

THE INTERVIEW

The fate of Bosnia and Herzegovina: an exclusive interview of Christophe Solioz with Wolfgang Petritsch¹

CHRISTOPHE SOLIOZ with WOLFGANG PETRITSCH

Introductory comments

The Bosnia war ended not by peace-keeping, nor by war-making, even if a military intervention was required, but by political engineering: the creation of the Bosnian–Croat Federation (1994) and the General Framework Agreement for Peace in Bosnia and Herzegovina (1995). If pacification and normalisation were the first aims, Bosnia and Herzegovina is now engaged in a complex transition and integration process. But after 8 years of international presence, Bosnia and Herzegovina is still an aid-dependent country, and most aspects of social, political and economic life are now matters of the international protectorate-type intervention. In order to overcome this situation, foreign involvement will remain a prerequisite, but it must absolutely address Bosnian self-government and ownership with an adequate strategy.

After a first period of military stabilisation and reconstruction (1995–1997), and a second one of a quasi-protectorate characterised by a strong use of the powers of the High Representative (1997–2000), the main challenge of the third period—now under way—is to enable the transition from an international soft-protectorate to a sustainable and sovereign Bosnian state. The former High Representative Wolfgang Petritsch focused on international power precisely in support of state-building objectives and worked for the Bosnian ownership of a new local institutional environment, which is capable of taking responsibility for the new state. We start this interview with a regional focus, as Wolfgang Petritsch was also Special Envoy of the EU for Kosovo (1998–1999) and later on European Union Chief Negotiator at the Kosovo peace talks in Rambouillet and Paris (1999).

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Regional approach and conflict management

[Christophe Solioz] *May we start our discussion with the question of a regional approach to the problems of Bosnia and Herzegovina? From September 1997 until July 1999, you were the Austrian Ambassador to the Federal Republic of Yugoslavia. During the last year of that period, you were also first the European Union (EU) Special Envoy for Kosovo and later the EU Chief Negotiator at the Kosovo peace talks in Rambouillet and Paris (February–March 1999).² What was your evaluation of the regional situation in 1997–1999 and how do you assess the conflict management that the international community demonstrated at that time?*

[Wolfgang Petritsch] As the Kosovo conflict escalated, it became clear to me that the Yugoslav conflict had not yet gone its full circle. I did, however, see Kosovo as being at the end of this cycle of conflict.

Obviously, therefore, I was hopeful and confident about Macedonia at the time. It is remarkable that even for experts, even for those who worked in the region, Macedonia was only a minor blip on the radar screen. So was the Preševo valley.

Nevertheless, I still believe that Kosovo was the culmination of the Yugoslav drama. The conflict in the former Yugoslavia started in Kosovo, and it also reached its climax there. So it was clear to me that Kosovo would make an impact during the final stages of the dissolution of Yugoslavia, as well as mark the beginning of a new era in this region.

The underestimation of the effects of the break-up of Yugoslavia on Macedonia only shows how important it is to take a comprehensive approach and look broadly at a region in conflict. Conflict management in the dissolution of Yugoslavia in the 1990s amounted to acting as a fire brigade trying to extinguish the flames of a conflict that was already ablaze—first in Slovenia, then in Croatia, and then in Bosnia and Herzegovina. Today we know that the reactive interventions at the time clearly contributed to the prolongation of the whole conflict.

With regard to Kosovo, I believe it was a missed opportunity not to use the Dayton peace process (1995) to find at least a framework solution for Kosovo as well. In Dayton, the international community had the chance to achieve more than just an end to the war in Bosnia and Herzegovina.

If we intend to learn from our past experiences, I think we should be aware that a comprehensive regional approach from the outset—a ‘grand design’ for the Balkans—would have helped. This would have meant analysing the roots and underlying causes of the conflict and understanding the dynamics of ethnic conflicts and of the deep social and economic crisis in Yugoslavia in general. A more comprehensive approach would probably not have prevented the break-up of Yugoslavia, but would have at least shortened it and made it less violent. We might even have reached a better solution than the one that we eventually achieved, and with which we must now live.

²See Wolfgang Petritsch, Karl Kasser and Robert Pichler, *Kosovo. Kosova. Mythen, Daten, Fakten*, Wieser Verlag, Klagenfurt, 1999. (Editors’ note: All footnotes provided by C. S.)

Local elites and political culture

[C. S.] *May I at this stage focus on one particular point? In Rambouillet and Paris (February–March 1999), you were the EU chief mediator between the Yugoslav and Kosovo–Albanian delegations, alongside an American, Chris Hill, and a Russian, Boris Majorski. You had the opportunity to get to know the representatives of the warring parties quite well. What was your experience of being in such close contact with them?*

[W. P.] It was clear from the outset that both the Albanian and the Yugoslav sides did not believe in compromise. Without international mediation, they would not have even stayed under the same roof. During the negotiations, we were confronted with one of the crucial political problems of the region: the lack of a culture of political compromise. Compromise is perceived negatively in the region—it is seen to mean giving in to the oppressor. I have noticed that politicians in the former Yugoslavia are still aiming for ‘win-or-lose’ scenarios. They would rather be defeated than compromise. The concept of a ‘win-win situation’ simply does not exist. For me, this is the single most important reason why negotiations in this region almost invariably fail without outside help. And this is what we were facing in the Rambouillet peace talks between the Yugoslav side and the Kosovar Albanian delegation. Although the Accords constituted a fair compromise where both sides had to give in to a degree, Milosevic eventually turned against Rambouillet. He did it in spite of the fact that independence for Kosovo was excluded and that the KLA had to agree to its own demilitarisation. This was not enough for him. He was adamantly opposed to international peace-keepers, the NATO-led KFOR, designed along the lines of the Bosnian IFOR/KFOR model; which, as we know, he had accepted in Dayton only 3 years earlier. He obviously decided that this time it would serve his own political survival better to bring upon his people the curse of war.³

However, we might be at the brink of overcoming this kind of conflict culture. The spirit of compromise is slowly setting in throughout the former Yugoslavia. During the last phase as the High Representative in Bosnia and Herzegovina, I experienced this twice: first when the agreement resolving the question of succession to the former Yugoslavia was signed by all five former republics—Slovenia, Croatia, Bosnia and Herzegovina, Yugoslavia and Macedonia (29 June 2001). For many years, there had been no progress whatsoever on this issue. After Milosevic was ousted from power, I succeeded in bringing these five partners together, and they agreed to sign the so-called Vienna Declaration on the Succession of the Public Property of the former Socialist Federal Republic of Yugoslavia.⁴ That was the first-ever agreement amongst the five former Yugoslav republics negotiated among themselves—albeit with our help.

The second example of this change in spirit is the agreement amending the constitutions of the two entities of Bosnia and Herzegovina (19 April 2002).

³Ibid., pp. 278–351.

⁴The successor states to the SFRY reached the Succession Agreement in Vienna on 29 June 2001. The agreement regulates the distribution of assets, debts and archives and other matters arising from the dissolution of the SFRY. On the financial dimension, see Ana Stanic, ‘Financial aspects of the state succession: the case of Yugoslavia’, *European Journal of International Law*, 4, 2001, pp. 751–79; http://www3.oup.co.uk/ejilaw/hdb/Volume_12/Issue_04/pdf/120751.pdf

Under the new entity constitutions, Bosnia and Herzegovina's ethnic groups, its peoples and its citizens, are now represented in both entities at all levels of government and public administration—the constitutions set exact quotas for this—and they have far-reaching group rights in the decision-making process at the entity level. Before, only the Serbs were constituent in the *Republika Srpska*, and only the Bosniacs and Croats were constituent in the Federation. The Mrakovica–Sarajevo agreement represents the first major compromise reached by the political leaders of all the peoples and ethnic groups of Bosnia and Herzegovina.⁵ After long negotiations and admittedly a lot of arm-twisting by me, the political leaders found common ground and established a historic compromise on the political and social structure of their country.

These two agreements show that even in the Balkans the virtues of compromise are not totally lost on the current political elites. The Vienna and Mrakovica–Sarajevo Agreements are, in my opinion, the first relevant examples of how a new, more contemporary political culture is about to take root in the region. Since then, there have been other examples: I am referring to the Ohrid Agreement that brought Macedonia back from the brink of war. The Serbian–Montenegrin negotiations regarding their future common status also deserve a positive mention. Both compromises were achieved at the negotiating table—with the help of the EU, but without a military intervention.

The situation in Bosnia and Herzegovina in 1999

[C. S.] *When you became the High Representative in Bosnia and Herzegovina in August 1999, what were your thoughts on the Bosnian situation?*

[W. P.] When I arrived in Sarajevo, it was clear to me that the international community's engagement required a thorough overhaul. In 1999, the world's focus had shifted from Bosnia and Herzegovina to Kosovo, and there were many other issues—outside Europe in particular—that occupied the attention of the principal actors of the international community. That was one factor. In Bosnia and Herzegovina, I saw the danger that the capacities of the international community were over-stretched, because we were trying to do too much in too many areas. The country also naturally showed signs of 'aid dependency'. The USD 5 billion reconstruction programme, initiated by the World Bank and the EU soon after Dayton was signed, was coming to an end. The international community was not willing to spend much more on Bosnia unless there was a real breakthrough in the peace process—and progress was not so visible the time.

The reconstruction of the country's infrastructure had been largely successful. There, the international community had done a good job. It is, however, undoubtedly easier to rebuild bridges than to influence the hearts and minds of people. Changing a society is a long-term endeavour. It also cannot—indeed, must not—come solely from the outside.

Personally, I considered the word 'reconstruction' to be misleading. In a literal sense, it would mean reconstituting the old communist system. I prefer

⁵On this issue, see the ICG, *Implementing Equality: The 'Constituent Peoples' Decision in Bosnia and Herzegovina*, ICG Balkans, Sarajevo, Report No. 128, 16 April 2002; <http://www.crisisweb.org/projects/showreport.cfm?reportid=618>

the word 'transition' or 'transformation' when talking about Bosnia and Herzegovina. The country actually finds itself in a 'double transition'—from war to peace, and from a communist system to democracy and a market economy. Zarko Papic even calls it a triple transition. The third transition he mentions is from dependency—now on the international community, previously on the all-powerful communist state—to self-sustainability.⁶

So, there is more to the so-called 'reconstruction' than just rebuilding the *status quo ante*. When I took over in Bosnia and Herzegovina, I wanted this complexity to be recognised. I realised that I had to raise awareness of it—both domestically and with the donor community. This was the moment when I realised that the concept of 'ownership', as a general concept, would be a way of putting Bosnia and Herzegovina back on its own feet.

Background to the concept of ownership

[C. S.] *This concept of ownership will be one of the central points of our discussion. May I invite you to elaborate a little bit more on the subject? How did the ownership concept become the central strategic concept at the time, what influenced you, and what is the background to concept of ownership?*

[W. P.] In the late 1970s and early 1980s, when I was working for the then Austrian Federal Chancellor Bruno Kreisky, development issues caught my attention. The so-called North–South conflict was high up on the international agenda. It happened that I helped organise the Cancun Summit in October 1981, where one of the topics was the South's own contribution to improve the situation of its people. Good governance, transparency, accountability, the fight against corruption, the rule of law—these were but a few of the issues emerging at the time. In this context,⁷ I first came across the concept of ownership.

The concept of ownership stems from Anglo-American political parlance. It implies the engagement of civil society in political life. It was in the Anglo-American context that this concept of civil society was developed and put into practice. It comes as no surprise that the word 'ownership' is difficult to translate into other languages. It is not just absent in the languages of Bosnia and Herzegovina and other transitional countries: there is also no corresponding German term.

A precondition of a civil society is certainly the recognition of the individual's role as an active citizen in state and society—as a '*citoyen*', to use the French expression. When we look at the former Yugoslav countries and their legacy of wars, it is obvious that the development of a civil society presents an enormous challenge. Bosnia and Herzegovina, much like my own country after 1918, seems to be 'a country that nobody wants', meaning that it is rejected by its own citizens. This is a phrase used by an Austrian historian to describe the

⁶See Zarko Papic, 'The general situation in Bosnia and Herzegovina and international support policies', in Zarko Papic (ed.), *International Support Policies to South-East European Countries: Lessons (not) Learned in Bosnia and Herzegovina*, Müller, Sarajevo, 2001, pp. 15–37.

⁷We may recall that in the 1950s and the 1960s, development aid and technical assistance to developing countries focused on building self-help capacities within rural communities; in this framework—in the 1980s—issues of local sustainability and capacity building were addressed.

First Austrian Republic of the 1920s and 1930s. For different reasons, it can also be applied to Bosnia and Herzegovina, where the citizens do not identify with the state. There is a 'national' concept of identification and an 'ethnic' one, but there is no 'civic' concept of the state.

Therefore, if we want to be successful in assisting the state of Bosnia and Herzegovina, and if we want to strengthen it, we have to broaden the concept of 'belonging' and of a citizen's own 'identity'. One cannot nor should not get rid of the 'ethnic' paradigm. It needs to remain part of the complex identity of the people of Bosnia and Herzegovina—but not only of one part of it. I have said it time and again: it has to be possible that a patriotic Serb—or Croat for that matter—is at the same time a loyal citizen of Bosnia and Herzegovina. And for the Bosniacs it is important to realise that their state is not an exclusively Bosniac state. Post-war Bosnia and Herzegovina is of a 'new quality', so to speak. Viewed in this way, Bosnia and Herzegovina stands like a parable for any post-modern state or even for a united Europe, where we have to tackle similar challenges on a much broader front.

Taking 'ownership' is a long and difficult political process. We need to keep in mind that Bosnia and Herzegovina is a victim of aggression; yet, at the same time, the 4-year conflict had elements of a civil war. In this sense, the 'enemy' has remained inside the country. This can only be overcome by reaching a definition of Bosnia and Herzegovina as a state and society representing more than just its three constituent peoples.

Implementing the ownership process

[C. S.] *To be successful, democracy assistance programmes need to be of a long-term nature and must respond to local circumstances; therefore, local involvement is considered the key to their sustainability and to a long-lasting impact. Considering the three specific priority areas that you defined in September 1999,⁸ how did you design and implement an effective ownership strategy in Bosnia and Herzegovina?*

[W. P.] First of all, it was necessary to identify the primary needs of the country, to see what is the precise situation the country had arrived at, and to jointly determine where it should go from there. What was still missing in terms of a functioning state? What were the successes, and what were the failures? Based on that, we had to develop a focused strategy, so as not to lose ourselves in trying to do everything. Bosnia and Herzegovina needed to get out of its passivity—a passivity that is not typical Bosnian, as some people claim, but typical of post-authoritarian societies.

I must admit, it took me a long time to make my concept of Bosnian 'ownership' understandable. It implies fundamental changes from the 'rule of power' to the 'rule of law', where the people are no longer subjects, but citizens. To demand this transition was a watershed experience, particularly for Bosnian intellectuals, but also for international observers. Aware of the powers of the High Representative to impose laws and remove from office obstructive officials, they both demanded that I extensively use such powers. Bosnian

⁸These priorities were the strengthening of state institutions and the rule of law, the transformation of the economy, and the return of refugees and displaced persons.

intellectuals even asked for a fully-fledged protectorate. 'You have to impose the right solutions', was what I heard over and over again. But to my mind, 'imposing' democracy and civil society seemed a contradiction in terms. However, during the first 1½ years of my mandate, I indeed had to act as the most interventionist High Representative ever. Ownership is a process that requires a framework, and I first had to lay solid foundations to get this process going and create the conditions for ownership to take root. I set three priorities: strengthening the state institutions, which were barely functioning at the time, getting economic reform under way, and finally—and maybe most importantly—ensuring that the refugees and displaced persons could go back home. If we succeeded in these three areas, everything else would fall into place much more easily.

These three pillars of my tenure were, so to speak, 'grounded' in my concept of ownership. We would establish the framework and get the process going and then hand over to the local elected leaders as soon as possible. Let us take a look at refugee return: this has turned out to be the biggest success in the 3 years of my mandate, and is even acknowledged to be so by Human Rights Watch, usually a highly critical NGO. At the end of my mandate, 850,000 people—refugees and displaced people—had returned to their homes. Three-hundred-thousand of them were so-called 'minority returnees', which means that their homes are now in areas controlled by an ethnic group other than the one to which they belong.

How was this breakthrough achieved? We first established the legal framework for the return of property, which was a complex process, given that a population shift had occurred. We had to answer such questions as: How should the legal former owners and tenants reclaim their properties, and who would certify that they are the legal tenants? Which of the current occupants, who would have to move out, would be entitled to what kind of alternative accommodation? Who must provide it? Which deadlines should apply for the various steps of the process? And so on. We allocated responsibility to various ministries and the local municipalities, and then I ensured proper local implementation by putting return high on my agenda, by pushing and demanding, and by dismissing more than 70 officials in 15 months—mayors, housing officials, even ministers. By the beginning of 2001, we were able to hand the political responsibility for the process over to the newly established State Ministry for Refugees and Human Rights. Even the hard-liners had come to realise that the question was no longer whether there would be return or not, but how soon the return process could be completed. Even the receiving municipalities admitted that return was in their interest. Returnees usually bring along some financial means, which in turn benefits the local economy, and donors and NGOs looked favourably at areas with high return rates. Return means investment and capacity building.

The way in which we tackled the issue of return, a very important problem in Bosnia and Herzegovina, demonstrates my concept of ownership in practice. The same principle applies to the establishment of functioning public institutions, such as a professional judiciary, efficient law enforcement agencies and a proficient public administration. We can decree the best legislation that it is possible to devise, but if 'ownership' does not occur, it will never be effective.

Focus on the economy

[C. S.] *Can you give some examples of the process of transforming the economy? Is that process ownership-driven?*

[W. P.] No country can escape global trends, and Bosnia and Herzegovina is no exception. The country needs to be fit for global and—most importantly—regional competition. The economic system has to adapt to this undoubted fact. I agree, one might not like the excessive ‘freedom’ of neo-liberalism, but an economy like Bosnia and Herzegovina’s, which is situated in a region where states are already competing for foreign direct investment, cannot afford the luxury of special protection. It is necessary to carefully—I stress, *carefully*—open up the market and make use of trade arrangements, specifically the one with the EU.

One of the major challenges for any post-communist country is to separate politics from the economy. In the specific situation of Bosnia and Herzegovina, this also means breaking up the status quo of ethnic divisions within the economy. Therefore, two basic strains have to be pursued: the first one is the transition from the specifically Yugoslav socialist system (i.e. what has remained of the so-called workers’ self-management) to a market economy. The second goal is to dismantle the narrow, ethnically based political interests that have led, effectively, to three economies within one state. By establishing a single economic space throughout Bosnia and Herzegovina, ‘economic logic’ will eventually help integrate the country.

Again, this seems to be a paradox at first glance. On the one hand, we have to liberate the economy from politics. On the other hand, the international community has to use economic reform for political purposes. By creating a single economic space, by devising legislation designed to strengthen the regulatory role of the state, by harmonising laws between the entities, we are reforming the economy. At the same time, we are adding cohesion to this country called Bosnia and Herzegovina. If Bosnia and Herzegovina successfully integrates economically, this will contribute considerably to the state-building process, to a more deeply rooted perception of Bosnia and Herzegovina as a state by its citizens. This, of course, presupposes the vision of what a modern state is about. For me, it was important to make clear beyond any doubt that what the citizens most need is a functional state whose citizens can see and feel that it makes sense to have this state because it ‘delivers’.

Getting the economy going will also open the wider prospect of Bosnia and Herzegovina’s integration into the EU. This prospect will give this ‘weak’ state a concrete goal and perspective. And Europe is the one idea shared unanimously by all the citizens of the country. Serbs, Croats and Bosniacs alike, they all want to become citizens of the EU. Having this in mind, I chose Brussels to convene the Foreign Ministers Peace Implementation Conference (PIC) in May 2000. I wanted this meeting to take place in the ‘European capital’ in order to send an unambiguous signal, both to Western capitals and to Bosnia and Herzegovina, that the country is a European project. With this conference, Europe became more ‘visible’. And the EU has moved a lot since then: the High Representative of Bosnia and Herzegovina is now also the EU Special Representative in the country, and the EU has taken

police reform in Bosnia over from the United Nations. Hopefully soon, the NATO-led 'Stabilisation Force' (SFOR) will be replaced by a 'European Force'.

Now, what have we achieved with regard to economic reform? True, Bosnia's economy is still not competitive, but the country has stable prices, exports are increasing, and there is continued above-average economic growth. It is unfortunately also true that there is corruption and a huge grey sector. But while the political leaders, during the early stages of the reform process, simply denied that there was any corruption, this evil has now been recognised as such and is being fought.

As to the vital privatisation process, it had been established prior to my arrival. I was not satisfied with what I found, but I was forced to go on with the existing model—you cannot change such a complex system in midstream. However, I succeeded in convincing my international masters of the need to make a few corrections, and the process is now moving somewhat faster.

A lot has been achieved with regard to state-level regulatory agencies. A Communications Regulatory Agency was established to manage the frequency spectrum in Bosnia and Herzegovina and to award licenses on the condition of adherence to certain standards—for example, technical and editorial ones, where electronic broadcasters are concerned. It has proven to be very successful. In the field of electronic broadcasting, it has reduced the proliferating number of broadcasters from nearly 300—far too many for an estimated population of 3.5 million!—to 183, greatly improving programme quality as well as the financial sustainability of the licensed stations. By now, the Communications Regulatory Agency is financed locally, and it has become a Bosnian institution.

Working together with the international financial institutions (IFIs) and the Central Bank of Bosnia and Herzegovina, we have managed to reform the banking sector, which is another success story. No other post-communist country has abolished the communist-era payment bureaus as fast as Bosnia and Herzegovina. Now you can find some of the best commercial banks in the whole region in Bosnia and Herzegovina, which work under a strong state-level Central Bank. Again, this is ownership at its best.

Of course, transforming the economy also means establishing the rule of law. Without the rule of law, there can not only be no democracy, but also no economic development, because investors need a safe and transparent framework to protect their investments. Therefore, it has been essential to put in place modern commercial legislation and set up the institutions that will secure the rule of law, i.e. a judiciary and public administration and law enforcement agencies that are professional, efficient and non-partisan.

I have passed this reform agenda on to my successor, Lord Paddy Ashdown, who will be the High Representative during the final phase of international engagement in Bosnia and Herzegovina. If these ambitious and urgently needed reforms are successful, they will result in Bosnia and Herzegovina's economic recovery. Eventually, democracy and civil society, too, will no longer be 'foreigners' to Bosnia and Herzegovina. Then the international community's main task will have been successfully accomplished.

Overcoming dependency

[C. S.] *How might ownership overcome the dependency syndrome⁹ we can observe in Bosnia and Herzegovina?*

[W. P.] I think Bosnia and Herzegovina is still in the 'take-off phase'. Like a plane, it has to go at full speed in order to gain height. It is thus very important to continue to push for ownership and enhanced local responsibility and accountability. Bosnia and Herzegovina could still slip into a grey zone—i.e. become a country somewhat better off than it used to be, but still far worse than its citizens deserve. Therefore, Lord Paddy Ashdown and the international community need to continue to implement the reform agenda in a very determined way. The will to reform is something that needs to be strengthened in Bosnia and Herzegovina. Ownership means taking on the challenges and resolving the problems yourself. Success will in turn strengthen self-confidence and, eventually, dependency will fade away.

Fostering participation in the political process

[C. S.] *Restricted participation in the policy-making process weakens its legitimacy, accountability and finally the quality of decision-making itself. In order to enhance the participation of the local leaders in the decision-making process and foster partnership, you set up a Consultative Partnership Forum in July 2001 to discuss urgent issues of peace implementation, as well as the contribution of Bosnian state institutions to it. You also created a Civic Forum to hear the voice of the nascent civic society. The aim of both was to back up the ownership process. What impact did these two bodies as well as the constitutional reform process have on the ownership process?*

[W. P.] I consider them signals—signs of a new era. I told Zlatko Lagumdžija, the then leader of the 'Alliance for Change' and Bosnia and Herzegovina's prime minister, that we should put our professional relationship on a new, more equitable basis. It was too lopsided: us—'the masters'—and them—'the locals'—who have to follow our orders. Such a relationship may have been necessary as long as the old nationalist guard dominated Bosnian life and politics. The nationalist leaders—in many cases the same ones who were in charge during the war—could not, and should not, have been the 'owners' of Bosnia and Herzegovina. They had no intention of supporting the development of ownership and the long overdue Europeanisation of their country. This was why I was forced to apply a fairly interventionist approach at the beginning of my mandate, imposing important legislation and dismissing local officials in order to push the country forward. I was aware of my responsibility for Bosnia and Herzegovina's dependency as a result of my interventionist approach. But this approach was necessary at the time of ethno-nationalism, the time of the old guard.

When the 'Alliance for Change' came to power after the 2000 elections, things changed. It was a democratic coalition, very heterogeneous—altogether there were 11 parties contesting the election—but with one uniting theme: they

⁹See Zarko Papic, 'International support policies in South East Europe towards a new approach', in Papic, op. cit., pp. 26–8.

all embraced the idea of a state of Bosnia and Herzegovina. Even the members of the parties from the *Republika Srpska* in the coalition cooperated in the state institutions. It was a Serb minister who led the project to introduce a state-wide ID card in the country, despite some grumbling from the *Republika Srpska*. Another Serb became the Minister for European Integration.

Let us remain realistic: even now, too much can only be achieved with the assistance of the international community. However, more and more state-building projects are being promoted and run by local politicians, who realise that Bosnia and Herzegovina is their only home country, after all, which will only be as functional as they make it. It is important to proceed with such Bosnian partners.

[C. S.] *What are the prospects for a self-driven process?*

[W. P.] Personally, I think that the Mrakovica–Sarajevo Agreement, this historic constitutional compromise between Bosnia and Herzegovina’s peoples, has the potential to become the turning point on the way to a self-sustaining country. Once 50 per cent of the positions in the Banja Luka government are held by non-Serbs, and once Bosniacs, Croats and other non-Serbs are represented at every level in the local administration in the *Republika Srpska* according to the 1991 census, both of which are foreseen by the new constitution, this will have a profound impact on people and politics in the *Republika Srpska*. When the envisaged bicameral system becomes operational, under which the representatives of any of the three peoples have veto powers in vital matters, it will necessitate compromise solutions. Serbs, together with Croats and Bosniacs, will be faced with the fact that the real world is very complex, and that there are needs and necessities beyond their own group allegiances. This will put a responsibility on the returning non-Serbs to act in a peaceful and democratic way and to get constructively involved in building a better future for the part of Bosnia and Herzegovina called the *Republika Srpska*. Everybody will have to think about how to make the *Republika Srpska* the home of all its citizens. Ethnic politics will then be sidelined by the ‘politics of interest’—if the other ethnic groups can cause political trouble, it is better to take their interests into account from the start and secure their support than to fight endless battles with an uncertain outcome.

Concerning the responsibility of the Bosnians and the interventionists

[C. S.] *This gives us an idea about the importance of the ownership process in Bosnia and Herzegovina. At the same time, it does not mean that the international community no longer has its own responsibilities in the fields of democracy assistance and intervention.¹⁰ Where do you see the tasks of the international community in the future and how should responsibilities between international and local actors be divided?*

[W. P.] By intervening in Bosnia and Herzegovina and by establishing international co-governance, the international community carries its share of re-

¹⁰See Laurence Whitehead, ‘Concerning international support for democracy in the south’, in R. Luckmann and G. White (eds), *Democratization in the South: The Jagged Wave*, Manchester University Press, Manchester, 1996, p. 252.

sponsibility for the future of Bosnia and Herzegovina. Every intervention, be it military or civilian, has wide-ranging, deep and long-lasting consequences. I remember, when I had just arrived in Sarajevo, a Bosnia weekly ran a short editorial about the new High Representative and compared me with the Hapsburg governor of Bosnia and Herzegovina, Benjamin Kallay (1839–1903).¹¹ It stated that Kallay brought the first wave of Europeanisation to Bosnia and Herzegovina, and that now, 100 years later, another Austrian is charged with Bosnia and Herzegovina's second Europeanisation. I responded to this comparison and said that personally I felt flattered, but that there was one fundamental difference: Kallay was acting on behalf of an imperialistic power, while I considered myself the representative of the international community, which had only one interest: to turn Bosnia and Herzegovina into a viable state and a partner in a uniting Europe.

However, it is clear that, along with our assistance, we are bringing certain 'values' to the country. Bosnia and Herzegovina will be a different country once our mandate ends: it will be different physically, politically and, in many ways, culturally as well. One might bemoan the fact that long-held traditions are being jeopardised, and that certain continuities and specificities of Bosnian culture could be, in a purist sense, 'tainted' with Western and non-indigenous elements. This is perhaps unavoidable, but we should be aware of it. Europe after 1945 was in many ways Americanised. Globalisation—viewed here as a vast cultural phenomenon—brings different lifestyles, sometimes very superficial ones, to traditional cultures, and they are incorporated in one way or another. Western influence in Bosnia and Herzegovina happens in a very concrete and specific way. The international community sets the political agenda and imposes legislation, creating a specific social and political system. Therefore, partnership with Bosnian citizens, intellectuals and leaders is so important. The end result must not be a Western clone in the Balkans. Ideally, the end result should be a country that has found its own modern identity.

I think that among Bosnia and Herzegovina's assets are its links to the Islamic world. After September 11 [2001], it may not be popular to say this, but I think that it is very important that the progressive forces of Islam remain in contact with the Muslim community of Bosnia and Herzegovina and vice versa. Turkey plays a crucial role in this respect. It represents the OIC (Organisation of Islamic Countries) in the PIC Steering Board, the main oversight body of the international community in Bosnia and Herzegovina.

If Bosnia and Herzegovina is successful in coming to terms with its internal problems, it could play an important role in Europe, in particular when it comes to the issue of European Islam, which yet needs to be explored. Provided there is a specifically European kind of Islam, which continues to adapt to and incorporate European achievements—particularly the separation of religion and state, the signpost of secular societies, in which religion does not interfere in politics and vice versa—Bosnia and Herzegovina could make an important contribution and serve as a bridge to the wider Islamic world. A successful state of Bosnia and Herzegovina could signal inclusiveness to recent Muslim arrivals in Europe. This is not an obvious task when you think of the challenges that lie ahead of Bosnia and Herzegovina, but it is important to

¹¹See Mile Stojic, 'Kallay', *Dani*, Sarajevo, 20 August 1999; <http://www.bhdani.com>

acknowledge that there is more to this small multi-religious and multi-ethnic Balkan country than some people would think.¹²

To repeat, Bosnia and Herzegovina is at present still in a social and economic take-off phase, which means that it is in a typical crisis situation. The country has overcome the immediate consequences of the war, but it has reached what Bertolt Brecht once called '*die Mühen der Ebene*', which could be translated as 'the labours, the pains of the plains'. Therefore, we need persistence and continuity in the work.

Bosnia and Herzegovina is still a classic example of a 'weak' state. It has been successfully stabilised by the international community, but it still needs the international community for quite some time to come. Instead of contemplating exit strategies, we need to focus on an 'entry strategy'—Bosnia and Herzegovina's entry into European structures. Bosnia and Herzegovina's future is clearly European. I pushed very hard for the country's accession to the Council of Europe as a first step, at the same time emphasising that Bosnia and Herzegovina had to fulfil the criteria necessary for entry. It did, and in April 2002, Bosnia and Herzegovina became the 44th member of the Council of Europe. The same basic principle applies to EU membership: if the country meets the entry requirements, it will become a trusted and equal member. It does not have to beg for entry, provided it plays by the rules, i.e. fulfils the '*acquis communautaire*'. This is the advantage of the European integration process. A country knows what the entry criteria are and can actively determine its future. And the more the citizens of Bosnia and Herzegovina see that the state is the crucial actor in joining the EU, the more they will identify with and support the state.

However, the consequences of the recent war and the challenges of a transition economy and its social aspects will not just go away. But finding an identity as a state implies reaching out and finding ways and means to integrate it into the region, economically, socially and culturally. It means re-establishing links across the new borders with its neighbours. Only within this regional framework will Bosnia and Herzegovina reach the point where it can then integrate with Europe and be proud of its achievements—and the international community will be able to be proud of having successfully completed a massive and comprehensive intervention, unique in modern history.

Dealing with the past

[C. S.] *How do you look at Bosnia and Herzegovina's history—have you detected nostalgia or apology for the early communist methods or the specific Yugoslav socialism and self-administered socialist market system?*¹³ *And what about the future?*

[W. P.] Again, we are talking about a process. Part of it, of course, is to come to terms with the past. I am sure this country will go through many phases as

¹²For the sake of brevity, I am not delving into the crucial issue of Turkey and its brand of secularised Islam.

¹³According to Hannah Arendt, Karl Otto Hondrich speaks about the gap (he says a tension) between the past and the future. For Hondrich, this tension explains the contemporary acceptance of war; see Karl Otto Hondrich, *Wieder Krieg*, Suhrkamp, Frankfurt am Main, 2002, p. 9.

it deals with its past. At the moment, it is still too early for the people of Bosnia and Herzegovina to lock back dispassionately. History still serves as an instrument for self-legitimation and the passing of guilt on to the other. The 'blame game' is still in full swing—just look at what Milosevic is saying in The Hague. This is the nature of history when it serves an ideology.

But I believe that in order to reconcile with yourself, you also have to reconcile yourself with your past. And this is what Bosnia and Herzegovina is far from achieving. In many of my encounters with citizens of this tragic country, I could sense a certain nostalgia for Tito, which is understandable. Bosnia and Herzegovina profited a lot from the Tito regime. But his regime also turned Yugoslavia into a failed experiment. The peaceful transition from communism to democracy, which was successfully managed by other countries in the region or in Central and Eastern Europe,¹⁴ failed in Yugoslavia.

It is up to the historians to thoroughly analyse the reasons for this monumental failure. They need to do it in a multidisciplinary way. When we talk about Bosnia and Herzegovina, we obviously cannot just look at the recent past solely from a Sarajevo angle. It must include Mostar and Banja Luka and Bijeljina; and it must include above all Belgrade and Zagreb. Most likely, Bosnia and Herzegovina will need much more time to find explanations and reasons for its own recent tragedy. But it cannot succeed without looking beyond its borders.

Aleksa Djilas wrote an excellent book about how the relationship between the Serbs and Croats was vital and decisive for the fate of Yugoslavia.¹⁵ Whenever these two peoples were able to get along in a positive, constructive way, Yugoslavia 'worked'. Whenever they were at each other's throat, the Yugoslav idea collapsed. From today's perspective, Djilas' theory sounds almost prophetic, because it was the conflict between the Serbs and Croats that brought this last Yugoslav experiment to an end—in a very violent and disastrous way.

Assessing recent history means that we do not allow that history to destroy the future. But without the past there is no future.

Bosnia and Herzegovina's sovereignty in a post-national order

[C. S.] *Is post-war Bosnia and Herzegovina on the path to a post-national or post-sovereign order? And if the latter is the case, how should we perceive Bosnia and Herzegovina's sovereignty and its place in the region?*

[W. P.] There is a paradox here, one of the many paradoxes I have been confronted with in the region. Up until 2000, Bosnia and Herzegovina had totally porous borders. This was highly problematic, because it had serious implications for internal security, trans-border crime, illegal migration into Western Europe and the grey economy. Therefore, one of our major endeavours was to ensure control over the borders, and consequently the State Border

¹⁴See Larry Diamond and Marc F. Plattner (eds), *Democracy after Communism*, Johns Hopkins University Press, Baltimore, MD 2002.

¹⁵Aleksa Djilas, *The Contested Country: Yugoslav Unity and Communist Revolution, 1919–1953*, Harvard University Press, Cambridge, MA, 1996.

Service was established. At the same time in the EU, open borders—albeit only inside the EU—were considered the ultimate achievement of integrating the continent.

Nevertheless, I am convinced that Bosnia and Herzegovina first needs tight borders, so that they can be dismantled later in an orderly fashion, when Bosnia and Herzegovina as well as its neighbours have got a grip on all the problems that permeable borders currently lead to. Of course, we have to keep in mind that the final goal is the freedom of movement of people and goods. But this cannot be achieved at once. As in many other areas, we first have to establish the rule of law and create the necessary institutions of a modern state, such as the border service.

These are preconditions for Bosnia and Herzegovina's participation in the European integration process. I have already said it, but I would like to repeat it: the importance of Europe for Bosnia and Herzegovina is that it has something vital to offer at the end of the Bosnian tunnel. Some of our interventions may seem like a detour, but actually they are not. They are part of the way that leads to Europe.

Speaking of Europe: at the beginning of 2003, the EU took charge of police reform in Bosnia and Herzegovina, taking this task over from the United Nations. From the outset, it was my intention to convince the Europeans to assume responsibility and leadership in such crucial fields of state and institution building as justice and home affairs, particularly law enforcement. This is 'Europeanisation' at work. I am thus very glad about the EU's Police Mission in Bosnia and Herzegovina (EUPM). It heralds a new era in the Balkans, a phase when the EU accepts its responsibilities and becomes more visible, while the US continues to reduce its aid and its forces in the region's NATO-led operations.

For the first time, the EU's insignia of twelve golden stars on a blue background can be seen on the national uniforms of the member states that provide staff for the EUPM. The emergence of the EU colours in the Balkans means more than just the EU helping Bosnia and Herzegovina back on its feet, although this alone is extremely important. But it is also the first concrete operation in the context of the emerging European Security and Defence Policy (ESDP). While police reform clearly belongs to the civilian ESDP component, the EU's fledgling military arm of the ESDP may soon follow suit and take over the international military mission in Bosnia and Herzegovina.

The EU is well advised to develop a long-term strategy not only for Bosnia and Herzegovina, but also for the region as a whole, with the aim of placing the internationally led political, economic, judicial and military missions and reform efforts under EU leadership. This could give the integration of the former Yugoslavia into the EU, which has started very late, a much-desired boost.

Bosnia and Herzegovina as a plurinational European state

[C. S.] Sumantra Bose characterises Bosnia and Herzegovina as 'a transitional democracy in a weak, fragile state with legitimacy problems among two of the three

constituent communities'.¹⁶ For Bose, Bosnia's future will be based 'on a model of layered sovereignty, multiple citizenships and soft borders (internal and external)'.¹⁷

[W. P.] Indeed, if you replace the name Bosnia and Herzegovina with that of Europe in this quote, it would read: 'Europe's future will be based on a model of layered sovereignty, multiple citizenships and soft borders'. This is where we are headed in Europe. To extend this point, Bosnia and Herzegovina has to go through the same phases as other transitional countries, but because of war and destruction, its difficulties are much greater.

Constitutional patriotism: a perspective for Bosnia and Herzegovina?

[C. S.] *Is there a way for Bosnia and Herzegovina to move from constitutional nationalism to constitutional patriotism, as Habermas puts it?*¹⁸

[W. P.] In Bosnia and Herzegovina, we are very far away from 'constitutional patriotism'. The ethnic definition of state and society is still vastly predominant. We should also remember that there were many constitutions in the former Yugoslavia,¹⁹ like the famous and crucial one of 1974, which may have played a role in Yugoslavia's demise; and all the constitutions had 'ethnic' formulas and quotas. This is another reason why constitutional patriotism is not an immediate possibility.

But as I said before, we have laid a basis with the recent constitutional reform in Bosnia and Herzegovina, which has resulted in a more symmetrical, but still very 'ethnic' set-up. Progress is limited by the simple fact that in Dayton it would have been completely unrealistic to reach an agreement on a wide-ranging harmonisation between the entity constitutions.

¹⁶Sumantra Bose, *Bosnia after Dayton*, Hurst, London, 2002, p. 248. For the data on legitimacy, see the latest UNDP *Country Reports*, UNDP, Sarajevo, 2002. Michael Keating allows us to have a better understanding of Bose's approach: 'the plurinational state is an extension of the concept of plurinationality itself, referring to the existence of multiple political communities rather than a single, unitary demos. Considering the state in this way is also consistent with historiographical approaches stressing the union rather than unitary principle. It also opens up the prospect of constitutional asymmetry'. 'Plurinational democracy in a post-sovereign order', *Queen's Papers on Europeanisation*, 1, 2002, p. 10; <http://www.qub.ac.uk/ies/onlinepapers/poe1-02.pdf>

¹⁷Bose, op. cit., p. 280.

¹⁸The German term '*Verfassungspatriotismus*' was coined to denote attachment to the liberal democratic institutions of the post-war Federal Republic of Germany. Patriotism in those circumstances meant loyalty to a polity that was non-nationalist or even anti-nationalist in its structure. Habermas suggests that multicultural and multinational societies might be unified at the level of politics by a liberal political culture supported by a 'constitutional patriotism'. See Jürgen Habermas, 'Grenzen des Neohistorismus', in *Die Nachholende Revolution: Kleine Politische Schriften VII*, Suhrkamp, Frankfurt am Main, 1990, p. 151. Here it makes sense to point out that Habermas is very clear concerning the local relevance and the roots of this procedural understanding of democracy (pp. 153–154).

¹⁹On this issue, see Vojin Dimitrijevic, 'The 1974 constitution and constitutional process as factor in the collapse of Yugoslavia', in Payam Akhavan and Robert Howse (eds), *Yugoslavia: The Former and the Future*, Brookings Institute, Washington, DC, 1995, pp. 45–74; and Christine Höcker-Weyand, 'Jugoslawien', in Goerg Brunner and Boris Meissner (eds), *Verfassungen der Kommunistischen Staaten*, Ferdinand Schöningh, Paderborn, Munich, Vienna, Zurich, 1979, pp. 115–251.

State sovereignty in a globalised world

[C. S.] *State sovereignty is more and more questioned.²⁰ Do you agree that there is a need to redefine state sovereignty and, if so, what path ought to be followed?*

[W. P.] I believe it is the history of the European integration process that can provide practical guidance for Bosnia and Herzegovina. The ongoing discussion of a European constitution includes these issues of the nation-state and state sovereignty, and there is a lively public discourse about what national independence and sovereignty actually mean.

Throughout history, the concept of a self-sustaining sovereign state has been steadily eroded. But sovereignty, in modern terms, does not vanish; it has only been transferred—shifted from one level to another.

However, let us consider not only state sovereignty, but also practical sovereignty, i.e. the level where decisions are made and where the citizen's voice matters. This must not diminish. It can be transferred and delegated, but for the citizen it still has to be clear: I have a say, and I know that with regard to certain issues, it is not my capital, but Brussels, that calls the shots. However, I can influence this decision-making process.

As in Europe, so in Bosnia and Herzegovina too, citizens must feel that their voices are being heard and that their concerns are being taken seriously by those who are in charge. As always, things in Bosnia and Herzegovina are more basic: the first step in terms of securing the future of Bosnia and Herzegovina and thereby its political development was the departure of Milosevic and Tudjman. Their aim, the partition of Bosnia and Herzegovina, is no longer an issue. The more the neighbouring countries respect Bosnia and Herzegovina, the more secure the citizens will feel and the less relevant the relative weakness of the political structure will be. And in my view, the vital 'safety belt' for Bosnia and Herzegovina should be Europe. Generally speaking, traditional sovereignty withers away at the state level and is being continuously transferred to supra-national levels. In this way Bosnia and Herzegovina's relative lack of 'sovereignty' will be less of a problem once the EU and its members have decided to fully embrace Bosnia and Herzegovina.

[C. S.] *But most citizens do not see this transfer, and politicians sometimes have difficulty explaining this process. There is also a gap between the economic and political spheres, the latter being in a weaker position. Therefore, there is a need for more assertive political action in order to make the shifts more visible and enforce local power through decentralisation.*

[W. P.] I agree. There is a delicate balance between the building of supra-national entities and nation-states. This is a permanent challenge to the European integration process, as well as to the entire modern world. Integration, like

²⁰For if state sovereignty is no longer conceived as indivisible but shared with international agencies; if states no longer have control over their own territories; and if territorial and political boundaries are increasingly permeable, the core principles of liberal democracy—that is self-governance, the demos, consent, representation, and popular sovereignty—are made distinctly problematic.' A. McGrew, 'Globalization and territorial democracy', in Anthony McGrew (ed.), *The Transformation of Democracy: Globalization and Territorial Democracy*, Polity Press, Cambridge, 1997, p. 12.

globalisation, is not a coherent process. Many differences still exist between the various countries; yet today there is much more cohesion than a few years ago.

[C. S.] *You insist that this is one dimension of the process. Nevertheless, this dimension is becoming increasingly important, but people experience great difficulties when confronting it, for they often feel that they are missing their familiar points of reference.*

[W. P.] This is probably what ethno-nationalism profits from. Its representatives claim to provide an answer to this identity crisis. On the way from the tribal world to the modern model of living together, we have entered a post-nation-state situation in Europe, most visibly represented by the EU. But individual fears are still following the same old patterns. If people do not understand what globalisation means and how they can cope with it, then it is a motive to attack the champions of globalisation, the 'Masters of the Universe'. These fears are absolutely legitimate and they can have dire consequences if they are not dealt with in a sensitive political way.

In a way, the people in Banja Luka who threw stones at those who participated in the ceremony marking the rebuilding of the Ferhadija mosque in May 2001 were driven by similar fears: they had been made to believe that the Serbs will lose their 'identity' if they allow this mosque to be rebuilt. Therefore, we need to cajole these people 'into communication'. Ethnic nationalists are successful because they succeed in stopping communication and telling their own exclusivist story over and over again. But once a Serb meets a Croat or Bosniac returnee and they start talking to each other again, they usually realise that they have much more in common than separates them. They all want a decent job and opportunities for their kids; they all dream of a happy family life; in short, they are not so different after all. The same applies to Europe. We have to give the people the feeling that what is happening has an important human dimension. Considering Europe and Bosnia and Herzegovina, the circumstances of each case are of course vastly different, but the underlying patterns of hope and despair are quite similar.

Hope for the future

[C. S.] *Finally, a more personal question: how do you feel about Bosnia and Herzegovina?*

[W. P.] I have become emotionally very attached to the people and the country, and I feel very close to the people. I suspect that my family background, coming from a minority situation,²¹ has contributed to this. It has probably also given me an emotional optimism that things will work out. Rationally, I see more problems than solutions in Bosnia and Herzegovina. But at the end of the day, it is hope against all odds—and the will of the people to stay together, of course—that decides whether a country exists or dissolves. At the moment, there is still no real 'common agenda' of the peoples of Bosnia and Herzegovina and, even worse, no strategy to create one. In the end, the emergence

²¹Wolfgang Petritsch belongs to the Slovenian minority of Southern Austria.

of such an agenda, and the will of Bosnia's leaders and citizens to make their country work, will be decisive. My innermost fear, my personal nightmare, is that after all the economic and other reforms are carried out, all the state institutions are established and the rule of law is in place, we may be confronted with a functioning state, but one without a soul. Then Bosnia and Herzegovina would be destined to fail. But I do believe that the country has a real chance. What will ultimately determine the fate of Bosnia and Herzegovina is the successful creation of a true sense of 'ownership' and responsibility (*odgovornost*), and genuine dedication to the country and its people.

[C. S.] *Wolfgang Petritsch, thank you very much.*

Wolfgang Petritsch was born in Klagenfurt. He holds a PhD in Eastern European history from Vienna University. In 1977, he was Secretary to Austrian Federal Chancellor Bruno Kreisky in charge of cultural and media affairs. From 1980 to 1983, he was spokesperson and deputy chief of staff of Federal Chancellor Bruno Kreisky. He joined the Austrian Foreign Service in 1984, after having served at the Austrian Mission to the OECD in Paris 1983–1984. From 1984 to 1992, he was Director of the Austrian Press and Information Service in New York and Press Counsellor at the Austrian Mission to the United Nations. He was Acting Head of the Department for Multilateral Economic Affairs at the Austrian Ministry for Foreign Affairs in Vienna. In 1994, he was in charge of the information efforts of the Austrian Federal Chancellery on Austria's EU membership. From 1995 to 1997, he served as Head of the International Relations Office of the City of Vienna, before being assigned to the Federal Republic of Yugoslavia as Austria's Ambassador in September 1997. He was Special Envoy of the EU for Kosovo, 1998–1999, EU Chief Negotiator at the Kosovo peace talks in Rambouillet and Paris, 1999, and High Representative for B&H, 1999–2002. Currently he is the Austrian Ambassador to the UN in Geneva.

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