

From nation-building to desecuritization in Bosnia and Herzegovina

Niels van Willigen¹

DOI: [10.1163/187502310791305864](https://doi.org/10.1163/187502310791305864)

¹ Dr. Niels van Willigen is Assistant Professor of international relations at the Institute of Political Science at Leiden University, the Netherlands. His research and teaching focus on peace operations, on arms control and disarmament, and on European security.

Introduction

The international community increasingly considers (territorial) group rights to be an impediment for the development of a democratic and well-functioning state in Bosnia and Herzegovina (Bosnia). Group rights are the organizing principle of the Dayton Peace Agreement (1995) which established Bosnia as a federal state consisting of two entities, the Bosniak and Bosnian Croat-dominated Federation of Bosnia and Herzegovina (hereinafter, the Federation) and the Bosnian Serb-dominated Serb Republic. The Federation is further subdivided into ten Cantons. Governmental power became concentrated in the entities rather than in the weak central state-level institutions. A power-sharing arrangement ensured that all of the three so-called constituent peoples were protected against decisions that might harm their vital interests. Although power-sharing arrangements are often considered to be a viable way of governing deeply-divided societies, international actors have regularly called for a reform of the Dayton constitution. They have argued that the predominance of group rights would need to be replaced by political, civil and social rights and stronger central state-level institutions. This was, and still is, thought to be necessary in order to stabilize the country and to move forward with Bosnia's integration into the European Union (EU). Therefore a nation-building programme was launched which aimed at stimulating a civic nationalist political culture in which Bosnian Croats, Bosnian Serbs and Bosniaks would develop a collective 'Bosnian' identity. A collective Bosnian identity would serve to legitimize and strengthen the central state-level institutions.

In this article I analyze the value and impact of the nation-building policy of the international community. The analysis shows that the nation-building effort has failed in the sense that the ethnic nationalist political culture has persisted and that a collective Bosnian identity is absent. Bosnian politics continued to be dominated by ethnic nationalist political parties and ethnic group interests. I argue that this can be explained by the continued securitization of ethnic identity. In other words, each ethnic group considers its vital interests to be existentially threatened by the other ethnic group(s). Therefore, I conclude that when it comes to inter-ethnic cooperation, achieving good and effective government in Bosnia is not so much about nation-building, but about desecuritizing ethnic relations.

Group rights in Bosnia

The Dayton Peace Agreement has been aptly described as ‘an awkward child of the marriage between the realities of power on the ground and the international ideal of a unitary multi-ethnic state’.¹ In 1995, it was recognized that more than a power-sharing arrangement could not be achieved. The Dayton Agreement established a Bosnian state in which power was to be shared by the Bosniak, Bosnian Croat and Bosnian Serb communities. The Bosnian Serbs and Bosnian Croats would not have accepted a central state which, given their numerical strength, would de facto be dominated by the Bosniaks. It was only logical that after three and half years of armed conflict the different parties would fear each other’s intentions and that the range of acceptable institutions would be limited.² Therefore, the Dayton Agreement could only come into existence because it created weak state-level institutions and strong entities.

The power-sharing character of the Dayton Agreement resulted in rights and obligations in Bosnia’s constitution being essentially based on ethnicity, rather than on citizenship. In essence, Bosnia’s polity became based on an ethnic principle as a result of which the political institutions do not represent citizens, but ethnic groups.³ The constitution recognizes Bosniaks, Bosnian Croats and Bosnian Serbs as constituent peoples.⁴ By doing so, it puts ethnicity in the form of group rights above individual political, civil and social rights. For example, the constitution contains an ethnicity-based restriction to suffrage and citizens’ ability to stand for office. First, citizens who do not identify themselves as one of the three constituent peoples are barred from standing for the state-level Presidency and for the Presidency of the Serb Republic. Secondly, voters registered in the Federation are not allowed to vote for a Bosnian Serb state-level Presidency member, and likewise, Bosnian Serb Republic voters are not allowed to vote for a Bosniak or a Bosnian Croat state-level Presidency member.⁵

The dominance of group rights is manifested in the (central state-level) Parliamentary Assembly, the Council of Ministers and the Presidency. First, the composition of the bicameral Parliamentary Assembly is determined by territory and national group adherence.⁶ Two-thirds of the 42 seats in the House of Representatives are given to Federation members with one third being given to members of the Serb Republic. The chair of the House of Representatives rotates on an eight-monthly basis between the three constituent peoples. That is also the case with the House of Peoples, which consists of 15 members; five from each constituent people. The House of Peoples has been given the task of protecting the so-called vital interests of each of the three constituent peoples. A majority of the Bosniak, Bosnian Serb or Bosnian Croat delegates in the House of Peoples may

1 Michael Pugh, ‘Non-Nationalist Voting in Bosnian Municipal Elections: Implications for Democracy and Peacebuilding’, *Journal of Peace Research* 38, no. 1 (2001): 29.

2 Roberto Belloni, ‘Peacebuilding and Consociational Electoral Engineering in Bosnia and Herzegovina’, *International Peacekeeping* 11, no. 2 (2004): 335.

3 European Commission for Democracy through Law (Venice Commission), ‘Opinion on the Constitutional Situation in Bosnia and Herzegovina and the Powers of the High Representative’, (Venice: 11 March 2005), 12.

4 ‘The General Framework Agreement for Peace in Bosnia and Herzegovina. Annex 4: Constitution of Bosnia and Herzegovina’, (1995).

5 OSCE Mission in Kosovo, ‘International Election Observation Mission. Bosnia and Herzegovina — General Elections 1 October 2006. Statement of Preliminary Findings and Conclusions’, (2006), 3.

6 Florian Bieber, *Post-War Bosnia. Ethnicity, Inequality and Public Sector Governance* (New York: Palgrave Macmillan, 2006), 54.

declare any decision to be damaging to their vital interests.⁷ In order to adopt the decision, a majority of all three ethnic groups is necessary. It is also possible that a majority of one of the ethnic groups may object to the invocation of the vital interest provision. In that case, a joint commission of three delegates, one from each ethnic group, has to be convened by the chair of the House of Peoples. If the issue is not resolved within five days, it will be referred to the state-level Constitutional Court.⁸

The salience of group rights is also reflected in the tripartite Presidency. The Presidency is responsible, among other things, for foreign policy and nominating the chair of the Council of Ministers. It consists of a Bosniak, Bosnian Serb and Bosnian Croat member. The Presidency rotates every eight months. Like the House of Peoples, a Presidency member can veto a decision by declaring that it is destructive for the vital interests of a constituent people. In that case, the decision would be referred to the National Assembly of the Serb Republic or the Federation's Parliament. If either body confirms the declaration with a two-thirds majority, the Presidency decision cannot be taken.⁹

Finally, because of power-sharing considerations, the Council of Ministers is not headed by a Prime Minister, but by a chairing minister. The constitution states that no more than two-thirds of all ministers are allowed to be appointed from the territory of the Federation. The remaining one third must be recruited from the Serb Republic. The chair of the Council of Ministers appoints deputy ministers (until 2002 two, since then one) who are not allowed to be of the same constituent people as their minister.¹⁰ Moreover, every decision has to be supported by the minister and his deputy minister. Finally, the ministerial positions have to be equally divided among Bosniaks, Bosnian Croats and Bosnian Serbs.¹¹

The emphasis on group rights in Bosnia's key political institutions shows that Bosnia's institutional design is based on a power-sharing arrangement or a consociational settlement.¹² Consociationalism, as defined by Arend Lijphart, is characterized by four principles: government by a grand coalition (all segments of society are included), segmental autonomy, proportional representation, and a minority veto on decisions that affect the essential interests of minority communities.¹³ Consociational political settlements have been introduced in a variety of countries, including Belgium, Switzerland and Syria. Because consociationalism emphasizes the importance of the autonomous segments in a divided society, it has been criticised for entrenching cleavages and divisions based on ethnic identities. Moreover, critics have emphasized that consociationalism only functions when there is overarching cooperation at the elite level.¹⁴ An alternative to consociationalism is the integrative approach adopted by Donald Horowitz.¹⁵ Horowitz argues that in ethnically divided societies,

7 Although 'vital national interest' was left undefined in the Dayton constitution, a Constitutional Court decision of 2004 started to interpret the notion. European Commission for Democracy through Law (Venice Commission), 'Opinion on the Constitutional Situation in Bosnia and Herzegovina and the Powers of the High Representative', 9.

8 David Chandler, *Bosnia: Faking Democracy after Dayton* (London/Sterling: Pluto Press, 1999), 69.

9 *Ibid.*, 68.

10 'The General Framework Agreement for Peace in Bosnia and Herzegovina. Annex 4: Constitution of Bosnia and Herzegovina'.

11 Florian Bieber, 'Bosnia-Herzegovina: Slow Progress Towards a Functional State', *Southeast European and Black Sea Studies* 6, no. 1 (2006): 52.

12 Sumantra Bose, *Bosnia after Dayton. Nationalist Partition and International Intervention* (Oxford: Oxford University Press, 2002), 43.

13 Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven: Yale University Press, 1977). See for an analysis of consociationalism in Bosnia: Bose, *Bosnia after Dayton*, 216. Bieber, *Post-War Bosnia*, 44.

14 Bose, *Bosnia after Dayton*, 217.

15 Donald Horowitz, *Ethnic Groups in Conflict*, Second Edition ed. (Berkeley/Los Angeles: California University Press, 2000), 563.

moderation should be fostered by ‘making politicians reciprocally dependent on the votes of members of groups other than their own’.¹⁶ Whereas Lijphart’s model argues for making the different societal segments in Bosnia (i.e. the constituent peoples) autonomous, Horowitz’ model argues for their segmental disintegration. In the next section, it will be argued that while Bosnia’s institutional design was based on a consociational settlement, the international community has executed a policy which focuses on segmental disintegration rather than segmental autonomy. It has attempted to do so through a nation-building policy which was aimed at creating a civic nationalist political culture.

Nation building

The international protagonists of the nation-building policy were the Peace Implementation Council (PIC), its Steering Board and the Office of the High Representative (OHR). The PIC was established in 1995 in order to monitor the implementation of the Dayton Agreement. It consists of about 60 states and international organizations. A PIC Steering Board was established in order to give political guidance to the High Representative. The High Representative and its office were responsible for the civilian implementation of the Dayton Agreement which included, amongst other things, the establishment of political and constitutional institutions.¹⁷ In 1997, in the light of the disappointing pace of the progress, the PIC issued the so-called Bonn Powers under which the High Representative was explicitly allowed to take binding decisions to ensure the implementation of the Dayton Agreement. This included, amongst other things, the authority to remove persons holding public office who were found to be in violation of the Dayton Agreement.¹⁸

The OHR used its powers extensively to build a civic Bosnian ‘nation’. This was deemed necessary, because the ethnicity-based political order was increasingly considered to be an instrument which was suitable to end the war, but not as a foundation for peace. The international administration wanted to stimulate a civic nationalist political culture that would be defined by political, civil and social rights instead of group rights, and by a predominance of multi-ethnic political parties rather than ethnic-nationalist political parties.¹⁹ Whereas civic nationalism is based on ‘shared loyalty and common principles’, ethnic nationalism is based on ‘ancestry and blood’.²⁰ Ethnic nationalism was associated with the war and seen as a dangerous thing of the past. In contrast, civic nationalism was seen as modern and future orientated.²¹ If Bosnia was to move forward toward Euro-Atlantic integration, its people had to choose for a civic nationalist political culture.

This vision of segmental disintegration and a civic Bosnian nation is reflected in the official documents of the PIC and the OHR and in speeches by the High Representative. For example, in its Bonn Declaration

16 As quoted in: Bose, *Bosnia after Dayton*, 218.

17 The military implementation of the peace agreement was left to NATO, *The General Framework Agreement for Peace in Bosnia and Herzegovina. Annex 10: Agreement on Civilian Implementation*.

18 Peace Implementation Council, PIC Bonn Conclusions’, (1997).

19 Civic nationalism might seem a *contradictio in adjecto*, but nonetheless it is a type of nationalism. Civic nationalism refers to nationality based on citizenship. It is a type of nationalism which (in principle) is open and voluntary, because theoretically it can be acquired by anyone (regardless of ethnic background). This contrasts with ethnic nationalism in which nationality is based on ethnicity and is therefore reserved for those having the same ethnic background. Liah Greenfeld, *Nationalism. Five Roads to Modernity* (Cambridge/London: Harvard University Press, 1992), 11.

20 Will Kymlicka, *Multicultural Odysseys. Navigating the New International Politics of Diversity* (Oxford: Oxford University Press, 2007), 180-81.

21 This traditional understanding of ethnic nationalism and civic nationalism is increasingly difficult to maintain. See for example: Stefan Wolff, *Ethnic Conflict. A Global Perspective* (Oxford: Oxford University Press, 2006), 52, Kymlicka, *Multicultural Odysseys. Navigating the New International Politics of Diversity*, 181.

of December 1997, the PIC stated: 'The Council considers multi-ethnicity a fundamental goal for the consolidation of a stable and democratic Bosnia and Herzegovina. It therefore recognizes the need to support the establishment of new multi-ethnic parties and to strengthen the existing ones. It invites the High Representative, the OSCE and the Council of Europe to take due account of this need when reviewing the draft Election Law'.²² Another example of a call for segmental disintegration is a declaration by the High Representative Wolfgang Petritsch: 'I think that the most important thing for BiH [Bosnia, NvW] at this moment is the strengthening of the political, intellectual and cultural elite's orientation towards a multinational and democratic state'.²³ Petritsch's successor, the High Representative Paddy Ashdown, coupled segmental disintegration to the European integration of Bosnia: 'I believe that the current BiH authorities cannot take it through the door to the EU (...) you cannot complete this journey to the EU unless the country gets rid of nationalism'.²⁴ And in his farewell speech at the beginning of 2006 Ashdown stated: 'And one other very tough thing has to happen in BiH before the European journey is over. It requires a change of mental attitude and that is the toughest thing to change of all. But BiH has no option. BiH has to learn that in Europe individual rights are protected individually not collectively. That each citizen is defined by their individuality, not their ethnicity'.²⁵

The idea that the OHR could actually build such a civic Bosnian nation is embedded in the basic assumption of contemporary nation-building that new state-based loyalties and identities can be created at the expense of ethnically-based loyalties.²⁶ Three specific instruments were used to do this. First, the High Representative used its Bonn Powers to enforce symbols of Bosnian nationhood. This included the adoption of a national flag and a national anthem. It also involved the removal from office of persons who were accused of obstructing the implementation of the Dayton Agreement. The High Representative removed dozens of officials between 1998 and 2009. Most of these removals were based on a lack of cooperation with the International Criminal Tribunal for the Former Yugoslavia and involved ethnic-nationalist hardliners.²⁷ For example, when dismissing twenty two Bosnian officials in one day in November 1999, Wolfgang Petritsch declared: 'Four years after Dayton, many of the forces who divided this country still remain in place. With their corrupting presence, those who wish progress find they are prevented or even threatened from abandoning parochial hatreds and shady practices. Ambassador Barry and I concluded that ownership could not take root with obstructionists still in positions of authority. It was with regret that we concluded we had no alternative but to remove 22 officials from their posts on Monday'.²⁸

Secondly, the OHR used electoral engineering. As illustrated by the above mentioned Bonn Declaration, elections and the electoral system were used in such a way that segmental disintegration was stimulated. The

22 Peace Implementation Council, 'PIC Bonn Conclusions'.

23 Slobodan Pavlovic, 'Interview: Wolfgang Petritsch, the High Representative in BiH: 'Bosnia and Herzegovina on the Brink of a Major Breakthrough'', *Sense/OHR Press Office*, 21 November 2001.

24 M. Čubro, 'Interview: High Representative, Paddy Ashdown: 'Nationalist Parties Cannot Take BiH into European Union'', *Nezavisne Novine/OHR Press Office*, 19 May 2005.

25 Paddy Ashdown, 'High Representative's Farewell Speech to the BiH House of Representatives', (Sarajevo: 30 January 2006).

26 Roland Kostić, 'Nationbuilding as an Instrument of Peace? Exploring Local Attitudes Towards International Nationbuilding and Reconciliation in Bosnia and Herzegovina', *Civil Wars* 10, no. 4 (2008): 384.

27 European Commission for Democracy through Law (Venice Commission). 'Opinion on the Constitutional Situation in Bosnia and Herzegovina and the Powers of the High Representative'. Venice, 11 March 2005.

28 Christophe Solioz, 'The fate of Bosnia and Herzegovina: an inclusive interview of Christophe Solioz with Wolfgang Petritsch', *Journal of Southern Europe and the Balkans* 5:3 (2003) 355-373.

OHR was quite open in its aim to oppose ethnic nationalist political leaders. In 1998, the High Representative Carlos Westendorp stated: 'I have always said that the problem of Bosnia is that the leaders who started the war are still in power. Therefore the only solution for Bosnia would be that its people change their leaders at the elections'.²⁹ Electoral engineering was executed through political pressure, by supporting moderate and non-nationalist political parties and by changing the electoral system in such a way that it would foster segmental disintegration (for example, through open lists, multi-member constituencies and preferential voting). Finally, constitutional engineering was used to build a Bosnian nation. In 2002, the High Representative used his Bonn Powers to impose a decision of the state-level Constitutional Court that demanded the abolishment of ethnicity-based discriminating provisions concerning Bosnian Serbs in the Federation's constitution and Bosnian Croats and Bosniaks in the Serb Republic's constitution. The High Representative decided to impose the decision, because neither entity had succeeded in adapting its constitution on a voluntary basis. The necessity to impose the decision exemplifies the entire nation-building programme and therefore the question is whether nation building by imposition has worked.

Persisting ethnic nationalism

Despite the electoral and constitutional engineering, the dominant political culture remained based on the logic of ethnic nationalism. Bosnia has a history of voting along ethnic nationalist lines which goes back to 1910, when the first multi-party elections were organized by the Austro-Hungarian Empire. Subsequently, between 1920 and 1938 the votes that were cast in seven multi-party elections in the Kingdom of Yugoslavia went to ethnic nationalist parties.³⁰ The multi-party elections in 1990 led to a victory by the newly established ethnic nationalist parties; the Bosniak SDA (Party for Democratic Action), the Bosnian Serb SDS (Serb Democratic Party) and the Bosnian Croat HDZ (Croat Democratic Union) which together won 75 percent of the vote.³¹ Given this tradition, it is not surprising that Bosnians continued to support ethnic nationalist political parties after the war.³² With the exception of the general elections of 2000 and 2006, Bosnian politics has been dominated by ethnic nationalist parties and therefore an ethnic nationalist political culture since 1995. Illustrative is the establishment of new ethnic nationalist political parties like the Bosnian Serb SRS and the Bosnian Croat HDZ 1990.

The persistence of an ethnic nationalist political culture goes beyond the mere persistence of ethnic nationalist political parties. It is also evident in the fact that no collective Bosnian identity has been created. The three constitutive peoples have not been incorporated in a society with an overarching identity. In a recent study on local attitudes, for example, it was concluded that among the Bosnian Croats and Bosnian Serbs only a small part of the population and the political elites support the internationally imposed national symbols such as the state flag, the coat of arms and the national anthem. Only the Bosniaks, who traditionally strongly associate themselves with the state-level institutions, can significantly identify themselves with the national symbols.³³ The lack of an overarching identity is also evident in the fact that although there are some non-ethnic nationalist political parties in Bosnia, most political parties are committed to a particular

29 'Interview: Carlos Westendorp, the High Representative in Bih: 'The Solution for Bosnia Is to Change the Authorities'', *Delo/OHR Press Office*, 22 April 1998.

30 Carrie Manning and Miljenko Antic, 'The Limits of Electoral Engineering', *Journal of Democracy* 14, no. 3 (2003): 48.

31 International Crisis Group, 'Elections in Bosnia Herzegovina', (Sarajevo: 1996), 2.

32 Belloni, 'Electoral Engineering in Bosnia', 350.

33 Kostić, 'Nationbuilding as an Instrument of Peace?.'

ethnic community. That holds true for the earlier mentioned ethnic nationalist political parties, but also for the so-called moderate political parties.³⁴ Moderate political parties like the SBiH (the Party for Bosnia and Herzegovina) and the SNSD (Alliance of Independent Social Democrats) have a certain commitment to inter-ethnic cooperation and pursue an agenda which is not exclusively ethnically defined, but are primarily committed to one ethnic community (the Bosniaks and the Bosnian Serbs respectively). Moreover, moderate political parties can also become more ethnic nationalist over time, as happened with both the SBiH and the SNSD. Why did this happen and why could ethnic nationalism survive as the dominant political ideology?

Securitized ethnic relations

The persistence of ethnic nationalism can be explained by the fact that ethnicity is still a securitized issue. Securitization refers to a process in which a political issue is successfully framed (and thus accepted by a relevant audience) as an existential threat to a referent object (that which is being threatened) by a securitizing actor (for example, a politician).³⁵ In the case of securitized ethnicity in Bosnia that means the identification by politicians of an existential threat to a particular constituent people. The implication of securitization is that the issue may be dealt with by extraordinary measures. In that sense securitization trumps normal democratic processes, because the first priority is to secure the referent object.³⁶

In the case of Bosnia the securitization of ethnicity is evidenced by the frequent invocations of the vital interest veto. This is an extraordinary measure in the sense that it enables ‘the securitizing actor (...) to break free of procedures or rules he or she would otherwise be bound by’ and that it is presented as ‘so important that it should not be exposed to the normal haggling of politics but should be dealt with decisively by top leaders prior to other issues’.³⁷ As explained above, on the state-level any law can be blocked in the House of Peoples if it is considered to damage the vital interests of one of the ethnic groups. Also, each Presidency member may veto a decision for the same reason. On the entity level vital interests are defined as (for example) interests concerning: the identity of one constituent people, the organization of public authorities, and education, religion and language. It is clear that the definition is ‘excessively broad’. Moreover, any other issue not included in the definition may also be treated as being of vital national interest if so claimed by a two-thirds majority within one of the ethnic groups.³⁸

A good example of a Presidency veto is the one by the Bosnian Serb Presidency member Nebojša Radmanović (ć) representatives wanted to urge Serbia to comply with a decision of the International Court of Justice and to cooperate with the International Criminal Tribunal for the Former Yugoslavia. Radmanović vetoed the decision with the argument that it would interfere with Serbia’s internal affairs and therefore damage the interests of the Bosnian Serbs. The Serb Republic’s Parliament confirmed that this was indeed the case,

34 See for a typology of political parties in Bosnia: Bieber, *Post-War Bosnia*, 103.

35 See for a general overview of securitization: Barry Buzan, Ole Waever, and Jaap de Wilde, eds., *Security. A New Framework for Analysis* (Boulder: Lynne Rienner, 1998). See for securitization in relation to minorities: Kymlicka, *Multicultural Odysseys. Navigating the New International Politics of Diversity*.

36 Buzan, Waever, and de Wilde, eds., *Security*. Kymlicka, *Multicultural Odysseys. Navigating the New International Politics of Diversity*, 191.

37 Buzan, Waever, and Wilde, eds., *Security*, 25 and 29.

38 European Commission for Democracy through Law (Venice Commission), ‘Opinion on the Constitutional Situation in Bosnia and Herzegovina and the Powers of the High Representative’, 14. See also: Constitution of the Serb Republic and Constitution of the Federation of Bosnia and Herzegovina: <http://www.ohr.int/ohr-dept/legal/const/>

because it would spoil the vital relationship between the Serb Republic and Serbia.³⁹ Although further examples of vital interest vetoes exist, many political decisions have been blocked, not so much by actually invoking the veto, but by the implicit or explicit threat to invoke it.⁴⁰

The fact that ethnicity is securitized shows that all three ethnic groups still see each other as potential enemies. Although a majority within all three communities think that they can live together without international supervision, the attitudes towards the character of the war in the 1990s differ considerably. All three groups identify their role in the war as having been a defensive one and consider their behaviour to have been a reaction to the aggression by the other two groups.⁴¹ As a result, there has been little reconciliation and all three communities feel insecure towards one another.

First of all, Bosniaks fear that the Bosnian Croats and the Bosnian Serbs might opt for more territorial autonomy or secession. In the eyes of the Bosniaks there is a constant threat of irredentism among the Bosnian Croats and Bosnian Serbs. This corresponds with empirical evidence that kin-state communities are often (rightly or wrongly) assumed to have a higher loyalty to their kin states than their home state.⁴² A recently adopted law in the Serb Republic which makes it easier to hold a referendum on independence feeds the Bosniak concern.⁴³ On top of that, the Serb Republic has frequently challenged the state-level institutions and has requested the return of competencies that were transferred to the state-level in recent years.⁴⁴ For their part, the Bosnian Croats have never given up on their ambition to create a third entity for their own people.⁴⁵

Bosnian Croats and Bosnian Serbs distrust each other, but mainly the Bosniaks. The former is illustrated, for example, by the reaction of Komšić to the above mentioned vital interest veto by Radmanović: Komšić called his colleague a 'deputy' of Serbia.⁴⁶ Nonetheless, the Bosnian Croats and Bosnian Serbs are united in their distrust of the Bosniaks, whose support for the central state they interpret as an attempt to outvote the other two constituent peoples.⁴⁷ Bosnian Serbs fear that the Bosniaks want to abolish the Serb Republic in favour of centralisation. Statements from Bosniak politicians that the existence of the Serb Republic is the result of genocide and should therefore be abolished, adds to this fear.⁴⁸ Within the Federation, Bosnian Croats

39 Gordan Katana, 'Ultimatum to Serbia Splits Bosnian Presidency', <http://birn.eu.com/en/79/10/2560/>.

40 Commission of the European Communities, 'Bosnia and Herzegovina 2009 Progress Report', (Brussels: 2009), 9. Bieber, *Post-War Bosnia*, 55, European Commission for Democracy through Law (Venice Commission), 'Opinion on the Constitutional Situation in Bosnia and Herzegovina and the Powers of the High Representative', 9.

41 Kostić, 'Nationbuilding as an Instrument of Peace?'

42 Kymlicka, *Multicultural Odysseys. Navigating the New International Politics of Diversity*, 184.

43 'Bosnian Serbs Pass Referendum Law', <http://news.bbc.co.uk/2/hi/europe/8510383.stm>. In reaction to the adoption of the law the Bosniak members of the Serb Republic's Parliament walked out of the parliamentary session and two weeks later they vetoed the law by invoking the vital interest veto 'Bosniak Muslim Mps Veto Serb Referendum Law', <http://www.balkaninsight.com/en/main/news/26037/>.

44 Commission of the European Communities, 'Bosnia and Herzegovina 2009 Progress Report', 7.

45 This is reflected, among other things, in the Kreševo Declaration of 2007 in which the Bosnian Croats proposed a constitutional reform with the aim being to create a third entity, International Crisis Group, 'Bosnia's Incomplete Transition. Between Dayton and Europe', (2009), 5.

46 Ć used a similar qualification in his reaction; he stated that Radmanović's decision turned the Serb Republic into 'Serbia's agent'. Katana, 'Ultimatum to Serbia Splits Bosnian Presidency'.

47 International Crisis Group, 'Bosnia's Incomplete Transition. Between Dayton and Europe', 8.

48 Patrice C. McMahon and Jon Western, 'The Death of Dayton. How to Stop Bosnia from Falling Apart', *Foreign Affairs* 88, no. 5 (2009).

are outnumbered by the Bosniaks. There is a steady decline in the Bosnian Croat population due to the fact that the majority of Bosnian Croats also have a Croatian passport with all the benefits attached.⁴⁹ Moreover, Bosniak politicians are accused of being more interested in functioning state-level institutions than in a functioning Federation.⁵⁰

According to securitization theory it does not matter whether all these interethnic concerns are real or not. What matters is that ethnicity is interpreted as a security issue. Although Bosnia is secure in the sense that there is no large-scale violence, it is insecure in the sense that there is great distrust among the constituent peoples. This leads to an intra-ethnic orientation which is detrimental to any nation-building policy. In other words, a nation-building programme, with its aim to create a civic nationalist 'Bosnian' identity, is bound to fail as long as the constituent peoples feel insecure.

Conclusion: the necessity of desecuritization

Desecuritization will be necessary in order to foster any substantial inter-ethnic cooperation in Bosnia. This implies 'the shifting of [ethnic] issues out of emergency mode and into the normal bargaining processes of the political sphere'.⁵¹ There would be a need for Bosnian politicians to pursue desecuritization, an effective international policy addressing the existential fears between the constituent peoples, and a Bosnian audience that accepts the desecuritizing message. That leaves an important role for the EU which is increasingly taking over from the OHR. In the past, the EU has also focused on nation building. However, as we have seen above, civic nation-building policies will not necessarily lead to better inter-ethnic relations. Instead, the EU should first accept that ethnic nationalism remains the main mobilizing factor in Bosnian politics. Not necessarily because of ethnic hatred, but because the ethnic groups fear each other's motives and intentions. Secondly, by accepting that there is an inherent security dilemma in Bosnian society, desecuritization should become the priority of EU policy. Issues like constitutional change and the European integration of Bosnia should therefore be pursued through creating the conditions for inter-ethnic cooperation rather than through nation building.

A potential for inter-ethnic cooperation is evidenced by some positive results that have been achieved in the past. Although the nation-building policy as such has failed, there have been some partial peacebuilding successes in terms of, for example, refugee return, freedom of movement, the organization of free elections, defence reform and a growing Bosnian economy. None of these (modest) successes could have been achieved without some degree of inter-ethnic cooperation. At the same time, inter-ethnic cooperation was primarily made possible as a result of being internationally enforced, rather than being driven by a genuine domestic political process. For the latter to happen, desecuritization is crucial. A process of desecuritization would not lead to the disappearance of ethnic divisions, but it would at least lead to 'normalized politics'. Other divided societies with consociational settlements, like Belgium or Switzerland, show that societal divisions need not necessarily be detrimental to cooperation. However, they will be as long as the different segments of Bosnian society continue to see each other as an existential threat.

49 Among the benefits of a Croatian passport are permission for visa-free travel to the EU and the possibility to study and work in the economically more prosperous Croatia, International Crisis Group, 'Bosnia's Incomplete Transition. Between Dayton and Europe', 10.

50 Ibid., 6.

51 Buzan, Waever, and Wilde, eds., *Security*, 4.



This article was published by the Security and Human Rights Monitor (SHRM).

Security and Human Rights (formerly Helsinki Monitor) is a journal devoted to issues inspired by the work and principles of the Organization for Security and Cooperation in Europe (OSCE). It looks at the challenge of building security through cooperation across the northern hemisphere, from Vancouver to Vladivostok, as well as how this experience can be applied to other parts of the world. It aims to stimulate thinking on the question of protecting and promoting human rights in a world faced with serious threats to security.

Netherlands Helsinki Committee
Het Nutshuis
Riviermarkt 4
2513 AM The Hague
The Netherlands

© Netherlands Helsinki Committee. All rights reserved.

www.nhc.nl