Quest for sovereignty: Bosnia and Herzegovina’s challenge

Christophe Solioz

The waves of history crash against us, as against a reef,
We’re fed up with those in power and
we’ve made a virtue out of distress:
we’ve become noble-minded out of spite.

Mesa Selimovic, Death and the Dervish

Bosnia and Herzegovina was the focus of a massive intervention from abroad — as is inevitable in a quasi-protectorate — as well as a host of strategies of multiple importation; at stake were the country’s territorial integrity and the recognition of its sovereignty, not only on a regional and international level, but primarily within the country itself. The break up of Yugoslavia had particular consequences in Bosnia and Herzegovina, which are in part explained by its geopolitical context. The formation of an independent state in 1991, amidst an explosive situation, presupposed the marginalization of particular communal identities as well as community restructuring, which were particularly complex processes in Bosnia and Herzegovina, as everyone knows. This attempt at transformation failed because of the totally non-conciliatory stance of the various community structures and led to their rejection of a common state. From this viewpoint, ethnic nationalism — intended as exclusive and aggressive nationalism — whether by Bosnian-Serbs, Bosnian-Croats or anyone else, could also be considered as a consequence of the importation of a non-mediated occidental model of the nation-state. The forced implementation of new rules, without time set aside for adaptation and appropriation, contributed to finally precipitate the country into a merciless war.

In the end, within the context of strengthened globalization, regaining sovereignty necessarily had to prove particularly complex.³ It is important to take into account that globalization can at the same time be both anti-state and pro-state. Consequently, to announce the state’s resignation before the advances of the market would be to portray the wrong image of the state’s future in the world order, in as much as the state remains part of the global community, notably as the guarantor of national territory.⁴ However, the problem in Bosnia and Herzegovina is the simultaneous intervention of the international community and the affirmation

---

1 Christophe Solioz is Director of the Forum for Democratic Alternatives [fsa], Sarajevo/Geneva/Brussels.
Quest for sovereignty: Bosnia and Herzegovina’s challenge

of a new state. It is, in effect, not one of the slightest paradoxes in the transition process in Bosnia and Herzegovina that outside intervention, which has as its declared objective the establishment of an autonomous state, is also simultaneously the origin of reforms, with the negative consequence of limiting or marginalizing the sovereignty of the state and the responsibility of the politicians of the designated state. Hence, I believe that the future of this country lies in its capacity to adapt the transition and democratization processes (in some respects, both of which are already well on their way), the central aims being the restoration of the state and the reinforcement of its institutions.

I. Structural defects of the international community’s intervention
The 1995 General Framework Agreement for Peace in Bosnia and Herzegovina (GFAP), imperfect in many ways, or at least contradictory,5 has as its principal value the virtual assurance of the lasting future of a common state for its communities and citizens, but contains numerous structural defects. I define six problem areas.

The accord defines a de facto state, divided into two entities, one Bosnian-Croat, the Federation of Bosnia and Herzegovina (FBiH), the other Serbian, the Republika Srpska (RS). This state is a composite, unbalanced structure in which about 80 per cent of the institutional powers are held at entity level.6 To this one must add the complexity of not less than five different levels of administration, taking into account the state, the two entities, the ten cantons of the Federation and the municipalities, as well as the district of Brčko. In addition, the GFAP created multiple contradictions between the entity-based level and the lower levels of the system — cantons and municipalities in the Federation and municipalities in the Republika Srpska. Thus, the High Representative of Bosnia and Herzegovina must constantly attempt to ensure a balanced state of affairs, a situation that is as precarious as it is fragile. While he must check that the entities act in the interests of the country and that they fulfil their obligations and commitments, he must, at the same time, progressively strengthen the state-controlled institutions in order to counter centrifugal forces, to reinforce the official recognition of the state and, most importantly, to carry out his primary duty to establish a viable state.

The management of the Bosnian conflict by the international community shows clearly how far national self-interest limits the efficiency of intergovernmental and regional organizations: not only is it the origin of rivalry between agencies and/or states, but it also affects the development of adequate strategies. In addition, multilateral diplomacy is regularly neglected in favour of bilateral approaches. Moreover, in the whole of the Balkans, the politics of the


6 Initially, the three ministries at state level prescribe by the GFAP were foreign affairs, foreign trade and civil affairs. In the spring of 2000 human rights and finance were added by the Bosnian parliament; in December 2002, justice, security and transportation were created by the High Representative Paddy Ashdown in order to improve the central government and increase the central state authority.

Helsinki Monitor 2003 no. 2