Human Rights and Post-War Reconstruction: Democratization in Bosnia

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Democratization in Bosnia
by Melanie Kawano, Amber Goodman, and Chris Saeger

Most residents of Balkan lands believe that they live in democracies, however imperfect. They weigh the advantages of democracy not on the basis of some ideal type that sprang from the brow of the political-science professoriate, but in light of their own experience. It is naïve to believe that their disappointment with the status quo will have no effect on the level of trust they are willing to place in the democratic system (Ivan Kratsev, 2000. "The Balkans: Democracy without Choices." *Journal of Democracy* 13(3): 40).

[T]here are many obstacles to towards the democratization process … There is a democratic system in the sense that there are democratic elections, but the result of the elections is that they give the advantage to one ethnic group over another. This is only a continuation of the war with other means (David Chandler, 2000. *Bosnia: Faking Democracy after Dayton.* 2nd ed. London: Pluto Press: 111-112).

Democratization in post-conflict, post-Dayton Bosnia has been characterized by many scholars as a "noble experiment": the West's guinea pig for internationally initiated post-communist democratization. In a state so wearied by war and dictatorship, democracy would be expected to take root quickly and flourish. However, due to various cultural and political influences, what the Dayton Peace Agreement originally intended to quickly lead to Bosnia's self-governance has instead resulted in the state's crippling dependence on external actors. The articles in this section of this bibliography explore the myriad influences (primarily under the umbrella of ethnicity) on the process.

In the first section, entitled "international factors," the reader will find articles that address the problematic nature of an international administration so deeply enmeshed in Bosnian politics and society. The authors contend that sustainable peace and effective democracy will not be achieved in Bosnia until international administrators loosen their grip and Bosnians themselves are allowed to have stock and say in their state's political processes.

The remaining sections are closely related by a common thread of the role of ethnicity in Bosnian society. Section two covers the following institutional features of democratization: voting, elections, and constitution making. It also provides articles that look at the influence of ethnicity on democratic institutions in post-Dayton Bosnian society.

Authors of articles in the final section, on diversity, analyze the role of nationalism, ethnicity, and diversity in the democratization process. Particularly addressed are methods in which ethnicity may be used to the benefit, and not the detriment, of forming a strong democracy in post-communist, post-conflict Bosnia.

International Factors

1995. The General Framework Agreement for Peace in Bosnia and Herzegovina. http://www.oscebih.org/overview/gfap/eng/.

The document commonly referred to as the "Dayton Accords." Outlines international and national obligations pursuant to the cessation of fighting.

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Human Rights and Democratization Priorities in Bosnia and Herzegovina. United States Mission to the European Union. http://www.useu.be/summit/bosni1297.html.

   1997 statement of U.S.-Europe cooperation under the dictates of Dayton.

2001. No Early Exit: NATO's Continuing Challenge in Bosnia. International Crisis Group. http://www.crisisgroup.org/home/index.cfm?id=1476&l=5.

   Notes the possibility of troop reductions, and suggests that levels should remain constant until democracy is fully consolidated.

2001. Reshaping International Priorities in Bosnia and Herzegovina. European Stability Initiative. http://www.esiweb.org/docs/showdocument.php?document_ID=14.

   Claims that the international community has influenced Bosnian democracy to favor moderates over nationalists. This report forwards some recommendations for addressing this constitutional dilemma.

Project Leader Anna Jarstad. 2005. An Evaluation of the International Contributions to Democratization and Reconciliation in Bosnia, Macedonia and Kosovo 1995—2004. University of Upsalla, Conflict and Democracy Program. http://www.pcr.uu.se/research/CoDe/projektsidor/balkan_anna_jarstad.htm.

   Abstract: *The project is an assessment of international efforts for democratization and reconciliation in Bosnia Hercegovina, Macedonia and Kosovo 1995-2004. Multilateral peace operations (U.N., EU and OSCE) as well as bilateral aid are analyzed. The overarching aim is to identify factors pertinent for the proposed outcome in terms of democracy and reconciliation. In the analysis the specific mandates of the missions as well as the development in the regions is put in a theoretical context. The results of the project will provide a framework which can be used for future, theoretically grounded, international peace operations.*

Paddy Ashdown. 2002. What I Learned in Bosnia. *New York Times.* Reprint available at:http://www.ohr.int/ohr-dept/presso/pressa/default.asp?content_id=28294.

   Former High Representative reflects that the rule of law, rather than elections, should have been the first priority for the international community in Bosnia. Argues that the outcome of the October 5, 2002 elections actually indicated an honest displeasure with non-nationalist parties at the same time an overall decline in support for nationalist parties was witnessed.

Mark Baskin. 2004. "Between Exit and Engagement: On the Division of Authority in Transitional Administrations."*Global Governance.* 10(119).

   Abstract: *Those of us who have worked in international transitional administrations over the past decade have all heard host-country citizens express these frustrations with international efforts to implement a sustainable peace, as of March 10, 2004. The work on Bosnia explores how the choices of international officials have hindered the achievement of central international goals namely restoration of order, return of refugees, economic reconstruction, democratization, and the promotion and safeguard of human rights. The cabinet of the East Timor's transitional government initially assigned the four hard or strategically central posts namely police and*

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emergency services, political affairs, justice, and finance to international officials and the four soft posts to Timorese officials.

Roberto Belloni. 2004. <u>Bosnia: The Limits of Neocolonial Rule</u>. http://www.fpif.org/commentary/2004/0408bosnia_body.html.

Victor Bojkov. 2003. "Democracy in Bosnia and Herzegovina: Post-1995 Political System and its Functioning." *Southeast European Politics*. 4(1): 41-67. http://www.seep.ceu.hu/archives/issue41/bojkov.pdf.

> Abstract: *Because of the way it has been imposed and has been functioning, controlled democracy in Bosnia is undermining its own justification in the sense that sustainable peace and cohesion will hardly ever be achieved if not owned by the Bosnian people themselves.*

Sumantra Bose. 2005. "The Bosnian State a decade after Dayton." *International Peacekeeping.* 12(322.

> Abstract: *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.*

Ted Carpenter. Spring 2000. "Jackboot Nation Building: The West Brings 'Democracy' to Bosnia." *Mediterranean Quarterly.* 11(2): 1-22.

> Carpenter argues that post-Dayton Bosnia is not a new democratic system, but a new style of colonialism, evidenced by occupying powers' heavy-handed influence in the electoral process, fondness for ruling by decree, and strict media controls.

Nick Ceh and Jeff Harder. 1996. <u>The golden apple: war and democracy in Croatia and Bosnia</u>. Boulder and New York: East European Monographs; Distributed by Columbia Univ. Press.

David Chandler. 2000. <u>Bosnia: Faking Democracy After Dayton</u>. London and Sterling, VA: Pluto Press.

> Appraises international democratization efforts in Bosnia as disenfranchising and the source of a legitimacy deficit for the emergent Bosnian state.

G. Knaus and F. Martin. 2003. "Travails of the European Raj: Lessons from Bosnia and Herzegovina." *Journal of Democracy.* 14(60).

> Can the extraordinary powers of the international mission in Bosnia and Herzegovina be justified by reference to a state of emergency, and do they facilitate its objectives of state-building and democratization? A review of the history of the international protectorate—and in

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particular the Office of the High Representative—finds that the answers to these questions are negative. Its philosophy, as revealed by its actions, is very similar to that of 19th century liberal imperialism; but the theory of emergency powers of the constitutional dictator of Niccolo Machiavelli offers a better roadmap for future post-conflict missions. The specification and independent monitoring of a red line beyond which international power will not be used is vital to their legitimacy and effectiveness.

Terrence Lyons. 2004. "Post-conflict Elections and the Process of Demilitarizing Politics: The Role of Electoral Administration." *Democratization*. 11(36).

Abstract: *Post-conflict elections are called upon to advance the distinct processes of both war termination and democratization. This article examines the patterns in seven cases where elections served as the final step to implement a peace agreement following a period of civil war. Such elections are shaped in part by the legacy of fear and insecurity that persists in the immediate aftermath of a protracted internal conflict. Comparative analysis suggests that interim regimes in general, and electoral administration in particular, based on joint problem solving and consultation may 'demilitarize politics' and help transform the institutions of war into institutions capable of sustaining peace and democratization. In Mozambique, El Salvador and, to an extent, Cambodia, processes to demilitarize politics prior to elections created a context that allowed the elections to advance both peace and democratization. In the other cases, politics remained highly militarized at the time of the vote, leading either to renewed conflict (Angola) or the electoral ratification of the militarized institutions of the civil war (Bosnia and Herzegovina, Liberia, Tajikistan). Interim electoral commissions provide an important opportunity to demilitarize politics by building consultative mechanisms and norms that increase confidence in the peace process and the legitimacy of the post-conflict elections.*

Ian R. Mitchell. 2000. The Ambiguities of Elections in Kosovo: Democratisation versus Human Rights? London and Portland, OR: Frank Cass & Company Ltd.

Abstract: *Highlights the challenge facing the international community's effort to establish legitimate democratic institutions with accountability in Kosovo, Serbia. Importance of democratic institutions for the implementation of human rights and the rule of law; Lessons learned by the international community in Bosnia and Hercegovina; Discussion on the status of ethnic relations in Kosovo.*

Jack Snyder. 2005. "Empire: a blunt tool for democratization." *Daedalus*. 134(58).

Abstract: *Discusses imperial Britain's strategies, successes and failures in attempting to prepare its far-flung possessions for democratic self-government. Attempt of Great Britain to do what the U.S. and the United nations have been trying to accomplish on a shorter timetable in Iraq, Bosnia, Kosovo and East Timor; Exploration of several examples to illustrate these efforts of Great Britain on these countries; Suggestion that in countries with weak political institutions the transition to democracy carries a higher risk of civil or international war.*

Deputy Secretary Talbott. 1996. Implementing the Dayton accords: Year two. *Dispatch Magazine*. 7(49). http://dosfan.lib.uic.edu/ERC/briefing/dispatch/1996/html/Dispatchv7no49.html

Abstract: *Presents a speech by the Deputy Secretary of the State Strobe Talbott discussing the goal to achieve unified Bosnia at Dayton. Reply of Deputy Secretary Talbott on whether elections were possible in a country still emerging from a barbarous war; Notion of Deputy Secretary that the process of democratization depends on a hospitable economic climate.*

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Institutions

1997. Bonn Peace Implementation Conference 1997: Bosnia and Herzegovina 1998: Self Sustaining Structures. Organization for Security and Cooperation in Europe. http://www.oscebih.org/documents/61-eng.pdf.

Summary review of the meeting of the Peace Implementation Council in December of 1997. Notes both progress on the development of peaceful democracy and continuing problems with unconsolidated institutions.

1996. "For a fair vote in Bosnia." *Economist.* 339(15).

Abstract: *Discusses whether elections in Bosnia, scheduled for September 1996, should be delayed. Unstable political conditions, which argue against an immediate election; The United States' efforts to force through the elections, to make re-election easier for President Bill Clinton; Question of whether delaying the Bosnian vote would help or hinder the country's reconstruction.*

1999. Improving the Electoral Law for Bosnia-Herzegovina. Bosnian Institute. http://www.bosnia.org.uk/bosrep/decfeb00/proposals.cfm.

Contends that the Dayton agreement contains structural flaws prohibiting democratization. Presents a range of recommendations intended to equalize political rights, and alter corrupt and discriminatory practices by elected officials.

2003. Nations in Transit 2003. Freedom House. http://freedomhouse.org/pdf_docs/research/nitransit/2003/BALKANSRATINGS2003.pdf.

Documents Freedom House scoring for transitional democracies in 2003. Bosnia scores between 4 and 5 on a scale of 1 to 7 on democratization and rule of law measures.

Murat Abus. 2003. "Democratization in the Balkans, 1990-2002." *Alternatives: Turkish Journal of International Relations.* 2(3/4): http://www.alternativesjournal.net/volume2/number3and4/abush.pdf.

Quantitative study of democratization in the region. The author concludes that progress has been gradual, though in some cases faster than other post-communist states.

Paddy Ashdown. 2002. "What I Learned in Bosnia." *New York Times.* Reprint available at: http://www.ohr.int/ohr-dept/presso/pressa/default.asp?content_id=28294.

Former High Representative reflects that the rule of law, rather than elections, should have been the first priority for the international community in Bosnia. Argues that the outcome of the October 5, 2002 elections actually indicated an honest displeasure with non-nationalist parties at the same time an overall decline in support for nationalist parties was witnessed.

Roberto Belloni. 2001. "Civil Society and Peacebuilding in Bosnia and Herzegovina." *Journal of Peace Research.* 38(163).

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Abstract: *The concept of civil society has acquired an unprecedented worldwide popularity, especially in development programs. This article investigates the international effort to build civil society in Bosnia and Herzegovina in order to foster peace and democratization, this in response to disappointment with traditional economic, military, and political strategies. The results of this major investment of resources, however, have been unsatisfactory. The international community's lack of a coherent long-term strategy and the adoption of a conception of civil society that is often at odds with Bosnian context and history hinder the transition to genuine reconciliation among the three ethnic groups. Examining two major areas of intervention--facilitating the advocacy role of local civic groups and fostering citizens' participation--I show that the international community has failed to comprehend both the political and the social meaning of its involvement. Although the focus on civil society is meant to overcome the limits of external regulation and to emphasize indigenous and community-based contributions to peacebuilding, the international community's approach is to make local development dependent upon the international presence. The result is a failure to address the structural problems that affect the country and to hinder, rather than foster, the formation of an open and democratic civil society.*

David Chandler. 2002. "Anti-Corruption Strategies and Democratization in Bosnia-Herzegovina." *Democratization.* 9:101.

Abstract: *Examines the relationship between anti-corruption initiatives and democratization in Bosnia-Herzegovina. Role of corruption in preventing democratization; Details of the anti-corruption strategies in Bosnia-Herzegovina; Analysis of the effectiveness of the initiatives in meeting democratization goals.*

David Chandler. 1998. "Democratization in Bosnia: The Limits of Civil Society Building Strategies." Civil Society in Democratization. Peter J. Burnell and Peter Calvert. London and Portland, OR: Taylor & Francis.

Argues that increased autonomy and self-government are more likely to foster a vibrant civil society than NGO initiatives.

Margaret Cobble and Michael Pugh. 2001. "Non-Nationalist Voting in Bosnian Municipal Elections: Implications for Democracy and Peacebuilding." *Journal of Peace Research.* 38(1): 27-47.

Free elections are especially important for the peacebuilding processes developed for Bosnia and Herzegovina in the 1995 Dayton Agreement. The results of the 1997 municipal elections show that voting has not been a peacebuilding panacea, but has legitimized ethnically purged constituencies and led to a flawed protectorate.

Henry Hale. 2004. "Divided We Stand: Institutional Sources of Ethnofederal State Survival and Collapse." *World Politics.* 56(2): 165-193.

Abstract: Hale argues that ethnofederalism, so long as it is instituted without a core ethnic region, may represent a viable way of avoiding the most deadly forms of conflict while maintaining state unity in ethnically divided countries.

Rory Keane. 2005. "The Partnership-Conditionality Binary in the Western Balkans: Promoting Local Ownership for Sustainable Democratic Transition." *Cambridge Review of International Affairs.* 18(247).

Abstract: *This article addresses themes relating to the principles of conditionality and partnership, together with the principle of local ownership in the Western Balkans, notably in Bosnia-Herzegovina, Serbia-Montenegro and*

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Kosovo. Specifically assessing the emotive territorial questions facing these Western Balkan countries, the article posits that the international community should aim to promote local ownership in the will to sustainable political transition. Given the EU's focus on the Western Balkans as set out in the European Security Strategy and Thessaloniki summit (2003) and developed through the process of Stabilisation and Association, the author advocates a partnership approach that instils local ownership. It is argued that such an approach has a better chance of responding imaginatively and functionally to unresolved territorial questions. In the second section of this article the author applies the concept of partnership to the territorial challenges facing Bosnia, Serbia-Montenegro and Kosovo. Partnership, as based on the concepts of local ownership and needs-based responsiveness, as opposed to strictly codified conditionality set by Dayton, U.N. Resolution 1244 and the EU Stabilisation and Association process, is more likely to resolve the ongoing principal territorial political tensions in the Western Balkans.

Ivan Krastev. 2002. ""The Balkans: Democracy without Choices." *Journal of Democracy*. 13(3).

Balkan constituents, including Bosnians, are increasingly dissatisfied with democracy. Kratsev argues that this growing mistrust of democratic institutions is due to the failure of elites to promote and facilitate constituent representation.

Carrie Manning. 2004. "Elections and Political Change in Post-War Bosnia and Herzegovina." *Democratization*. 11(60).

Abstract: *This article examines attempts to use electoral politics to promote substantive political change in post-war Bosnia and Herzegovina. Since 1990 elections have been a key part of virtually all negotiated agreements to end civil wars. The utility of democracy for building peace is often asserted but rarely backed with long-term commitment and resources on the ground. Bosnia since 1996 is a rare exception. There, international actors sought not only to establish a democratic political system but to use electoral democracy as a tool with which to transform the nature of politics in Bosnia in short order. This article focuses on efforts to shape the development of political parties and the party system, assesses the degree to which it has succeeded and examines the broader implications of Bosnia's experience for other state-building efforts of its kind.*

Miljenko Antic and Carrie Manning. 2003. "The Limits of Electoral Engineering." *Journal of Democracy*. 14(3): 45-59.

Abstract: *Elections are part of the strategy to rebuild Bosnia as a multiethnic state, yet the wartime nationalist parties continue to dominate in electoral contests. This article examines the part elections have played in this state-building strategy and highlights the limitations of that strategy.*

Andrew Reynolds. 2005. "CONSTITUTIONAL MEDICINE." *Journal of Democracy*. (16)54.

Abstract: *Discusses the rediscovery of the discipline of constitutional design in nations struggling to move toward democratization. Efforts to bring peace and free self-government to countries such as South Africa, Bosnia, Fiji, Northern Ireland, Afghanistan and Iraq; Experimentation with electoral systems and autonomy deals for outlying regions; Consideration of the involvement of communal minorities in government.*

Carol Skalnik Leff. 1999. "Democratization and Disintegration in Multinational States: The Breakup of the Communist Federations." *World Politics*. 51(2): 205-235.

Abstract: *Explores the impact of ethnic diversity in the transition from communism to democracy, comparing Yugoslavia, Czechoslovakia, and the Soviet Union. Democratization in multinational states may be*

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characterized by regime change at different rates at the level of the republic, triggering the erosion of central control over the transition.

Taro Tsukimura. <u>Has Democratization Consolidated Democracies in the Former Yugoslavia? A Political Overview Between 1990 and 2003</u>. Slavic Research Center, University of Hokkaido. <u>http://src-home.slav.hokudai.ac.jp/sympo/03september/pdf/T_Tsukimura.pdf.</u>

Assessment of democratization in the region that notes that Bosnia is on a gradual path to democracy.

Gojko Vuckovic. 1999. "Promoting Peace and Democracy in the Aftermath of the Balkan Wars: Comparative Assessment of the Democratization and Institutional Building Processes in Croatia, Bosnia and Herzegovina, and Fr Yugoslavia." *World Affairs*. 162(1): 3-11.

Abstract: *Argues that democratization of Croatia, Bosnia and Herzegovina and the Federal Republic of Yugoslavia does not depend exclusively on the form of their formal institutions but also on the state of mind of the people and their level of participation in political activities. Democratization in severely divided societies; Democratization and constitution making in these countries; Discussion and conclusion.*

Ethnicity and Culture

Paddy Ashdown. 2002. "What I Learned in Bosnia." *New York Times*. Reprint available at: <u>http://www.ohr.int/ohr-dept/presso/pressa/default.asp?content_id=28294</u>.

Former High Representative reflects that the rule of law, rather than elections, should have been the first priority for the international community in Bosnia. Argues that the outcome of the October 5, 2002 elections actually indicated an honest displeasure with non-nationalist parties at the same time an overall decline in support for nationalist parties was witnessed.

Roberto Belloni. 2004. "Peacebuilding and consociational electoral engineering in bosnia and herzegovina." *International Peacekeeping*. 11(334).

Abstract: *What role do elections play in societies emerging from communal war and what type of institutions can serve as catalysts in deepening peace and compromise? While some analysts argue that ethnicity should be recognized through"consociational" institutions, others maintain that "integrative devices" in particular, carefully crafted electoral rules, can limit or even break down the salience of ethnicity and increase the possibility for inter-ethnic accommodation. This article examines the post-war electoral experience of Bosnia and Herzegovina (BiH), arguing that elections had a problematic, unintended impact on peacebuilding. First, timid integrative electoral devices were adopted in a consociational system that reifies ethnic division and complicates compromise; second, peacebuilding agencies needlessly manufactured electoral rules that backfired; third, group-based features of the BiH political system run counter to individual human rights. The article ends with suggestions for improving the electoral framework.*

Sumantra Bose. 2005. "The Bosnian State a decade after Dayton." *International Peacekeeping*. 12(322).

Abstract: *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*

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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.

Robin Brooks and Steven Fish. January 2004. "Does Diversity Hurt Democracy?" *Journal of Democracy.* 15(1): 154-166.

Abstract: *A cross-national analysis of democracy in multiethnic societies challenges – and, according to Fish, defeats – the notion that heterogeneity promotes conflict and harms democratization.*

Kimberley Coles. November 2004. "Election Day: The Construction of Democracy through Technique." *Cultural Anthropology.* 19(4): 551-580.

Abstract: *Coles' ethnographic analysis of the international community's efforts to democratize postwar Bosnia-Herzegovina argues for greater acknowledgement of social and cultural influences within the technical aspects of politics.*

Rory Conces. 2005. "A Sisyphean Tale: The Pathology Of Ethnic Nationalism And The Pedagogy Of Forging Humane Democracies In The Balkans." *Studies in East European Thought.* (57):139.

Abstract: *Deals with the democratization efforts in Bosnia as of 2005. Impact of diverse ethnic and religious populations on the country's goal to achieve democracy; Significance of the emphasis on humanness and Bosnian citizenship; Influence of higher education in the process of democratization and modernization.*

Henry Hale. 2004. "Divided We Stand: Institutional Sources of Ethnofederal State Survival and Collapse." *World Politics.* 56(2): 165-193.

Abstract: *Hale argues that ethnofederalism, so long as it is instituted without a core ethnic region, may represent a viable way of avoiding the most deadly forms of conflict while maintaining state unity in ethnically divided countries.*

Robert Hislope. 1998. "Ethnic Conflict and the 'Generosity Moment' ." *Journal of Democracy.* 9(1): 140-153.

In ethnically divided, democratizing societies--Bosina being one of several examples--dominant elites must politically incorporate minority ethic elites or risk the chance that democracy will suffer. Inclusion, voice, and routinized patterns of interaction give minority groups a sense of having a stake in the system.

Miljenko Antic and Carrie Manning. 2003. "The Limits of Electoral Engineering." *Journal of Democracy.* 14(3): 45-59.

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Abstract: *Elections are part of the strategy to rebuild Bosnia as a multiethnic state, yet the wartime nationalist parties continue to dominate in electoral contests. This article examines the part elections have played in this state-building strategy and highlights the limitations of that strategy.*

Anna Morawiec Mansfield. 2003. "ETHNIC BUT EQUAL: THE QUEST FOR A NEW DEMOCRATIC ORDER IN BOSNIA AND HERZEGOVINA." *Columbia Law Review.* 103(2052).

Abstract: *While ethnic separatist claims have impelled some legal scholars to question the viability of self-determination, modern approaches to democratization seek to encourage inter-ethnic cooperation and participation rather than division. The fragile peace among the three formerly-warring ethnic groups of Bosnia and Herzegovina--Bosniaks, Croats, and Serbs--has provided a recent example of the potential for post-conflict democratic order based on the territorial integrity of the country as a whole, but maintained through an absolute devolution of power along ethnic lines. In a bold 2000 decision, the Constitutional Court of Bosnia and Herzegovina addressed a central postconflict dilemma: how to maintain group rights while preserving the individual rights that form the core of liberal democracy. This Note reviews that decision and concludes that the Court wisely chose a middle road between group-based consociational democracy and the protection of individual rights against majoritarian will. Such an approach, this Note argues, provides a promising model for building post-conflict democratic order in other divided societies.*

Gojko Vuckovic. 1999. "Promoting Peace and Democracy in the Aftermath of the Balkan Wars: Comparative Assessment of the Democratization and Institutional Building Processes in Croatia, Bosnia and Herzegovina, and Fr Yugoslavia." *World Affairs.* 162(1): 3-11.

Abstract: *Argues that democratization of Croatia, Bosnia and Herzegovina and the Federal Republic of Yugoslavia does not depend exclusively on the form of their formal institutions but also on the state of mind of the people and their level of participation in political activities. Democratization in severely divided societies; Democratization and constitution making in these countries; Discussion and conclusion.*

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