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The Elusive Peace in the Former Yugoslavia

Introduction

Bosnia-Herzegovina, once a republic within Yugoslavia and now a fledgling state, has been engulfed in war for three years. Despite the terrible human costs of the war—the loss of two hundred thousand lives (mostly civilian) and the creation of approximately four million refugees—and despite repeated peacemaking initiatives by a variety of international institutions, including the United Nations, the European Union, and the Conference on Security and Cooperation in Europe, an end to this war in the very near future is unlikely.

Why has the war in Bosnia proven so resistant to peaceful resolution? The most common answer to this question is that the conflict in Bosnia is based on age-old ethnic hatred. As a result, the combatants have little desire or capacity to lay down their arms. Moreover, since historically rooted passions, not rational self-interest, drive the conflict, international institutions have little influence.

This answer is based on an erroneous reading of the Bosnian war and oversimplifies a very complex war by labelling it domestic, inter-ethnic, and inevitable. Moreover, this interpretation is self-serving, enabling international institutions, as well as western governments, to avoid any responsibility for the war's outbreak or continuation.

This brief article presents a different explanation for the intractability of the war in Bosnia. Part I begins with an analysis of the war's origins, concentrating on specific developments within Yugoslavia and the international system from the mid-1970s to the early 1990s. The analysis corrects historical misinterpretations in order to better understand the nature of the war and the considerable difficulties involved in ending it. Part II argues that none of the preconditions necessary for successful international peacekeeping are present in Bosnia. The character of the war and the character of international peacemaking efforts have worked together to prolong the war and prevent its peaceful resolution.

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²⁸ CORNELL INT'L L.J. 709 (1995)

I. The Origins of the War

For the Yugoslav state, 1974, when the country adopted a new constitution, was the beginning of the end.¹ The primary purpose of the new constitution was to provide a political and economic framework for the survival of Yugoslavia after the death of its longtime leader, Marshall Tito (who died six years later). The new constitution attempted to balance two goals: state unity and fair representation for diverse national groups. These two goals were accomplished by enhancing the role of the military as the guardian of socialism and the Yugoslav state, balancing the diverse interests of the Yugoslav republics by granting them equal representation in all national institutions,² and devolving power from the central party and state institutions to their equivalents in the republics.

In practice, these changes had several important consequences. The first was to contribute to the growing role of the military as a major force in Yugoslav domestic politics, a role which had been expanded in response to the crisis of Croatian nationalism in the early 1970s. At the same time, civilian control over the military was dispersed through a variety of national institutions. This latter feature, plus the close ties which existed between Serbia and the officer corps of the Yugoslav People's Army, meant that the Yugoslav military was open to possible manipulation by republic leaders, especially from Serbia.

A second consequence of the new constitution was weakening party and state institutions at the national level by reallocating many of their powers to the republics. This reduced national institutions to little more than aggregations of representatives from the constituent republics. In effect, each republic was encouraged to define its interests and policy priorities, to build its own institutions, and to define terms of political and economic debate, as well as to interpret and implement central-level policy directives individually. After 1974, indications of such decentralization and diversity were the withering of the Yugoslav central bank, the increasingly autarkic republican economies, and the increasingly different internal politics in Yugoslavia's six republics.

^{1.} For a more detailed discussion of the issues presented in Part I, see Valerie Bunce, The Yugoslav Experience in Comparative Perspective, in From Partisans to Patriots: State and Society Relations in Yugoslavia, 1945-1992 (Melissa Bokovoy et al. eds., forthcoming 1995); Valerie Bunce, State Collapse After State Socialism: A Comparison of Yugoslavia, the Soviet Union and Czechoslovakia, paper presented at the Conference on Nationalism, Communism and Post-Communism, Cornell University (April 21, 1995) (on file with author); Misha Glenny, The Fall of Yugoslavia: The Third Balkan War (1992); Steven L. Burg, The International Community and the Yugoslav Crisis, in International Organizations and Ethnic Conflict (Milton Esman & Shibley Telhami eds., forthcoming 1995); James Gow, Legitimacy and the Military: The Yugoslav Crisis (1992); Steven L. Burg, Conflict and Cohesion in Socialist Yugoslavia (1983); Susan L. Woodward, Balkan Tragedy: Chaos and Dissolution After the Cold War (1995); Steven L. Burg, War or Peace: Nationalism, Democracy, and American Foreign Policy in Post Communist Europe (1995) (unpublished manuscript on file with author).

^{2.} This had the effect of granting equal and national representation to major ethnic groups since republic boundaries were based largely on ethnic concentrations.

Because the 1974 Constitution was built on the ethno-territorial structure of Yugoslav federalism, it heightened the prospects for inter-republic and inter-ethnic conflict and for a stalemated national decision-making process. Following the Soviet model developed in the 1920s, Yugoslavia defined itself as a federal state with ethnically defined federal units.³ Thus, each republic had not only a specific ethnic complexion with peculiar ethnic, religious and linguistic characteristics, but also a variety of other important distinctions, such as historical experience and socio-economic development. The differences among the republics were differences in values as well as interests, and correlated with ethnic as well as political-administrative distinctions.

These significant differences were especially relevant when the 1974 Constitution devolved power to the republics in an attempt to balance diverse interests and prevent the dominance of any one ethno-territorial unit. Tension existed not merely between the center and the semi-autonomous federal "states," but also between and within "states" still developing autonomous identities.⁴

The 1974 Constitution parcelled economic and political sovereignty to Slovenia, Croatia, Bosnia-Herzegovina, Serbia, Montenegro and Macedonia. It also contributed to a stronger sense of national identity among Slovenians, Croatians, Bosnians, Serbians, Montenegrins and Macedonians—that is, to constitutionally recognized ethnic groups. At the same time, decentralization created the possibility of similar dynamics in the two autonomous provinces attached administratively to Serbia and composed of ethnic minority enclaves: Vojvodina (with its large Hungarian minority) and Kosovo (where Albanians constituted a majority of the population).

These arrangements were sensible, given Yugoslavia's ethnic complexity and the presence of other factors which worked to unify the system and minimize conflict. One such factor was Marshall Tito, who functioned as the hegemonic power within the aggregated republics. Another factor was a robust economy, which allowed for some degree of reconciliation among the republics' interests and minimized conflict among the communist parties representing—and dominating—each republic. Finally, a confederal Yugoslavia was functional as long as socialism provided a unifying ideology and as long as the exit option, secession, was outside the realm of possible political options.

However, beginning in the 1980s, a series of developments systematically eliminated each of these preconditions for the successful operation

^{3.} In the 1960s, the Bosnians were added as a new ethnic group to the constituent groups of Yugoslavia. They were primarily Serbs (though also many Croats) who had converted to Islam during the Ottoman period. In this way, religious differences (which in historical terms had always accompanied ethnic differences) were folded into the notions of ethnicity, nation and territory in Yugoslavia.

^{4.} The view that Yugoslavia had become an international system in microcosm is found in Pedro Ramet, Nationalism and Federalism in Yugoslavia, 1963-1983 (1984); Steven L. Burg, Conflict and Cohesion in Socialist Yugoslavia: Political Decision Making Since 1966 (1983).

of the Yugoslav confederal model. As a result of these developments, political power shifted from national institutions to the republics, and the republics in turn developed the desire and the capacity to transform from confederation members into independent states. The first of these developments was the death of Tito. His death created a political vacuum at the center of the system, a condition hastened by the transformation of central institutions into mere republican consortia and by the constitutionally mandated rotation among the republics of leadership positions within the central party and state institutions. Moreover, fears of instability and the anti-nationalist purges of the 1970s in Croatia and Serbia (which weakened reformist elements in these republics) allowed those within Serbia and Croatia who rejected much needed economic and political reforms to expand their power in the wake of Tito's death. It is not accidental that Serbian politics became more hardline in the 1980s and that Serbian leaders demonstrated their emphasis on nationalism and territorial expansion by imposing greater control over Kosovo through violent and administrative measures. It is also not accidental that the communist party in Croatia maintained its conservative stance, did not embrace nationalism (because of Tito's attack on Croatian nationalism in the early 1970s), and rejected reform while allowing the right wing opposition to appropriate the question of national existence.

A second problem in the early 1980s was that Yugoslavia—like many Third World countries during this period—was burdened with extensive hard currency debts. This led the international financial community to impose considerable pressures on the Yugoslav state to introduce stringent economic measures. These economic measures led to a fall in Yugoslav per capita income throughout the 1980s and to more frequent strikes and demonstrations. They also exposed the weakness of the central government, with its inability to implement needed economic measures or to control republican economies. Furthermore, the dire economic situation opened the republics' communist parties to conflicts between reformers and hardliners and generated pressure on communist leaders in the republics to embrace nationalism as a substitute for an increasingly bankrupt socialism.

Economic pressure also set in motion a constitutional war among the republics, with the richer republics supporting economic reform and decentralization and the poorer republics (because of their dependence on redistributive subsidies) supporting a recentralization of the political and economic system.⁵ By 1987, the lines of battle were drawn with the Serbian leadership, after rejecting reform and embracing nationalism, facing the reform-minded, pro-decentralization and increasingly nationalist Slovenian leadership. In this sense, the violent war between the republics in Yugoslavia, which began with Slovenia's, and then Croatia's, declarations of independence, followed by the Yugoslav People's Army actions

^{5.} See WOODWARD, supra note 1.

against Slovenia and then Croatia, was prefigured by a constitutional war among the republics that had begun years earlier.

By the end of the 1980s, socialist ideology had lost its capacity to unite the Yugoslav republics. In part, this was because the economic and political crisis had delegitimated socialism, which, among other things, had justified itself in terms of its capacity to stabilize Yugoslavia politically and economically. However, international factors were also crucial in ending socialist ideological hegemony, namely, the introduction of the Gorbachev reforms and their dramatic impact on Eastern Europe in 1989. In 1990, without the Soviet threat (which Gorbachev had put to complete rest with a Belgrade speech in 1988), and with the obvious bankruptcy of socialism, the communist party of Yugoslavia formally disintegrated into its republican parts. A struggle for power within each of the republics followed. This struggle took different forms in each republic, depending on the ethnic homogeneity of the population, the strength of the liberal opposition, and the position of the communists on the questions of reform, nationalism, and republican sovereignty. The differences in each republic led not only to different political outcomes in each republic in the 1990 elections, but also to the impossibility of resuscitating a unified Yugoslav state. Yugoslavia had become an irrelevant territorial configuration.

The final factor leading to the violent dismemberment of the Yugoslav state was the response of the international community to the crisis in Yugoslavia in 1990-199l. To put the matter succinctly, international actions made a bad situation worse. Generally, the collapse of international order following the end of the cold war had left the western alliance in considerable disarray. There was no longer an international order that could enforce existing state boundaries in Europe, and there was no longer a common enemy to facilitate reconciliation among alliance members.

Moreover, power in Europe was in the process of being redefined, especially given the unification of Germany. Not only were Europeans divided, but international institutions, established during the Cold War, disagreed about mission definitions and particular member interests. Because the Yugoslav crisis was so complex and involved the first socialist state to disintegrate, it exposed all of these problems. Essentially, the disorder of Europe after the Cold War was displayed on the field of a rapidly disintegrating Yugoslav state.

Specifically, two international actions early in the crisis contributed to the violent breakup of Yugoslavia. The first was the American and Western European commitment in 1990 and early 1991 to the continuation of the Yugoslav state. This played into the aggressive designs of the Serbian leadership, which had voiced support for the continuation of Yugoslavia, and enhanced the prospect of a violent end to Yugoslavia through Serbian deployment of the Yugoslav People's Army against irredentist Slovenia and Croatia. If western powers had decided, instead, to work together for a peaceful dismemberment of the state, the deconstruction of Yugoslavia might not have been violent.

The second international action was Germany's pressure on its allies in 1991 to recognize rapidly the self-proclaimed Slovenian and Croatian states. In doing so, the Germans and their western allies made two serious blunders. First, they left an armed and frightened Serbian minority in Croatia without any constitutional or international guarantee of full equality in the new Croatian state. Second, they placed multinational Bosnia-Herzegovina in the impossible position of either remaining tied to a rump Yugoslavia dominated by nationalist Serbia, or declaring independence and inviting a war involving Serbs, Croats, and Muslims within Bosnia.

Other factors within Bosnia added to the complexity. The Serbian and Croatian communities within Bosnia were armed. Both had gone relatively far in defining themselves as independent communities, and Serbia and Croatia supported both in their demands for autonomy. Despite their seeming animosity toward each other, as revealed in the war in Croatia, the leaders of Serbia and Croatia in fact had found it relatively easy to meet with each other before the Bosnian war officially began to decide on a division of Bosnia-Herzegovina between their two states. This division would resolve the awkward geography of the Croatian state, expand the size and the percentage of the Croatian population within Croatia, and solve the Serbian problem of a sizeable Serbian population existing outside rump Yugoslavia. Not accidentally, it would also strengthen the domestic political support for Slobodan Milosevic, the elected leader of Serbia, and Franjo Tudjman, the elected leader of Croatia who both claimed political power on the basis of nationalism.

How then are we to understand the road to war in Bosnia? The following generalizations are appropriate. First, it is possible that the breakup of Yugoslavia was inevitable, especially given the collapse of state socialism in Eastern Europe and the end of the Cold War international order. It is significant that every federal socialist state has divided since the collapse of state socialism. This is testimony not just to the importance of the Cold War order in the defense of existing state boundaries in Europe, but also to the ways in which state socialism, when organized into ethno-territorial federalism, created the preconditions for the development of separable nations and states. As such, the division of Yugoslavia, like the division of the Soviet Union and of Czechoslovakia, was the result of the interaction between two factors: the development of multiple nations and states as a consequence of ethno-territorial federalism and the expanded opportunities for secession produced by a domestic and international order in simultaneous transition.

Second, though the end of Yugoslavia may have been inevitable, the violence of its demise was not. This follows from two observations. One is that the Soviet Union and Czechoslovakia, the other two federal states in the region, broke up without the violence witnessed in Yugoslavia.⁶ Specif-

^{6.} In the Soviet case, the actual breakup of the state was peaceful, despite the attempted coup d'etat launched by conservatives and segments of the military in August of 1991. The subsequent violence was between and within former republics which are

ically, while the Serbian republic launched a war against the seceding states, the Russian and Czech republics—the dominant republics within the Soviet Union and Czechoslovakia—did not.

The other observation is that there were specific domestic and international factors which explain the violent dismemberment of Yugoslavia. Domestically, these factors included constitutional reforms, the internal role of the Yugoslav People's Army, Yugoslavia's economic difficulties, the growing role of nationalism in Yugoslav politics and economics, and the presence of a significant Serbian community outside Serbia. International factors included the pressure exerted by the International Monetary Fund and the actions taken early in the conflict by Germany, the European (dis) Union, and the United States. While domestic actors, such as ambitious regional politicians using nationalism to build support, bear some responsibility for the violent dismemberment of Yugoslavia, the international community must share the responsibility.

Third, one must recognize that the war in Bosnia was not caused by ethnic strife, but has an ethnic character as a *consequence* of these specific domestic and international developments. Most striking about the factors leading to the wars in Slovenia, Croatia, and now Bosnia is the way in which they contributed to inter-ethnic differentiation, distrust and conflict, especially since these peoples had lived together in relative harmony for forty-five years. Specific events, not historical grudges, explain the war in Bosnia and its particularly ethnic character.

Finally, while the war in Bosnia formally began with aggression by the armed Serbian minority in Bosnia against the new Bosnian state, the war is not reducible to the simple equation of the Serbian minority fighting the Bosnian government. The war has also involved fighting between the Croatian minority within Bosnia and the Bosnian governmental forces, though they periodically ally. Because the war involves remnants of the Yugoslav People's Army, the Serbian government, the Serbian minority in Croatia, and the Croatian government, it has been fully internationalized from the start. Thus, the war in Bosnia is not simply a civil war, but also an international war.

II. Successful Peacemaking and Peacekeeping

While international institutions have contributed in important ways to the outbreak of war in Bosnia, they have also tried to find ways to end this war via the numerous peacemaking missions launched by such organizations as the United Nations, the European Union, and the Conference on Security and Cooperation in Europe. These initiatives have produced a number of peace proposals, some short-lived ceasefires and, in the case of humanitarian aid sponsored by the United Nations, some reduction in the human cost of the war. However, what they have not created is a peace plan acceptable to all the warring sides.

now states, rather than violence committed by the center or the dominant republic against the secessionist periphery.

Why have international institutions failed to make, let alone keep, the peace in Bosnia? One begins to answer this question by developing a systematic inventory of the conditions under which international institutions. such as the United Nations, function as effective peacemakers and peacekeepers. There are three such conditions. First, the conflict must evidence some structure: the warring parties must be limited in number and the leaders of the warring parties must be in a strong position to speak for and to control the actions of the groups they represent. Second, the parties to the conflict must have sufficient incentives to lay down their arms. In practice, this means that they must judge termination of the conflict to be more advantageous than its continuation. Finally, international institutions must have sufficient resources to implement their peacekeeping efforts. These resources include a monopoly over the peace process, the full support of powerful international actors, the trust of the combatants and the availability of sufficient money and troops to enforce peace accords.

In the Bosnian case, none of these conditions exist. The first condition, structure within the conflict, is absent. As already noted, the Bosnian conflict is extraordinarily complex, including not just the three groups of combatants within Bosnia, but also the Serbian minority in Croatia, the Croatian government, and the former Yugoslav government. Thus, a minimum of six groups are involved in the conflict. If the Serbian and Yugoslav governments are considered distinct and if the former Yugoslav military is included, the number of groups increases. In addition, the conflict involves three adjoining states, or states-in-the-making: Bosnia, Croatia, and rump Yugoslavia.

Also contributing to the lack of structure are the increasingly different interests and semi-independent behavior of the many groups involved. For example, as the war has progressed it has become apparent that the political leadership of the Serbian government exerts only limited influence on the actions of the Serbian minority in Bosnia and Croatia. Moreover, the Serbian governmental leadership, once convinced of the advantages of encouraging the Bosnian war, has become more skeptical as the costs of war have wreaked havoc on the Serbian economy. Other factors which have added to the Serbian skepticism are the pressures rump Yugoslavia has felt to rejoin the international community and Slobodan Milosevic's perception of a "Greater Serbia" as a threat to his continued dominance within Serbian and Yugoslav politics. These concerns, however, are not very relevant to the calculations made by the Serbian minorities in Bosnia and Croatia, and the result has been growing tensions among the three Serbian participants in the Bosnian war.

In addition, the leaders of these different groups have limited control over their respective constituents. This is partially due to the decentralized nature of this war and partially because the political leader of each group must balance the interests of his constituents with the pressures exerted by other actors in the conflict. For example, there are important divisions among the Bosnian Serb combatants on the ground, the Bosnian

Serb parliament in Pale, and the acknowledged leader of the Bosnian Serbs, Radovan Karadzic.

The second condition for successful peacemaking and peacekeeping also is missing from the Bosnian situation. Among the three "domestic" combatants in this war, there are few incentives to stop fighting. The Bosnian government harbors anger that the war against Bosnia has been unjust, fears that the current division of Bosnia will produce an unviable state, and hopes that the international community, especially the United States, will eventually act to reverse significant territorial losses. These considerations and perceptions encourage the Bosnian government to continue the fight.

The Serbian minority fighting in Bosnia believes that territories already won should remain in Serbian control, as suggested by various international proposals, and not be reduced in any significant way. Additionally, the future relationship among the Serbian enclaves in Bosnia, Croatia, and Serbia is uncertain. These considerations pressure the Serbian minority in Bosnia to continue the war in the hope of solidifying territorial gains and thereby creating the basis for either a stable territorial division of Bosnia or a "Greater Serbia."

Finally, the Croatian minority in Bosnia has incentives to continue the war. If the Serbian minority continues to dominate the battle, the Croatian minority may have to take what it can in a rapidly disappearing state. In addition, if, due to international support or victories in the field, the Bosnian government proves to be stronger than it has been thus far, the Croatian minority will be encouraged to ally with the Bosnian forces and thereby share the fruits of the Bosnian governmental resurgence. Concurrently, the Croatian government is exerting pressure on the Croatian minority in Bosnia to continue the war—either with or against the Bosnian governmental forces. In summary, the domestic and international aspects of this war have thus far worked together to encourage combatants to continue the fight.

The final condition for effective peacekeeping and peacemaking also is not met: international institutions lack the necessary resources to make a durable peace agreement. In the course of this conflict, no single international institution or international actor has been able to establish a monopoly on the peace process. This reflects the disorder of the international community following the end of the Cold War. It also reflects the fact that domestic pressures on politicians in the United States and Europe (including Russia) have led to inconsistent foreign policies and the renewed impact of geo-strategic concerns which influence foreign policies in the European states. As a result, no single international mediator, whether an individual, state, or international institution, has enjoyed the confidence of all sides. Indeed, the parties to the conflict have played mediators and peace proposals against each other. This, in conjunction with the continued and heated debates within the western alliance about the provision of humanitarian forces in Bosnia and the future provision of troops for peacekeeping in the event of a peace agreement, has made it

clear that international resources cannot support a durable solution to the Bosnian conflict.

Conclusions

It is hardly surprising that the end of the Yugoslav state has produced war in Slovenia, Croatia, and now in Bosnia. A number of domestic and international developments worked together to produce a violent end to the Yugoslav state. At the same time, the necessary conditions for successful international resolution of this conflict are not evident. The conflict is multi-layered and blurs the boundary between domestic and international war. As a result, the necessary structure for mediation of the conflict is absent. Moreover, the structure of the war and the interventions of the international community have given the combatants few incentives to work together to terminate hostilities. Finally, international mediators are inept at producing a viable peace agreement. They have worked at crosspurposes in either ending hostilities or structuring a long-term peace agreement. Ultimately, the war in Bosnia is testimony, among other things, to the ways in which interaction between domestic and international pressures can not only produce an outbreak of violence, but also continue it.