Political Arrangement Options for Bosnia and Herzegovina In Terms of Ethnic Conflict Management

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Çatışma Yönetimleri Bağlamında Bosna Hersek için
Siyasal Düzen Seçenekleri

Abstract

Between the social scientists it is an agreed issue that ethnic conflicts are a universal phenomenon which are through the history of humanity. Social scientists' experiences show us that deeply ethnically formed societies are tending to offer an unstable state structure. Such societies contain various mutually competing groups which consistently struggle for supremacy over the state institutions or for the central political authority. The main reason of these ethno-politic conflicts stem from the underdeveloped civic consciousness on power-sharing.

Among the most remarkable cases of violent breakdowns of the multi ethnic states are the countries that were once a part of the URSS or Yugoslavia. Despite of the fact that the geographical and the domestic dynamics of these 2 cases offer a different face; we might apply the general principles of the ethnic conflict theories on Bosnia and Herzegovina Crises. This study seeks to expose models for management of ethnic conflicts specifically on Bosnia and Herzegovina case.

Key Words : Management of Ethnic Conflicts, Bosnia and Herzegovina, Multiculturalism, Federalism, Consociational Democracy.

Introduction

It is a well known that fact implementations such as racial extermination, forced displacement or secession can not be considered as proper executions considering the management of ethnic conflicts. Moreover, these applications are already excluded as extralegal implementations. In this context, the management of ethnic conflicts in multiethnic states will be investigated in the framework of constitutional state formations, in particular within the federal and consociational state models.

1. Plurality, Federalism and Multiethnic Federations

According to Arend Lijphart plural society is characterized by sharp religious, ideological, linguistic, regional, cultural, racial and/or ethnic segments. In such a society the members will direct their loyalty to one particular group or segment.[1] In this sense, we might define pluralism as the acknowledgement of diversity. Stable democratic principles, standards

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[1] (LIJPHART, 1977:.3)

of life, consistent directives, vital practical democratic norms, skills and traditions can be considered as the most important features of pluralist societies. A politically pluralistic society develops a tolerance for different thinking. This means that all ideas and beliefs of the citizens are valid.[2]

On the other hand, we might consider federalism is the theory of federal principles for separating powers between member units and common institutions. Unlike in a unitary state, sovereignty in federal political orders is non-centralized, often constitutionally, between at least 2 levels so that units at each level have final authority and can be self governing in some issue area. Citizens thus have political obligations to, or have their rights secured by, 2 authorities. The division of power between the member unit and centre may vary, typically the centre has powers regarding defence and foreign policy, but member units may also have international roles. The decision making bodies of member units may also participate in central decision making bodies which means a power sharing.[3]

Lastly, when self-rule has a superior position on the shared-rule it is categorized in a distinct species of federal systems. Confederations are in fact distinct in nature because while federations are the result of an agreement that has a constitutional tradition, confederations are set up through an international agreement between previously independent states that decide to join together in order to achieve some specific common objectives. These objectives often include closer economic integration or the reinforcement of military security. Consequently, confederations do not form a new state, but depend totally on the member states in order to function. [4]

It is very possible to claim that all these 3 models are implementable with international liberal and pluralist principles. On the other hand, it is an accepted reality for federal or multifederal arrangements is that these systems do not guarantee to eliminate conflict and the threat of secession. Doubtful approach to federalism is based on 2 issues. Firstly, federalism, in accommodating self-government, may simply encourage national minorities to seek secession. A more a federal system which is highly multinational moreso recognizes and affirms the demands for self-government and the more it will strengthen the perception among national minorities that the federal system is de facto a confederal system which contains separated people with inherent rights of self-government, whose participation in the larger country is conditional and revocable.[5]

2. Consociational Democracy for Conflict Management in Multiethnic Societies

At the very beginning, consociationalist theory emerged as an explanation of political stability in a few deeply divided European democracies. It argued that in these countries, the

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[2] All About Religion http://www.allaboutreligion.org/political-pluralism-faq.htm, (2002) 30/07/2011

[3] (Stanford Encyclopedia of Philosophy. 2003). http://plato.stanford.edu/entries/federalism/. 30/07/2012

[4] (REQUEJO, 2001:324)

[5] (TAHRALI, 2006:23)

destabilizing effects of subcultural segmentation are neutralized at the elite level by embracing non-majoritarian mechanisms for conflict resolution. In progress of time, the theory was extended since the new consociational democracies were discovered, as a normative component was added, recommending consociational engineering started to be considered as the most promising way to create stable democracy in multiethnic societies. Consociationalism has always been controversial, but rather than one great debate about its applicability, there have been many small debates about the countries, the concepts, the causes, and the consequences concerning the consociationalism. These debates can become more fruitful if consociational theory is formulated less inductively and at a higher level of abstraction, and if the critics of consociationalism focus more on its principles and less on the operationalizations provided by its most important theorist, Arend Lijphart. The erosion of social cleavages in many consociational democracies raises the question of whether the very logic of consociationalism should lead to a prescription of more adversarial politics in those countries.[6] According to Nina Fallentin Caspersen:

"*The theory of consociational democracy is based on the assumption that successful political accommodation of ethnic differences is only possible through inter-ethnic elite co-operation in institutions that explicitly recognise the ethnic divisions and make them the basis of the rules for decision making, territorial division of power, and public policies. It is a "guarantee model" that guarantees the protection of minority rights and group rights and recognizes the legitimacy of claims to national self-determination within the existing state. These guarantees will allow the groups not to fear each other and genuine trust can develop over time.*" [7]

Consociational system is characterized by 4 main political institutions: grand coalition, mutual veto, proportional representation and segmental autonomy.

2.1.   Grand Coalition: This is the primary characteristic of consociational democracy which encourages the cooperation of political leaders of all significant segments of the plural society, to govern the country. In this system, representatives from all significant groups (ethnic or national groups) are parts of decision making process. Namely, instead of a power separation between government and opposition, most, if not all, groups in a consociational democracy will take part in the decision making. In other words, we might argue that this principle extremely achieve the elimination of state elites' ethnically oriented policies into a wide range democratic environment. [8]

2.2.   Mutual Veto: We might consider this mechanism as a complementary to the grand coalition principle. Arend Lijphart notes that participation in a grand coalition offers an important protection for minority segments but it is not an absolute protection. To ensure the segments' role in decision making and their political protection in the government, all groups must be able to veto decisions that would violate their interests. There is much criticism to mutual veto mechanism on the grounds that it can easily cause to a deadlock in decision

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[6] (Annual Review of Political Science, 2000:1) http://www.annualreviews.org/doi/abs/10.1146/ annurev.polisci.3.1.509?journalCode=polisci, 30/07/2011

[7] (TAHRALI, 2006:24)

[8] (*Ibid.*, 24-25)

making process. However Lijphart, theoretically, supposes that too frequent use of mutual veto is not very likely because it can turn against the group's own interests. In other words, we might argue that the mechanism prevents the struggle between parties. Each segment can realize the danger of deadlock and turn their particular interest into a common interest.[9]

2.3. Proportionality: This is another principle to complement grand coalition mechanism by ensuring the influence of all groups. This principle foresees proportional representation of all segments in the electoral system and in the civil service. Through the electoral system, the mechanism is used to faithfully translate the demographic strength of the segments into proportional representation in the parliament in direct proportion to votes garnered in an election. All groups influence a decision in proportion to their numerical strength. On the other hand, appointment of civil servants and public spending should be arranged proportionally.[10]

2.4. Segmental Autonomy: According to segmental autonomy rule, on all matters of common interest, the decisions and their execution can be transferred to separate segments. This means that the groups are self-governing in the issues that are not of common interest. Self-governing can be provided both by a territorial and a non-territorial division of power. If the segments are geographically concentrated and form a kind of federalism this can be used as a consociational method by which the claims for self-determination will be accommodated. According to Lijphart, thus, federal theory can be regarded as a limited and special type of consociational theory. Federalism offers an attractive way of implementing the idea of segmental autonomy or conversely, segmental autonomy can be regarded as a generalization of the federal idea. That is why federalism and consociationalism are applied together in divided societies.[11]

Despite of its quadruple mechanism, consociational democracy does not introduce efficient and politically stable government. In grand coalition decision making is slow; mutual veto has the risk to be completely immobilized; proportionality causes the distribution of positions according to membership and not individual competence, thus gives priority to group membership at the expense of administrative efficiency and finally, segmental autonomy makes consociational democracy an expensive kind of political system. Lijphart states that in the short run an adversarial system may be more decisive and effective but it is likely to be breakdown in the long run, because of the suspicions of excluded segments. Consociational democracy is likely to reach stability and effective policy decisions in the long run.[12]

On the other hand, Lijphart develops the proposal in the frame of a new solution model for concerning the countries which are deep segmental cleavages. In the first place, Lijphart does not consider the partition option as an unacceptable option. Furthermore, he

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[9] (*Ibid.*, 25)
[10] (*Ibid.*, 25-26)
[11] (*Ibid.*, 26)
[12] (*Ibid.*, 27)

acknowledges that sometimes partition option is the only way to prevent bloodshed conflicts. Lijphart says that there are 3 ways to solve the political problems of a divided society without destroying democracy. The first is assimilation policy which is likely to happen if one large group forms the majority in a majoritarian. The second is consociational democracy in the long run. The third, if the first 2 do not work functionally, is partition into homogeneous states. On the other hand, as a serious problem, people are not usually neatly divided into 2 distinct regions which makes partition extremely difficult, in particular considering the demographical structure of BiH.[13] In the light of this information we might argue that Dayton Peace Accords (DPA) did form a consociational system in BiH in the framework integrative approach.

3. Analyzes of BiH in Terms of Multiethnicity

As is known a little more than half of Bosnia and Herzegovina (BiH) was given to the Federation of Bosnia and Herzegovina (FBiH) that consisted with Bosnian Muslims and Croatians who came up with reconciliation as a result of Washington Agreement in 1994. The Washington Agreement ended the conflicts between Bosnian Muslims and Croats and the reconciliation between these 2 ethnic groups conduced the birth of Dayton Agreement.

In accordance with DPA, FBiH and Republika Srpska (RS) did divide the territory of BiH on an approximate 51:49 basis. Bosnian Muslims agreed on this state model since BiH is decentralized intro different ethnic groups and religions. On the other hand, still there are varieties of ethnic groups living together despite of the fact that the war ended. In 1992, %63 of BiH's people (2.800.000 out of 4.400.000) used to live in areas that correspond to the territory of FBiH.[14]

As I mentioned above, almost half of BiH's land was given to a single independent political united called RS or in translation Serbian Republic which is divided from FBiH by a 1.100 kilometres border in a zigzag pattern across the entire country. It is quite possible to say that DPA virtually made the RS a state within a state. RS's people are widely content with the political arrangements of BiH laid down by DPA even though RS's areas are more rural and less heavily populated than the FBiH. [15]

Finally, the territorial resolution of the Brcko District, located in the north-eastern corner BiH, became a serious problem during the Dayton negotiations, so in order to push ahead with the agreement, the issue of Brcko was postponed and its final resolution placed in the hands of an arbitration tribunal to be decided later. As an interim result the DPA included a boundary line dividing the Brcko District between RS and FBiH. 1/3 of the area, including Brcko Town, was placed under the RS jurisdiction while 2/3 was controlled by the FBiH.[16]

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[13] (The Social Science Summary Databse.1999) http://wikisum.com/w/Lijphart:_Democracy_in_ plural_societies#Chapter_2:_Four_Main_Characteristics_of_Consociational_Democracy, 30/07/2011
[14] (LEPARA, 2010:36-37)
[15] (*Ibid.*, 41)
[16] (SOMMERS, 2002:1)

By a new constitution, various mechanisms are set for the protection of human rights, the return of the refugees and the reconstruction of the economy. On the other hand, in order to secure the permanent peace within the territory an international force, under NATO leadership of 60.000 troops is located in BiH. [17]

FBiH has a quite complicated political structure in the sense that it has a different constitution than BiH has itself as a state. It has a separate flag including certain rights for instance Bosnian language and Croatian language are designed as official languages of FBiH and on the other hand, Latin Alphabet is the official script of the Federation. Croatian citizens of BiH have the right to hold the citizenship of Republic of Croatia as a secondary citizenship as well after the construction of Article 5 of DPA which states that according to the Constitution of BiH, all the citizens of BiH have the right to hold citizenship of an another country.[18]
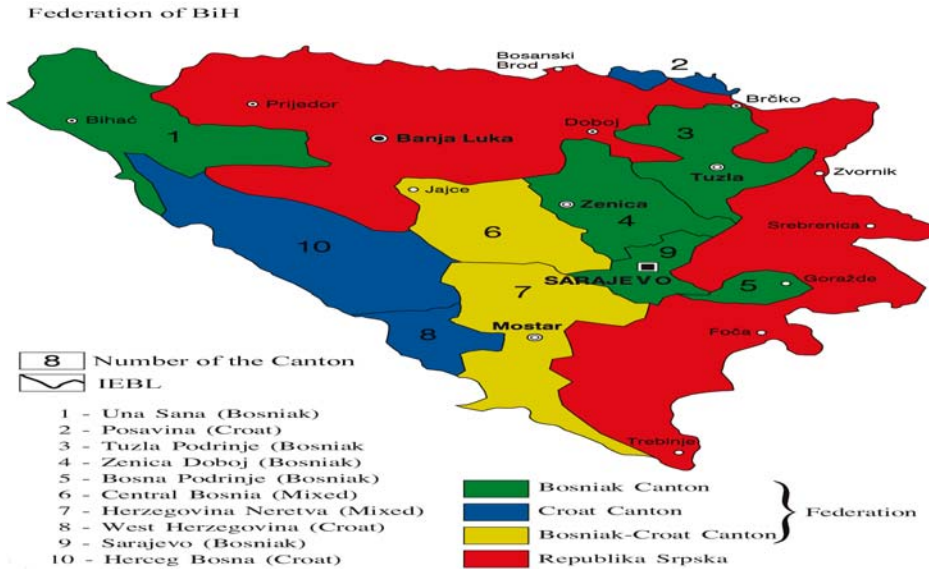

Illustration 1:

http://zuziadanielski.com/category/yugoslavia/

In the light of these constitutional information, in terms of ethnic conflict management, Israel and Cyprus cases disclosed a political approach call "*shared homeland*" model which might be adapted to the BiH's political system. As the name suggests, this approach seeks to keep the existing political and social structure by allowing all parties in conflict to avoid destructive violence. In other words, the shared homeland model suggests a living together society within a loose overall political framework.[19]

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[17] (MALCOLM, 2002:268)

[18] (*Ibid.*, 37)

[19] (RASIDAGIC. 2000:68)

In the light of this information, we can acknowledge several conflict resolution approaches concerning the ethnic collisions all around the world. On the other hand, as I mentioned before, every single ethnic conflict case carry its unique dynamics, reasons and consequences. BiH War is one of the most complicated ethnic conflict case concerning the adaptation of above mentioned conflict resolution approaches.

Before anything else, BiH's demographical structure, originates from 3 major ethnic groups, is far from introducing an ethnic majority. In other words, we can argue that BiH is a "mini" representative of former Yugoslavia on the grounds that some objective characteristics such as language and ethnicity are the same "distinctive" for all the ethnic groups in BiH. The major distinction was religion which brought crucial changes in the subjective characteristics, but this change became apparent only centuries later.[20] In a short brief, we can argue that in the same way with its demographical structure, even the ethnic conflict management approaches introduce a "hybrid" character between the federation and consociational democracy option; on the other hand, ironical situation concerning the jointly implication of partition alternative and integration efforts.

Conclusion

Any attack against a multi-ethnic state, for the purpose bringing one's own ethnic minorities- together with the territory they live on- within the borders of one's own state, such as the Bosnian case, potentially carries the risk of a civil war within the attacked country. Because, the attempt at joining a part of territory or the whole territory, is in fact, objectively instigation of conflict among the ethnic minorities building the multi-ethnic state. With an another expression, the elements of the ethnic or religious war regularly appear within the context of a secessionist aggression. [21]

A state can follow 2 different strategies in order to secure its national solidarity and prevent such ethnic conflicts. In the first place, a state can encourage or require the different groups to organize themselves in corporatist fashion by assigning a political role to the corporations in the state organization. This is the autonomist strategy, which is the nearest implementation to national liberation that is possible under conditions of multi ethnicity.[22]

Alternatively, a state can act to decrease the differences between the ethnic groups by establishing a supra-identity which was created at the time of Yugoslavia`s former leader Josip Broz Tito in the frame of self-governing and federalism. In this strategy each group would be represented in equal proportions in every area of political, social and economic life. This strategy is a very proper way of transforming the ethnic identities into an administrative classification. As I investigated as a theoretic backdrop, in some cases or in some administration types, the process which establishes a supra-identity might supported by an "invisible" assimilation policy.

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[20] (TAHRALI. 2006:30)
[21] (SADIKOVIC. 1999:92)
[22] (WALZER, et al. 1982:24)

On the other hand, as we see on BiH case, if the state starts to follow an ethnic or religion-centrict policies, which obviously cause the loss of distribution of the equal justice between the ethnic groups, makes impossible to prevent the mobilization of the ethnic/religious groups against their each other or against the central government. In other words, there is always a danger that once the neighbour is identified as a victim, the victim may produce other victims in the name of self-defence.[23].

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[23] (DAUPHINEE. 2007:26)

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ÇATIŞMA YÖNETİMLERİ BAĞLAMINDA BOSNA HERSEK İÇİN
SİYASAL DÜZEN SEÇENEKLERİ

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Özet

Sosyal bilimciler arasında etnik çatışmaların insanlık tarihi kadar eski evrensel bir fenomen olduğu genel kabul görmüş bir konudur. Sosyal bilimcilerin çalışmaları, farklı etnik unsurları barındıran devletlerin genellikle stabil olmayan bir devlet yapısına sahip olduğunu ortaya koymuştur. Bu toplumlar, merkezi hükümet ve devlet kurumları için güç yarışında bulunan farklı etnik unsurları barındırır. Yeterince gelişmemiş siyasal kültür meydana gelen etnik çatışmaların ana nedeni sayılmaktadır.

Siyasi tarihte SSCB ve Yugoslavya çokkültürlü yapıya sahip devletlerden çok sancılı çöküş süreci yaşamış iki örnek olarak karşımıza çıkmaktadır. Her ne kadar bu iki örneğin kendine özgü dinamikleri olsa da genel ilkeri itibarıyla Bosna-Hersek özeline uygulabilecek birtakım karakteristikler taşımaktadırlar. Bu çalışma etnik çatışma yönetim modellerini Bosna-Hersek özeli üzerinde araştırmayı hedeflemektedir.

Anahtar Kelimeler: Etnik Çatışma Yönetimi, Bosna-Hersek, Çokkültürlülük, Federalizm, Ortaklaşmacı Demokrasi

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