to preserve the entire Bosnia-Herzegovina in order to subdue it to its rule, could not allow to be equaled to those who destroyed Bosnia-Herzegovina.<sup>92</sup> The other is that the Bosniaks would have committed the same amount of crimes if only they had means with which to carry out such acts. Since the Bosniaks were poorly armed, they could not mount military actions of large proportions and commit crimes of the same magnitude as their opponents, but they would have done so if they could.<sup>93</sup>

The debate amongst the Bosniaks about the true intentions of their leadership during the war was often emotional and beset by accusations of perceived treachery and disloyalty, although the passing of time calms emotions and allows the dialogue to be carried out in a less dramatic manner. The dialogue should continue until the Bosniak political thought crystallizes, until it will be possible to communicate in a clear and coherent manner the Bosniak political position, and its vision of the future. This process of political maturation may be slow, but is inevitable if true national autonomy is to be achieved. To shape their own future, the Bosniaks have to face and acknowledge their mistakes in the past.

Although mostly identified with the SDA, there have been other non-nationalist political forces among the Bosniaks. In the local and general elections of 2000, the Bosniak vote was split between the SDA and the non-nationalist Social Democrats (SDP) and Haris Silajdžić's Party for Bosnia-Herzegovina (SBiH).

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<sup>92</sup> Independent magazines *Dani*, *Slobodna Bosna* and *Reporter* (especially in the years 1997, 1998 and 1999) published a series of articles and interviews in which some of this criticism was articulated.

<sup>93</sup> See General Lewis MacKenzie, *The Peacekeeper: The Road to Sarajevo* (Douglas & McIntyre, 1993); also Chapter Five of Carlos Branco's thesis (unfinished) on the UN peacekeeping in Bosnia-Herzegovina, EUI.

#### ***I-4e The Alliance for Change***

The November 2000 elections brought to power the ‘Alliance for Change’ – a coalition of non-nationalist parties – strongly supported by the international community.<sup>94</sup> The main party within the coalition, which managed to form governments at the State and Federation level, were the Social-Democratic Party (SDP) and the Party for Bosnia-Herzegovina (SBiH), supported by a number of smaller parties endorsing the Dayton agenda. Their electorate included the urban, mainly Bosniak population. “Nearly 90 per cent of the SDP vote is concentrated in five Federation cantons...This compares to 89 per cent of HDZ voters concentrated in the remaining Federation territory...The SDA, SDP and SBiH strongholds are in the same regions, putting these parties into direct competition. The SDP and SBiH also share with the SDA the fact that nearly all their voters and candidates come from those who fought the war on the side of the Republic of Bosnia and Herzegovina during the war.”<sup>95</sup>

To form a government, the SDP and SBiH had to create an unwieldy ten-party coalition, established after the elections under close international supervision.<sup>96</sup> The alliance of federation-based parties of disparate size, ideological orientation and national coloration cooperated at state level with parties from Republika Srpska that were both in power and in opposition in that entity. The Alliance thus lacked cohesion on both levels of government. It sought to push a reform agenda, but one that could not help but reflect the lowest common denominator of what was acceptable to its different sets of partners in the Federation and the

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<sup>94</sup> The elections took place on November 11, 2000. The races included the Parliamentary Assembly of Bosnia-Herzegovina, the Federation House of Representatives; the National Assembly of the Republika Srpska; Presidency and Vice-Presidency of the Republika Srpska; the municipal elections in Srebrenica; and the elections assemblies in the ten Federation cantons.

<sup>95</sup> «The end of nationalist regimes and the future of the Bosnian state», Part Three, *European Stability Initiative*, 22 March 2001, p. 14 (the original paragraph is changed to the extent that I add the SBiH to the SDA and the SDP in explaining their regional support base).

<sup>96</sup> “High Representative welcomes formation of new Council of Ministers”, *OHR Press Release*, Sarajevo, February 22, 2001.

Council of Ministers. Changes acceptable to the Federation parties often proved anathema to those from Republika Srpska. Even in the Federation, the Alliance had difficulty in maintaining cohesion with and among cantonal governments that were expected to be under its control.

Both the international community and non-nationalist Bosnians expected much from the Alliance: the eradication of corruption, economic reforms, jobs, regular pensions and a new relationship between the local and international actors. Improvements followed in those areas where consensus existed (enhanced revenue collection and fiscal reforms such as the merger of pension funds), where there was little resistance (fulfillment of conditions for accession to the Council of Europe), or that were perceived as inevitable (constitutional reforms and anti-terrorist measures). But in those spheres requiring a commitment to overcome diverging interests within the Alliance – such as reform of the social service sector, privatization, and economic revival – action was to be deferred or abandoned.<sup>97</sup>

The 2002 general elections saw again the return to power of nationalist parties. The Social Democrats, although favored by the international community, lost not only because of their ineffectiveness in the previous two years to make any substantial progress towards political and economic stabilization of the country, but also because the nationalist parties discarded some of their nationalist rhetoric and instead adopted the reform agenda for their political programs. Many observers pointed out that the 2002 elections bore historical significance since the mandate of the elected officials was for four instead of two years, as had previously been the case. Those who came to power in 2002 would have more time to carry out their political programs, and the fact that the nationalist parties were given these mandates was received with a large dose of caution by the international community. However, the international community then changed its strategy from promoting its favorites and running down its opponents, thus interfering with the democratic process and weakening the very rules it was trying to establish, to the strategy of insisting on strict respect for the Dayton

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<sup>97</sup> See International Crisis Group (ICG) Report, “Bosnia’s Alliance for (Smallish) Change”, Sarajevo/Brussels, August 2, 2002.

agenda and the rules of peace implementation, regardless of who was in power. This long-awaited evolutionary step in the intervention strategy stands a good chance of delivering some sound long-term results.

### ***I-5 INTERNATIONAL POWER***

The international force in Bosnia-Herzegovina consists of both military and the civilian forces. The military consists of the NATO-led forces called the Stabilization Force (SFOR) as of December 1996. Until the end of 2002, there was also the UN Mission to Bosnia-Herzegovina (UNMBIH) which was in charge of police restructuring and training. The civilian force consists of a long list of different institutions, agencies and organizations. The civilian implementation is headed by the Office of the High Representative (OHR) and represented by the High Representative (HR).<sup>98</sup>

To move from the role of a coordinator to the one of a chief implementer of the Dayton Agreement, the international community considerably expanded its area of authority. At a meeting in late 1997 in Bonn, the Peace Implementation Council<sup>99</sup> granted extensive new powers to the High Representative. With these powers the High Representative became the principal voice in setting up the international strategy and communicating it to the locals.

Analyses of the international mission in Bosnia-Herzegovina five years after the end of the war concluded that the peace process had stalled.<sup>100</sup>

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<sup>98</sup> See "Background Paper 7-2000: For the Stockholm Seminar on Bosnia and Herzegovina", *European Stability Initiative* (Sarajevo: February 24, 2000); also "Whither Bosnia", *International Crisis Group* (Sarajevo: September 9, 1998); and "Background Paper 4-1999: International efforts to combat corruption in Bosnia and Herzegovina", *European Stability Initiative* (Sarajevo: October 1999).

<sup>99</sup> The Peace Implementation Council was created in early December 1995, after the initialing of the Dayton Agreement. It is made up of foreign ministers from western countries and directors of agencies involved in the Bosnian peace process.

<sup>100</sup> BBC News on Wednesday, May 24, 2000 reported: "Time is running out for the leaders of Bosnia-Herzegovina, who have failed to create a stable democracy and economy in four years since the end of the war. Western representatives in Brussels made it clear to Bosnian nationalist parties and their allies that they were losing their patience... Wolfgang Petritsch, the man in charge of implementing the Dayton peace

While giving the international community credit for preserving the peace, these reports noted that the many international objectives were not realized. The interpretation most commonly offered was that the international community had reached the limits of its influence, and was doing little more than maintaining the status quo. As the High Representative put it in his 2000 New Year's letter to the people of Bosnia-Herzegovina:

This is the fifth year of the peace process, and Bosnia and Herzegovina cannot continue to muddle along as it has so far. There is a growing perception in Western countries that at the present rate of peace implementation, international involvement will be almost indefinite.<sup>101</sup>

Although substantial progress in some areas was recognized, there was a general feeling of fatigue and a lack of direction. The exit strategy was seriously debated, all the time weighed against the investment made. The rationale was that an early exit would jeopardize those accomplishments already achieved, which in effect would mean the failure of the intervention. However, positive changes were recorded where the international community applied a concerted and determined approach.

The only logical conclusion is that the local conditions are not incorrigible, but the change depends on making a sound diagnosis and carrying out the proper treatment. If this medical metaphor seems harsh, in essence it very closely resembles the situation on the ground. The interveners have had a discrete power to 'diagnose' the problem and 'treat' it by methods thought to fit the diagnosis. Thus, the diagnosis determined the interveners' action and the local reaction. With this

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agreement... said he felt most of the brain power in Bosnia went into how to obstruct rather than how to create." See page:

[http://news.bbc.co.uk/1/hi/english/world/europe/newsid\\_762000/762299](http://news.bbc.co.uk/1/hi/english/world/europe/newsid_762000/762299).

The IWPR's Balkan Crisis Report, No. 143, of May 26, 2000 states: "The international community is losing patience with Bosnia's ineffectual political leaders... [and] is questioning its commitment to Bosnia because of the slow pace of the peace process."

<sup>101</sup> OHR Press Release, *Can Bosnia and Herzegovina and Europe work as one? New Year's Letter by the High Representative to the Citizens of Bosnia and Herzegovina*, Sarajevo, December 31, 1999.



intervening cartel as the only care provider, locals who did not agree with the diagnosis and the treatment did not have the possibility to seek a second opinion. The realization that *this is all there is* has led to profound change in perception of locals of the options available.

The sense of overall improvement from the fifth to the seventh year of the peace implementation shared by most observers can be ascribed only to the resolute and concerted action of the interveners. Cooperation and determination among the interveners ran directly against the interest of those local actors who, opposing the intervention and observing the lack of cooperation and resolve among the interveners, were encouraged to remain patient and wait for the intervention to fail. In that sense the events in the first half of 2001, that is the clashes of the Bosnian Croats with the international community and the violence in Republika Srpska against the return of refugees, in effect are not proof of Dayton failing, but instead of Dayton succeeding. The low-profile politics of anti-Dayton elements during the first years of the peace process seemed the best strategy to see the imminent failure of the intervention. However, as the Dayton objectives began to be slowly realized, the anti-Dayton elements grew impatient. Eventually, an open showdown against the peace implementation replaced the low-profile politics.

This way of interpreting the peace process implies that the supervisors of the intervention have extensive manipulative power which they can choose to use or not. The choice is between two options:

- an aversion to using power limits one's responsibility, but at the same time limits the potential for realizing the goals; and
- the will to use power increases the responsibility, but at the same time increases the potential for realizing the goals.

The peace process in Bosnia-Herzegovina has revolved around outward aspects of reintegration, such as freedom of movement, the institutional structure, the use of the single currency, etc. However, deeper reintegration, the reintegration in which there would be one capital, one parliament, and one president did not take place. This scenario was not envisaged in the Dayton Agreement, but it was advocated by a number

of observers who criticized the DPA as an obstacle to establishing a sound basis for long-term peace.<sup>102</sup>

The ultimate goal of the nationalist hardliners – the partition of Bosnia-Herzegovina – and the goal of the international community – the reintegration of Bosnia-Herzegovina – have been in conflict and the question is who will prevail? The international community is more powerful, has greater resources and, as long as it is interested in the Bosnian case, the hardliners' goal cannot be realized. However, since the international community has other cases to attend to, the final solution for Bosnia-Herzegovina may come to be left with the locals. This leads one to pose the following question: is there a force in Bosnia-Herzegovina that could play an integrative role in the future of the country?

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<sup>102</sup> Haris Silajdžić's political rhetoric in the years following the end of the war mainly focused on criticizing the Dayton Agreement as an obstacle to genuine, long-term peace. He openly called for the revision of the DPA, for which he was criticized by Bosnian Serbs and Bosnian Croats, as well as the international community.