

MARJAN BREZOVŠEK\*

## Partition or (con)federalization of Bosnia and Herzegovina

### Introduction

Federalism and democracy have several elements in common. *Structurally*, they anticipate *sharing of power*. A federation provides for some power to be exercised by the national government and some by its subnational governments, while a democracy expects power to be exercised by elected officials with a residue of power remaining in the hands of an electorate capable of replacing those officials. *Ideologically*, they thrive through *interaction of communities*. In a federation, communities such as states, provinces, or cantons compete for influence, while in a democracy, political and interest groups compete for consistent support. *Procedurally*, federation and democracy survive due to *maintainance of growth*. The process of federalism requires dynamic relations among the units of government, while democracy feeds upon continuous cycles of input and response between citizens and their government<sup>1</sup>.

Their commonalities notwithstanding, federalism and democracy do not have to exist side by side. Most democracies are not federations<sup>2</sup>. Some federations were not democracies when created. The Soviet Union and *Yugoslavia* were examples of non-democratic federations<sup>3</sup>. In practice, then, federalism and democracy are not symbiotic concepts. Each can exist without the other.

The mere existence of a federation, however, implies a concept derived from democracy, namely, *self-determination*. The fact that subnational governments share power, interact and grow, can foster hubris in those governments manifested as nationalism. Such hubris led Singapore to separate from the Federation of Malaysia in 1965, and led Bangladesh to fight for its independence from Pakistan in 1971.

Most nation-states resist the urge to federate because of inherent dangers. If borders exist for a substate that already has a unique ethnic or linguistic group, the potential exists for breaking-away, "to secede from federation and become an independent sovereign state" (Cutler, 1992:XI) exists as well. *Secession*, though, does not have to occur. Instead, a group can seek greater *autonomy* within its state system (Gottlieb, 1993).

\* Dr. Marjan Brezovšek, docent na Fakulteti za družbene vede.

<sup>1</sup> One writer who effectively conveys the nature of democracy as an ongoing process is Howard Zinn in *How Democratic is America* (Zinn, 1985).

<sup>2</sup> Japan in Asia, Sweden in Europe, and Costa Rica in Latin America provide examples of such non-federal democracies.

<sup>3</sup> The Soviet Union and Yugoslavia maintained the trappings of democracies in their constitutions, though.

With these definitional implications in mind, we will look at the self-determination solution to the inherent dilemma, posed by multicultural societies<sup>4</sup>. The self-determination solution has been exemplified recently by Czechoslovakia, the Soviet Union and Yugoslavia. A taxonomy of ethnic conflict regulation (McGarry & O'Leary, 1993:4) places self-determination which can be partition or secession, among four *methods for eliminating differences*. The other methods include genocide, forced mass-population transfers, and integration or assimilation.

During most of this century, self-determination has been linked to the goal of decolonialization, most clearly exemplified by the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples. As colonialism has receded, the self-determination has come to be applied to non-colonial situations. What mechanisms short of violence, such as declarations or plebiscites, initiate the process of secession from a nation-state? Furthermore, which people and territories are involved, and how far does subdividing go?

International law does not provide clear-cut answers to these questions. The recent practice in Eastern Europe shows a widespread use of declarations of independence, followed by dissolutions of federal states then reconstituted, typically, as unitary states.

The collapse of Yugoslavia created five nation-states out of one<sup>5</sup>. Croatia and Slovenia attained independence on June 25, 1991 (Small, 1992:158-159). Germany and Italy then pressed for their *recognition* by member-states of the European Community who gave their approval on January 15, 1992. Macedonia sought independence, achieving it on November 17, 1991. The recognition was slowed due to Greek objection to its name, since Macedonia in northern Greece might be tempted to join their ethnic counterparts. In each of these areas the voters had earlier given approval in referendums.

In Bosnia and Herzegovina the situation turned out very differently. Even though the republic declared independence on October 15, 1991, and received voters approval by March 1st, and then the European Community and United States recognition in April, the new country fell into disarray. The Bosnian Serbs declared their independence on April 7th, and divided the state's territory mainly, among Serbs and Croats with some land reserved for Bosnian Muslims (Small:157-158). Carnage erupted in Bosnia and Herzegovina, leading to mass refugee flow.

The census of April 1991 reported that 43.8 percent of the residents of Bosnia and Herzegovina were "ethnic Muslims", 31.5 percent were Serbs, and 17.3 percent were Croats. There were especially large concentrations of Serbs in western Bosnia, far from the Republic of Serbia, and of Muslims in Eastern Bosnia along the Serbian border. The picture was rendered even more complex by the fact that in only 32 of Bosnia's 109 districts did one of these ethnic groups constitute 70 percent or more of the population.

When the accumulating tensions and recurrent violence in Bosnia and Herzegovina exploded into full-scale ethnic warfare in April 1992, the western

<sup>4</sup> The other two types of solutions are: federalization (is occurring for the European Union and has occurred recently for unified Germany and Jemen) and the ethnonationalization (examples are Canada, India and South Africa).

<sup>5</sup> Facing demonstrations in Montenegro, the Belgrade government salvaged what remained. A pledge by Montenegro and Serbia to form a new federal state came to fruit on April 27, 1992, as the Federal Republic of Yugoslavia.

diplomats feigned surprise. Three peace plans later, the West still feigned surprise and held back from drawing the increasingly obvious conclusions: that the Serbs (both Serbia's presidents, Slobodan Milošević and the Bosnian Serbs led by Radovan Karadžić) are bent on the creation of a Great Serbia; see no long-term future for any Muslim presence in Bosnia, not even within a truncated minstate; and are not the least impressed by threats that are not backed up by decisive force.

Prior to the break-up of communist Yugoslavia, leaders in Croatia and Slovenia had advocated transformation to democracy through a confederal plan. President Slobodan Milošević's unwillingness to compromise meant that "democracy represented the death-knell for Yugoslavia..." (Schoepflin, 1993:198). For a long time (indeed until just before the declarations of independence by Croatia and Slovenia), Western Europe and the United States appeared unwilling to recognise that Yugoslavia was disintegrating, and that the presidents of its six constituent republics were never remotely capable of regulating this process in a peaceful manner<sup>6</sup>.

No East European country has demonstrated quite so clearly as the former Yugoslavia the dangers which were inherent but largely unrecognised in the process of democratization. The central conflict which destabilized Yugoslavia on the one hand, was between the desire to create or consolidate (in the case of Serbia) a state in which one national group was dominant, and on the other, the perceived or demonstrative vulnerability of minority populations in these projected states<sup>7</sup>. By a largely homogeneous national composition, Slovenia was able to secede early in the crisis after a war which, when compared with what was to come, was "peaceful". Almost everywhere else, a plethora of minorities inhabited the disputed territories: in Croatia, in Bosnia, in Serbia, and in Macedonia.

The events of the last few years (after 1989) underscore the difficulty which non-democratic federal systems have in making a transition to a more open political process. The communist regimes had used the federations as transmission belts to secure their rule, and they failed to grant these institutions the autonomy to build internal constituencies in their support. In addition, the linkage of ethnicity to federation compounded weaknesses of federations so that the ethnic groups and nations felt compelled to seek independence and protection outside the federal umbrella.

Yugoslavia's dissolution had been exceptionally *violent and destructive*. Much of this can be attributed to Tito's policies of decentralism and fragmentation of power; some can be attributed to the inherent weakness in a multiethnic state with wide economic disparities and enormous variations in culture and historical experiences. Some must be attributed to the failure of leadership and petty political rules; some to the politicization of the armed forces; and some to the innate

<sup>6</sup> There were two main reasons for this. After the collapse of communism in the autumn of 1989, Western policymakers identified Hungary, Czechoslovakia and Poland as the former socialist states which could be integrated most rapidly into the market structures of EC. The collapsing Soviet Union also absorbed considerable attention by dint of its size and its possession of a nuclear arsenal. In this scheme, the Balkans were regarded as uninteresting both from a political and economic point of view. The second reason for the Western support of federal Yugoslavia was more localized (naive attempts to heal Yugoslavia's sick economy and fear that an outbreak of secession among constituent republics might have provoked a similar process in the Soviet Union).

<sup>7</sup> The issue of minorities was only uncontentious in Montenegro, although the smallest Yugoslav republic was still heavily involved in the crisis.

conservatism of the world community, faced with new choices and new policies (Seroka, 1994:29).

The major lesson from these experiences is that federal systems depend on the support of people and on those who govern them. Federal institutions are critically weakened when they cover for authoritarian rule, or when they are used by one group to dominate another. Federalism without rule of law and respect for minorities is an *illusion*, and federation without mutual and guaranteed respect for all political subjects is a *recipe for disaster*.

Yugoslavia's dilemma served as a catalyst for the European Community recognition policy designed also for the Soviet Union. That policy called for evidence of regard for democracy and human rights including ethnic and minority rights (Halperin & Scheffer, 1992:33-34). But the present contradiction between the war agony in the successor's states of Yugoslavia that cries out for international assistance, and the helplessness of Western politicians to stop the war and help manage this crisis is striking. Western elites have been divided on how to respond to Bosnia, and policy-makers often seemed indecisive. At times, there have been all the appearances of a rare opening for public open influence.

Roughly 90 percent of Bosnia has been conquered. Out of a pre-war Bosnian population of 4.3 million various estimates suggest that 150 to 200 thousand people have been killed, tens of thousands have been raped, and between one and two million have been forced to flee their homes. The overwhelming majority so affected have been Muslims. The great preponderance of atrocities, including all of those carried out systematically, have been committed by the nationalist Serb and Croat militants, especially the Serb forces. The aggressors' "ethnic cleansing" techniques have included bombardment and strangulation of civilian population centres, destruction of whole villages, mass execution of non-combatants, and the operation of concentration and rape camps. All of this has been reported not only by the United Nations, the European Community and the Bosnian Government, but also by highly credible international human rights organisations such as Helsinki Watch, Amnesty International, and Physicians for Human Rights<sup>8</sup>.

The question then presents itself: does the world community have any interest at stake in Bosnia? If not, how does one reconcile that with the notions of global interdependence and international law, or for that matter, the notion that there are universal moral concepts? Why has Western policy fallen into a rather deep crisis after the end of the Cold War? The Bosnia crisis as a "moral failure" and a "lack of humanity" (Jonathan Martin, *Social Review*, 1994:129) is first of all due to the fact that Western politicians, as well as most of the opinion-making media, are handling the problems in terms of rather dubious "Realpolitik", neglecting the fundamental principles of democracy and human rights that had been established after the victory over fascism.

We now have to face the fact that in the shadow of East-West blocks, the post-war Europe has not accomplished its fundamental task, namely, to end the post-war period in a manner that would prevent any possibility of war in Europe. The fact that European states have not been prepared for the possibility of the extreme case of war, aggression, and genocide, indicates that most people, including the European elites, have not learned their lessons well from the horrid experiences of

<sup>8</sup> See Anthony Borden, *The Bosnian: A War on Identity*, War Report, April/May 1993; *New York Times*, June 25, 1993 and August 8, 1993.

totalitarian fascist and Stalinist systems. The absence of consciousness about latent and potentially serious European crisis is manifested in the present impotent politics of the West, but is also rooted in a sort of intellectual dogmatism and narrowness in the mainstream philosophical questioning.

After war gripped Bosnia and Herzegovina, followed by even more atrocities and the Serbian conquest of even more territories, there was a change of mood in a section of European public opinion and people began believing that this war matters, and that a decisive action on the part of the West should, and could stop the aggression<sup>9</sup>. But this change in public opinion has not had any consequence so far<sup>10</sup>. And we must ask why? Why hasn't the argument, claiming that it is not only our moral duty to stop the killing, but that we must do so to serve our own interests, led to a real change in political policy? The answer is: the connection between Europe and the war in former Yugoslavia is not only a metaphorical one. This war has to do with the fundamental components of European political life: the "nation" and "state", because there is no clear idea about what a modern nation and a modern state is, less so about the kind of relationship that exists between them; there is no clear opinion about what has happened, and is happening in the former Yugoslavia.

Because this conflict (the war) in former Yugoslavia became a threat to international security, various international actors made repeated attempts in the 1991–1994 period at mediation and arbitration which could be classified into the following five phases:

1. In the first, which preceded the outbreak of armed conflicts, many international factors (EC, CSCE, USA, etc.) tried with preemptive diplomacy to quiet the republican conflicts in Yugoslavia, preserve the country's integrity and prevent the escalation of crisis. It was characteristic for this stage that attempts to mediation have been sporadic, without adequate instruments and broader coordination of the leading international actors.

2. The second stage started with the war in Slovenia in June 1991, and ended with the failure of the Lisbon Conference on Bosnia-Herzegovina (Cutilero's plan) in March 1992. Although the EC led international mediation in this phase, the US and UN already obtained a more active role in December 1991. Their efforts contributed to stopping the war in Croatia (Cyrus Vance's plan). The international mediation of conflict at this phase was mainly carried out within the Hague/Brussels and Lisbon conference under the EC auspices.

3. The third stage started with an active entry of the US onto the Yugoslav scene in March/April 1992, and ended in April 1993 by failure of the American diplomacy to convince their West European allies about the need of NATO air-strikes on Bosnian Serbs positions after they refused the Vance-Owen plan. In this phase all international peace initiatives have been placed within the UN and Geneva peace conference framework.

4. In the fourth phase, the EC (now already the European Union) again played the leading role. On the basis of Kinkel-Juppe's initiative and the Luxemburg

<sup>9</sup> The strongest expression of this change of opinion can be found in the slogan "Europe is dying in Sarajevo" which appears on numerous protest manifestos, discussions and aid actions.

<sup>10</sup> The search is thus for reasons to justify inaction. For example, nostalgia for Yugoslavia; repugnance at nationalism that makes no distinction between mobilization behind an expansionist chauvinist project and mobilization in defence of national sovereignty; the fetishization of supranational states; cynical indifference to the domestic rights of other peoples, etc.

Plan, they tried to end the war in Bosnia-Herzegovina. This attempt fell through in December 1993 after the Bosnian Muslims refused to endorse the Owen-Stoltenberg plan at the international peace conference in Geneva.

5. The fifth phase started in February 1994 with NATO military involvement in Bosnia-Herzegovina and Russia's diplomatic engagement in the solution of the Yugoslav crisis. The efforts of all three relevant international factors – USA, Russia and EU (represented by the UK, France and Germany) – united in the so-called Contact Group which at the end of April assumed the coordination of international mediation and arbitration in the territory of ex-Yugoslavia.

### *The Bosnian war and the diplomacy of accommodation*

Having failed to stop armed conflict in Yugoslavia, the EU was reduced to managing it. This happened in two ways: through arranging cease fire on the ground and through the Peace Conference on Yugoslavia at the Hague<sup>11</sup>. As cease-fire after cease-fire in Croatia broke down, both efforts failed. The only cease-fire successfully effected at the beginning of 1992, was that by Cyrus Vance on behalf of the UN Peace Conference, hurriedly convened under Lord Carrington in September 1991, proved to be little more than a talk-shop. It brought together the Yugoslav federal presidency, the Federal Government and presidents of the six republics, but when Carrington suggested establishing a sovereign and independent republics for those who wished it, Serbia rejected his proposal. The conference collapsed in November 1991 and the UN was brought in.

Failure of the Hague Conference, the escalation of war and the approaching Maastricht Conference led to a shift in the EC policy – *from the role of mediator to the role of arbiter*<sup>12</sup>. By then the arbitration commission, set up with a French constitutional lawyer judge Robert Badinter at its head, had reported back. Its main conclusions were that Yugoslavia was in a "state of dissolution"; that self-determination must not involve changes of the existing republican borders at the time of independence (except where the parties concerned agreed otherwise); that the Serbs of Croatia and Bosnia were entitled to all the rights accorded to minorities under international law; and that Croatia, Macedonia and Slovenia should be given diplomatic recognition. Bosnia could also be recognized if the majority of its population voted for independence on a referendum. The EC acted on Badinter's proposals, but by then the main role in handling conflict in Yugoslavia passed on to the UN.

There were, of course, calls for a forceful Western response to Serb forces' seizure of some 30 percent of Croatian territory between July 1991 and January 1992. In spite of this, and the unmistakable evidence of Serbian and Bosnian Serb military preparations for armed action in Bosnia, the only Western response in 1991 to the rising tensions was to include Bosnia in the general arms embargo the UN Security Council imposed on all five Yugoslav successor states on September

<sup>11</sup> The Hague Conference started from the following three principles: a) unacceptability of the change of internal and international borders of Yugoslavia; b) any solution must protect the rights of peoples and ethnic minorities in all Yugoslav republics, and, c) the Community will never endorse the accomplished fact policy. A five-member arbitration committee, chaired by the French lawyer Robert Badinter, was intended to provide legitimacy to the work of the Conference.

<sup>12</sup> Arbitration and mediation are two intermediary roles for third parties that highlight the distinction between legal versus political forms of conflict resolution. See, G.A. Raymond, *Democracies, Disputes and Third-Party Intermediaries*, *Journal of Conflict Resolution*, March 1994, pp. 24–42.

25. Between October 1990 and March 1992, the illegally established Serb militants in Bosnia, loyal to the Bosnian-Serb politician, Radovan Karadžić, benefited from steady infusion of armaments, including tanks and heavy artillery from the Yugoslav army (which the army would later even admit having supplied). Bosnia's Croat and Muslim communities were forced to look for arms for themselves and thanks to at least partial embargo, were not able to obtain nearly as much in the way of military hardware as the Serbs. Thus the net effect of the arms embargo was to encourage Serb aggression in Bosnia and to help that aggression achieve its goals once it finally began.

Around the New Year's Day of 1992, the governments of rump Yugoslavia, Croatia, officials of the Yugoslav army, and the Croatian National Guard agreed to the cease-fire in place and to a plan by UN special envoy Cyrus Vance which called for the withdrawal of the Yugoslav army from Croatia and for deployment of some 10.000 (later increased to 13.500) UN peace-keeping troops there. This truce set the stage for the expansion of the war into Bosnia.

The EU's hesitant record over Croatia in 1991 made it more difficult to act constructively when Bosnia arrived on the agenda. By its failure to act early and decisively about stopping the war in Croatia, the West as a whole – including the United States – had lost much of their credibility in the Balkans that was acquired during the Cold War and reinforced in the Gulf. In November 1991, the Bosnian President Izetbegović warned of the danger of "total war" breaking out in his republic and requested immediate dispatch of UN peace-keeping forces to head-off the impending conflict.

Bosnia was recognized as an independent state by the EU on 6 April 1992 and by the US shortly thereafter. It became a member of the United Nations, together with Croatia and Slovenia, on 22 May. Bosnia's recognition was the last stage of a process which had begun at the end of 1991 with an EU request to the Bosnian Government to hold a referendum on independence, as a precondition of diplomatic recognition. The referendum held on 29 February and 1 March 1992, was boycotted by most Bosnian Serbs on urging of Radovan Karadžić and Slobodan Milošević, although thousands of Serbs in big cities ignored the call to boycott. Of the 64 percent of registered voters who took part in the referendum, 99 percent voted in favour of independence.

The Serbs put up barricades in Sarajevo the next day. Undeterred, the Sarajevo government under Izetbegović declared Bosnian independence on March 3, 1992. At this point Bosnian Serbs were talking openly of war to keep the Serb-populated regions of Bosnia attached to the rump Yugoslavia. What followed was not a spontaneous uprising of the Bosnian Serbs against the threat of anti-Serbian Muslim fundamentalist rule, but a minutely prepared and ruthlessly executed plan of territorial conquest in pursuit of Great Serbia, carried out jointly by the JNA and the Serb paramilitaries. In fact, Serbia was conducting a war of aggression against a neighbouring state which had just received diplomatic recognition from the EU. But Western response was mute. Frantic efforts were being made by the EU to re-start negotiations, conducted by Lord Carrington, for a "cantonal" organization of Bosnia (that would have divided this republic into several dozen ethnic-based cantons)<sup>13</sup>.

<sup>13</sup> A partition assigning Eastern Bosnia to Serbia, Southwestern Herzegovina to Croatia, and the rest to the Muslims, if accompanied by extensive population exchanges, might have had a much better chance of avoiding bloodshed.

But all three communities rejected this scheme and incidents and confrontations between Serbs and non-Serbs in Bosnia grew ever more serious.

The United States, Western Europe, and the Islamic nations were the powers most directly involved in debates about the escalating Bosnian crisis, but they were divided in dealing with this problem<sup>14</sup>. Western politicians, desperately anxious to avoid involvement in yet another Yugoslav conflict, immediately started calling the conflict in Bosnia a "civil war", and when referring to the "warring factions", disregarding the fact that one of those "factions" was legal, the internationally recognized government in Sarajevo. They publicly deplored violence in Bosnia and called for an end to it, but felt excused from any obligation to intervene with a fiction that what was going on was a "civil war"<sup>15</sup>. The international community therefore was slow to react. Only on May 30, 1992, nearly two months after the start of full-scale warfare in Bosnia and Herzegovina, did the UN Security Council vote to impose trade sanctions on Serbia. Having introduced economic sanctions, the Western governments failed to produce any policy framework for Bosnia, into which sanctions or any other future measures could have been fitted. Instead, they adopted – as in the case of Croatia a year earlier – a policy of short term improvisation with no serious international guarantee for Bosnian integrity.

Only in August 1992, by which there were already 50.000 dead (mainly civilians) and more than 2 million homeless as a result of Serb aggression in Croatia and Bosnia, did the EC convene the so-called *London Conference*. The Conference recognized territorial integrity of Bosnia and Herzegovina and identified Serbia and Montenegro as aggressors, calling for UN peace forces introduction in Bosnia, to help maintain the cease-fire. But the London Conference did not lead to any improvement of the situation on the ground. The Serb siege in Bosnia continued. There was no significant improvement of the enforced sanction against Serbia, etc. In short, the London Conference revealed impotent passivity of the Western policy towards the Bosnian conflict to its full extent.

The *Geneva Peace Conference* which began work the following month was entrusted with the task of finding mechanisms to implement the principles laid down at the London Conference. However, guided by co-chairman Lord Owen (for EC) and Cyrus Vance (for UN Secretary General), the Geneva process in effect repudiated its mandate. Instead of respecting the London Conference' recognition of Bosnia's territorial integrity, and the Western powers' recognition of the Izetbegović government which by virtue of victory in free elections had a higher status than that of the insurgent forces, Vance and Owen introduced the notion of "warring factions" that placed the government in Sarajevo on the same level with Croat and Serbs insurgents. This in turn laid the basis for negotiating partition of Bosnia which entailed the decision to reward Serb aggression. Humanitarian efforts by governments and international agencies grew and helped relieve local suffering, but the dispatch of UN peacekeeping troops made no

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<sup>14</sup> The Islamic world realized that any move on their part, even if on a multilateral basis, could actually hurt the Bosnian Muslims by allowing the West to view the conflict as a showdown between the Christian West and the "fundamentalist" Islam (as Serbian propaganda portrayed the conflict). The Islamic nations therefore deferred to the West and restricted themselves to periodic conferences on Bosnia, protests against Western inaction, and demands for lifting the arms embargo. The United States chose to leave it to the EC to sort things out, taking the line that genocide in Europe was a "European problem". The European countries themselves were divided between traditional friends of Croats (Germany and Austria), Serbs (France and Russia), and the traditionally apathetic (Great Britain and Netherlands).

<sup>15</sup> "The true cause of the war was the structure of reciprocal fears that existed within Bosnia on the eve of the conflict. Each group feared domination by others, and not unreasonably so". R.W. Tucker and D.C. Hendrickson, *America and Bosnia*, The National Interest, Fall 1993, p. 16.



change to the situation on the ground except for making outside interventions less likely due to the possibility that the UN troops might, as a result, become hostages.

Vance and Owen, appointed as international mediators, soon found mediation impossible: the warring sides were simply unable to agree on any fundamentals. So, in October 1992, Lord Owen and Cyrus Vance produced the first draft of what eventually, by January 1993, grew into a set of proposals for *dividing Bosnia* into a number of autonomous provinces – the *Vance-Owen plan*. The plan insisted on the return of refugees to their homes throughout Bosnia and set the boundaries of the proposed provinces in such a way that the Serb-held territories could not be made into a single whole and joined to Serbia. But by virtue of basing the proposed cantons on ethnic boundaries (though not exclusively so) the final version of the Vance-Owen plan provoked a scramble which soon grew into open fighting for territory between the Croats and the Muslims both by then squeezed into less than 30% of Bosnia's territory. Under strong international pressure, the plan was accepted by the Croats and, much more reluctantly, by the Muslims, but was rejected by the Serbs in May 1993. On 22 May at a conference in Washington attended by the foreign ministers of Britain, France, Russia, Spain and the United States the Vance-Owen plan was *de facto* buried and replaced by the proposal to create five or more "safe areas" (including Sarajevo) for Bosnia's 2 million Muslims – a Muslim Bantustan, as the Serbs mockingly called it – guarded by UN troops whose mandate, however, would only give them authority to shoot back if they, not the Moslems, were attacked. The Government in Sarajevo, though under considerable western pressure to submit, rejected the *Washington plan* – truly the nadir of Western appeasement in Bosnia – and ordered its troops to continue fighting.

The failure of the American mediation in Bosnia, the outbreak of war between Muslims and Croats, the formation of an anti-Muslim Coalition by Bosnian Croats and the Serbs (with a joint Serb-Croat plan for the partition of Bosnia) and approaching of November 1st 1993 (coming into force of the Maastricht Agreement) prompted France and Germany, but also the United Kingdom, for a more active role. The French and German foreign ministers launched an initiative by which territorial concessions of Bosnian Serbs in favor of the Muslims would be rewarded by partial lifting of sanctions against Serbia and Montenegro. *The Kinkel-Juppe initiative* has been accepted at the EC ministerial meeting of November 22, with the additional demand for an agreement (*modus vivendi*) in UNPA areas (Krajinas). According to Lord Owen, co-president of international conference on former Yugoslavia, the shift from the policy supporting territorial integrity of Bosnia to its territorial divisions was the consequence of the fact that Washington has destroyed his plan for preservation of Bosnia as a multiethnic state. The *Owen-Stoltenberg peace plan* for Bosnia reflected this new approach of the Community and proposed territorial division and creation of the national states in Bosnia-Herzegovina.

The Owen-Stoltenberg plan, presented to the warring parties August 20, closely followed the Serb-Croat scheme. This second peace plan proposed assigning 52% of Bosnian territory to the Bosnian Serbs, 30% to the Muslims, and 18% (mostly in the southwest) to the Croats. Western mediators at first expressed "optimism" at the prospects for Muslim acceptance of what was in effect a Serb-Croat plan, and described the Bosnian Muslims' ultimate rejection of it as "unexpected". In fact, the Bosnian Muslims agreed "in principle" to the Owen-Stolten-

berg plan on July 30, 1993, but efforts to flesh out the details soon bogged down. In the meantime Bosnian Serb militias tightened their stranglehold on Sarajevo and continued to bombard the capital. Throughout 1992 and 1993 the Bosnian government tried to persuade the UN to lift the general arms embargo against the former Yugoslavia.

The next stage of the war in Bosnia-Herzegovina started in early February with the explosion on the Sarajevo marketplace, which killed many civilians. This event prompted NATO to put an ultimatum to the Bosnian Serbs to dislocate their heavy weaponry at a distance of 20 km from Sarajevo under the threat of NATO air strikes against their positions. In this new phase, the Bosnian Croats abandoned their unreliable Serb allies and, responding to the United States mediation efforts, agreed to mend fences with the Muslims. The two parties in fact had in February already decided to establish a *joint federation*, and the following month they announced the merger of their armies. This progress can be traced back to two main factors: changing power constelations between the parties on the battle field and on the international diplomatic front as well.

For the first time since the outbreak of the war in 1992, the international mediation in Bosnia became a trilateral effort, reflecting the new balance of powers in Europe, since the international *Group* included diplomats from the USA, Russia and EU (represented by the usual Troika). Although the Contact Group for the first time managed to reach consensus of the relevant international factors in the solution of the Yugoslav crisis, it also burdened the negotiating process with their mutual relations, since all three sides embarked on this assignment starting from their own political and security concerns.

The EU and European Union "mediators" devised a third partition plan, which they presented in June with the support of the United States and Russia. Starting from the results of the Washington agreement (which ended the war between Bosnian Muslims and Croats in spring 1994 and established the Bosnian Muslim Croatian federation, which would get into confederate relations with Croatia in the future), the *Contact Group plan* anticipates the *creation of the Union of Bosnia-Herzegovina*, whose members would be the Muslim-Croat federation and Bosnian Serb republic, while the territory of this former Yugoslavia republic would be divided in the ratio 51% : 49%. The Western powers signaled that if the Bosnian Serbs accepted the scheme, the economic sanctions against Serbia and Montenegro would be lifted. The Western powers also threatened to lift the arms embargo against the Muslims and the Croats if the Serbs rejected the plan. The threat was only a bluff, however, and the Bosnian Serbs called it, effectively rejecting the plan July 21, although FR Yugoslavia accepted this plan. Dissatisfied with such a position and overall policy of the Bosnian Serbs republic, the government in Belgrade severed political relations with Pale and sealed the border with the Bosnian Serbs, thus causing further divisions within the international Contact Group. But the differences between Milošević and Karadžić concern only tactics and strategy, not ultimate goals (Great Serbia).

For further development of the peace process three questions seem to be essential: *First*, will the Americans have enough steadfastness to remain engaged in the Balkans for more than a short period of time? *Second*, how will the Russians behave in the future (after the war in Čečenija); will Moscow become aware that a partition of Bosnia, on the basis of ethnic principles, constitutes a dangerous precedent for a possible disintegration of Russia proper and that the preservation of a multiethnic Bosnian republic is in their very interest? *Third*, how to force the

Bosnian Serbs into joining the Washington accord and accepting the plan of the Contact Group? For the Serbs, it seems necessary to take their security interests into account when a lasting solution is to be envisaged. Furthermore, the political leaders in Belgrade have to be convinced that it is not in their interest to tie the secessionist territories like a millstone around their neck: in a political sense, Milošević can have no interest in supporting potential rivals for power in Serbia; in an economic sense, Serbia cannot expect the sanctions to be lifted if openly supporting the secession of those parts of Bosnia under Serbian control. Milošević had better allow the Bosnian economy, which is only possible if the Bosnian republic remains territorially intact.

Regarding current developments we should not underestimate the pitfalls of Balkan politics. Even if the common efforts of the superpowers are to succeed, there is no guarantee that a (con)federation will work in practice or that it will survive an eventual new Ice Age between the superpowers. On the contrary, Bosnia could become a new source of global tensions. Some observers believe that if the UN forces were to depart, a new Serb-Croat deal at the Muslims' expense would not be far off. If events move in that direction, the Muslims' survival in any capacity other than that of an oppressed minority within an expanded Serbian state is apt to depend on the solidity of their alliance with the Croats and their ability to obtain better arms supplies in the future than they have till present time.

### *Federalism in Bosnia: part of the solution or part of the problem?*

All the ailments of postcommunist Eastern Europe and all the problems that Western Europe imagined it had safely put away, such as borders, minorities and migrations, are concentrated in what was Yugoslavia. Bosnia lies as destroyed as its parent Yugoslavia, whose contrasts and contradictions, ideals and weaknesses it reflected. History needs to be studied again before the West can help.

Bosnia is the historical name of the South-Slavonic country and present Republic of Bosnia and Herzegovina, which has existed in various states and constitutional forms for over a thousand years. Slavonic tribes settled in the region in the Seventh century, falling within one of the great waves of the migration of nations. Prior to this, the region had been, for five centuries, a part of the Roman Empire. Its ancient civilization was called Illyricum, and its inhabitants were the romanized original inhabitants of this part of the Balkans. The Slavs eventually dominated the native romanized Illyrians, but had been culturally influenced by them in return. This heritage found expression in the cultural and intellectual life of Bosnia in the Middle Ages and was cherished also after Bosnia was christianized and took its place in the Western Christian Civilization – a process that in Bosnia took place some time later than in Croatia.

Under the rule of Banus Kulin (1180–1204), the political and economic stabilization of Bosnia began as well as the territorial expansion connected with its development of trade and culture. Under the rule of Stjepan II Kotromanić (1322–1353) and Tvrtko Kotromanić (1353–1377), Bosnia experienced the peak of its political and territorial power. After the death of King Tvrtko I, a typical process of feudal disintegration took place and the local autocrats gained increasing power. At that time arose the first battle with the Ottoman forces, but Bosnia as a whole was not conquered by the Turks so easily; it was a rather long and complex process according to Turkish methods of conquest. It took about a cen-

tury and a half – from 1386 till 1528. For four centuries Bosnia and Herzegovina was a part of the Ottoman Empire – up until its occupation by the Austro-Hungarian Monarchy in 1878. In that period also the Ottoman power and the state authority underwent various changes.

During that whole period Bosnia found itself in the most “dramatic” position in the Empire, being the region with which it touched “the other world”, the European world and the world of Christianity. During the sixteenth century, Bosnia-Herzegovina began its full territorial, administrative, economic and cultural physiognomy as a province of the Ottoman Empire. The Bosnian Pashaluk was established in 1580. In the period after the war with Vienna, the borders of the Pashaluk took a shape quite similar to the ones of Bosnia-Herzegovina today. Gradually the rich Muslim landlords in Bosnia gained a practically independent position with the Vezir – the official representative of the Sultan’s government.<sup>16</sup> This development caused the specific situation in the nineteenth century in which the Bosnian Muslim leaders heavily opposed the reforms from Istanbul. This resistance was in a way part of the Bosnian struggle for autonomy.

At the same time, the social turmoil in Europe during the Nineteenth century had made a strong impact on Serbian and Croatian inhabitants of Bosnia as well. The Serbs in Bosnia held out in hope for a change from the global perspectives of the new Russian Balkan policy. Also the uprising in Serbia against the Ottoman rule made a strong impact on them. Meanwhile Croats set their hopes on a freedom mission from Austria and were inspired through the national movement in Croatia under the name of Illyrism. In the young Serbian dynasty, an aspiration for territorial expansion was already aroused in the first half of the Nineteenth century and it remained a key factor of Serbian Balkan policy. This aspiration was strategically formulated in 1844 in a secret paper – Naertanije – by Ilija Garaganin; this was the concept of Greater Serbia (common Serbian ethnicity). The aspiration to become a maritime state was (is) the very foundation of Serbian expansionist policy.

At the Berlin congress 1878, the Austro-Hungarian Monarchy was given a mandate to occupy Bosnia-Herzegovina and subdue it to its administration. That summer, the Austrian army entered the Country and faced an unexpectedly severe and lasting resistance. But from that event on, Bosnia and Herzegovina began to abandon the Islamic, Turkish oriental paradigm of civilization and step into a new one – that of Western Europe. This transition was naturally very dramatic and painful, especially for the Muslim people. But the Austrian administration was rather sensitive towards the peculiarities of Bosnia and Herzegovina as a unit of its own. It was eventually given the status *corpus separatum* so that, formally, it was not directly subdued to the Austrian Crown. This process of its integration into the European normative system, adopting common values of European civilization, was abruptly interrupted by the assassination of the Austrian Archduke Ferdinand and his wife Sophie in Sarajevo 1914 and the First World War which followed.

By the way in which the international community began with the decomposition of the Austro-Hungarian monarchy at the end of the First World War as well as the manner of its assistance in forming a common state out of South-Slavonic lands that were once parts of the Ottoman Empire and Habsburg Monarchy

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<sup>16</sup> It may be hypothesized that territory is especially important to human beings and to politics, and especially to nationalism, because: a) there are biological reasons which lead animals to establish their own territories; b) control over territory is essential to political authority; c) nationalism is particularly founded on the concept of the homeland.

eventually led to a situation in which the creation of a new state in 1918 was a bare betrayal of such ideas. Under the rule of the Serbian Dynasty of Karadjordjević, the common state turned into a gradual realization of the strategic targets elaborated in Garašanin's paper "Načrtanije". But the historical and national identities of other South-Slavonic lands have always been the greatest obstacle to those plans. That is why all the administrative and territorial solutions and arrangements of the Government in Belgrade tended to cause the disintegration of the historical units and their identities by constructing unnatural districts. So for the first time in the thousand years of its history Bosnia-Herzegovina was partitioned: first into several districts and afterwards by the so called Cvetković-Maček Agreement in 1939 into thirteen provinces that became part of Croatian land (Banovina), the rest became part of the so called "Serbian lands".

Although after the Second World War Yugoslavia formally got its federal constitution, the centralist and hegemonic policy actually prevailed, supported by the totalitarian Communist ideology, with the consequence that national and republican tensions emerged again in the late Sixties. The regime tried to solve those tensions through an awkward combination: it intensified ideological repression, turning back social processes, and it affirmed the autonomy and integrity of the federal units through a new constitution in 1974. The constitutional rights of the federal units were exactly the reason for the reemergence of Greater Serbian expansionism after the death of Tito, this time in an expressly aggressive form, supported by the federal army under the pretext of preserving Yugoslavia. After the emancipation of Slovenia and Croatia and after a similar political will expressed in Macedonia, *Bosnia and Herzegovina remained the last bastion for the realization of Greater-Serbia*, at least in a reduced form. So, if Greater-Serbia was not to be possible by way of annexation of the whole republic, it should be realized by way of partitioning *Bosnia and Herzegovina* (according to imaginary national "property" over as large a portion of the country as possible). Hence the idea of partitioning of Bosnia and Herzegovina between Serbs, Croats and Muslims. It practically condemns the majority population of Bosnia and Herzegovina, the Muslims, to be a people without a state. This idea also takes from Bosnian Croats and Serbs their historical and native country.

The civilizing experiences and traditions of Bosnia and Herzegovina make the strongest case for its territorial unity and political sovereignty. There are rarely such regions where history has constructed so peculiar a reality out of geopolitical unity, bringing into close communication over the centuries different nations, cultures, religions, civilizations and traditions. This *mosaic of cultures*, civilisations and confessions lasted in Bosnia and Herzegovina over the centuries. There were, of course, great challenges to the co-existence of ethnic and religious groups. The coexistence of groups belonging to different spiritual systems in every day life necessarily led to mutual exclusion under cover of normality. But the Bosnians have learned to forge out of this way of life a tradition of fundamental, unicursal, spiritual and social value, that is to say, they have learned to be accustomed to difference and to neighbours of various kinds as a way of everyday life. So structured, the Bosnian social and spiritual mosaic was integrated into the Ottoman confessional system in which *religion* was at the same time understood as an expression of different political and *ethnic identities*. The connection between confessional and ethnic affiliation in the Bosnian experience is very deep but at the same time ambivalent.

Modern Bosnia consisted as a result of this process, of three nations: Bosnian Muslims, Croats and Serbs. These nations are equal heirs to the history of this country and have an equal responsibility for its future. But for the new nationalist ideologues a "hybrid" state and civilization such as the one Bosnia represented belonged, with Yugoslavia, in the graveyard of history. Bosnia, as it has existed for six centuries, had to be destroyed; the loyalty of its indigenous Serb and Croat communities to a multiethnic Bosnian nation subverted; its native Muslim population terrorized. The objective was to "cleanse" Bosnia not only of Muslims but also of the unique and dangerous cosmopolitanism of its cities which clearly had no place in the new "pure" nation-states emerging from the ruins of Yugoslavia. A "cleansed" Bosnia could then be carved up and annexed to the national states of Greater Serbia (and "Greater Croatia").

At stake in Bosnia were *two visions of society and democracy*. Those who came under assault in the newly formed Bosnian state made clear that they stood for a society of equal citizens, where the rights of all consistent nations would be secured and protected under law as a matter of constitutional rights. *This was a vision of a multi-ethnic society* in the tradition of the European Enlightenment. The embodiment of "rights" inherent in the status of citizenship was one of the more significant advances which the French Revolution had spread and integrated into the constitutional orders of European states over a period of two centuries. Yet, in the final decade of the Twentieth century, it was to be a standard which Europe, led in this instance by France and Britain, would cynically abandon.

The opposing vision was the one promoted by the nationalist leaders of Serbia (and partially Croatia). *Insular, parochial, ethnocentric, this was a vision of a purified nation-state* in which there was no room for the "Other". The ingathering of a people into the bosom of the "mother country" meant in this instance the acquisition of the territory on which they lived. Serbia's nationalist ideology was unequivocal on this issue: the destiny of all Serbs was to live in one state, and since all land on which Serbs lived was by definition Serb land, it rightfully belonged to "Greater Serbia". They, alone, would unilaterally define its boundaries and remove any community which by their account did not "belong". According to this view, Bosnia and Herzegovina had no legitimacy as a separate nation, civilization, or state. *Those who had lived in the land for generations and were not Serb (or Croat) were foreigners who had to be removed from it by all means necessary*<sup>17</sup>.

The other intrinsic dimension of the war, of course, was the destruction or "disappearance" of all that represented the unique history and character of Bosnia and the intermingling of its diverse cultures. An entire way of life, a whole civilization in the heart of Europe, was being wiped out. The "cantonization" led to "ethnic provinces" and, finally, to "*partition*". The Bosnians, at each step of their defeat, were asked to accept "reality". The reality, as the Bosnians saw it, was that the West was complicit in engineering their defeat and the destruction of their society. "*Cantonization*" – subsequently adopted with great enthusiasm by a parade of international mediators – was only a code word for the *dismem-*

<sup>17</sup> The characterisation of the conflict in Bosnia advanced by the United States and its European partners was entirely self-serving, and of course, misleading. According to Ivo Banac, the constant talk about "civil war" and "ancient hatreds" represented merely a useful caricature by which to rationalize a policy designed to "abandon Bosnia and do nothing". The war was essentially a war of aggression conducted by Serbia against an internationally recognized independent state.

berment of Bosnia. "Cantonization" is a special type of segmentation, since it is strongly related to the imperatives of biology, political authority, and nationalism. It has strong territorial segmentation and claims for territory.

Territorial segregation is complex: it may be based on small and separate "homelands". It may even be based on cities, villages, districts or streets (as in parts of Bosnia-Herzegovina). Whether this last pattern is mixed or segregated is a matter of opinion, but of crucial political importance when "ethnic cleansing" and population transfers are embarked on. Maps reveal the correlation between settlement patterns, viewed ethnically, linguistically, and religiously, and political boundaries. They are also a major bone of contention when attempts are made to divide territory into ethnic states as in Bosnia-Herzegovina.

In an extreme case, total "ethnic cleansing" which results in ethnic homogeneity in a territory logically eliminates the desirability of a consociational political system and makes national self-determination appropriate. This is obviously the aim of the "cleansers" and by default of the UN/EU Mediators, who are moving towards the *partition of Bosnia and Herzegovina (and Croatia) along ethnic lines*. As noted before, the actual territorial division, after almost three years of war, is around 70% : 30%, so this plan would require the return of much Serb-controlled territory to the Croats and Muslims (on a 49% : 51% basis). The ultimate consequence of this "final solution" for Bosnia and Herzegovina is the total subordination of the citizens to the ethnic community whose fate is determined by its political leaders.

The idea about "cantonization" (partiton) or *confederalizing* Bosnia and Herzegovina, theoretically speaking, is the result of the completely wrong linkage of Bosnia's fate to the fate of Yugoslavia. These are two different historical and political entities. Bosnia is a *historical fact* that has been in existence for a millennium, while Yugoslavia was essentially a Serbo-Croatian agreement reached during World War I. Thus it is *questionable* that any of the partitional schemes proposed for Bosnia-Herzegovina by Carrington, Vance-Owen, Owen-Stoltenberg, etc. could work. Not only the result but also the prerequisite of these plans is (was) *exclusive nationalism in a national territory*. The efforts of the international community were essentially based on the adoption of an idea – ethnic territories, or "cantons" – which had been propounded by the Serbian camp. Understood by the EU negotiators as a means to propitiate the Serbs and avoid war, it was really a charter for "ethnic cleansing": ethnically designated cantons created the basis for ethnically pure territories.

"Ethnic cleansing" is a tactic employed primarily by Serb rebels to kill and expell members of other nationalities, including Muslims, Croats, and other ethnic minorities, from former Yugoslav territories in order to remove potential resistance to eventual annexation of land needed to create a "Greater Serbia". So, the war that is going on in the Balkans (Bosnia) right now appears to be about *who has the power to change boundaries*. In some sense, the war appears to be a historical continuation of previous power/boundary fights; but we must say, that ethnic differences turned into nationalist chauvinism when a discredited communist elite began manipulating nationalist emotions in order to cling to power. Regarded in this light, nationalism is frequently held to be the major competitor to democracy, and many have asserted that the new world order emerging after the Cold War will be one of nationalist conflict rather than democratic peace.

With the Bosnia of today, however, it is possible to think of the *idea of*

*division*. After ethnic cleansing, Bosnia is like a blank piece of paper. The existing structure has been all but erased, and theoretically could be replaced by any other. "Realities" are created, and the present one would never have happened peacefully. The version of reality now plumped for by Lord Owen looks like this: a typical eastern Bosnia town may have had 70% Muslims and 30% Serbs and today has no Muslims. No one is willing to change that new reality, there is no hope otherwise that they would return. So under the present logic, the town will be given to the Serbs. What made Bosnia such a singular moment in international relations was that in the end the European Community (Union), the United States, and the United Nations actively collaborated in the advancement of this final solution for Bosnia-Herzegovina.

A solution defined by the principle of a carve-up on the basis of ethnicity are inherently unworkable attempts to *divide the indivisible*, because of the high level of integration of Bosnian society. In order to achieve the scale of ethnic segregation which David Owen on behalf of the European Community, proposed as the basis for a solution, the permanent – not temporary – rending of Bosnian society was required. The dislocation from homes and villages where families had traditional links extending back five centuries or more would for the first time in history be given international sanction. Such a solution in the end represented a clear *case of realpolitik* that sacrifices the interests of the very people it purports to protect.

The tragic war is being used by European politicians in order to guarantee the stability of the rest of Europe, i.e. of the "proper" and "true" Europe – which the Balkans and Bosnia supposedly do not belong to. It seems the war in Croatia and Bosnia came just in time for the EC (EU) to present herself once again as the only possible alternative to a dispersed Europe of autonomous regions and to thereby regain her previous power and glory. In terms of the objectives of the international community, as expressed in solemn resolutions the United Nations Security Council and every other international body which has addressed the issue, Bosnia's wretched condition provides eloquent testimony to a failed attempt to shape the management of conflict in Europe. The priority given to developing a *compromise* policy, accomodating widely divergent views and interests, may have come at the expense of an *effective* policy. The main reasons for the ineffectuality of international institutions are: poor timing, inconsistency, lack of coordination and an unwillingness to use force, making it difficult to enforce compliance.

International diplomacy has confirmed that it suffers from a lack of imagination; sticking to old and worn-out interpretative cliches, where the *ethnic* is still the dominant starting position, it has failed to search for new paths, to re-examine the concept of territoriality in alternative terms which would not be strictly *etatistic*. Although the ferocity of the war may lead us to other speculations, *the criterion of ethnic division does not allow for any prompt solution to the crisis*: this does not depend only on the fact that it has proven to be difficult in practice; it is also a fact that in spite of the profound changes taking place in the 20th century, the cultural and geomorphological roots of Balkan "localism" are still deep. Differences and "feelings of community" of peoples are in fact determined by numerous and varied forms which do not always coincide with the ethnic group, but most frequently reflect territorial characteristics and are an outcome of various historical and cultural events of their inhabitants, of contacts established in the course of time and with the surrounding world, of demographic changes as a result of migrations, natural catastrophes, disease and wars.



On the other hand, the mediating concepts of Vance, Owen and Stoltenberg are bound by neutrality. In this case the mediators had the only chance of achieving at least a cease-fire when they accepted the actual military *status quo* as a basis, stabilizing it through buffer zones, but even this failed to last long. Such a concept can provide peace politically – at least immediately – only if the political and military *status quo* is accepted, depending on the military resources and capacities of the warring parties. More recent scholarly papers on negotiations and mediation have shown the following: there are cases when the mediators can be successful if they give up total impartiality and place the political power weight in the scale-pan of the weaker party. It is understandable that they must remain acceptable for all conflicting parties. This can only succeed if the mediators possess resources of power in order to convince, by pressure and stimulation, all the warring parties to redefine their interests. Such an “interventionist” concept of mediation is appropriate only when the conflict is asymmetrically structured, as is the case in Bosnia.

In reality, a non-interventionist concept has carried with it high costs, including the long term destabilization of the Balkans, the loss of credibility for both the US leadership and the major institutions, support for the idea that changes to state structures and boundaries can be imposed by force and an undermining of the concept of multi-national societies as well as the terrific loss of life, casualties and wanton destructions within the Bosnia itself. It may be that Bosnia-Herzegovina, like former Yugoslavia is quite simply dead. But even if this is the case something like half of its former population needs a reasonable territory, and reasonable conditions, in which to rebuild a decent existence. The half to which we refer comprises the Muslims, together with most of those of mixed parentage and those with a broadly secular outlook. They are entitled to at least the amount of territory offered to them under the peace plan. But today, as in the past, the key problem is implementation; where to find the forces to make a reality of accords that have been reached?

The war in Bosnia, now almost three years old, continues to be the focal point of international tensions. Muslims tend to identify the fate of Bosnia with their own, and to see this war as a symbol of their destiny. But in international decision making, the Islamic countries are restricted to somewhat marginal roles which provoked discontent and rendered their allegiance to the international framework fragile. This could contribute to the broader spreading of Islamic fundamentalism. Rising fundamentalism will serve to strengthen radical Islamic regimes like Iran's and erode the legitimacy of moderate Islamic nations like Saudi Arabia and Turkey. To avoid this, even moderate Islamic countries playing to radicals, will defy Western policy in Bosnia, seeking more decisive measures against the Serbs. But to look at Turkey, it can be seen that a hard-line policy on Bosnia is much more favourable to Islamic revival than to the political stability. This is the basic dilemma for Islamic countries wanting to pursue a moderate course.

From the Balkans' perspective, the Islamic reactions may threaten domestic stability of all region's countries except perhaps Albania. While maintaining good relations with the Muslim government in Bosnia, Bulgarians and Macedonians cannot help wondering if Bosnian pan-Islamism will affect their Muslim populations. The Greeks are nervous about Turkish actions, fearing that Turkey may become a regional power like Iraq in the Persian Gulf. For the Bosnians, Islamic countries' strong backing of the Izetbegović's policy would spur the development of an Islamic nationalism as opposed to a secular one – which would add another tragedy to the one the Bosnian people are living through.

So the question remains open: will the agents be able to fly in the face of unfavourably segmented social structure, to produce a consensus government, or alternatively change that structure towards de-segmentation? If so, the prospects of political accommodation are good. Otherwise, exclusive nationalism in the national territory will prevail. A totally segmented society cannot sustain consociationalism, and is heading for secession and nation-state status for union with a neighbouring nation-state. Segmented societies (states or putative states) cannot successfully adopt majoritarian procedures for declaring independence, drawing up constitutions, forming governments, etc. The high segmentation could also lead to the break-up of nationalist governments prevail which follow the majority principle of "exclusive nationalism" without modification, opting for increased self-determination to the point of legal independence rather than the cantonization of the federalization. Fragmentation already *de facto* took place in Bosnia and Herzegovina (and Croatia), and it is very difficult to put these states together again. One writer on Yugoslavia, for example, mentions that "Tito recognized the Bosnian Muslims as a nation in 1969" (Friedman, 1994:11) and that "perhaps a series of new mini-states must exist for a while . . ." (Friedman, 1994:35).

*Does federalism matter in such circumstances?* Some might argue that the contemporary federal phenomena also demonstrate that federal institutions are incapable of resolving the "nationality question". They might argue that the cases of Yugoslavia, Canada and the USSR show that federal systems which embrace more than one ethnic or linguistic community are bound to break-up. They might even go so far as to say that the EC (EU), embracing a wide spectrum of ethnically different countries, is bound to break-up if it seeks to be more ambitiously federal.

Such arguments open up a huge question of the degree of homogeneity that must exist between the members of a federal union if it is to be viable – to which the Swiss federal experience is obviously relevant. I shall not attempt going fully into this question here but simply observe that the position asserted above is far too generalized to carry much weight. There are clearly circumstances when ethnically homogeneous peoples demand complete political independence or sovereignty; experience of prolonged political repression is the most common of these circumstances, and it is doubtless utopian to assume that federal formulae can automatically assuage or deflect such demands in such circumstances.

The taxonomy of ethnic conflict regulation (McGarry & O'Leary, 1993:4) places "cantonization and/or federalization" among the four methods for managing differences. The other methods include hegemonic control, arbitration (third-party intervention), and consociationalism or power-sharing. Federations have been heralded for such benefits as allowing for diversity, including a variety of linguistic and ethnic groups, encouraging experimentation at the substate level, and providing for large markets. Potential disadvantages related to the extreme subnational competition, secession and civil war tend to be overlooked.

What seems clear is that structures, processes, individuals, and attitudes all play important roles in determining whether a peaceful democratic accommodation of ethnic diversity can be accomplished. But in the absence of positive attitudes, positively exploited by individual leaders to build patterns of compromise, bargaining, and accommodation, it is probably unrealistic and profoundly incorrect to think that structures alone will make a significant difference. Just as structural-functionalism was based on an underlying structural determinism, some of the prescriptive social science today either imparts to structure an exaggerated

impact on attitudes and individuals, or it seriously understates the role that attitudes and individuals play in making structures and processes work.

Our examination leads us to the conclusion that we need to be more aware of the important distinction between federalist structures and federalist processes. This distinction may help clarify the failure of federalism as a possible prescriptive remedy for multi-ethnic tension in the case of Bosnia. *If willingness to negotiate and compromise, and the commitment to open bargaining, and the desirability of accommodation are absent, it may be impossible to achieve true federalism, or even to maintain it in its incomplete form.* This is relevant for examinations of the role of federalism in Bosnia, and its potential contribution to put these fragmented countries together. Practicing politics of accommodation may make a multi-ethnic society more peaceful, but one will not practice unless one initially has a desire to do so.

In Bosnia this desire and willingness to cooperate or accommodate, e.g. the basic attitudes which should precede the creation of structure and procedures so that relationships can emerge and be ultimately institutionalized, were lost as first, one ethnic-led coalition, and then another pressed its demands on the country. The federalist structures cannot promote "politics of accommodation" by itself if they are not accompanied by the processes of federalism. The essence of federalism is not to be found in a particular set of institutions but in the institutionalization of particular relationships among the participants in political life. Although certain structures are more likely than others, to institutionalize relationships that are cooperative, accommodative, tolerant, and the like, the structures alone are unlikely to create the necessary attitudes among political elites and masses that underlie such relationships. While federalism may, in fact, be a necessary condition for a successful democratic governance in multi-ethnic societies, it is highly likely that it must be a combination of federalist processes with federalist structures.

In this sense, the federalism in Bosnia will fail to contribute to peaceful political accommodation for one of two reasons. The first is simply that there is not sufficient willingness on the part of the country to accommodate the variety of demands and concerns that arose within diverse ethnic groups that comprises federation; in other words, no truly federal processes will emerge to reinforce and expand the federal structures. The second reason for failure is that, in order to avoid the first problem, severe limitation will be placed on substantive matters that fall under the purview of federation; in order to avoid internal gridlock and disintegration, the federal structures will be focused on largely symbolic issues. While this may be important for a long-range strategy of institution-building, we should not expect too much substance from these kinds of arrangements.

Concrete proposals will be found in provision of, first of all, the territorial integrity of Bosnia. It will however be hard to achieve such a goal on the basis of current proposals offered by the Contact Group, or proposals contained in the Washington agreement which supports the creation of a Croatian-Muslim federation. This new federal creation suffers from constant deterioration in Croatian-Muslim relations in Bosnia, and in relations between Sarajevo and Zagreb. Besides, its constitution was shaken by nebulosity because, if it is true that the agreement (according to the intentions of those who really want it, i.e. the USA) should one day include the Serbs in Bosnia, it is also true that precisely the partiality of the solution applied since the very beginning would give Karadžić a new map for a clear determination of his destiny and the destiny of the territories

conquered by his army, but it would also make Russia and France declare that, if the Croats and the Muslims can form a confederation with Zagreb, there is no reason why the Serbs in Bosnia cannot form a confederation with Belgrade. In this way, *the division of Bosnia*, which was settled by Milošević and Tudjman in the past, would be realized with international consent. The question arises whether this implies the consent of Muslims.

However, inspection of the constitution of this supposed Muslim-Croat Federation also reveals it to be far less than the framework for a structure of a workable state. The constitution creates a "Federation" that is an empty shell, with government that has virtually no authority within the supposed country, a legislation that has no real means of reaching final decisions on contested issues, and courts that have beautifully wide grants of authority regarding protection of human rights and freedoms, coupled with no means to exercise that authority. It is more of an *imaginary constitution* that a real one and the federation it purports to create is illusory. But despite constitution's pronouncement in respect of the territorial integrity of Bosnia and Herzegovina, the Federation amounts to partition of the Republic (a reality). Creation of the Croat-Muslim Federation *legitimates de facto* partition of the internationally recognized Republic of Bosnia and Herzegovina. In the end, the Federation is hardly an example of democratic state-building, and of a workable state.

Focusing of the union, at first, of only two peoples (Muslims, Croats), instead of taking an integrative approach to all three nations, is the initial mistake of the Contact Group plan. True federalism cannot be installed, nor can it survive if there are no democratic relations. Therefore, the peoples of Bosnia-Herzegovina can achieve peace and establish proper governmental organization within its internationally recognized borders only after a *civil system* is established as a democratic emanation in this country, in which the value of individual freedom will not be lower than the value of the ethnic collectivities.

#### REFERENCES:

- FRIEDMAN, Francine (1994), *Ethnic Conflict in Yugoslavia: The Rise of Tribalism*, Paper. Chicago Midwest Political Science Association.
- GOTTLIEB, Gidon (1993), *National Against State: A New Approach to Ethnic Conflict and the Decline of Sovereignty*. New York: Council on Foreign Relations Press.
- BREZOVŠEK, Marjan (1994), *Federalizem in decentralizacija*, Ljubljana: Karantanija.
- HALPERIN, Morton H./Scheffer, David J. (1992), *Self-Determination in the New World Order*, Washington, D.C.: Carnegie Endowment for International Peace.
- HUNTINGTON, Samuel P. (1993), *The Clash of Civilisation?*, *Foreign Affairs* 72, no.3 (Summer): 22-49.
- KAPLAN, Robert D. (1994), *The coming Anarchy*, *The Atlantic Monthly* 273, no. 2 (February): 44-76.
- MAKIN, Patrick (1994), *Regressive Road to Division*, *Middle East International*, 473 (April):12.
- MC GARRY, John/O'Leary, Brendan (eds.) (1993), *The Politics of Ethnic Conflict Regulation: Case Studies of Protracted Ethnic Conflicts*, New York: Routledge.
- ROBERTS, Adam/Kingsbury, Benedict (eds.) (1993), *United Nations, Divided World: The UN's Roles in International Relations*, 2nd ed. New York: Oxford University Press.
- SMITH, Anthony D. (1991), *National identity*, Reno: University of Nevada Press
- STRASNOURG (1994), *The Door Opens: European Enlargement*, *The Economist* 331 (May 7): 20.
- ZINN, Howard (1985), *How Democratic is America*, pp. 2-14 in Robert E. di Clerico and Allan S. Hammock (eds.) (1992), *Points of View: Readings in American Government and Politics*, New York: McGraw-Hill, Inc.
- BANAC Ivo (1985), *The National Questions in Yugoslavia - Origins History, Politics*. Cornell University Press, Ithaca.
- SEROTA, Jim/Pavlović, Vukašin (eds.), *The tragedy of Yugoslavia - The Failure of Democratic Transformation*, New York: Sharpe, M.E.

- WEITZ, Richard (1992), *The CSCE and the Yugoslav Conflict*, RFE/RL Research Report, Vol. 1, no. 5 (January, 31): 24-26.
- GOW, James (1993), *One Year of War in Bosnia and Herzegovina*, RFE/RL Research Report, Vol. 2, no 23 (June, 4): 1-13.
- JOB, Cvijeto (1993), *Yugoslavia's Ethnic Furies*, *Foreign Policy*, Vol. 92 (Fall): 50-74.
- MACKENZIE, David (1994), *Serbia as Piedmont and the Yugoslav Idea 1804-1914*, *East European Quarterly*, Vol. 28, no 2 (Summer): 153-182.
- RUSINOW, Dennison (1991), *Yugoslavia, Balkan Breakup?*, *Foreign Policy*, Vol. 83 (summer): 146-159.
- VARADY, Tibor (1992), *Collective Minority Rights and Problems in Their Legal Protection: The Example of Yugoslavia*, *East European Politics and Societies*, Vol. 6, no. 3 (Fall): 260-283.
- GLENNY, Misha (1992), *The Fall of Yugoslavia*, London: Penguin Books.
- GURR, Ted Robert, *Minorities at Risk, A Global View of Ethnopolitical Conflicts*, Washington, D.C.: United States Institute of Peace Press.
- HOROWITZ, Donald L. (1985), *Ethnic Groups in Conflict*, Berkeley: University of California Press.
- DORF, Robert H. (1994), *Federalism in Eastern Europe: Part of the Solution or Part of the Problem*, *Publins*, Vol. 24, no. 1 (Spring): 92-114.
- FREEDMAN, Lawrence (1994), *Military Intervention in European Conflicts*, *The Political Quarterly Publishing*, Oxford: Blackpowell Publishers.
- RAMET, Sabrina Petra (1994), *The Bosnian War and the Diplomacy of Accommodation*, *Current History* (November): 380-385.
- SIMIĆ, Predrag (1994), *Conflict Management Versus Conflict Solution; The Case of Yugoslavia*, *Review of International Affairs*, Vol. XLV, No. 1026-7 (October): 5-25.
- MAGAŠ, Branka (1992), *The Destruction of Bosnia and Herzegovina*, *New Left Review*, No. 196: 102-113.
- KALDOR, Mary (1993), *Yugoslavia and the New Nationalism*, *New Self Review*, No. 197: 96-112.
- ALI, Rabia/Lifschultz, Lawrence (1994), *Why Bosnia*, *Third World Quarterly*, vol. 15, no. 3: 367-401.
- SCGLOTTER, Peter (1994), *The Yugoslav Lesson*, *Balkan Forum*, vol. 2, no. 1: 11-24.
- BILLING, Peter (1994), *Negotiating Peace in Bosnia - Who Will Solve the Gordian Knot*, *Balkan Forum*, vol. 2, no. 2:23-32.
- CVIIĆ, Christopher (1994), *An Awful Warning: The War in Ex- Yugoslavia*, *Balkan Forum*, Vol. 2, no. 3: 29-76.
- HAYDEN, Robert M. (1994), *The Constitution of the Federation of Bosnia and Herzegovina*, *Balkan Forum*, vol. 2, no. 3: 77-94.
- HAYDEN, Robert M. (1993), *The Partition of Bosnia and Herzegovina, 1990-93*, RFE/RL Research Report, (May, 28):1-14.