AFTER ETHNIC CLEANSING:

RETURN OUTCOMES IN BOSNIA-HERZEGOVINA A DECADE BEYOND WAR

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ABSTRACT

Ethnic cleansing is a violent geopolitical practice designed to separate and segregate ethnic groups. This paper describes both the war aims which justified ethnic cleansing in Bosnia-Herzegovina and the effort by the international community to enable victims of ethnic cleansing to return to their homes. It considers the trends and geography of population returns ten years after the war before presenting original survey research results on displacement and return experiences. An overwhelming majority of Bosnians reclaimed their pre-war property and a majority of these actually returned to their homes. Those self-identifying as Bosnian Serbs were more likely to sell their pre-war homes than other ethnic groups; they also tend to be less interested in multiethnicity. The poor were more likely to reclaim and return to live in their house than richer groups. Those with strong attachment to their home villages were more likely to return. But despite more than a million returns, nearly half of whom are officially minority returns, Bosnia continues to grapple with the divisive legacy of ethnic cleansing.

Key Words: Ethnic cleansing, Bosnia-Herzegovina, population returns, public opinion survey

Thirteen years after his indictment on charges of genocide, crimes against humanity, and crimes perpetrated against civilians and places of worship across the Republic of Bosnia and Herzegovinia, the Bosnian Serb politician Radovan Karadžić was finally captured in Belgrade in July 2008 and extradited to face trial before the International Criminal Tribunal for the Former Yugoslavia. Karadžić re-appearance was a reminder of the cruelties of the Bosnian war of 1992-95 and the term associated with the war: ethnic cleansing. The phrase has since transcended its origins and become a general description of "the removal by members of one group of another group from a locality they define as their own" (Mann 2004, 9). This definition problematically accedes to a groupist conception of conflict (Brubaker 2004)- politicized armed formations, not groups, are the actors that ethnically cleanse – while under-appreciating the politico-geographic dimensions of the practice. Ethnic cleansing is ethnoterritorial geopolitics, an attack on an existing spatial order and the imposition of one organized around ethnic division and segregation. The practice, as Mann and others note is in the weave of (imperial) modernity: "territory" and "terror" have common linguistic roots, with territory literally a place from which people have been frightened (Bhabha 1994, Gregory 2004). Drawing upon results from a December 2005 survey, this paper examines the dynamics of displacement and return after ethnic cleansing in Bosnia-Herzegovina. The survey provides insights beyond official statistics and competing claims about return outcomes, and offers a profile of the returnees and their motivations.

Ethnic cleansing was given ostensible meaning by a series of socio-biological and politico-geographic attitudes that radical nationalists promoted amidst the severe economic and constitutional crisis of the Socialist Federal Republic of Yugoslavia in the late eighties and early nineties (Dragović-Soso 2002). The first proposition was that group identity was the primordial axis of life in Yugoslav. Politics was about groups, what the state variously institutionalized as "nations," "national communities," "constituent peoples" and "ethnic minorities." Asserted in the face of the historical contingencies of identity, groups were held to be trans-historic and quasi-biological entities. The second was the proposition that each group had a natural homeland, an ethnoterritorial place of origin. This belief was complicated by a third proposition, namely that throughout history groups tended to be in perpetual competition over land. A partial ethnoterritorial logic shaped the political geography of the two Yugoslavias that were established in the twentieth century, an internal republican structure that implicitly affirmed some ethnoterritorial polities. Yet, it also qualified that recognition with a commitment to a broader inclusive ideal, a Yugoslavism that asserted Slovenes, Croats and Serbs as three tribes of the one people (the 1921 constitution) or as different "nations" committed to "brotherhood and unity" to realize a common socialist community (Tito's Yugoslavia) (Lampe 1996). The Republic of Bosnia-Herzegovina confounded the ethnoterritorial principle because it was the common home of its three "constituent peoples," Bosnian Muslims (1,902,956 people according to the 1991 census; this group was later termed Bosniaks), Bosnian Serbs (1,366,104) and Bosnian Croats (760,852). To the ruling Communist Party of BosniaHerzegovina, Bosnia-Herzegovina was *neither* a Muslim, or a Serb or a Croat republic but *also* a Muslim, *also* a Serb and *also* a Croat republic (Andjelic 2003, 115). Indeed, prewar Bosnia-Herzegovina was known for a tradition of tolerance and neighborliness, though traumatic memories from the Second World War were latent (Donia and Fine 1994; Hayden 1994).

The Context of Ethnic Cleansing in Bosnia-Herzegovina

Democratization amidst economic and constitutional crisis enabled ethno-nationalist parties representing the three dominant groups in Bosnia-Herzegovina to oust the ruling Communists and gain power after republic-wide elections in December 1990. Despite pre-election pledges to work together, the three parties were soon at loggerheads. Two of the parties - Karadžić's SDS and the Croat nationalist HDZ - were, respectively, under the direct influence and control of the neighboring Milošević regime in Serbia (which funded the SDS and later armed militias associated with it) and the Tudjman regime in Croatia (which established the Bosnian HDZ, choose its leaders, funded its activities and armed its HVO militia). The third party, the Muslimdominated SDA had its own ethno-nationalist aspirations (Hoare 2007). The outbreak of warfare between Serbia and Croatia in 1991 radicalized Bosnia-Herzegovina and, amidst a drive for independence by Bosnia's Muslim/Bosniak and Croat leaders, the Milošević regime helped direct a military assault by the Yugoslav army and Serbian militias on Bosnian towns that plunged the republic into generalized warfare. With war

unfolding across Bosnia-Herzegovina in May 1992, Radovan Karadžić addressed the secessionist Bosnian Serb parliament he presided over in Pale outside Sarajevo and articulated six "strategic goals" for the VRS (Vojska Republika Srpska, the Army of Republika Srpska), the new name for the Yugoslav People's Army in Bosnia. The goals reflected the propositions Karadžić and other radical ethno-nationalists held. The first and principal goal was that Bosnia-Herzegovina's three constituent peoples should be "unmixed" and separated. The rest of the war aims concerned the borders necessary for that separation. There should be a corridor between Semberija and the Krajina (northwestern Bosnia and adjacent areas of Croatia). (See figure 2 for locations). The Drina should be eliminated as a "border between worlds," the peculiarly articulated aim a conscious refutation of how the historic Croatian nationalist Ustašha conceptualized the significance of the river. A border should be established on the Una and Neretva rivers. The city of Sarajevo should be divided into Serbian and Muslim parts. Karadžić's list ends with a classic geopolitical trope: the Serbian Republic of Bosnia and Herzegovina should have access to the sea (Donia 2003). These wartime aims were in keeping with a larger vision emanating from the Serbian Ministry of the Interior: the creation through force of arms of an ethnically-homogeneous statelet in Bosnia, Republika Srpska, adjacent to a similar entity in Croatia, Republika Srpska Krajina, and the unification of both into a reconstituted Yugoslavia centered on Serbia and an exclusivist Serbian identity.

This was the Milošević/Karadžić geopolitical vision that justified ethnic cleansing, the violent expulsion of ethnic others from their homes to create swaths of

territory with ethnically-homogeneous populations (Burg and Shoup 1999). But socalled "ethnic cleansing" was often about more than ethnicity. Opportunities for criminal activities, local grievances, revenge and sheer nihilistic destructiveness fueled by alcohol and drugs were important aspects of the violent geopolitical engineering it represented (Cigar 1995). The majority of the ethnic cleansing in Bosnia-Herzegovina was perpetrated by armed formations affiliated with the SDS and VRS. The HDZ and HVO also engaged in ethnic cleansing, especially in central Bosnia during the Croat-Muslim war of 1993-94 (Shrader 2003). The Bosnian and Croatian armies were also guilty of acts of ethnic cleansing. By 1995, the former territory of Bosnia-Herzegovina was a patchwork of new ethnically-cleansed spaces, with over half the pre-war population of 4,365,574 displaced from their homes. More than a million became refugees while an estimated million people remained internally displaced within the country. The largest new territorial space was occupied by Republika Srpska which consolidated its control over eastern Bosnia with a paroxysm of violence at Srebrenica in July 1995 that left over seven thousand Muslim boys and men murdered. All told, an estimated 100,000 Bosnians lost their lives in the war which ended with the Dayton Peace Accords of November 1995 that divided Bosnia-Herzegovina into two ethnoterritorial entities, the Republika Srpska (RS) and the Federation of Bosnia and Herzegovina, an entity internally divided into designated "Croat," "Bosniak" and "mixed" cantonal spaces. The control of the strategic municipality of Brčko was left undetermined and later became a separate district (see figure 2).

Annex VII of the Dayton Peace Accords outlined principles for the potential reversal of the demographic consequences of ethnic cleansing. Paragraph one of article one declared: "All refugees and displaced persons have the right freely to return to their homes of origin. They shall have the right to have restored to them property of which they were deprived in the course of hostilities since 1991 and to be compensated for any property that cannot be restored to them." It took years for the international administrative structure established to supervise the implementation of the Dayton Peace Accords to create the political, legal and administrative capacity to implement this provision and others outlined in Annex VII (O Tuathail and Dahlman 2009). Obstruction to returns, particularly so-called "minority returns" or returns of ethnic groups to settlement areas where they are no longer the majority, was frequently violent and hard-line from 1996 to 1999, an assertion of ethnic borders in the face of the right of the displaced to return to their pre-war homes. Later obstructionism became more administrative and stealthy, with ethnocratic local administrations reluctant to implement the property laws designed to facilitate returns. Some administrations responded by granting land plots and building alternative accommodation for the coethnics they wanted to retain (to consolidate the wartime population displacements) (O Tuathail and Dahlman 2006b). Only in recent years, as it became evident that the returns process was not going to substantially alter the demographic legacy of ethnic cleansing, have nationalist controlled municipalities demonstrated a politically expedient openness to returnees.

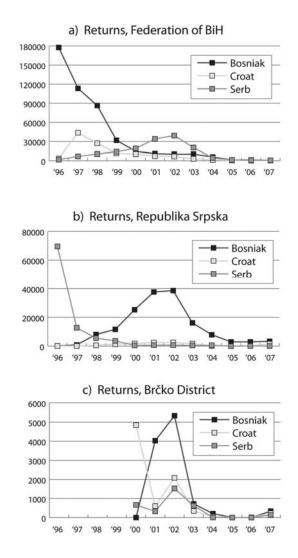


Fig. 1: Yearly returns after the Dayton Accords by governmental entity and by ethnicity

The Returns Process after the Dayton Accords

At the time of our December 2005 survey, official UNHCR figures showed a total of 454,220 minority returns across Bosnia-Herzegovina and total majority and minority returns exceeding one million persons. The temporal distribution of all returns, summarized in Figure 1, is the result of an initial wave of returning refugees between

1996 and 1999 as they were repatriated by neighboring European countries. Return was not necessarily to home communities but to housing in segregated ethno-spaces which often meant squatting in other people's property, thus hindering potential internal return axes. Minority returns were slow to take off and initially dominated by intra-Federation displacements associated with the war in Central Bosnia. Sometimes returns were very localized with people moving only a few kilometers and "re-mixing" to live where they had before. In the Brčko district, the returns process did not begin in earnest until its political status was stabilized and a cross-ethnic power sharing agreement under international supervision put in place after 1997; it was 2000 before large numbers of returns occurred there (Dahlman and Ó Tuathail 2006). As the international community built capacity for minority returns and opposition to them ameliorated, waves of returnees crossed entity boundary lines (evident in the graphs for the years 1999-2003). Since 2003, the pool of likely returnees has been reduced significantly with less than 10,000 in total moving back in recent years. Nevertheless a total of 140,000 refugees, displaced persons, and asylum seekers were still registered at the end of 2007 awaiting housing or assistance in reclaiming their properties (all data from the UNHCR, www.unhcr.ba).

The official number of minority returns to each of the municipalities (*opštini*) mapped in Figure 2 is a function of several factors. The first is pre-war settlement size. As one might expect, cities like Sarajevo (Serbs returning to a Bosniak-majority community), Banja Luka and Prijedor (Bosniaks returning to Serb-majority areas), and Mostar (generalized returns) have the largest absolute numbers of returnees. Smaller

settlements, like Zvornik, Doboj, and Bijeljina (Bosniaks returning), Travnik and Bugojno (Croats returning) and those in the Una-Sana region (Serbs returning to Bosniak- and Croat-controlled areas), experienced severe ethnic-cleansing yet many displaced chose to return to these areas in the hope of reconstituting vibrant pre-war communities. (Zvornik, Doboj and Bijeljina [town only] had Muslim majorities in 1991 but because they were Serb-majority after ethnic cleansing, Bosniak returns there were classified as "minority returns").

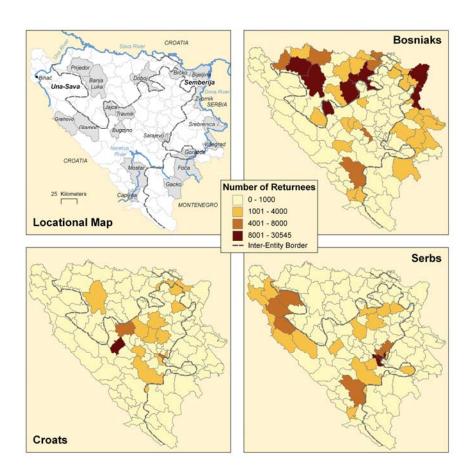


Fig. 2: Distribution of Returnees 1996-2007 by opština and by ethnicity.

The second factor is the socio-economic context. Minority returns required economic support and without it, many families would not have had the means to return and reconstruct their former properties. Not all those wanting to return could acquire funding. Also, some families ended up in displacement locations that had better economic conditions than their home areas. Some did not gamble on return to areas where important sources of local employment were in the hands of wartime profiteers and political figures. Other "social service" explanations, such as the (non)availability of pensions, access to health care and education in one's own language, culture and traditions are important also (O Tuathail and Dahlman 2004). A third factor is local receptivity to returns. While many municipalities represented themselves as open to return, local political environments differed greatly. The HDZ control of the mayor's office and municipal assembly of Jajce until 2004 left that city reluctant to accept Bosniak and Serb returns, so much so that it was deemed a "black sheep" municipality by the OHR (Dahlman and Ó Tuathail 2005).

There is considerable debate on the significance of return outcomes. For international officials like Paddy Ashdown (the head of the Office of the High Representative, OHR, from May 2002 to December 2005) Annex VII's implementation has "invented a new human right – the right to return home after a war" (Glover 2002). More precisely, Annex VII permitted "domicile return", return not simply to one's country after war but the right to claim and return to one's pre-war home. This provision was new in post-conflict arrangements; the establishment of a comprehensive "property law implementation process" (PLIP) made it real for thousands of Bosnians

who were able to file claims for their property (including "lease ownership" of apartments associated with state enterprises) and eventually have this claim adjudicated. In many instances, the property had been destroyed and owners required international humanitarian assistance to rebuild it. In other cases, their property was occupied, often by other displaced persons. They were required to vacate the property and move into alternative accommodation. Returnees were then able to re-occupy the property though whether they did so or whether they rented or sold, it was a matter on which there was considerable speculation but little reliable information.

The UNHCR and the Bosnian Ministry for Human Rights and Returns continue to produce return figures and to help co-ordinate sustainable return initiatives funded by international donors. But within the UNHCR, at least, there is an acknowledgement that official minority return figures are misleading. The UNHCR has conceded that many returnees have opted not to return permanently, and have sold, exchanged or rented their repossessed property. A briefing note from October 2007 claims that "those who have returned permanently tend to be older and in rural areas where they depend upon agriculture. Many young IDPs have remained in their place of displacement seeking education, social and economic opportunities that are scarcer in their communities of origin. The trend seems to be that people are remaining in (and moving to) areas where they can live amongst their own ethnic group" (UNHCR 2007).

The most pessimistic perspective on return outcomes is that of the Bosnia-Herzegovina Helsinki Committee, a non-governmental group of lawyers in Sarajevo that issue annual reports on the state of human rights across the country. Their reports are suffused with claims that Bosnia-Herzegovina remains an ethnically-cleansed country despite Annex VII. In 2008, for example, they claimed: "BiH is today divided into almost ethnically pure territories, while consequences of war migrations have only deepened through long standing obstructions and administrative barriers of authorities at all levels (sic). Reliable data on true returns cannot be obtained in the field, or figures about restored or repaired houses that their owners sold or exchanged" (Helsinki Committee for Human Rights in Bosnia and Herzegovina 2008). This pessimistic picture is also articulated by the Bosniak (Bosnian Muslim) member of the tri-partite Bosnian Presidency, the former wartime foreign and prime minister Haris Silajdžić. In an address in Washington DC in May 2008 he declared that "we have hundreds of thousands of our citizens around the world and the consequence of this is that we have now territories without its citizens (sic), without the inhabitants." In a follow-up interview, Silajdžić described Bosnia-Herzegovina as a patient that had its limbs amputated (1). It was still alive but it was missing important parts of itself. In this imagining of state territory as a geo-body, Republika Srpska is an amputation of a previously whole and healthy Bosnia-Herzegovina. After ethnic cleansing, Bosnia-Herzegovina is a crippled country.

Who are the Returnees and What Motivates Them?

As the Helsinki Committee notes, there is an absence of information on return outcomes beyond an official classified act of return. Bosnia-Herzegovina has not had a census since 1991 while its two entites do not release data on housing sales. In an effort to get at the motivations beyond official return figures, we directed Prism Research to conduct a door-step survey of 2,000 BiH adults in early December 2005. The sample was based on a stratification of the *opštini* using the 1991 census data and proportionately sampled for the three ethnic communities. Of the 100-plus questions in the survey which focused on war experiences, inter-ethnic reconciliation, attitudes to political developments, migration intentions and the usual socio-demographic measures, we report here on the responses to questions about displacement and the experiences of respondents in claiming their properties and returning to them. Our survey offers the depth of information that is absent from politically-driven speculations about who is returning, who is not, and levels of fear about harassment and hostility.

Migration Intentions and Attitudes to Minority Returns

Despite the well-documented poverty and deprivation in Bosnia-Herzegovina (the most pressing problem according to our and other surveys), only 20.9 percent of the adults surveyed in late 2005 answered "yes" when asked if they would move if they had the opportunity. Significantly, in the context of the whole survey, only a few respondents (11 people) would consider moving because of an unsafe or discriminatory environment. Parallel to the question about possible moves, we asked about experiences of discrimination and only 5.6 percent of the overall sample (112 people) felt a sense of discrimination during the previous year.

Evidence for optimism about the impact of the Annex 7 is the response to a question about possible minority returns. Three-quarters of the sample agreed (24 percent) or strongly agreed (55 percent) that "people coming from the minority population who lived in this municipality before the war can return to their homes." Even allowing for possible bias to this sensitive question (a possible over-reporting of the level of acceptance), there is a certain inevitability that the returns process will be completed. There remain, however, signs of opposition in some communities (Gacko only 15 percent support, Capljina 32 percent and Mostar 54 percent). The locus of opposition in Serb-dominated communities in the southern and eastern parts of the country, though much diminished from the immediate post-war years, remains evident.

Movements During and After the War

Similar to the aggregate statistics collected by the UNHCR and other agencies, half of our sample (23 percent one move and 27 percent more than once) indicated they were forced to move during the war. Their reception into communities to which they fled, usually with a similar ethnic profile, was not always easy. Just over half of respondents (60 percent) said that they welcomed members of the same ethnicity who were displaced by the fighting. Many migrants went abroad for the duration of the conflict (5 percent of our total sample) but the majority of those forced to move (59 percent) lived with friends or relatives, or arranged their own private accommodation for the duration of the war and its immediate aftermath. The properties of the displaced were occupied by others of a different ethnicity (26 percent), destroyed (33 percent) or damaged (13

percent). (The respondent could not provide an answer for the remainder.) The war was marked by widespread destruction or damage of houses as well as organized attacks on cultural and religious iconographic monuments (Ó Tuathail and Dahlman 2006a).

What Happened when Refugees and Displaced Persons Reclaimed their Property?

Taking advantage of the PLIP, 85 percent of our sample who were displaced by the war laid a legal claim to their property. The remainder was still in the process of trying to begin reconstruction of the property or resolve the legal difficulties that pervade the returns process (Williams 2006). Our survey results show that the majority of people (62 percent) making property claims return to live in their houses. Only 13 percent sold their homes after reclaim, while 8 percent rent it out or use it on a part-time basis. In contrast to the pessimistic reports of the Helsinki Committee and the BiH authorities, our data on returns show that the process has been mostly successful with a high rate of return of home-owners to their previous residences.

Who Has Returned to their Homes?

Examination of the disposition of reclaimed properties according to their characteristics of their owners yielded just a few significant differences. The numbers in the subsamples are too small for many of the 35 communities sampled to yield reliable estimates, though differences among major towns and cities are noteworthy. In the predominantly Serb communities of Banja Luka (40 percent) and Bijeljina (11 percent), the lowest ratios of reclaim and return to the property are reported by the respondents.

In Bijeljina, 72 percent of the returnees report that they sold their properties after reclaim, by far the highest proportion in the overall sample. In contrast, high ratios of reclaim and return to live are noted for the ethnically-mixed cities of Brčko (87 percent), Bihac (83 percent) and Mostar (82 percent) in relatively prosperous locations, though they have their own micro-geographies of settlement segregation.

The most dramatic difference in the return to ownership is the ethnic one between Serbs (33 percent) on the one hand and Croats (87 percent) and Bosniaks (76 percent) on the other. In fact, the ratio of Serbs who reclaimed and lived again in their homes is only slightly more than the ratio (32 percent) who sold the property after reclaim, a clear indication that Bosnian Serbs tend to be more invested in the idea of separate ethnoterritorial homelands. The ratio of Serbs waiting to reclaim their properties is 17 percent, much higher than the other groups, and suggests that many Bosnian Serbs came late to the returns process. This lag can be explained by the active campaign against return among Bosnian Serbs led by the ethnoterritorial minded group Ostanak (Stay). Our survey also indicated that Bosnian Serbs are less open to multiethnicity than Bosniaks or Bosnian Croats. In response to the question -- "I would like to have more friends among people of different nationalities in this region" -- only 41 percent of Bosnian Serbs agreed or strongly agreed with the statement, compared to 62 percent of Bosniaks and 82 percent of Bosnian Croats. Similarly, Bosnian Serbs have a high ratio of agreeing or strongly agreeing (63 percent) with a proposed option of separate ethnic territories as a way to improve ethnic relations, that "ethnic relations in my locality will improve when all nationalities are separated into territories that belong

only to them." Comparative ratios are 48 percent for Bosniaks and 67 percent for Bosnian Croats, but differences within each of the three groups according to material status, religiosity and war experiences are greater than the inter-ethnic variations in preferences for separatism (O'Loughlin and Ó Tuathail 2009).

Further examination of the disposition to reclaim one's home shows significant differences according to material status, experiences of discrimination, and conception of home. There is a clear relationship with self-reported purchasing power. The poorest segment of the population are more likely to reclaim and live in their houses that other richer groups (67 percent for those who answered "we do not have enough money to live" compared to 62 percent who have "only enough money for food" and 57 percent who answered "we can purchase all we need except durable items"). Though there have been claims (echoed by the UNHCR) that the oldest populations are more likely to return to live in their homes, we found no differences between the age groups. The only socio-economic differentiation on the issue of return is according to wealth. This suggests that return may not be the "choice" it is often represented as being. With few options or alternatives, many of the poorest take what assistance programs there are available and return to locations where they knew better times and where they may have local self-sufficiency options (like farming and gardening).

Returnees who felt victimized by ethnic discrimination, presumably in their temporary war and post-war communities, are also more likely to return and live in their former homes. Though only a small ratio reports discrimination, this effect is important in determining the rate of minority return (80 percent compared to 62

percent). It is not evident from the responses why the respondents felt victimized – as newcomers to the community, as unemployed, as residents of temporary quarters, as recipients of governmental aid, as members of an ethnic group, or as rural migrants – but the effect on the returns preferences are significant.

Finally, the respondent's conception of "home" is a significant determinant of return (on the complexities of this notion see Jansen 2009). Those who answered that their home was "the village where I was born" showed a rate of reclaim and return to their prewar homes of 76 percent compared to 48 percent who gave a different response (where their children live, where there is a better life, or "the territory that belongs to my people"). Interpretation of this large percentage difference revolves around a sense of attachment to place. Those displaced by the war from villages to which they feel a strong attachment are more likely to return, regardless of ethnicity. From these results, we can draw a profile of the typical returnee – more attached to their pre-war village and home, among the poorest in a poor country, victims of discrimination, and either Bosniak or Bosnian Croat.

Conclusion

As the returns process winds down with the declining pool of refugees and IDPs, future numbers will be in the hundreds rather than the tens of thousands of each nationality that marked the peak years 1999-2003. While the reception of returnees across BiH has



Fig. 3: Alteration of road-sign, Republika Srpska, June 2005. (G Ó Tuathail photograph)

been varied, the presence of the international organizations and officials -- UNHCR,

Office of the High Representative, OSCE and EUFOR officials - has nudged the process
towards completion and managed to diffuse potential flashpoints. However, though
some communities are mixed again, this is no guarantee of inter-ethnic harmony. In
plenty of communities, returnees are reminded of their second class status as "minority
returnees" and not as ordinary pre-war residents of their own home towns. In a small
village in eastern Bosnia inside Republika Srpska, we encountered a mundane example
of this. The settlement is called Urkovici but the road sign to it was consistently altered
by the addition of a "T" by local Bosnian Serb nationalists so that it read TUrkovici (2)
(Figure 3). The alteration re-positioned the local returnees inside the dominant out-

group category of Serb nationalist discourse, that of Turks. In this minor gesture is the whole geopolitical violence of ethnic cleansing: the imposition of Othering on neighbors and the (re)placing of them as outsiders and foreigners in their own land. Bosnia is not yet beyond ethnic cleansing.

NOTES

- 1. Interview, Melrose Hotel, Washington D.C., 21 May 2008.
- 2. Interview with Charlie Powell, Head of the OHR regional office, Bratunac, 25 June 2005.

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