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Modern Political History of
Bosnia and Herzegovina

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Abstract

Since Bosnia and Herzegovina's declaration of independence in 1995, its path has been a rocky one. Unwillingness by the international community to stand by the central government and stand in the way of the neighboring states of Serbia and Croatia's territorial pretensions, produced a succession of ceasefire agreements, culminating in the final, Dayton Peace Agreement. Each of these agreements espoused the ethnic principle as the guiding philosophy for the organization of the state. The post-war period demonstrates that despite the passage of time, the principle of organization of multi-ethnic state along ethnic lines presents a stumbling block to the functioning of the political, economic and social life in the country. The political history of post-independence Bosnia and Herzegovina (B&H) therefore reads as a history of protracted political paralysis, with no hope of rectifying the problems without another forceful intervention of the international community.

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Introduction: Setting the Political Framework¹

In terms of territory, the inaccessibility and impenetrability of mountain ranges that cover most of its territory, have from an early age, defined Bosnia as a separate geopolitical entity. Partially due its extremely rugged terrain, Bosnia has for centuries, provided sanctuary to peoples and refugees fleeing persecution in surrounding areas. However, despite the resulting tribal, ethnic and religious diversity, Bosnia has remained throughout history, a largely peaceful entity with next to no recorded internal strife. Despite occurrences of religiously and ethnically motivated disturbances in the late Ottoman Era and during the Second World War, the ethnic divisions that define modern Bosnia, could rightfully be considered a recent development. In the post-WWII period, right until his death, Yugoslav leader Tito often hailed Bosnia as the most successful example of coexistence, a kind of 'melting pot' of different nationalities.

The internal social and political consensus in B&H started to deteriorate as the Communist Party's hold on power in Yugoslavia weakened in the period following Tito's death in 1980. With no unifying and inspirational force, which Tito had represented, nationalist passions were again awakened, having been suppressed since the end of the Second World War. Serbian nationalists felt that the time had come to reestablish their traditional dominance in Yugoslav affairs, which had been somewhat dimmed by Tito's policy of even-handed treatment of the country's various ethnic groups. The Serbian Orthodox Church assumed prominent unifying role in creating something akin to a national renaissance amongst all those Serbs still living in different Yugoslav republics. The unification agenda

¹ Parts of this article have been adopted from the book chapter "Bosnia and Herzegovina" by the same author, published in: *Balkans: Foreign Affairs, Politics and Socio-Cultures*, Epoka, 2011

often took the form of reacting to supposed attempts at weakening of Serbian 'nation' outside Serbia, often alleging forced cultural and linguistic assimilation by others. This was particularly the case in Kosovo, where a strong Albanian majority had long contested Serb political control, but which Serbian nationalists perceived as the cradle of their statehood and civilization. As the Serbian nationalist movement grew stronger, its leading exponents set their eyes westward towards B&H and Croatia, in which sizeable Serb minorities lived.² Since Muslims formed a relative majority in Bosnia, it was fairly easy for the Serb media to fuel irrational fears of Islamic 'conspiracy' bent on subverting, or even 'Islamizing' local Serb population.³ Among the early victims of this anti-Muslim hysteria were thirteen 'fundamentalists', who were sentenced to long prison terms in a show trial in Sarajevo in 1983, being accused of motley mixture of crimes, including "advocating western-style democracy" and "plotting to establish an Islamic state in Bosnia" (Friedman, 1996: 192-198; Silber and Little, 1996: 233). The main defendant in the trial was Alija Izetbegović, who was later to become the first President of independent B&H.

Serbian nationalism became official policy, with its modern program laid out in the now-infamous 'Memorandum,' drafted by the Serbian Academy of Arts and Sciences in 1986 (Pinson, 1996: 146). The Memorandum's basic argument was that non-Serb nations in Yugoslavia (notably Croats, Bosnian Muslims, Montenegrins, Albanians and Macedonians) were either of recent origin or artificially created by Communists in order to act as a counterweight to Serbs. Serbs, on the other side, 'historically' possessed the rights to statehood in across most of the area now covered by the state called Yugoslavia. It became policy that Serb national rights preceded the rights of any other nation in Yugoslavia. In a chilling proclamation, the Memorandum stated that "the question of the integrity of the Serb people and its culture in the whole of Yugoslavia poses itself as a crucial question for that people's survival and development (Malcolm, 1996: 207)."

Sliding from crisis to crisis, economically, politically and socially, by the end of the 1980s it became painfully obvious that Yugoslavia, although relatively free and moderate when compared to the other regimes in Eastern Europe, had to

2 According to the 1991 Yugoslav census data, Serbs formed 31% of population in Bosnia and 12% in Croatia. Source: Bosnian Congress web site at <http://www.hdmagazine.com/bosnia/census/cens-sum.html>

3 It has to be noted however, that 'Bosnian Muslim' is an unfortunate ethnic, and not religious, determinant, given to them by Yugoslav communists in 1971, instead of historical term 'Bosniak.' Most Bosnian Muslims were thoroughly secularized after nearly half a century of communist rule and possessed only a remote intellectual and cultural connection with the rest of the Islamic world, as witnessed by some sociological surveys that put the number of practicing Muslims in Bosnia in 1985 at mere 17% of their total number (Burg and Shoup, 1999: 42). To speak of the rising Islamization and radicalization of Bosnian Muslims at that time therefore represents a gross exaggeration, if not outright falsification of the true situation.

reform its ossified and ultimately inflexible political system. The need for reform was made more urgent by the fact that, to larger extent than most other Eastern European countries, Yugoslavia was an inherently unstable amalgamate of several ethnic groups, most of which retained strong historic memory of independence and statehood. Also, contrary to the claims of Serbian radical nationalist advocates, Serbs did dominate most aspects of life in Yugoslav society, much to the chagrin of the other, recently awakened, ethnic groups.

However, repeated attempts at redefining the relationship between federal republics, and between the republics and the capital, Belgrade, failed. This was primarily due to the uncompromising stance of Serbian hard line nationalists, empowered by the rise of Slobodan Milošević, who became leader of the Serbian Communist Party in 1987. This was followed by his election to the post of the President of Serbia in 1989. Fearing the loss of privileges stemming from their preeminent position in Yugoslavia, Serbs continually rejected efforts to decentralize power in the favor of individual republics, which eventually led to the strengthening of pro-independence forces throughout the country. Towards the end of the 1980s, a wave of anti-communist revolutions swept throughout Eastern Europe, very much challenging the socialist political order in Yugoslavia as well. The Communist party's (or rather 'parties', since parties were organized on the republic level) sway over society was also weakened by severe and protracted economic crisis that beset Yugoslavia for most of the preceding decade.

Against such a tense backdrop, the two westernmost Yugoslav republics, Slovenia and Croatia, held their first-ever multiparty elections in 1990, in which the triumph of the pro-independence parties was virtually guaranteed. Later in the same year, Bosnia and Herzegovina conducted its own elections, in which three national(ist) parties together won more than 75 percent of the parliamentary seats (Arnautović, 1996: 108). Since elections in these three republics reduced their Communist Parties to insignificance, Milošević was forced to abandon his initial plan to ensure continuing domination of the country by controlling the Alliance of Yugoslav Communists (the umbrella organization of republic communist parties). Instead he embraced the old idea of creating the state of Greater Serbia by carving out the Serb-populated areas in neighboring republics and adjoining them to Serbia proper.

To accomplish this ambitious goal, Milošević needed to politically mobilize the Serb population in all the areas where they lived in significant numbers. To this end, he employed Serbian media, which was purged of his opponents in the early stages of his 'anti-bureaucratic' campaign, in order to gain control of important institutions of power in Serbia (including the autonomous provinces of Kosovo and Vojvodina, whose autonomy was severely curtailed, starting in 1989), and Montenegro (Donia and Antwerp Fine, 1994: 204-206). State television and newspapers controlled by Milošević's regime began relentlessly bom-

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barding their target audience with carefully orchestrated propaganda, designed to make them believe that in the event of the collapse of a common state, Serbs living outside Serbia proper will be subjected to genocide and virtual annihilation (Thompson, 1994). Precedent for this scenario was found in the WWII pogroms of Serb population living in territories controlled by the quisling Nazi regime of the so-called Independent State of Croatia (Nezavisna država Hrvatska – NDH). Slovenia was left out of Milošević's campaigns however, due to the fact that barely any Serbs lived there, but in Croatia, Milošević actively sponsored nationalist forces that eventually started armed rebellion in the Serb-dominated Krajina region. The same recipe of instigating rebellions by local Serbian population, allegedly fearing reprisals if separated from mainland Serbia, was repeated in Bosnia a few months later (Donia and Antwerp Fine, 1994: 215-217).

The situation in Bosnia was much more complex than in any other republic in former Yugoslavia. Except in a handful of villages, no ethnic group in B&H dominated any large area exclusively. Indeed, this central republic had the most ethnically mixed population in former Yugoslavia. (Donia and Antwerp Fine, 1994: 186; Burg and Shoup, 1999: 44). The Bosnian government was conscious of the delicate position that their republic had in relation to other Yugoslav federal republics and tried hard to contribute to negotiating some sort of confederate solution for Yugoslavia, which would allow it to avoid contemplating an independence that was guaranteed to arouse Serb passions. However, after the European Community recognized Slovenia and Croatia as independent states in January 1992, the Bosnian position in a rump Yugoslavia, with its resulting huge Serb majority, became untenable. The decision was thus made by the parliament to hold the referendum for independence in March 1992. Altogether, 64 percent of the registered voters participated, of whom 98 percent voted in favor of the independence. The percentage of participating voters in effect meant that Serbs who favoured independence (comprising 31% of the total population), had no chance of winning, and subsequently boycotted the referendum (Begić, 1997: 71-79; Donia and Antwerp Fine, 1994: 230-238).

Following the declaration of independence and formal recognition by the European Union and the United States on 6 April 1992, the Serbs started an armed insurrection against the B&H central government, applying the same methods they used in Croatia. The rebellious Serb population took over local government institutions in coordination with the Yugoslav Army, which was by this time almost completely taken over by the Serb officers following defections and purges of non-Serb cadres. The government in Sarajevo lacked means to effectively counter such thoroughly prepared and organized rebellion. It did not have an army and when the sporadic clashes soon turned into full-scale war, the government could count on the support of little more than a variety of neighborhood-based volunteer defense groups, as well as Muslim elements in the police. However,

the various police forces themselves were in state of complete disarray, following Serb defections and takeover of police weapons stockpiles by the Yugoslav Army. The combined countrywide strength of these various defense elements was probably in the range of 5,000 – 8,000, equipped only with small arms individually purchased on the black market, but also lacking effective organization, leadership and completely devoid of strategic and tactical planning, control and oversight.

Such ad-hoc volunteer defenders faced professional federal army troops already garrisoned in almost every town across the country, reinforced by reservist units and paramilitaries sent in from Serbia, totaling approximately 80,000 men in 1992 (United Nations Commission of Experts, 1994). As B&H became an internationally recognized independent state, the presidents of Serbia and recently proclaimed Bosnian Serb Republic, Slobodan Milošević and Radovan Karadžić, officially announced the departure of federal army troops from B&H, with the provision that any personnel wishing to remain there and continue fighting would become part of newly formed Army of Serbian Republic. This official separation of two armies was of course a mere public relations exercise, designed to absolve Milošević of responsibility for the aggression against a neighboring state, and to support claims that the conflict in Bosnia was merely civil war between different ethnic groups, rather than an attack on one sovereign state by another. The sad part of the story is that the international community, unwilling to get involved in the developing conflict, willingly bought into this lie. Illustration of this can be found in the official report issued by UN Secretary General Boutros Ghali in June 1992, which stated unequivocally that Serb forces in Bosnia were “independent and had nothing to do with Belgrade” (Malcolm, 1996: 242).

The rationale for the perpetuation of such a shameful stance, seeking to uphold the fantasy of a civil war for which all sides are equally to be blamed, is clear from the words of EC chief negotiator Lord Carrington in early 1992: “everybody is to blame for what is happening in Bosnia and Herzegovina, and as soon as we get the ceasefire there will be no need to blame anybody” (Malcolm, 1996: 242). The most poignant policy, however, of the international community in relation to the war in Bosnia remained its constant refusal to lift the arms embargo on Bosnian government to allow it to equip its forces and defend the country against aggression. Various arguments had been put forward to justify denying Bosnians their natural right to defend their lives and property, most common of which was that allowing government to arm its forces would only serve to ‘prolong the fighting.’ As Francine Friedman brilliantly observed later on; “the international community thus obviously preferred the peacefulness of the graveyard to ‘messy’ job of helping the cause of justice” (Friedman, 1996: 223).

To appease their critics and pacify public opinion, disturbed by the nightly TV spectacle of an entire nation being ‘ethnically cleansed,’ (newspeak for industrial-scale massacre of unarmed civilians) international community moved to extend

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the mandate of the UN Protection Force (UNPROFOR) from Serb-held areas in Croatia, to all of B&H in September 1992. UNPROFOR, however, was tasked solely with facilitating the provision of humanitarian aid in the region by protecting aid convoys run by the UN High Commission for Refugees (UNHCR). Instead of genuinely intervening to help the nation in distress, UNPROFOR served to create media-friendly show of international community hard at work to provide assistance to those in need.

One, however, has to be fair in judging the response of the international community to the war in Bosnia by taking into account the fact that these developments were happening against the backdrop of the seismic shift in the hitherto prevailing world order – the collapse of communism; the breaking apart of the Soviet Union; and sudden disappearance of the Iron Curtain and the opening of the Eastern European countries. Against the prospect of European unification that until very recently seemed unthinkable, the complex conflict in tiny country on the European fringe paled in significance. Europe and the United States therefore moved from trying to fundamentally understand and resolve the conflict, to attempting to contain it and seek any kind of resolution that would revert the country to peace.

In such fashion, seeking an early end to the war, but without trying to address the complicated issues that led to the conflict in the first place, the UN and the European Community chief negotiators Cyrus Vance and Lord Owen, produced the first comprehensive attempt for a political and military solution to the war in B&H, the ‘Vance-Owen peace plan’, which was made public at peace talks in Geneva in January 1993. The plan envisioned the division of Bosnia into a set of nine ethnically defined provinces plus a capital district for Sarajevo (Campbell, 1999). This ethnic labeling of territories caused the outbreak, for the first time, of an actual civil war in Bosnia and Herzegovina, with all three sides competing for control of territory, prior to envisioned partitioning. In Noel Malcolm’s words, it was also “after the arms embargo, ... the second most important contribution of the West to the destruction of Bosnia” (Malcolm, 1996: 248).

Due to the obvious impossibility of its realization, the international community eventually quietly dropped the Vance-Owen proposals and moved on to draw a new plan for division of Bosnia into three ethnic republics, put forward in September 1993. Western acceptance of the new plan cemented the shift from assisting the nation, a victim of an aggression, to downgrading the problem to something akin to modern-day tribal conflict was completed. Ever since David Owen publicly ridiculed as “unrealistic” the Bosnian government’s official stance that “any federal arrangement should be based on equality for all citizens and equal rights for the constituent nations, and that the federal units could not be divided exclusively along ethnic lines,” nothing better than another ethnic division of Bosnian territory by the international community could be expected (Campbell, 1999).

The starting position of the new plan, known as the ‘Owen-Stoltenberg Plan’ (after the former Norwegian Foreign Minister Thorvald Stoltenberg replaced Cyrus Vance) foresaw the division of B&H into a Serb republic (Republika Srpska), who were to be allocated 53% of the territory, a Muslim entity (Muslim Republic) with at least 30% and a Croat unit (Herceg Bosna) with 17% (Vranić, 2013: 52). The proposal ultimately failed, but what the EU negotiators did achieve was agreement on the percentage of Bosnian territory that would be allocated to each side under the terms of eventual peace agreement. Bosnian Muslims were ‘awarded’ 33.3 percent of the territory, Croats got 17.5 percent (together controlling approximately 51 percent of Bosnia), while Serbs got 49 percent (Holbrooke, 1999: 296).

Faced with irrefutable evidence of Serbian atrocities, growing tired of media pressure at home, and fed up with Europeans’ demonstrable inability to put an end to the conflict in BiH, the American administration eventually moved in forcefully to resolve the conflict. The first result of increasing American involvement was reconciliation between Bosniaks and Croats, who were allied in the beginning of the conflict but went to war over the control of territory in the Spring of 1993, after the Vance-Owen peace plan was put forward. The reconciliation effort was crowned by the signing of the Washington Agreement in March 1994. Besides the pressure from the United States, signing of the Agreement was made possible due to Bosniak’s eagerness to end the war on two fronts and the Croats’ failure to achieve their main military objective – linking the Croat-held territories in Western Herzegovina and the Central Bosnia regions (United States Institute of Peace, 1994). Eventually, riding on the wave of international outrage over Serb atrocities, the American-led NATO forces intervened by commencing air strikes against Bosnian Serb positions on 30 September 1995. Faced with the prospect of military ruin at the hands of Bosniak-Croat alliance supported by NATO, Serbs were forced to accept American-led negotiations to bring the conflict in Bosnia and Herzegovina to an end.

The international community, i.e. the West, clearly played a pivotal role from the onset of the crisis in B&H. This was partly due to the weakness of the country’s central government, which had had no time to establish necessary institutions and assert its authority in the short period between the declaration of independence and the beginning of Serbian aggression. The history of the war in B&H also serves as a depressing reading into the international community’s truly mind-boggling incompetence and indiscriminate application of double standards in dealing with aggressors and victims of the conflict. It comes as no surprise then that the peace agreement that ultimately succeeded in ending the war in Bosnia and Herzegovina did not turn out to be an ambitious project to restore the law and order in an internationally recognized country. Instead, it amounted to less than

inspiring attempt to use minimum effort required to reconcile all warring parties by promising them any concession necessary to guarantee their goodwill.

With American-led air strikes providing a compelling argument for the Serbs to sit at the negotiating table, a peace conference was convened on 1 November 1995 in Dayton, Ohio. It brought together all three sides in the Bosnian conflict, presidents of Serbia and Croatia, as well as representatives of the European Union and Russia. However, it was obvious from the very beginning that the American delegation would play a key role in negotiations, with the European and Russian representatives relegated to the sidelines. The 21-day conference entered diplomatic history as a synonym for the “Big Bang approach to negotiations” (Holbrooke, 1999: 232).

The Dayton Agreement consists of a series of provisions designed to achieve lasting peace in BiH. It also outlines, in the annexes, the political framework for the redesigned post-war country. The most important annex of the Dayton Agreement is Annex 4, which contains the Constitution of Bosnia and Herzegovina. This Annex spells out the essence of the political reforms of the Agreement. Under the terms of the new constitution, the Republic of Bosnia and Herzegovina, continued its legal existence under the name ‘Bosnia and Herzegovina.’ Article I-3 radically reforms the political framework of the country, creating the two ‘Entities,’ the Federation of Bosnia and Herzegovina and Republika Srpska. The *de facto* partitioning of the state into the Croat-Bosniak Federation and the Serb Republic represents a radical departure from the principle of respecting sovereignty and territorial integrity of Bosnia and Herzegovina that the international community had maintained since 1992.

Although *de jure* maintaining the semblance of the state, the Dayton Constitution makes the Entities responsible for the exercise of most aspects of political power. Article III-1 limits the responsibilities of B&H’s state institutions to foreign policy, foreign trade, customs, monetary policy and a few other, less important matters, such as air traffic control. Paragraphs 2, 3, 4 and 5 of the same Article, however, grant sweeping political powers to the Entities. The Entities are thus made responsible for law enforcement and defense affairs (the latter, however, eventually became the responsibility of central authorities under intense pressure from international community, motivated by security concerns).

The Federation of Bosnia and Herzegovina is subdivided into ten Cantons, which provide for the further decentralization of power along ethnic (Croat-Bosniak) lines. Indeed, many authors argued that the division of the Federation into Cantons was only a camouflage for the establishment of *de facto* independent Bosniak and Croat entities. The proponents of this theory point out that the Cantons themselves have elected parliaments and cabinets headed by prime ministers,

which exercise substantial political powers in key areas of government, such as health, education, law enforcement on the local level, and so on.

As if this extreme form of decentralization was not enough to satisfy the centrifugal forces in B&H politics, members of each constituent nation in Bosnia and Herzegovina were given ample possibilities to effectively paralyze the functioning of the state parliament and other institutions of the central government. The ethnic balancing of the proceedings and decision making in the Parliamentary Assembly was instituted with the aim of having the three communities cooperate with each other, so that no ethnic group could be excluded from the political process. The experience of post-Dayton B&H however, shows that it was the nationalist parties who mainly took advantage of these rules, in order to veto any decision perceived as being against their interests. The tit-for-tat use of the ethnic veto resulted in the effective paralysis of the decision-making process in the government, lasting until the present day.

Most of the critics of the Dayton Agreement point to the destructive consequences of the insistence on “ethnic qualifications for membership in key institutions and ethnicized processes of decision making within them” (Burg and Shoup, 1999: 371). By stressing ethnic parity, the creators of the Dayton Agreement sought to prevent the one ethnic group from being dominated and overruled by others. The rules of ethnic balancing, they reckoned, will represent a powerful incentive for all three parties to engage in cooperative and compromise-seeking politics. Instead, it is now clear that the ability of each of the parties within B&H to exercise the veto over the decision making process, coupled with the intense mistrust of the other parties’ intentions, led to the total paralysis of the political process in the country. The only way to break the impasse is to have the High Representative (an institution introduced in the Dayton and subsequently strengthened) issue executive decrees. This has led B&H to the state of being the *de facto* protectorate of the international community, where all historically important decisions breaking through the political paralysis had to be made by the High Representative.

In the postwar period, the European powers gradually became acutely aware of the problems that such constitutional arrangements had brought upon the country. However, the professed desire of the international community to end the domination of ethnic political parties in B&H is countered by the rigid constitutional provisions behind the ethnic partition of the territory and the decision-making process within the country. The stalemate on the ground led even the chief architect of the Dayton Agreement, US diplomat Richard Holbrooke, to admit that the Agreement contained several fundamental flaws. According to Holbrooke, the most serious deficiency of the Dayton Agreement was to allow the existence of two—therefore opposing—armies in one country, one for the Serbs and one for the Bosniak-Croat Federation (Holbrooke, 1999: 361). The second fundamental problem, Holbrooke said, was “our agreement to allow Serb portion of Bosnia to

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retain the name Republika Srpska... , to permit the Karadzic to keep the name he invented was more a concession than we realized” (Holbrooke, 1999: 361).

The guiding principles behind the imposition of the Dayton Agreement and the subsequent role of the international community in Bosnia and Herzegovina have been criticized from often opposing points of view. David Chandler identifies the critics of what he terms the “external dynamic of democratization,” as belonging to the two main camps—the Liberal and the Conservative (Chandler, 1999: 164-192). The essence of the Liberal critique is that the international community has not gone far enough in its post-war political reconstruction of B&H. The Liberals’ view is that the international community was not ready to confront the nationalist forces that were responsible for the war, preferring instead to strike a compromise deal with them by empowering them through the threefold division of the country. In their view, “there is plenty of evidence to suggest that the problems of the Balkans are seen as culturally determined and historically recurring and therefore beyond capable solution” (Chandler, 1999: 164).

Completely opposite approach is employed by the critics of the Dayton Agreement belonging to the Conservative camp. The core substance of the critique advanced in the writings of conservative thinkers such as Henry Kissinger, Charles Krauthammer and some political analysts at the Cato institute, is that the international community has overlooked the fundamental truth on the ground, which is that there are, there have always been, and there will most likely remain three separate ethnic-based components in Bosnia and Herzegovina. Conservative political theorists even view the war in Bosnia itself as a direct result of an ill-conceived and rushed recognition of Bosnian independence in 1992. The Dayton Agreement and subsequent developments served only to artificially extend the life of an impossible state creation. Kissinger argued that the “same flaw that attended the birth of the Bosnian state lies at the heart of the dilemmas of the Dayton accords... Its military provisions separating the parties substantially along the lines of the ethnic enclaves that emerged as hostilities ceased. But the political provisions do the opposite: They seek to unite these enclaves under the banner of a multiethnic state that caused the explosion in the first place” (quoted in Chandler, 1999: 171).

Political developments in the post-war period

With cessation of the war being the paramount concern to the creators of the Dayton Agreement, the resulting Constitution focused excessively on creating the checks and balances system to build interethnic trust in BiH. In effect the system this created, bears all the characters of ethnic democracy, with commanding rights and privileges are reserved for ethnic groups. Political process thus revolves around consensus building which is most often impossible to achieve.

Similarly, voting happens mostly along the ethnic lines, with political parties viewed primarily as protectors of interests of ethnic groups, all other concerns considered secondary.

As a result of such a peculiar system, the political process in Bosnia after the war has been characterized by continuing paralysis (as a result of indiscriminate use of national veto instruments on multiple levels of power), and recurring outbursts of ethnic mobilization, nationalist rhetoric and populism linked to elections taking place every two years. Constructing fear of the ‘other’ as the primary concern in every election perpetuates the power of ethno-national elites by allowing them to focus on issues of symbolic instead of practical nature. In other words, the presumed interests of ‘our’ ethnic group and protection against the ‘other’, trumps concern about these elites’ dismal performance in almost all truly important aspects of life in society – economy, jobs, education, healthcare, future prospects, etc.

A concordium of nationalist parties have been in power ever since the first post-war elections in 1996, save for the brief two-year period in 2000-2002, when as a result of the forceful intervention of the Americans and the EU, power in the Federation passed into the hands of the Alliance for Change, grouping of ten reform-minded parties. This brief experiment demonstrated one of the principal flaws of the Dayton Constitution – no matter what party is in power, votes of their MPs and ministers in country’s many governments continue to be counted as votes of one of the three ethnic groups. In other words, you can pursue non-nationalistic, socialist, or liberal political agenda, but once you are represented in the parliament or the government, your vote simply adds up to the tally of votes by the ethnic group you belong to. This way, ethnic, or nationalistic considerations always trump other considerations and prevent meaningful political processes from taking place. During this brief international intervention in 2000, for instance, hundreds of laws and bylaws had been pushed through the country’s parliaments, and state and entity constitutions had been amended to ensure equal legal standing of all ethnic groups regardless of their place of residence. Despite the breakthrough, when the Americans lost interest in Bosnia in post-2001 environment, the subsequent elections in 2002 returned the mainstream nationalist parties to power where they remained entrenched to the present day (ICG, 2002)

Civic activism

The constitutionally mandated domination of the country’s politics by the nationalist parties, produced the long-term effect of alienating the more progressive – typically urban – social groups from the political process. The feeling that nothing can be changed since the same nationalist parties will always remain in power, has produced low turnouts in elections and further weakening of opposition parties. In Republika Srpska, non-nationalist parties simply do not exist, as all major

parties, despite having a nominal 'socialist' or 'prosperity' orientation, espouse hardline nationalist rhetoric and compete on the agenda of whose candidate is more of a Serb and who detests Bosnia more. The situation is similar in the Croat parts of the Federation, with most voters coalescing around the main HDZ party. Bosniak parts of the Federation do maintain some measure of political plurality, with parties espousing social democratic, liberal, or youth-related agendas, but the political life revolves around the main ethnic party, the SDA, which, despite decreasing number of votes, remains relatively the strongest party, and has been able to maintain its chief position through alliances with some smaller parties.⁴

With typical voter turnout in successive elections hovering just above 50%, it is clear that in effect political life of the country is dictated by the rightwing minority, who remain loyal voters of nationalist parties. Meanwhile, low spirits, fatigue and absenteeism, undermine the desire for political engagement among non-nationalist voters. For a long time, both the international community (mostly the EU in post-2001 period), together with prominent intellectuals and academics, voiced hopes that inability to change the system working from within could be supplanted, or even replaced, by civic activism. Strong support for the local civic sector development translated into donor assisted growth of the nongovernmental organizations, usually mobilizing more educated and upward socially mobile urban youth. However, this also produced the unintended effect of alienating NGOs from the popular majority, who viewed these organizations as little more than toys of privileged few, whose agenda was dictated by the donors (Rašidagić, 2006 3-12). As a result, while the NGO reports and activities feature prominently in academic papers and policy reports on Bosnia and Herzegovina, activities of the civic sector had negligible effects on the political or social life of the country.

Ironically, it was the drying up of the donor financing and disappearance of donor-dependent NGOs that finally led to several important developments that in retrospect, could be considered as gradual awakening of the civil sector in the country. The first such development started on 5 June 2013, when a group of citizens occupied the square in front of the state government and parliament buildings. More people joined them overnight and the gathering evolved into virtual blockade of the main government complex, with members of the country's parliament, government ministers and bureaucrats being prevented from leaving the buildings until the protesters' demands were met. The reasons behind the protests was the law on civil registries had lapses, and could not be replaced by the new one due, to a dispute over presumed ethnic interests in the state parliament, where, for any law to pass, majority of all three ethnic groups have to agree on the proposal. In the absence of the law, newborn babies could not be issued with identity numbers and hence could not be given passports. When one such baby,

4 See the website of the Central Electoral Commission of BiH for the election-related statistics: www.izbori.ba

three-month old Berina Hamidović, died as a direct consequence of inability to travel abroad where she was to receive urgent medical treatment, public dissatisfaction exploded. At the height of protests, an estimated 10,000 people gathered around the parliament, forcing the politicians from all three sides to work out compromise solution and pass an interim measure to resolve the problem.

This protest was followed by country's largest ever demonstrations early on in the next year, when public dissatisfaction with general living conditions led to dramatic instances of public disobedience, culminating in the torching and looting of several government buildings in the Federation entity. These protests started on 4 February 2014 in Tuzla, begun by workers in the once huge state-owned factories, whose status has for years, remained unresolved. The workers in these socialist era 'combinates' had for years, or even decades, remained officially on the payroll, but not actually working since these factories have long been bankrupt and lay dormant. Thus the state, on paper, owed the workers years' worth of salaries and insurance payments but couldn't pay them as factories didn't actually work and make any money. Since no government could muster enough courage to formally lay off thousands of workers (and voters!) who haven't worked in decades, the debt accumulated, and huge sums that were owed, on paper, to the workers provided rather perverse incentive to demand their rights from the government (Milan, 2015).

The protests in Tuzla led to large scale protests elsewhere across the Federation, with protesters venting their frustration with overall living conditions, unemployment, government ineptitude and corruption. Most large cities were affected, including Zenica, Mostar, Bihać and Sarajevo, where at the height of the crisis, a crowd burst into the part of the state Presidency building and torched several offices. However, the scale of destruction of property and looting by the criminal gangs that infiltrated the demonstrations, scared the majority of population who opted to stay away in the days following the initial protests. Leaders of the demonstrations hence channeled their protests into the so-called 'People Plenums' that were formed in several cities, including Sarajevo. Protesters henceforth voiced their frustrations and demands in what the organizers hoped would evolve into some sort of proto-parliaments, but after some weeks the initial enthusiasm cooled off and plenums disappeared without producing any meaningful impact in the political arena (Milan, 2015) (BiH Protest Files, 2014).

It is important to note here that, while indeed being the largest demonstrations that country has ever witnessed, they remain largely limited to Bosniaks in the Federation entity. Republika Srpska elites were able to utilize state media under their control to portray the demonstrations as Bosniak-led movement, whose anti-elite actions supposedly translated into anti-Republika Srpska and hence anti-Serb objectives. The propaganda worked and despite broadly similar, or even worse economic privations experienced by population in the Republika Srpska,

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only a brief, few hundred strong, protest was held in Banja Luka on the occasion. Eventually, the 2014 upheavals served only to reinforce widespread civic apathy across the Bosnian population since it was once again demonstrated that no matter what issues are at stake, ruling parties are able to sway the popular mood and mobilize them along the ethnic lines in order to remain in power (Milan, 2015).

The most recent civic actions that started as expressions of popular frustration, but consequently had clear political implications, were the cases of Dženan Memić in Sarajevo and David Dragičević in Banja Luka. In both cases, the first dating from 2016 and second from 2018, young men were murdered in murky circumstance which, according to their parents and widespread public opinion, implicated members of political elites and led to clumsy cover-up attempts by the corrupt police and judiciary. In both cases, bungled investigations and allegations of conspiracies to protect members of the ruling elite, led to widespread protests, bringing together thousands of people demanding justice. Allegations that the killers are actually the son of a local tycoon linked to the SDA (in Dženan's case), and top police officials involved in drug smuggling (in case of David), fell on receptive public ears and transformed these protests into expressions of general dissatisfaction with the corrupt elites. The processes are still ongoing, but what is important here is that a sad story with human face led, for the first time ever, to public expressions of solidarity that transcended entity and ethnic divides. Family members of both men travelled on several occasions to attend public demonstrations in Sarajevo and Banja Luka, where they were warmly welcomed by the members of public. Whether such rare expressions of inter-ethnic solidarity will one day lead to bigger and more comprehensive joint civic activism, remains to be seen.

Conclusion: The Challenges Facing Bosnia and Herzegovina

Bosnia and Herzegovina today, quarter of a century after the Dayton Agreement was signed, suffers from the same degree of paralysis which had necessitated introduction of the Office of the High Representative (OHR) as supreme political arbiter in the country. However, given the reluctance of the international community to continue being involved in resolving the country's continuing crises, the High Representatives no longer use their powers to break the political impasse. The strengthening of the Serb nationalists in their para-state of Republika Srpska, means that the country has once again reached political deadlock. The period starting with the 2006 elections is generally considered among the impartial observers of Bosnian politics, as a period of lost opportunities and general stagnation, political and otherwise. The European Union, which has emerged as the most relevant arbiter of Bosnian politics, illustrates such prevailing opinions by issuing a series of warnings to Bosnian politicians, as well as unflattering

reports on the state of reforms in the country. The 2009 Progress Report, for example, reads as a damning indictment of incompetent and corrupt political elites, consumed by mutual bickering and oblivious to the real problems of the people (Communication from the Commission to the Council and the European Parliament, 2009):

Bosnia and Herzegovina has made very limited progress in addressing political criteria. The domestic political climate has deteriorated, and challenges to the proper functioning of the institutions and inflammatory rhetoric have continued. Reform implementation has been slow, due to a lack of consensus and political will, and to the complex institutional framework. A shared vision by the political leaders on the direction of the country and on key EU-related reforms remains essential for further progress towards the European Union. (...) The European Union would not be able to consider an application for EU membership until the OHR has been closed. The reform of Bosnia and Herzegovina's constitutional framework (...) is necessary before the Commission can recommend the granting of candidate status (...) Regarding democracy and the rule of law, there has been little progress towards creating more functional and efficient state structures (...) The functioning of the state-level executive and legislative bodies has been deficient. (...) The government institutions, at all levels, continued to be affected by internal political tensions and fragmented and uncoordinated policy-making. The authorities have often proven unable to quickly appoint high-level officials. (...) Some progress has been made in the area of public administration, but continued efforts are needed. (...) the fragmentation of the judicial system and the absence of a single budget continue to be major obstacles to reform in this area. Political interference remains frequent. (...) The authorities of Republika Srpska have increasingly questioned the legality, jurisdiction and competences of the state-level police and judicial agencies to operate in their territory. (...) Bosnia and Herzegovina has achieved little progress in the fight against corruption (...) There has been limited progress regarding human rights and protection of minorities.

Virtually every Progress Report issued by the EU Commission since the 2009 Report, quoted in the previous section, basically repeating the same findings. Almost a decade later, the 2018 Report, using almost identical language as the 2009 Report argues that (Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2018):

The adoption of legislation stemming from the Reform Agenda, including adoption of the excise tax legislation, was negatively affected by tensions between ruling coalition parties and obstruction by opposition parties in

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Parliaments at state and entity levels, leading to a slowdown of the reform pace (...) Bosnia and Herzegovina's constitution remains in breach of the European Convention on Human Rights, as per the Sejdić-Finci and related cases (...) the functioning of the Presidency of Bosnia and Herzegovina was affected by the expression of divergent positions by its individual members on a number of issues under its competence over foreign policy (...) with the exception of a few reforms and the notable adoption of the excise legislation, delivery on a number of reforms was delayed by lack of agreement within the ruling coalition members (...) Bosnia and Herzegovina is at an early stage with the reform of its public administration and no progress has been achieved in the past year (...) corruption is widespread and remains an issue of concern.

This brief analysis of the of the modern political history of BiH demonstrates that the current political and social crisis has its roots in the war and post-war history and developments, and is not result of some 'age-old hatreds', as some have argued, mostly with the ulterior motive of proving that Bosnia amounts to little more than failed and ultimately unviable state. It could also be concluded that the current political system, which is the product of the Dayton Agreement, is plagued by a large number of systemic deficiencies and problems that could be classified into the following four broad categories: 1) constitutional or structural problems related to a flawed constitutional framework; 2) problems in the functioning of the government related to the said unresolved constitutional and structural issues (unlimited ethnic-based veto power, multiple and overlapping levels of government, huge administration presenting unbearable burden for the weak economy, etc.); 3) the divided loyalties of constituent peoples and resulting lack of unified vision for the country's future; 4) lack of resources for the normal functioning of a state. Although significant advances have been made since the Dayton Agreement came into effect, the reform process has been stalled since the 2006 general elections that brought Milorad Dodik to power in Republika Srpska for the second time. As a result, the country is now mired in its gravest political, economic and social crisis since the war.

Regardless of the gravity of situation in the country, the international community (now for all practical purposes embodied by the European Union) adopts a indecisive sit-and-wait attitude to the resolution of the country's problems. This is to a certain extent caused by the general intervention fatigue in the international community, but also by the feeling that more twenty-five years after Dayton, the country has matured enough to take care of its own business. Such an attitude further compounds the belief that the sole cause of the country's problems is corruption among the nationalist elites, who willingly protract the crisis in order to continue their sway over the politics. Such a view is true to a certain extent, chiefly on the micro-scale of day-to-day politics. However, such a simplistic view

fails to consider the fundamental flaw of the Dayton Constitution: the ability of each of the three sides to block any move they find detrimental to their interests.

In addition, any moves towards making the central government more efficient and able to run the country are detrimental to the interests of nationalists ruling Republika Srpska, but in the past few years, Croat nationalist elites have begun to create problems as well. Continuing to stoke Serbs' fears of being dominated by other ethnic groups in the best tradition of Milošević's propaganda from the 1990s, a small elite has successfully maintained its iron grip over Republika Srpska. This recipe for an effective stay in power has been copied by the Croat nationalists led by Dragan Čović and his political party HDZ. Republika Srpska has been ruled as virtual feudal fiefdom, where dissent is considered treason and a betrayal of 'national interests' ever since 2006. Again, Čović and the HDZ copied this tactic by establishing the so-called Croatian National Assembly (HNS – Hrvatski narodni sabor), a quasi-nongovernmental body, which effectively monopolized political life of Bosnian Croats.

By controlling the political process on the central level, through frequent use of unlimited veto power given to them by the Dayton, Serb and Croat nationalist politicians are able to portray Bosnia as an impossible state and artificial creation where nothing will ever work and no agreement is possible. This, of course, is juxtaposed against Republika Srpska, where government rules by fiat and which government-controlled media is then able to portray as supposedly 'the better part of BiH'. Since the establishment of the HNS, Čović has also used the same arguments to strengthen his hold on power and self-style himself and the HDZ as the sole bastion that stands between the Bosnian Croats and their utter ruin at the hands of majority Bosniaks.

It is clear from the preceding brief expose of the issues affecting the country's politics that Bosnia and Herzegovina is not equipped with the necessary legal and political instruments to break the impasse in a situation where one of the constitutional ethnic groups is blocking the political process. No matter how reluctant the international community might be, breaking this deadlock will eventually necessitate another decisive involvement by the EU and the United States, working in concert to amend the country's faulty constitution. The only alternative to this is for the three sides to amicably reach an accord whereby the country's central institutions will be empowered at the expense of the entities (an option which both Serb and Croat political elites are unlikely ever to agree to). The final alternative, one nobody wants to contemplate, is for the three sides to go their separate ways and complete the dissolution of the country, which is an option that would likely lead to yet another war for control of ethnically-defined territories.

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