



the **Practitioner's** *page*

Dr. Vjekoslav Domljan of Bosnia **A Bosnian diplomat reflects on a federation** **on the fault lines of three civilizations**

Dr. Vjekoslav Domljan, the Ambassador to Canada from Bosnia and Herzegovina, led the team that prepared the first development strategy for the Council of Ministers of Bosnia and Herzegovina, "Entrepreneurial Society", under the auspices of the World Bank. He was the Bosnian representative for financial property succession for post-Communist Yugoslavia.

**"If the state is strong, it will crush us;
if it is weak, we will perish."**

- Paul Valéry

At different times in history, Bosnia and Herzegovina was part of the Roman, Goth, Slav, Hungarian, Ottoman and Austro-Hungarian empires. When the Austro-Hungarian Empire crumbled at the end of World War I, the country, commonly known as Bosnia, was made part of the Kingdom of Yugoslavia. After World War II, it became part of Communist Yugoslavia under Marshal Tito. Yugoslavia broke apart a decade after Tito's death, first with the almost peaceful secession of Slovenia and then with the war ending in the independence of Croatia, Bosnia's northern neighbour. War tore apart Bosnia from 1992 to 1995, ending with the Dayton Peace Agreement signed by all parties in Paris in December 1995.

Bosnia is a beautiful country, full of rugged mountains and peaceful valleys, medieval ruins and modern hotels, where some tourists are returning again. A page of the official tourism site of Bosnia describing the city of Mostar, heavily damaged in the war, says it all: "Recovering from the devastation is no easy task... the physical aspect of reconstruction is the easier bit, soul healing comes a bit slower."

The hollow tree in Vancouver's Stanley Park is the perfect metaphor for Bosnia. The tree is empty inside, with a huge hole into which tourists often drive their cars to have their pictures taken. By a strange twist of fate, the tree is alive, with a huge treetop full of green leaves. The tree is like Bosnia - an existing but fragile state.

A zero-sum game?

A historical atlas shows Bosnia criss-crossed by fault lines running from the Baltic and Black Seas to the Adriatic. These fault lines separate three civilizations and converge in

Bosnia. Along these cultural faults lines many stresses have existed for a long time. Similar to geological faults, the East-West fault line has existed since the ninth century. The European-Islamic fault line has existed since the 14th century. Both have been the scene of frequent eruptions.

Bosnia is located at the intersection of the Western European (Catholic and Protestant), the Eastern European (Orthodox), and the Islamic (Muslim) civilisations. The country has served as a flashpoint many different times. Future eruptions could well recur.

Ivo Andric, a native of Bosnia who was awarded the Nobel Prize for literature in 1961, described the Bosnian drama in his novel *The Bosnian Chronicle*:

***In Bosnia, one's
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How is it possible for this country to become stable and orderly ... if its people are divided as nowhere else in Europe?... the centre of the spiritual life of each of these ... groups is far away, in a foreign land, in Rome, Moscow, Istanbul, Mecca... and God alone knows where, but at any rate not here where the people are born and die. And each group considers that its well-being is conditioned by the disadvantage of each of the other ... faiths, and that they can make progress only at their cost.... And each of them is expecting salvation from somewhere outside, each from the opposite direction.

A Canadian scholar, Vern Neufeld Redekop, described deep-rooted conflict as having the character of a "zero-sum game" with high stakes, in which each side becomes convinced that they can only win at the expense of the other. As in other parts of the world, the deep-rooted rivalry in Bosnia has caused a strong decline in support for compromise and unity.

Strong units, weak centre

In Bosnia, one's religion is almost always tied to one's ethnicity and language. If one has Croat ancestors, he or she is likely to be Catholic and speak Croatian. A person of Serb ancestry is extremely likely to be an Orthodox Christian and speak Serbian. Someone of Bosniak descent is most likely to

be Muslim and speak Bosnian. However, a speaker of one language can easily understand the other two. Reading across the three languages is a bit more difficult, because Bosnian and Croatian only use the Roman alphabet, while Serbian prefers the Cyrillic.



Mostar bridge was rebuilt, but how long will it take Bosnians' lives to mend?

Within Bosnia, there are two distinct constituent units: the Federation of Bosnia and Herzegovina (the Bosniak-Croat Federation), and Republika Srpska (the Serb Republic). The fact that there are two units – rather than a larger number, as in most federal countries – poses a greater challenge for Bosnia. Ronald L. Watts, one of the world-wide leading writers on federalism, has described two-unit federations or unions as ones which sharpen polarization, produce impasses and lead ultimately to instability.

And the ideological pendulum has recently swung in Bosnia from a point dangerously far on the left to one dangerously far on the right. The absolutism of the common has been replaced by the absolutism of particularity, or more precisely Communist internationalism has been replaced with ethno-national balkanization.

The present institutional arrangements fail to reflect accurately the two important aspirations of Bosnians: national unity and ethnic identity.

Just as there have been centrifugal forces pulling Bosnia apart, there have also been centripetal forces pulling it together. On the one hand, differences between Bosniaks, Croats and Serbs have become more acute; on the other hand, internal conflicts have been moderated through a combination of rules to deal with inter-regional trade, united action in conducting international trade and central-state level institutions to deal with international institutions.

Political parties mirror the fractured nature of society. The dominant parties are identified according to ethnic differences, making them top issues. There are no parties that emphasize the importance of building up unity and finding solutions to urgent economic, legal and social problems (mass unemployment, gaps in the rule of law, low social capital, etc.) – problems the former Communist party (now the Social Democratic Party) neglected.

Consequently, the central institutions of Bosnia are much weaker than either those of the inter-war Kingdom of Yugoslavia or those of the former Communist Yugoslavia. Both states failed due to unresolved ethno-national problems.

The nationalists within each ethnic group in Bosnia are primarily interested in institutions they may have under their own control, ruling over territories where their own ethnicity is a majority. Consequently, Bosnia, with a population the size of Montreal, still has armies and even secret services organized by each ethnic region, but lacks a single police service fighting local corruption, regional crime and international terrorism.

After the war of 1992-1995, the Office of the UN High Representative in Bosnia was mandated to facilitate the

resolution of intractable conflicts in Bosnia. Since friction between ethnic groups has polarized the country, the High Representative has tried to introduce and/or strengthen central political institutions and reinforce the Council of Ministers. However, initiatives to enforce the central level to hold Bosnia together, and resist disintegration of the country are mainly attempts of imposing unity rather than encouraging its growth from within.

The High Representative himself has tried to generate some unity by taking actions such as establishing the Indirect Taxation Office at the central political level, to tax and generate original revenues, with taxation headquarters in Banja Luka. Such actions are, however, second-best solutions, because they were not initiated by the Bosnian government.

Justice and jobs?

After the end of the war, Bosnia did not have the necessary structures and conditions for institutional development and conducting policies. In this vacuum, each High Representative in turn designed and imposed programmes to resolve the country's most important problems. Currently, two of these problems are justice and jobs.

There are structural impediments to the pursuit of justice. Most citizens cannot afford to pay high court costs and legal fees when they are victimized. The new "top-down capitalists", who acquired their wealth by privatizing socially-owned and self-managed companies, can afford it but they are not interested in legal order. They prosper more in disorder.

The absence of rule of law in Bosnia is caused by the complexity of institutional arrangements, the misunderstanding of the situation by foreign advisors, and mainly by the insufficient implementation of justice by local authorities. The High Representative may force the public authorities and regulators to pass a law or a procedure but it cannot force them to enforce it. The nationalists in each ethnic group introduce parallel systems in their constituent units and modify the formal rules in their tug-of-war with the High Representative.

There is still little understanding of which specific institutional design will work best in a specific country: the approaches of the stronger ethnic side or the weaker multi-ethnic side. It takes decades to change social institutions. As the great Russian satirist Vladimir Voinovich warned, "the Russian system ended, but the Russians remained". Not until Bosnians change their social norms – which will only happen slowly – can new legal, economic and political institutions, like those of the EU, be popularly accepted so they could be incorporated into Bosnian society. 6

FURTHER READING:

Andric Ivo, *Bosnian Chronicle*, translated by Joseph Hitrec (New York : Knopf, 1963).

Hupchick, P. Dennis and Harold E. Cox, *The Palgrave Concise Historical Atlas of Eastern Europe* (New York: Palgrave, 2001).

Redekop, Vern Neufeld, *From Violence to Blessing: How an Understanding of Deep-rooted Conflict Can Open Paths of Reconciliation* (Ottawa: Novalis, 2002).

Watts, L. Ronald, *Comparing Federal Systems*, 2nd Edition (Montreal: McGill-Queen's University Press, 1999).