

87

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## BOSNIA HAS VOTED. NOW WHAT?

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As was to be expected, after the presidential, legislative and cantonal elections in Bosnia and Herzegovina on 3 October, the United States and European leaders have hastened to intone a jingle that, while it may be repeated to saturation point, remains both sensible at first sight and yet misleading: the newly-elected leaders must push for the necessary reforms so that the republic, formerly part of Yugoslavia, can move ahead along the path of future integration with the European Union and NATO. A few days after the elections Hillary Clinton, the US Secretary of State, said so in Sarajevo, just after that Stefan Füle, the Commissioner for EU Enlargement and European Neighbourhood Policy, repeated it, once again in the Bosnian capital, and Catherine Ashton, the EU Representative for Foreign Affairs, reiterated it in Brussels.

The question, however, is much more complex than that. Beyond the stumbling blocks that will be faced in forming the new Government of Bosnia, which may take months to happen, it would wise to learn some lessons from what has occurred with the ballot because the results have once again brought out the nature of the underlying predicament. The problem is not who wins or who loses. The problem is that the constitutional and institutional structure designed in the Dayton Agreement (1995) with which the war that began in 1992 came to an end (although what really ended the war was NATO's tardy military intervention) is inadequate and unsustainable. The Dayton Agreement has created a dysfunctional state, perpetuating the ethnic division and multiplying the organs of power to an extent that is beyond reasonable so that, in a country with less than four million inhabitants, there are fourteen governments with their respective parliamentary assemblies. A decade and a half after the end of the war, Bosnia remains under international tutelage and without prospects of being able to cease being a protectorate, even though the US and the EU have been trying to achieve this for some years.

None of this can be understood without putting it into context. When Yugoslavia fell apart in the early 1990s, Bosnia and Herzegovina, the most multiethnic of the republics in the federation, fell victim to Serbian and Croatian nationalism and paid the highest price. Instead of resolutely backing the model of multiethnic coexistence that had characterised the republic and that was very visible in Sarajevo and other cities of the country, the stance of Europe and the United States was one of resigna-

tion and they ended up accepting the *fait accompli*. Thus, while formally conserving the country's integrity, the Dayton Agreement divided Bosnia into two entities, the Republic of Srpska (Serbia) and the Federation of Bosnia and Herzegovina (Croatian-Muslim). In doing so, it in good measure rubber-stamped the political product of "ethnic cleansing". Although some positive reforms have been introduced since then, the State continues to be weak and the two entities monopolise most of the powers. Indeed, the Republic of Srpska has always acted as a state within the State and the Serbian leaders have frequently obstructed the normal functioning of the central organs. Worst of all is the fact that, once this reality is institutionalised and hence consolidated, it is very difficult to change it, as international representatives have very reluctantly confirmed on numerous occasions. If, at the start, any criticism of the Dayton Agreement was almost taboo, the US and the EU have, in recent years, encouraged several attempts to reform the Constitution (which is the essential part of the Agreement) since they are aware that the present situation is leading nowhere.

Christian Schwarz-Schilling, an Austrian who was formerly the High Representative of the International Community (head of the protectorate) in Bosnia, was spot on when he stated the day after the elections that it was unjust to blame the Bosnians for the country's political paralysis. "We will have a disaster in the future as long as Europe and the United States are not connecting on Bosnia", he warned. "What you had was an armistice, not a peace", he added. It is not usual for someone in such a position of international responsibility to speak so frankly. Yet, anyone who has a good knowledge of the reality of Bosnia does not find it very difficult to conclude that the day the guns fell silent, the old combatants continued pursuing through political means the same objectives they had sought to attain during the war.

Let us look now at what happened in the elections. Three facts stand out. First, was the unexpected defeat of the until-then Bosnian (Muslim) member of the state-level Tri-Presidency, Haris Silajdzic, by Bakir Izetbegovic, son of the emblematic, now deceased president of Bosnia during the war, Alija Izetbegovic. Second, was the victory of the Social Democratic Party (SDP) in the state legislative elections with regard to the number of seats won within the Muslim-Croat federation (but not those won in the Republic of Srpska). Third, was the overwhelming victory of the Republic of Srpska strong man, Milorad Dodik, former prime minister of the entity and now its president. These three facts call for some comment.

- 1) The international representatives responded with hope – one might almost say jubilation – to Silajdzic's defeat by Izetbegovic. Nonetheless, this fact in itself is illustrative of the point to which perversion has set in. It happens that Izetbegovic, who is now accepted as a *moderate*, was the candidate of the, until a few days ago, much-criticised (as Muslim nationalist) Party of Democratic Action (SDA), the prevailing Muslim party during and after the war. The *radical* Silajdzic is taken in such because his sharp tongue and personal and political animosity towards Dodik make him an uncomfortable personage. Yet Silajdzic is no Muslim nationalist. If anything, he is a Bosnian nationalist, a convinced supporter of European unity who intimately experienced as betrayal Europe's abandonment of Bosnia during the genocide. Prime Minister at the time, Silajdzic, was one of the negotiators and signatories of the Dayton Agreement – "At gunpoint", he once told me, if I may include a personal anecdote here, although he also made it clear that he had no regrets about signing as there was no alternative. At bottom, Silajdzic, who sees the Republic of Srpska as the spoils of genocide, never accepted the ethnic division of the country and has publicly spoken out in favour of abolishing the two entities. In 2006, he blocked an attempt at constitutional reform pushed by the US and EU since he considered it insufficient and also because it conserved the "ethnic vote". Now that he is removed from power, the international leaders believe that a new attempt at reform will perhaps bear fruit.

- 2) The winning by the multiethnic and non-nationalist SDP of the majority of seats for the State Parliament elected within the Federation has precedents and, when this occurred in the past, things did not change much either. The party chairman, Zlatko Lagumdžija governed – to be sure, in coalition with Silajdžić's party – between 2000 and 2002. Naturally, this in itself does not modify in the least the deep-rooted issues previously described because the problem is always the same. While the multiethnic parties have some prestige within the Federation, in the Republic of Srpska they are marginal and irrelevant. In fact, before the elections both Lagumdžija and Dodik ruled out any coalition between their respective parties.
- 3) Dodik's incontrovertible leadership in the Republic of Srpska leaves very little room for doubt as to the political reality of the entity. Seen in other times as *moderate* simply because he was among the opposition to the Serbian Democratic Party (SDS) founded by Radovan Karadžić, Dodik has thenceforth repeatedly defied the international representatives and resists any reform that seeks to turn the State into something worthy of the name. Emboldened by the ruling of the International Court of Justice on the legality of Kosovo's independence, Dodik has threatened to hold a referendum on the secession of the Republic of Srpska – something which is fortunately unthinkable while there is a reformist and pro-European government such as that presently installed in Belgrade – if so much as a comma of the prerogatives enjoyed by Serbian entity is modified. The leader of Bosnia's Serbs no longer even takes the trouble to dissemble. Two days after the elections, he asserted, "Bosnia is impossible as a state. It was never a state and it will never be one." As I remarked above: the same objective as in the war but sought by political means.

The present head of the international protectorate, Valentin Inzko, has stated in stark terms what this secession would mean: "It would be a posthumous triumph for Slobodan Milošević".