A decade on from the Dayton peace settlement, this essay sets out to examine two questions. First, is the consociational and confederal paradigm established by the Dayton agreement, and subsequently institutionalized, the appropriate framework for the Bosnian state? It will be suggested that in the circumstances that prevail, this framework does in fact provide the most feasible and most democratic form of government for Bosnia’s precarious existence as a multi-national state. My second question is inextricably linked to the first: since Bosnia is a state of international design that exists by international design, is this international engagement with state-building and democratization an example, indeed exemplar, of liberal internationalism at its best – or of liberal imperialism at its worst? I will suggest that, though this presence and activity has had many aspects deserving of serious criticism, on balance it has done more good than harm. Bosnian society would clearly have been worse-off without the international community in its midst.

Free institutions are next to impossible in a country made up of different nationalities... It is in general a necessary condition for free institutions that the boundaries of government should coincide in the main with those of nationalities.

John Stuart Mill, Considerations on Representative Government

[State-building in Bosnia] was a watershed experience... Aware of the powers of the High Representative to impose laws and remove obstructive officials, both... Bosnian intellectuals and international observers... demanded that I extensively use such powers... ‘You have to impose the right solutions’, I heard over and over again. But to my mind ‘imposing’ democracy and civil society seemed a contradiction in terms. However, during the first one-and-a-half years of my mandate I indeed had to act as the most interventionist High Representative ever.

Wolfgang Petritsch, High Representative in BiH, 1999–2002

Will the Bosnian state wither away, a doomed victim of its foundational and fundamental contradictions? Or will it prove sceptics wrong and turn out to be sustainable after all? A decade ago a straw-poll on the question would have elicited predictably polarized answers, depending on the respondents’ views on several interconnected issues – the historical character of Bosnia and Herzegovina (BiH) as a society and the nature of relations between its three major peoples, the relative importance of external instigation as opposed to internal conflict in the causation of the 1992–95 Bosnian war, and the legitimacy and efficacy of international intervention in the most representative and most broken of the former Yugoslavia’s federal units. The debate continues of course. A decade on it is...
somewhat clearer, nonetheless, that the Bosnian state is not about to wither away, if only because its inherent weakness is compensated in part by the resolve of the ‘international community’ that a Bosnian state should survive, and the protracted effort invested by the ‘community’ of powerful states, regional European institutions and multilateral organizations to ensure that survival.

This being the case, I ask two questions in this essay. First, is the consociational and confederal paradigm established by the Dayton agreement, and subsequently institutionalized, the appropriate framework for the Bosnian state? The choice of this framework has been the focus of severe criticism and bitter argument, from Bosnians and interested foreigners alike, ever since it came into being. I claim here that this framework does provide, in the rather daunting circumstances that prevail, the most feasible and most democratic form of government for Bosnia’s precarious existence as a multi-national state. With the twin-benefits of some more time and limited rationalizing reform, its construct of layered sovereignties, porous borders and multiple citizenships may prove in the near-term future to be both model and bridge for the larger post-Yugoslav region in south-eastern Europe, and it may also gradually facilitate the conditions that will allow for a less segmented polity to emerge and function within BiH.

My second question is inextricably linked to the first. Bosnia is a state of international design that exists by international design. Is this international engagement with state-building and democratization an example, indeed exemplar, of liberal internationalism at its best – or liberal imperialism at its worst? In assessing this debate, I argue that while the rose-tinted view of a benign liberal internationalism dispensing democracy and human rights is deeply naïve, extraordinarily uncritical and, in some versions at least, blindly arrogant, its antithesis – the view that this is an essentially malign liberal imperialism at work – is also flawed, exaggerated and tendentious in that it does not take sufficient account of the context of post-war BiH and of some real benefits that have accrued to Bosnians from international presence and activity. This presence and activity has had many aspects deserving of serious criticism but on balance has done more good than harm. Bosnian society would clearly have been worse off without the international community in its midst.

Failed State or Multi-national Democracy?

John Stuart Mill’s pessimism about prospects of democracy in non-homogenous societies is dated. Contemporary scholars typically assert that ‘the possibility of... multiple identities’ – involving complementary loyalties to state and ethno-national community – ‘makes... a multi-national democracy possible’, and that multi-national states will merely face somewhat ‘different challenges in democratic transitions’.

But BiH’s ‘stateness problem’ puts it in a different category from states which have substantially succeeded in democratically accommodating ethno-national difference and conflict, such as Switzerland, Belgium, Canada, Spain or India. According to political scientists Juan Linz and Alfred Stepan, who coined the
term, ‘a stateness problem may be said to exist when a significant proportion of
the population do not accept the territorial boundaries of the state...as a legiti-
mate political unit to which they owe obedience’.6 BiH is a fragment of a failed
state, the former Yugoslavia, and itself fragmented violently as a result of the
incompatible agendas of national self-determination unleashed by the collapse
of the Yugoslav framework.7 Hence, international intervention in BiH after
Dayton aimed at nothing less than ‘setting up a state on the basis of little
more than the ruins and rivalries of a bitter war’,8 in the words of Carl Bildt,
the first international High Representative to supervise the process. That is a
challenge of such magnitude that John Stuart Mill might appear prophetic in
retrospect.

It has been pointed out that clashing preferences regarding the legitimate
boundaries of sovereignty tend to generate ‘the most intractable and bitter political
conflicts’.9 The political theorist Robert Dahl argues that ‘we cannot solve the
question of the proper domain of sovereignty’ where such disagreement exists
over ‘the rightfulness of the unit’, although ‘a crisp, unimpeachable solution...would be a marvellous achievement of democratic theory and practice’.10

However, Dahl also says that although:

It does not seem possible to arrive at a defensible conclusion about the
proper unit of democracy by strictly theoretical reasoning, we are in the
domain not of theoretical reasoning but practical judgment... To say that
an answer cannot be derived theoretically is not to say that judgments
need be arbitrary... We shall need to make complex and debatable empiri-
cal and utilitarian judgments... In the face of great empirical complexity...
[we need to] find reasonable answers. The result may well be a complex
system with several layers of democratic government, each operating with
a somewhat different agenda.11

It was precisely this type of institutional framework that was arrived at in Dayton
after a series of ‘complex and debatable empirical and utilitarian judgments’.

The wisdom of that judgment has been the subject of heated debate ever since.
Some critics have forcefully emphasized the double standards inherent in the
international community condoning and even sanctioning the partition of
Yugoslavia and then insisting that BiH must be kept whole as a showcase of
tolerance and coexistence.12 Others have reminded us of a popular saying in
the former Yugoslavia, roughly translatable as: ‘Without BiH there can be no
Yugoslavia, and without Yugoslavia there can be no BiH.’ For practical purposes,
the Dayton settlement ran the risk of satisfying none of the three Bosnian peoples –
the Serbs and Croats by denying them the right to either govern themselves in
sovereign jurisdictions or to merge with their neighbouring kin-states, the
Bosnian Muslims (or Bosniacs) by creating such a decentralized state that it
became doubtful whether the ‘state’, even if juridically existent, could have any
meaningful empirical reality. As one sceptic noted, ‘BiH is now the only state in
the world composed of both a republic and a federation’.13

From its inception this improbable state – or rather the settlement that led to
its creation14 – evoked calls for radical revision. One of the most persistent voices
for intrusive state-building by the international community with the strategic objective of ‘integrating’ BiH was the International Crisis Group (ICG), a policy advocacy group based in Brussels. The ICG paid lip-service to ‘Dayton’ but in fact advocated strategies and tactics which if implemented would lead to the superseding of the Dayton settlement, whose pillars are group rights and autonomy, by a unitary and even centralized state. In other words, the ICG’s preferred approach amounted to a radical and subversive critique of the fundamentals of the Dayton state. The ICG agenda had influential Bosnian proponents. The best known is the politician Haris Silajdžić who, while serving as co-chair of the BiH Council of Ministers in January 2000, published a ‘memorandum on change’. This memorandum called for ‘preserving and strengthening all relevant positive elements’ of Dayton but also for ‘some reconstruction’. In fact, the memorandum went on to argue that it had become ‘essential to urgently and radically reconstruct those elements which are non-integrative, ineffective and even partly counterproductive’ (my emphasis). In particular, the memorandum complained that ‘the state institutions of BiH function more like international conferences than organs of state’, and demanded that the international community act to eliminate aspects of the political structure ‘that favour nationally exclusivist political options’. The document also called for steps to ‘bring about rapid, mass returns of refugees and displaced persons’.

The core motive behind this memorandum – which of course never acquired the infamy of the Serbian Academy of Arts and Sciences’ 1986 declaration in Belgrade – became clear in the autumn of 2000 when Silajdžić’s, Party for BiH (SBiH) campaigned in Bosnian elections on the slogan ‘Bosnia Without Entities’. Stripping away the inessentials, the memorandum was at its core a demand for the liquidation of Republika Srpska (RS). The ‘multiethnic’ and apparently ‘civic’ vision of integration in post-war BiH is an attention-seeking device for some sectarian Bosniac political elements who want to appear ‘liberal’ to Westerners – distinguishing them both from ethno-nationalists in their own group and from the incorrigibly nationalist ‘enemy’ group(s) – and the preserve of either naïve or motivated Westerners who do not, and perhaps do not wish to, understand the historical context and institutional antecedents of the present Bosnian state.

By the late 1990s, the ICG’s reports, while often well researched and informative, had acquired a monotonous, predictable quality, filled with prescriptions for international action that looked like a radical interventionist’s fantasy. In autumn 2001, Wolfgang Petritsch implied the irrelevance of this revisionist perspective when he told a Sarajevo magazine that ‘the Dayton peace agreement is an international, binding agreement. There are no question marks hanging over it.’ This was just as well, because opinion surveys conducted in 2003 by the UN Development Programme suggested that ‘a state of citizens’ – something close to the ostensibly civic, integrationist formula – was supported by only 52 per cent of Bosniacs, 17 per cent of BiH Croats and 9 per cent of BiH Serbs. In other words, this was an idea overwhelmingly rejected by two of the three Bosnian communities, and favoured by barely half of the third (and numerically largest) community. After the failure of the Yugoslav idea and the second
Yugoslav state, and the 43 months of bitter violence in BiH that resulted, a unitary state based on a common Bosnian national identity is simply unrealizable, at least for the present and foreseeable future. But it would also be anti-democratic – against the wishes of the vast majority of Bosnians. By late 2003 the ICG effectively closed down its Sarajevo office and shifted its attention to other more current and presumably compelling crisis spots.

The other alternative to the unwieldy Dayton compromise – the partition of BiH into three sovereign ethno-national statelets or the incorporation of the Serb and Croat statelets as units of Serbia-Montenegro and Croatia respectively, leaving a Bosnian Muslim rump state – has largely faded from public view and debate over the past decade. This has happened mostly because it has been clear since Dayton that the international community is unanimous in ruling out partition.

When I was writing *Bosnia after Dayton*, during 2001, it was already clear to me that the Dayton settlement, integrationist urgings and partitionist cravings notwithstanding, would, probably with some rationalizing reforms, provide the long-term political framework for the country. Close to Dayton’s tenth anniversary, we can legitimately ask whether this framework provides the basis for a viable multi-national democracy in BiH. My answer is a cautious affirmative.

*The Consociational Confederation*

The Bosnian state is a consociational confederation. Consociationalism is an empirical model of government developed by the political scientist Arend Lijphart and other scholars as an institutional prescription for plural and divided societies which gives primacy to collectivities rather than individual citizens. Its underlying ethos and policymaking procedures are oriented to broadly based agreement across groups, in contrast to the majoritarian mechanism conventionally used in non-consociational democracies.

Consociationalism is built into all levels of the Bosnian state established by Dayton, from the tripartitite collective state presidency to the municipal tier of government. In addition, the Bosnian state is confederal in character. In a confederation, ‘self-rule’ is so extensive that the federating units, rather than the federal government, are the dominant layer of government. In other words, confederations emphasize self-rule at the expense of shared rule. The Bosnian state is such a confederal union, between its two political entities – a radically autonomous RS and a Federation of BiH (FBIH) in which most competencies are devolved to the ten cantons (eight of which have clear Bosniac or Croat majority populations). Segmental autonomy, one of the pillars of a consociational structure, can take a variety of forms, both territorial and non-territorial. In the Bosnian case, its primary manifestation is ethno-territorial autonomy.

The Bosnian settlement, however, has two major international dimensions, both of which are missing from the ‘classic’ formulations of the consociational approach. First, it is the result of an internationally brokered peace treaty, negotiated under American stewardship, rather than a pact reached in the domestic domain. This meant that the role of the international community would be paramount in its implementation. The Dayton agreement is also international in that it
is a *regional* treaty. It was signed by the then leaders of Serbia and Croatia in addition to the then Bosnian Muslim leader, underlining the regional roots and causes of the conflict that tore Bosnia apart. More important in substantive terms, the Dayton settlement authorized both BiH entities to establish and develop special relationships with neighbouring states – effectively Serbia–Montenegro and Croatia – and permitted Bosnian citizens to hold concurrent citizenship of those neighbouring states. In other words, the confederal element of the Bosnian settlement transcends BiH’s borders – it is a supra-state, regional settlement based on porous internal and external borders. If the road to recovery for the region of former Yugoslavia (to some extent barring Slovenia) – which faces common problems of post-communist democratization and economic reform – lies in renewing ruptured links through cross-border cooperation, this is unambiguously a good thing. BiH is, as it was before the war, a demographic microcosm of what was Yugoslavia and could in some ways be a pivot of such a renewed regionalism across much of the former Yugoslav space.

In both these international features – especially the latter – the Dayton accord is similar to ongoing or attempted consociational settlements in other deeply divided societies, such as Northern Ireland, Cyprus and Lebanon. This type of settlement has numerous critics. Three of the most powerful criticisms are:

- The entrenchment, indeed reification of collective ethno-national identities.
- The reliance on segmental elites to make the system work, and the likelihood that in the aftermath of protracted enmity and/or severe violent conflict, such elites will lack the will and/or the capacity required.
- The argument that consociational frameworks work in moderately divided societies, such as Switzerland or Belgium, where there is an overarching national identity and no recent history of violent conflict, but not in deeply divided societies such as Bosnia or Northern Ireland.

These are substantive and legitimate points. But counter-arguments exist. The communitarian basis of such settlements is not due to some sort of identity fetishism, but is a response to difficult situations where ethno-national faultlines are the dominant cleavage in society and politics. Elite cooperation, cutting across segmental divides, is indeed a tall order in post-conflict contexts, but two caveats are in order. First, a striking characteristic of peacebuilding and stabilization processes in societies like Northern Ireland and Bosnia is the degree of international community involvement. Sworn enemies, if left to themselves, may not be willing and able to cooperate, but a judicious mixture of international inducement and compellance may just work to elicit the grudging pragmatism necessary from them. Second, the passage of time may have a moderating effect on even the most bitterly-held animosities. These two factors combined can produce such unprecedented developments as power-sharing in government between the Democratic Unionist Party and Sinn Fein in Northern Ireland.

Finally, it is true that consociational, confederal settlements have difficult prospects in deeply divided societies. Yet there is a paradox here. Although Lebanon’s National Pact broke down in the mid-1970s, the post-civil war settlement
turned out to be a renovated version of the same framework. Even though independent Cyprus’s experiment with consociationalism lasted barely four years, from 1960 to 1963, before collapsing amid discord and strife, the Annan Plan followed the same principles, built on a confederal foundation. It is almost universally recognized that the Good Friday pact, whatever its flaws, represents the only feasible path to uneasy, democratic coexistence in Northern Ireland. The complex Dayton compromise is modelled on the confederal, consociational structure of socialist Yugoslavia during the 1970s and 1980s – not an auspicious legacy. Yet in post-Yugoslavia and post-war Bosnia, where ‘nation-building’ integration is a fantasy, at once hopelessly naïve and mindlessly arrogant, and partition and segregation equally not a possibility, this paradigm is the only way forward.

It is in recognition of this reality that the major reform to BiH’s governmental structure since the end of the war – enacted at the behest of the international community in April 2002 – has further extended and deepened the Dayton paradigm of group-based rights. This reform has given Serbs guaranteed rights and representation in the FBiH and non-Serbs the same in the RS. As a result the RS now has Bosniac and Croat vice-presidents and, more significantly, up to 50 per cent of RS government ministers have to be non-Serbs (five Bosniac, three Croat). An upper chamber of the RS legislature has parity representation of the three communities. Serbs are guaranteed reciprocal rights in Federation institutions, including parity representation in the upper chamber of that entity’s legislature and access to ministerial and deputy ministerial portfolios in the executive. As Petritsch, who shepherded the reform as High Representative, puts it: ‘One cannot and should not get rid of the ethnic paradigm.’ Of course, much of this reform can be derided as either symbolic or superficial window dressing. But this levelling of the institutional structure of rights and representation across BiH still represents a step in the right direction, especially in the context of substantial minority returns (on which more below).

Further incremental, rationalizing reforms to BiH’s institutional framework are possible during the Dayton state’s second decade. In Bosnia after Dayton, I emphasized the difficulties in the Bosnian context of implementing schemes aimed at encouraging cross-ethnic integration through the deliberate design of electoral systems, of the kind favoured by the political scientist Donald Horowitz. I am convinced of the soundness of this, and believe that the current electoral system of proportional representation through party/coalition lists (list PR) is the appropriate choice for BiH. Nonetheless, it is conceivable that elements of the integration through electoral engineering approach, based on multiple preferential voting and/or ethnic vote distribution requirements for certain executive posts at various levels of government, can be introduced with some success, albeit in a very limited way, in the foreseeable future. This should not be ruled out as permanently infeasible – times change and conditions can change with time. Similarly, the proposal presented in early 2004 by the European Stability Initiative (ESI), a specialist think-tank, for the cantonization of BiH – whereby the Federation tier of government would be abolished and
the RS would become the largest and most populous of 12 cantons comprising a federal state – is worthy of serious debate.

[The] proposal is to progressively abolish the Federation, and with it the constitutional status of the entities. The result would be a simplified, three-layered federal state with twelve autonomous units: the ten cantons of the current Federation, Republika Srpska and the District of Brčko. This would represent a fundamental change to the structure of the state, turning it into a normal, European federal system with central, regional and municipal governments.26

Reform on these lines may have the beneficial side-effect of solving the Dayton state’s major residual problem – the disaffection of BiH Croats with the Federation arrangement that precipitated a rebellion in 2001. A Balkan Switzerland would still be a far cry, but the proposal is well argued and most important, feasible. In fact, it may not even represent an immensely ‘fundamental’ change, just an important rationalizing reform of the status quo that would facilitate the process of BiH’s integration into trans-European institutions. A gradual strengthening of the ‘shared rule’ component of federalism is feasible in BiH – indeed, it is already underway – and would create a more symmetrical, balanced and workable federal state. But such a gradual change in the balance between self-rule and shared rule would have limits, above all because the competitive party system in BiH is segmented along ethno-national cleavages and no significant party with a cross-national base of support exists in the country. Bosnia will still remain an explicitly multi-national state based on group rights and self-rule for its three major peoples.

The notion that a (con)federal, consociational structure of government is an inherent obstacle to Bosnia’s journey to Europe – or more precisely to the European Union (EU), since Bosnia is culturally and geographically already in Europe – is sadly misguided and entirely unfounded. One of the EU’s new members is the still-divided island of Cyprus. Cyprus’s situation is somewhat complicated, because although membership applies in principle to the whole island, in practical terms it is currently valid for the Greek-Cypriot south only – the Turkish-Cypriot north is effectively excluded pending a final settlement. Had the Annan Plan passed the popular referendum in both jurisdictions, this would not have been the case. The entire island would have acceded as one country in principle and in practice to the EU, as a very decentralized confederal republic of two ‘constituent states’ whose government is based on consociational principles. The Dayton compromise did contain certain elements that needed revision in order to meet basic criteria for membership eligibility in trans-European institutions – for example, the superseding of multiple armies from the civil war period by an umbrella Bosnian army. But there is no imperative whatsoever to throw the baby out with the bathwater.27

Bosnia’s situation and future are precarious. But that is not because – at least not primarily because – of the institutional structure of the Bosnian state and the principles that underpin that structure. It is due to other factors: the dire condition of the economy and mass unemployment; the emigration of highly educated and
qualified citizens that began in 1992 and continued after the war; the extremely poor quality of post-secondary education that, coupled with poor job prospects, encourages emigration by bright young people who want to make something of their life; and the extremely low calibre of the political class, which is ineffective more because of incompetence than inter-ethnic wrangling. Bosnia is so fragile because of these factors, not because of some original sin visited on it in Dayton, Ohio in November 1995.

Liberal Internationalism or Liberal Imperialism?

The line between liberal internationalism and liberal imperialism is admittedly thin and in the case of Bosnia since Dayton, the distinction probably lies in the eyes of the beholder. Yet arguments that in their critical zeal invoke historical analogies between international engagement in post-Dayton BiH and colonialism – such as Britain’s imperial rule over India, which was occasionally sought to be justified with recourse to ideas of a ‘liberal’ civilizing mission – run the risk of substituting caricature for critique (they also risk trivializing the brutality and avarice of British colonial rule in India). Such arguments have two basic shortcomings. First, they do not seem to adequately acknowledge the context of internationally-led state-building and democratization in BiH after 1995. That context has involved the onerous, thankless task of building a state and a democracy in a deeply divided fragment of a ‘former’ country which underwent institutional and social meltdown, and in the more or less chaotic aftermath of a messy end to overlapping civil wars across much of former Yugoslavia and within BiH. If the international community in post-1995 BiH has perceived and presented itself as the upholders of law, order, reason and morality in a manner reminiscent of ‘liberal’ imperialist powers of a previous era it is because of this context, where local political elites have frequently been no better than gangsters and local publics have emerged severely traumatized and shell-shocked from the bloody implosion of the regime and society they knew. This is the context that at least partly explains the dilemma Petritsch encountered – although he felt uncomfortable about ‘imposing’ democracy and the rule of law, he also felt compelled to continuously intervene. Indeed, the more convincing critical analogy with the authoritarian, controlling aspects of the international mission in BiH does not need to travel either to India or back to the nineteenth century. The better analogy is with the communist regime in the second Yugoslavia (1945–91), which constantly sought to cover up its transparency and accountability deficits by assuming a high moral and ideological pedestal. BiH had possibly the most conservative variant of this regime among the republics of former Yugoslavia.

The second shortcoming is that in focusing its attack on the most intrusive and authoritarian aspects of international activity – specifically the wide-ranging powers of intervention in the political process vested in the High Representative’s person and office after December 1997 – such arguments could, inadvertently or otherwise, give an unbalanced and incomplete picture of the international role in BiH after Dayton. The viceregal powers of the High Representative to dismiss elected public officials and party leaders, impose legislation by decree and ban
media deemed offensive are justly controversial, and I made the point several years ago that although ‘a policy of selective sanctions may have been unavoidable, given the venal, gangster-like disposition of many Bosnian power-brokers. . .[this] is probably not consistent with the longer-term aim of fostering genuine pluralism and rule of law in BiH’.³⁰ A debate on these powers and when and how they are applied, with what explanation and consequence, has therefore long been overdue (see Richard Caplan, this volume).

It ought to be noted, however, that there are at least some cases where use of extraordinary powers has had effects that can be regarded as beneficial. In November 1999, for example, the High Representative summarily sacked 22 municipal and cantonal officials from all three communities for ‘obstructing’ implementation of the Dayton accords. One of them was Stipe Marić, the hardline Croat mayor of the Mostar South-West municipality, which constitutes the heart of urban Mostar. Marić’s removal helped unblock returns by evicted Bosniacs and Serbs to this part of the city. In fact, I would argue that the most serious error of international strategy in BiH has been not the exercise of decree powers from up ‘high’, but the misguided and unproductive quest for ‘non-nationalist’ or ‘non-extremist’ collaborators among the Bosnian political class. This led to international sponsorship of Milorad Dodik’s government in the RS from 1998 to 2000 and of the ‘Alliance for Change’, mostly in the Federation although statewide as well, from 2000 to 2002. The behaviour and performance of these Bosnian surrogates proved to be disappointing in the extreme, and they were voted out by the electorate as a result.

Yet the international presence in BiH has been about more than authoritarian meddling. Virtually all developments in BiH since the end of the war that contribute to a slightly better present for its citizens and open up better prospects – however tenuous – for their future have been due to international effort, often very intensive and protracted. Examples include the Central Bank, opened in 1998, which issued the Bosnian currency and eliminated the absurd and unviable situation in monetary and financial affairs prevalent until then, and the Election Law enacted in 2001 which facilitated BiH’s membership in the Council of Europe. But the most notable achievement of international engagement has been in the returns by wartime refugees and displaced persons, particularly the return of ‘minority’ expellees’ to their homes in areas dominated by members of another community. The most progressive – and ambitious – clause of Dayton was its guarantee that all who wished to return would be enabled to do so. But that was just a promise, and the scale of the problem was enormous – 1.2 million refugees and 1.1 million internally displaced people, of a pre-war population of 4.4 million.

After sluggish minority returns, especially to the RS, between 1996 and 1999, minority returns accelerated in 2000 and peaked in 2001 and 2002 as security conditions and perceptions improved across most of the country, falling off again in 2003 and 2004 as the pool of returnees approached saturation point. By 31 August 2004 minority returns totalled 445,735 people across the country, a significant figure for a country whose population is approximately 3.5 million. Of these, 156,731 persons – overwhelmingly Bosniac – had returned
to the impoverished terrain of the RS. This level of minority return in the decade since Dayton – almost half a million people – would not have materialized without energetic implementation of the international community’s Property Law Implementation Plan (PLIP), the sustained efforts on the ground of its multi-agency Reconstruction and Return Task Force (RRTF), the reform of local policing supervised until end-2002 by the UN International Police Task Force (IPTF) and the security cover provided until end-2004 by the Stabilization Force (SFOR). Of course, the figures of registered minority returns could be somewhat inflated and probably are, given that some returnees come back only temporarily to repossess and then sell their houses and apartments, and it needs to be remembered that elderly people, who will not live much longer, are disproportionately represented among such returnees. Nonetheless, the international commitment to the right of return, which has resulted in substantial minority returns in difficult circumstances, sets a positive and rare example. The robust defence of the principle of return and its vigorous enforcement at the cusp of the twentieth- and twenty-first centuries is an exceptionally encouraging development given the grim history of the twentieth century, when mass expulsions on ethno-national grounds occurred repeatedly and irreversibly. The Palestinians of 1948, the Hindus, Muslims and Sikhs of the Indian subcontinent in 1947, and the central and east European Germans in 1945–46 never had the opportunity afforded to Bosnians 50 years later. But Bosnians should not be begrudged that opportunity.

Conclusion

On 23 July 2004 a reconstructed replica of the famed stari most or ‘old bridge’ across the Neretva river in Mostar, which was destroyed in November 1993 during heavy fighting in the town, was ceremonially inaugurated amid much fanfare. A galaxy of notables from the Yugoslav successor-states and the international community graced the occasion, which was covered live by major international broadcast media and featured on the front pages of many of the world’s leading newspapers the next morning. The local reaction to this international jamboree was circumspect. Cutting across communities, many Mostaris agreed that the new structure somehow lacked the grace and splendour of the sixteenth-century original. The event also evoked reactions ranging from indifference to sullen hostility among most of the city’s Croats, who are concentrated in west Mostar. However, even Mostar’s Bosniacs, who dominate the stari grad or ‘old town’ where the bridge lies, who identify the most with the city’s Ottoman heritage, and who welcomed the reconstruction of the bridge destroyed by BiH Croat forces during the civil war, had little time or patience for the orchestrated shenanigans of the international community who descended in droves on their town. Indeed:

Local Bosniacs poured scorn on the international obsession with the bridge’s alleged wider meaning, such as the one voiced by the international community’s High Representative Paddy Ashdown, who said [in his speech] that the bridge is a cornerstone of Bosnia’s reconstruction as a multiethnic society. As if that was not enough, Bosnia could, according to Ashdown,
become a bridge between Islamic countries and Europe, helping the two worlds overcome misguided and stereotyped views of each other... ‘That may be too much reconciliation for one bridge’, said a local Bosniac.34

Grandiloquent declamations by grandees are a predictable if tiresome feature of such occasions. Yet it is important to contradict false perceptions and expectations which – especially when disseminated by an apparently authoritative source – receive wide currency. The new old bridge in Mostar, far from heralding Bosnia’s multiethnic resurrection, makes little difference to inter-community relations in the town, and Bosnia is not a laboratory for addressing and healing global schisms either. The words of BiH’s first international High Representative are far better judged: ‘The peace agreement balances the reality of division with structures of cooperation and integration, and is based on the hope that over time the imperative of integration in the country and the region will be the dominant factor.’35

A decade after Dayton, the Bosnian state has made progress towards becoming a minimally functional multi-national democracy. To the extent that fears of state failure still loom, it is not because of the political-institutional framework but because of severe social problems arising from impoverishment and unemployment, emigration and organized crime. The international intervention to build and stabilize a Bosnian state and a Bosnian democracy is unfinished, much like a building under construction whose main decorative feature is unsightly scaffolding. That international intervention will never entirely live down the ‘liberal imperialist’ taint – and justifiably so. But at the same time it would be inaccurate and unfair to reduce the entire enterprise to ‘liberal imperialism’. Both ‘liberal internationalism’ and ‘liberal imperialism’ are fashionable labels. They and their respective partisans – the missionaries and the doomsayers – should be treated with caution.

A decade from now, Bosnia will still be an interesting saga and puzzle for all students of state-building under international auspices and of democratization in a deeply divided society. The promised land – the EU – remains frustratingly distant. Yet as a EU Police Mission (EUPM) monitors the Bosnian police in the wake of the UN’s exit, a lean EU Force (EUFOR) provides the security guarantee, and the euro widely circulates as a parallel currency to the Bosnian convertible mark, a beginning has been made. It is probable at the very least that the cyclical pattern, familiar since the late nineteenth century, of violent conflict every one or two generations in Bosnia and its wider region has finally been consigned to history. The departure has taken place; the arrival is another matter.

NOTES
3. For an explanation of the institutional architecture of the Dayton settlement see S. Bose, Bosnia after Dayton: Nationalist Partition and International Intervention, New York: Oxford University Press, 2002, ch.5. For an analysis of how the Dayton settlement was reached see ch.2.


15. Note that ‘unitary’ should not be confused or conflated with ‘united’, as it frequently is. A unitary state is one based on a single conception of national identity. The Bosnian state established by Dayton is an explicitly multi-national state which recognizes and institutionally accommodates multiple national identities.


18. While the segregationist Serb Radical Party (SRS) was banned in BiH at this time for its ‘anti-Dayton stance’ no sanctions were imposed on the SBiH. Just before the November 2000 elections Richard Holbrooke appeared in Bosnia and called for the proscription of the Serb Democratic Party (SDS), the largest party in the RS.


23. See Bose, Bosnia after Dayton (n.3 above), especially chs 2, 5.

24. Petritsch, (n.2 above).


33. Author’s personal interviews and observations in Mostar, July 2004.


35. Bildt (n.8 above), p.392.