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# Bosnia-Herzegovina Ten Years after Dayton: Constitutional Change and Public Opinion

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**Abstract:** Two American-based political geographers and the head of a Bosnian public opinion research organization present and discuss the results of public opinion polls related to the tenth anniversary of the Dayton Peace Accords. The paper reviews talks between Bosnia-Herzegovina (BiH) and the European Union (EU) aimed at signing a Stabilization and Association Agreement that should pave the way for eventual membership of BiH in the EU, a process that would stimulate reform of BiH's notoriously complex governance structure. The most recent constitutional change proposals are reviewed, and results of public opinion surveys ( $N = 614-2000$  in late 2005) on constitutional change, reform of the governance structure of BiH state, and the Dayton Peace Accords after ten years are presented and discussed. *Journal of Economic Literature*, Classification Numbers: I31, O15, O19. 2 figures, 9 tables, 19 references. Key words: Bosnia-Herzegovina, Dayton Peace Accords, ethnonationalism, Bosniak, Croat, Serb, Republika Srpska, European Union.

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The tenth anniversary of the Dayton Peace Accords (DPA), the peace agreement that ended the Bosnian war of 1992–1995, was greeted with little public celebration in Bosnia-Herzegovina (BiH) on November 21, 2005. Nearly all of the country's rival political leaders were abroad, attending a series of conferences on the anniversary and participating in American-facilitated talks on constitutional change that ended without significant agreement. The moment was a reminder of the difficulties BiH faces as a state and the central role the international community had, and still has, in making this state functional. The General Framework Agreement hammered out at Dayton was, first and foremost, a peace treaty brokered by an impatient American administration determined more to end the war in BiH than to establish the basis for a viable and sustainable state (Holbrooke, 1998). Although a few delegates at Dayton were thinking strategically about BiH's long-term future within Europe, the pragmatic concern was merely to end the fighting and piece together a settlement that split the differences between the warring parties.<sup>2</sup> Bosnia and Herzegovina would nominally be a unified state but ethnonationalist governance would predominate.

The agreement established what has been described as “one of the most complicated and wasteful systems of government ever devised,”<sup>3</sup> namely a weak and meager central

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<sup>2</sup>Interview with Wolfgang Petritsch, former High Representative to BiH, December 1, 2005, Sarajevo.

<sup>3</sup>The description is that of Traynor (2005).

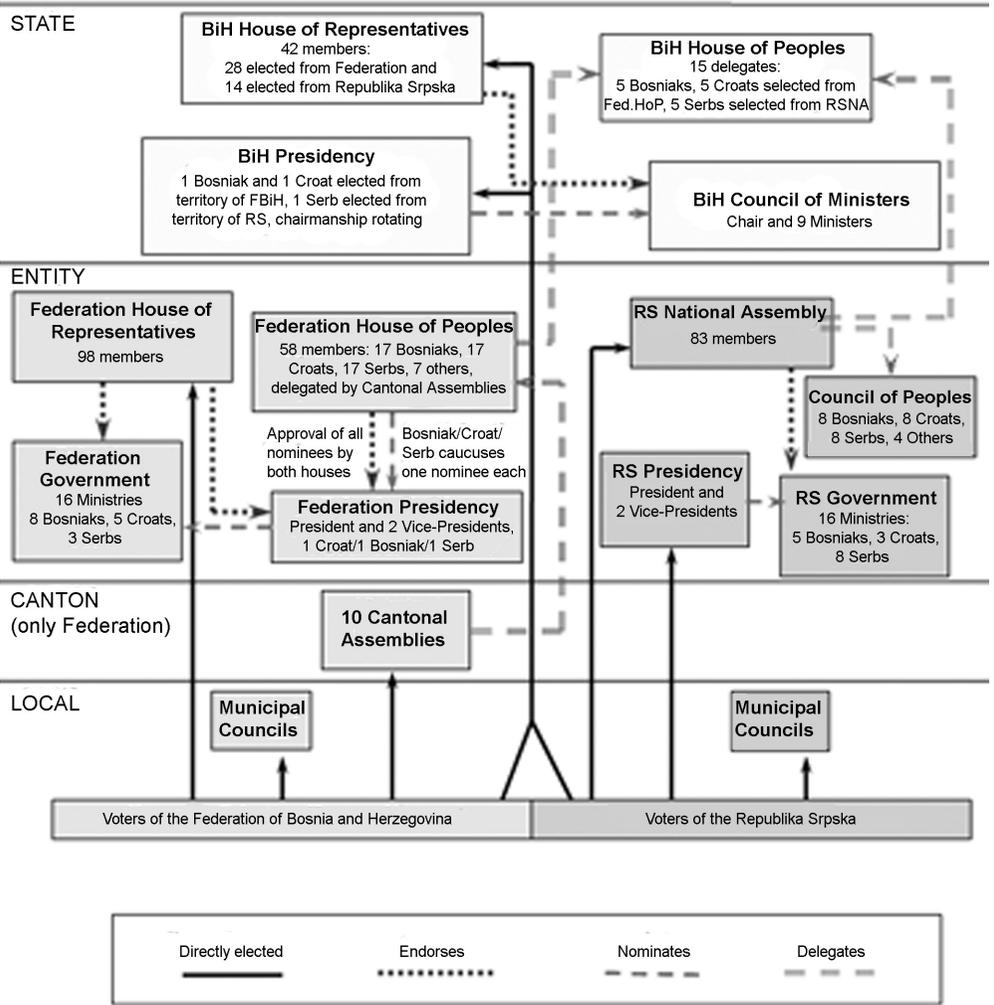


Fig. 1. Legislative and executive bodies of Bosnia-Herzegovina.

government (the BiH state), two state-like ethnonationalist entities (Republika Srpska and the Federation of Bosnia and Herzegovina<sup>4</sup>), 10 cantons within the Federation of Bosnia and Herzegovina (three dominated by Bosnian Croats, five by Bosniaks, and two contested), and 142 local municipalities (*općine/opštine*; Fig. 1). In 1991, BiH had a population of 4.37 million, 43.5 percent of whom declared themselves “Muslims” (now termed Bosniaks), 31.2 percent Serbs, and 17.4 percent Croats, who comprised the republic’s three “constituent peoples.” Before the war, the Yugoslav Republic of BiH had a central governance structure

<sup>4</sup>The Federation of Bosnia and Herzegovina was founded in Washington in 1994. While it reflected the goals of moderate Croats, it was a bitter disappointment to hardline Croat nationalists, in Croatia and Bosnia and Herzegovina, who wanted a separate Bosnian Croat homeland of *Herzeg Bosna*. Creating three cantons that were Croat dominated reflected an effort to placate this group, but most were unhappy that Dayton did not establish a third, Croat entity.

in Sarajevo and a local one encompassing 109 municipalities. After Dayton, instead of having one constitution, the new BiH had 13.<sup>5</sup> Administratively weak at the center and politically polarized by ethnoterritorial governance, the DPA ended the Bosnian war but at the price of systemic dysfunctionality and incoherence. Written in English by American lawyers seeking agreement among the warring parties and signed abroad by international and regional powers, the DPA was an imposed and bitter peace to most Bosnians and Herzegovinians, one with little local ownership and no democratic mandate.<sup>6</sup> A distinct lack of enthusiasm within BiH for its tenth anniversary, then, was hardly surprising.

## ACHIEVEMENTS AND CHALLENGES

Yet, there was real achievement for Bosnians and Herzegovinians to celebrate on November 21. The European Union foreign ministers chose that symbolic day to authorize the EU Enlargement Commission to open negotiations toward the signing of a Stabilization and Association Agreement (SAA) between BiH and the European Union. The announcement was the culmination of a year of persistent struggle by international officials in BiH, led by then–High Representative Paddy Ashdown (leader of the Office of the High Representative or OHR), the EU Commission Ambassador Michael Humphries, and the American Ambassador Douglas McElhane, to pressure Bosnian and Herzegovinian politicians to undertake structural reforms in policing and broadcasting that were required by the EU to begin these talks. Just two months before, the invitation seemed highly unlikely, as the Republika Srpska National Assembly (RSNA) balked at passing an OHR-sponsored package of proposals for police reform that met the three minimal EU requirements: (1) securing exclusive state-level competencies over police; (2) the elimination of political interference from police; and (3) ensuring that police regions are determined on the basis of technical and professional criteria. All three principles challenged the close relationship between politics, police, and corruption in the RS, although this problem was not unique to the RS. The choice, as far as the OHR was concerned, was a clear one between a counter-modern, corrupt past and a prosperous European future or, as Ashdown imaginatively put it, between “Belarus and Brussels” (Ashdown, 2005a).

But Bosnian Serb politicians were unhappy with the proposed package. Under the leadership of the SDS (*Srpska Demokratska Stranka*, the Serb Democratic Party) Prime Minister Pero Bukejlovic, the nationalist majority in the RSNA chose “Belarus,” seeing police reform as erosion of Republika Srpska, for its Interior Ministry would be abolished. Further, the proposed police districts were to be organized on a technical and geographic, rather than an ethno-territorial basis, thus undermining the Inter-entity Boundary Line (IEBL). The defiant vote threatened to derail BiH’s chance for SAA talks, leaving it the only state in the western Balkans without any agreement with the EU. In a remarkable press conference days after the

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<sup>5</sup>In addition to the constitutions for the state of BiH and its two entities, each of the 10 cantons drafted its own constitution, and soon thereafter there were 13 “ministers” in charge of similar portfolios.

<sup>6</sup>Composition of the text of the agreement was overseen by James O’Brien, a leading constitutional lawyer at the U.S. State Department, who managed the American input that was provided by the Pentagon and State Department. He then worked with Richard Holbrooke and lawyers for the negotiating parties to hammer out an agreed text that all parties could sign. In an anniversary speech on the agreement, he pointed to places in the text where he deliberately placed wording that could be used to strengthen the state and modify the agreement if the parties so desired. These passages allowed constitutional changes to be implemented through the state-level House of Representatives (and House of Peoples) without the approval of the entities, in effect offering a legal mechanism to undermine their power (O’Brien, 2005).

vote, Ashdown, Humphries, and McElhaneý warned the RSNA to “think again,” or face international isolation. The Peace Implementation Council, the group of international states behind the OHR, was itself re-thinking Ashdown’s preordained package approach, while a split loomed within the SDS between pragmatic Euro-Serb nationalists, lead by RS President Dragan Cavic, and traditional Belgrade-oriented hardliners, represented by Bukejlovic. With U.S. government encouragement, a deal with Cavic was brokered that left the politically sensitive details of institutional reform and police districts to a special commission that would meet at a later date. In early October, the RSNA reversed itself and passed a law committing itself to police reform that respects EU requirements within five years.

The SAA negotiations, which commenced on January 25, 2006, were of course more than the culmination of a year’s struggle. The invitation was the most significant achievement of the tenure of Paddy Ashdown as OHR, which ended in February 2006, and a vital milestone in the “Dayton to Brussels” strategy he articulated so forcefully over the previous three years on behalf of the international community (Ó Tuathail, 2005). This strategy sought to use the desire of most politicians in BiH’s three predominant ethnic groups to “join Europe” as a catalyst for change and conflict resolution. If embedded in the twin Brussels-based Euro-Atlantic institutions of NATO and the EU, BiH could overcome, or at least ameliorate, some of the structural geopolitical disadvantages it suffered as a state (Ó Tuathail, 2006). What Ashdown described as the “pull of Brussels” enabled the international community to exercise soft power to nudge BiH’s politicians toward EU-required reforms, at the core of which was the development of BiH as a coherent and functional state. To Ashdown, the Dayton Peace Accord was a necessary and vital mechanism for moving Bosnia from warfare to peace.

Dayton also grew from within. Constitutional changes precipitated by a Constitutional Court decision expanded minority access to political positions in BiH’s entity governments. The OHR championed use of article III 5a of the BiH constitution, which allows entities to pass competencies to the state level, to build the foundation for a modern BiH state, with achievements like a single customs service and state taxation system, armed forces under the exclusive command and control of the state, and special judicial chambers to fight organized crime and examine war crimes. The BiH Council of Ministers, the closest BiH has to a government cabinet, was expanded from six to nine ministries (Fig. 1) and the formerly rotating Chair was made permanent.

But the bureaucratic incoherence of Dayton is ultimately a considerable encumbrance to BiH’s movement toward the coherent and functional state the EU accession process requires. As Principal Deputy High Representative Lawrence Butler (2005) observed, Dayton failed to give BiH “the right kind of ‘adapter’ to plug into the European integration process, but it did give it the means to modify the adapter to do this.” This is why, after striking a bargain on police reform, the international community quickly moved to a push for constitutional changes, hoping to instrumentalize the DPA anniversary to force the leaders of BiH’s main political parties to sign an agreement.

Talks on constitutional change between the leaders of BiH’s main political parties have been under way for the last year, facilitated by former Deputy High Representative, Donald Hays, who was transferred by the U.S. State Department to the U.S. Institute of Peace to work specially on the issue. These talks are focused on four issue areas:

1. *Governance* questions, which revolve around making the Council of Ministers a functional and effective government for the state. There is general agreement to expand the Council of Ministers from nine to eleven Ministries (adding the ministries of Agriculture and of Science, Technology, and the Environment) and to

grant the Chair the power to hire and fire cabinet ministers, something not currently possible.

2. *Human rights* questions, which concern strengthening individual and minority rights in line with the European Charter on Human Rights.

3. The office of the *Presidency*, which is currently a Yugoslav-style rotating presidency with one Bosnian Serb elected from the territory of the RS, and one Bosnian Croat and Bosniak elected from the Federation. This exclusivist ethnoterritorial system of election means that non-Serbs who may have returned to the RS or Bosnian Serbs living in the Federation cannot vote for a candidate of their own ethnicity (or, for example, a Bosnian Jew). Agreement is emerging on a single president and two vice presidents, and with a reduced portfolio of powers. The rotation issue is yet to be resolved.

4. The *BiH parliament* currently comprises a 42-member House of Representatives and a 15-delegate upper House of Peoples (Fig. 1). The former is directly elected, whereas the latter is appointed by the Federation House of Peoples and the RS National Assembly. The House of Peoples has the power to block legislation that passes the lower House of Representatives by evoking a “vital national interest” clause. Current proposals are to change how this House is assembled, focus discussions on the “vital national interest” to this body, and carefully circumscribe its use.

The details of constitutional change are often arcane and legalist, but existential identity questions about nationality are never far from the process. Bosnian Serb political parties vow publicly to protect the status and interests of Republika Srpska, while Bosniak political leaders call for the abolition of all entities and for a centralized state of citizens. Croat political leaders seek a re-organized meso-level of government, between the state and municipalities at the local level, which will give them something equivalent to their own entity. Some Bosnian Croat leaders explicitly call for a “third entity” for Croats by dividing the Federation of Bosnia and Herzegovina.

Beyond the theater of public posturing as BiH’s parties gear up for elections in October 2006, the constitutional talks have proceeded reasonably well, with BiH political leaders (beginning in Brussels in November 2005) chairing sessions themselves and international officials trying to facilitate but not lead or impose solutions.<sup>7</sup> However, the Dayton anniversary conference in Washington DC (November 2005) yielded only a signed commitment of the political leaders to reach agreement by March 2006 (the last possible date, six months before elections) for constitutional changes. Public posturing by the main leaders upon return from Washington suggested that the talks were a failure (Numanovic, 2005). One significant development in Washington, however, was the U.S. government’s commitment to a conceptualization of the process as having two phases, a first that addresses state-level institutions and a second that addresses institutions below the state (entities, cantons, and municipalities).<sup>8</sup> This allows Bosniak and Bosnian Croat parties to claim that the process is not over,

<sup>7</sup>Interview with Don Hays, U.S. Institute of Peace, Washington, DC, February 9, 2006. Hays indicated that the U.S. government has no preferred solutions to the talks beyond those that will lead to a more effective and functional BiH state that will facilitate its movement toward the European Union.

<sup>8</sup>Don Hays, as quoted in *Dnevni Avaz* [largest BiH daily newspaper], cover and page 5, November 25, 2005.

while it allows Bosnian Serb political leaders to claim that they have successfully defended the status of Republika Srpska. Thus progress made before the Dayton anniversary has been built upon since then, and the ongoing talks are likely to yield an agreement between the parties by the March deadline.

One interesting development in early 2006 was the fall of the SDS coalition government of Pero Bukejlovic in the RS assembly and its replacement by a coalition government lead by Milorod Dodik, the leader of the SNSD (*Stranka Nezavisnih Socijal Demokrata*, the Party of Independent Social Democrats), a more moderate Bosnian Serb nationalist party that is an arch-rival of SDS. Riding high in public opinion polls with an election approaching, Dodik's assumption of power, surprisingly accepted by the RS President and SDS leader Dragan Cavic, appears to be a calculated gamble that it is better to be in office than out of office as an election approaches, especially when increased revenue streams from BiH's Indirect Tax Authority<sup>9</sup> come on stream for potential usage to boost salaries and pensions. Dodik's position is also likely to boost the possibility of constitutional changes being enacted in the state-level House of Representatives by the March deadline.

### PUBLIC OPINION

What are the attitudes of ordinary Bosnians and Herzegovinians to the Dayton Peace Accords ten years later, to the need for state-strengthening reforms, including constitutional reforms, and towards the EU accession process for BiH? In August and September 2005, Prism Research, a leading public opinion survey company in BiH, conducted a series of surveys of the public attitudes of Bosnians and Herzegovinians to the state of their country ten years after Dayton. The August and September surveys were part of its regular "omnibus" survey. The polling method uses random nationwide sample and face-to-face interviews of adults. The sample is stratified by 2 entities, 3 ethnic majority areas, 18 regions, 3 sizes of municipalities, and 2 types of settlements (urban and rural); the 1550 respondents are representative of BiH's population, including its three major ethnic groups. The margin of error is  $\pm 3$  percent.<sup>10</sup>

A subsequent, November 2005 survey was specially commissioned by Ó Tuathail and O'Loughlin as part of a National Science Foundation research project on the "Outcomes of War in Bosnia and the North Caucasus of Russia." It used the same selection of respondents as the Prism Research Face to Face Omnibus surveys, but the *općine/opštine* (municipalities) included in the sample were determined by a clustering of all the *općine/opštine* in BiH with nearly 30 census-type variables; 35 *općine/opštine* distributed across the ethnic regions of BiH were then randomly picked. With a sample of 2000, the margin of error is  $\pm 2.5$  percent. The general locations of the regions examined are shown by ethnicity in Figure 2.

From these surveys we have chosen a series of questions that illustrate important positions and cleavages within Bosnian and Herzegovinian political life and geopolitical culture. Our analysis of these survey questions here is inevitably brief, but we expect to follow up with more in-depth studies in the future.

### A Consensus for Change

Since 1995, BiH has struggled with a daunting triple transition, from war to peace, from authoritarianism to democracy, and from an organized command economy to a capitalist

<sup>9</sup>The increased revenues are a consequence of the introduction of VAT (value added tax) in January 2006.

<sup>10</sup>For survey details, see [http://www.prismresearch.ba/eng/sind\\_research/sind\\_research\\_f2f\\_omnibus.htm](http://www.prismresearch.ba/eng/sind_research/sind_research_f2f_omnibus.htm).

**Table 1.** “Some People Say that the Current Constitution of Bosnia-Herzegovina Does Not Work. To What Degree Do You Agree With This Opinion?”

Response <sup>a</sup>	BiH total	Bosniaks	Serbs	Croats
Agree	72.6	77.2	71.3	64.0
Do not agree	18.8	12.9	22.1	23.7
Don't know	6.5	8.8	3.9	7.5
Refuse to answer	2.1	1.0	2.7	4.8

<sup>a</sup>Answers in percentages for each group;  $n = 1550$ .

Source: Prism Research, Sarajevo. Public opinion poll, September 2005.

market economy. Historically, there was no such thing as a “BiH economy.” Predominantly agricultural, the region was integrated into Yugoslav-wide networks and the beneficiary of a Yugoslav “defense-in-depth” policy that saw major industrial plants located in Bosnia’s mountains for security purposes. However, once warfare broke out, the basis for BiH’s relative economic prosperity was destroyed. Despite considerable reconstruction help and modest economic growth, BiH is still some distance from recovering to the level of 1991 (Pugh, 2005). The official unemployment rate is around 45 percent, foreign investment levels are low, while those sectors of the economy that show some dynamism have to negotiate the pervasive influence of criminal networks (EIU, 2006, p. 25). Today, BiH is the poorest country in the western Balkans, with a per capita income of \$2040, which is slightly less than that for Albania at \$2080 (World Bank, 2006).

Consequently, there is a deep reservoir of frustration across BiH’s different communities with unemployment, economic stagnation, criminality, and politics. Under Ashdown, the OHR repeatedly emphasized how BiH had a political system that it could not afford as a small impoverished state. “No state can win the loyalty of its citizens when it spends 70 percent of their taxes on government and only 30 percent on services” (Ashdown, 2005b). UNDP-sponsored surveys of 1500 adults, conducted by Prism Research using their standard sampling techniques, reveal high levels of dissatisfaction with politics as usual. In response to the question “with regard to politics, things in BiH are getting...” 65.7 percent in Bosniak-, 54.6 percent in Bosnian Croat-, and 68.3 percent in Bosnian Serb-majority areas answered “worse” (as opposed to “better” or “do not know/no answer”) (UNDP, 2005, p. 44). In these circumstances, there is a general consensus for change in BiH’s constitutional structure. This baseline consensus for change is evident from two questions asked by Prism Research in their September 2005 Face to Face Omnibus survey.

The first question asked respondents about their opinion on whether the current constitution of BiH works or not (Table 1). As is evident from the ratios, there is an overwhelming cross-ethnic consensus that BiH’s current system of government does not work. Bosniaks are the most demonstrative on this point, but to a lesser degree so also are Bosnian Serbs and Bosnian Croats, with less than one in four Bosnian Croats and Bosnian Serbs asserting that the constitution is working. The second question asked respondents if they supported the rationalization of the state with a less costly state administration at all levels and a decrease in the tax burden on citizens through fewer levels of government (Table 2). This less bureaucratic vision of the state is not a neoliberal vision, but recalls Bosnia’s governance system during Yugoslav times (remember that BiH’s entities and cantons are Dayton creations with no historical precursors). Again, we see a solid cross-ethnic majority in favor of this vision of

**Table 2.** “Do You Support the Rationalization of the State of Bosnia-Herzegovina with a Less Costly State Administration at All Levels and a Decrease of the Tax Burden on Citizens through Fewer Levels of Government from the Current 13 to Fewer Constitutions, etc.?”

Response <sup>a</sup>	Bosniaks	Serbs	Croats
Yes	66.7	57.3	82.7
No	13.3	18.5	8.3
Don't know	14.7	18.6	6.8
Refuse to answer	5.3	5.6	2.2

<sup>a</sup>Answers in percentages for each group;  $n = 1550$ .

Source: Prism Research, Sarajevo. Public opinion poll, September 2005.

**Table 3.** “There Are Many Models, Varying Opinions and Numerous Proposals about How, on New and Better Foundations, to Organize the State of Bosnia-Herzegovina. Which among the Following Models Do you Consider to Be the Best?”

Model and Response <sup>a</sup>	Bosniaks	Serbs	Croats
BiH as a simple state—with state and <i>opštine</i> only	55.6	19.7	15.3
BiH as a simple state—with state, regions, <i>opštine</i> only	11.7	4.9	7.6
BiH as a complex state—entirely cantonized but no entities	4.1	4.4	13.6
BiH as a complex state—confederation or federation	2.8	5.0	22.0
None of the above	3.3	40.8	18.9
Don't know	17.1	20.0	17.3
Refuse to answer	5.5	5.1	5.4

<sup>a</sup>Answers in percentages for each group;  $n = 1550$ .

Source: Prism Research, Sarajevo. Public opinion poll, September 2005.

state governance, although it is noteworthy that a higher percentage of Bosnian Serbs relative to the other two communities are either opposed to this vision or cannot decide (“do not know”), perceiving perhaps that this means the end of the Bosnian Serb entity, Republika Srpska.

The sensitivity of some Bosnian Serbs to constitutional change that involves abolition of BiH's entities is evident from responses to a question asking respondents which state constitutional model they preferred (Table 3). Two of the options are of BiH as a simple state, the first being the closest to the pre-war Yugoslav two-level governance structure with a state and *opštine* and no intervening institutions. This is the greatest preference of Bosniaks in the sample, with 55.6 percent selecting this option, even though it is only one of seven possible answers. Two of the options are of BiH as a complex state, although both exclude the entity level of governance. In the first, BiH would be entirely cantonized, a model suggested by the European Stability Initiative in 2004 (ESI, 2004). The second has BiH as a Federation or Confederation comprised of “three multinational republics” as a meso-layer of governance between state and municipality. This option, which could be interpreted as establishing three

**Table 4.** “The Best Solution Would Be to Shut Down the Government, State, and Entity Parliaments, and Introduce Experts from the European Union Exclusively, Who Would Finalize All Reforms Required for Joining Bosnia-Herzegovina to the European Union”

Response <sup>a</sup>	Bosniaks	Serbs	Croats
Agree	48.9	44.0	37.5
Do not agree	27.8	45.6	37.4
Don't know/refuse to answer	23.3	10.4	35.1

<sup>a</sup>Answers in percentages for each group;  $n = 1550$ .

Source: Prism Research, Sarajevo. Public opinion poll, September 2005.

entity-like structures (and thus a “third entity” for Bosnian Croats), is the one most favored by Croat respondents, although it only gets 22 percent of the Bosnian Croat total. All four initial options explicitly have the declaration “without entities” in their model description in the questionnaire. This is most likely the reason why the fifth option, “none of the above,” is the choice of a significant 40 percent of all Bosnian Serb respondents. Note that the “do not know” and “cannot decide” answers are substantial, accounting for one in four Bosnian Serbs and over one in five Bosniaks and Bosnian Croats.

One of the hopes of BiH’s movement along the road toward Brussels is that this process can provide the necessary external geopolitical security, direction, and stimulus to break internal BiH political stalemate. The Prism Research survey asked Bosnians and Herzegovinians to respond to the provocative statement that the “best solution would be to shut down the government, state, and entity parliaments, and introduce experts from the European Union exclusively, who would finalize all reforms required for joining Bosnia-Herzegovina to the European Union.” Table 4 reveals that a majority of Bosniaks accept this view, with both the Bosnian Serbs and Bosnian Croats almost evenly split on whether they agree or not. The response can be interpreted as a crude index of levels of trust in the European Union as well as levels of distrust of (and disgust with) domestic politicians. Ironically, Bosnia’s Muslims are most inclined to accept EU expertise and its promise of rational governance, whereas Bosnia’s two Christian communities are somewhat more suspicious. For most Bosniaks the European Union (and NATO linkages and eventual membership) represents security in the future from any aggression from neighboring Serbia or Croatia. More EU and NATO also means less Republika Srpska or Bosnian Croat separatism, and a binding set of norms, procedures, and connections that provide security guarantees that BiH will not break up in the future. Interestingly, the “do not know” is significantly less among Bosnian Serbs, suggesting they are more polarized on a pro or anti-EU axis than the other two communities.

### The Divide between Euro-Nationalists and Paleo-Nationalists in Republika Srpska

A series of questions from Prism Research’s August 2005 Face to Face Omnibus survey allows us to explore the attitudes of residents of Republika Srpska more thoroughly. This is a worthy undertaking because it is the RS that is generally perceived as the source of the greatest resistance to BiH’s “Dayton to Brussels” path. Although the number of respondents is only 614, it is sufficient statistically to provide a picture of the RS’s estimated population of 1.2 million. It should not be assumed that all residents of the RS are Bosnian Serbs, since

**Table 5.** “To What Extent Is it Acceptable for You That Bosnia-Herzegovina Make Significant Changes in Its Constitutional System in Accordance with EU Requirements on the Path to the EU?”

Response <sup>a</sup>	Percent
Totally acceptable	10.7
Somewhat acceptable	50.4
Somewhat unacceptable	16.8
Not acceptable at all	10.5
Don't know/refusal	11.7

<sup>a</sup>Respondents from RS only, n = 614.

Source: Prism Research, Sarajevo. Public opinion poll, August 2005.

registered minority returns to RS of Bosniaks exceeds 149,000 and Croats 10,000, although there are no accurate statistics on how many of these have stayed (Ó Tuathail and Dahlman, 2004). Including minority returns and other minorities (e.g., Roma, Ukrainians), a rough guess is that the non-Serb population of the RS is 12 percent. Prism Research asked the following questions about the RS's future within BiH's “Dayton to Brussels” process. First was it acceptable to respondents that BiH make significant changes in its constitutional system in accordance with EU requirements? Table 5 displays the results, which show that a majority consider it “somewhat acceptable.” Only 10.5 percent found it to be “not at all acceptable.”

The second question asked residents whether they believed there would be a RS as it exists now at the end of the process of BiH integration. A “RS in the EU” is the proclaimed goal of Bosnian Serb Euro-nationalists, those who believe that the best future for their people lies in membership within the European Union. Dragan Cavic, Milorod Dodik, and BiH Foreign Minister Mladen Ivanic are in this camp. This position is distinct from a Bosnian Serb paleo-nationalism (from the Greek root *palaeo-* meaning “ancient” or “old”) that promotes unity with Serbia and the hegemony of an Orthodox civilization. This position is best personified by SDS founder Radovan Karadžić and his supporters.

In a pragmatic accommodation of Bosnian Serb nationalism, European Union officials publicly declared that a “RS in the EU” is plausible, namely that there is no ostensible conflict between the RS and “European values.”<sup>11</sup> Survey respondents in the RS reveal a degree of pragmatism themselves about the process of EU accession and what it means for the RS. Only half of the respondents believe, either totally or somewhat, that the RS will exist in its current form at the end of the EU integration process (Table 6).

The third question asked RS residents to choose between the EU and the RS entity as the best means to guarantee the sustainability of Serbs within Bosnia. Revealingly, a clear majority chose the RS over the EU integration process in the region, suggesting that the RS entity that currently exists as a governmental apparatus and expression of Bosnian Serb

<sup>11</sup>Response of Reinhard Priebe, Director of the Western Balkans, Deputy General External Relations, European Commission in response to a question by the first author at the conference “Dayton: Ten Years After,” UNITIC Centre, Sarajevo, November 29, 2005. Responding also, Mladin Ivanic declared that any abolition of the status of the RS will plunge BiH back into “a pre-war situation.”

**Table 6.** “To What Extent Do You Believe RS Will Exist in Its Current Form at the End of Bosnia-Herzegovina’s Integration into the EU?”

Response <sup>a</sup>	Percent
Totally believe	14.6
Somewhat believe	35.6
Somewhat disbelieve	19.0
Do not believe at all	22.4
Don’t know/refusal	8.4

<sup>a</sup>Respondents from RS only,  $n = 614$ .

Source: Prism Research, Sarajevo. Public opinion poll, August 2005.

**Table 7.** “Which of the Following Two Opinions is Closer to Yours?”

Opinion and response <sup>a</sup>	Percent
The sustainability of Republika Srpska is the only guarantee for the sustainability of Serbs in BiH	66.2
BiH integration into EU, together with other countries of ex Yugoslavia, is a guarantee for sustainability and prosperity of Serbs in BiH	25.9
None	3.1
Don’t know/no answer	4.8

<sup>a</sup>Respondents from RS only,  $n = 614$ .

Source: Prism Research, Sarajevo. Public opinion poll, August 2005.

national identity means more to them than the “Dayton to Brussels” process, which is still abstract and promissory (Table 7). A different variant of this “choice” is evident in the BiH-wide question posed by the Prism Research September 2005 Face to Face Omnibus Survey. Here respondents were asked, in the conditional form even though it is an explicit NATO and EU requirement, whether they supported the surrender of the founder of SDS and indicted war criminal Radovan Karadžić to the Hague as a condition of NATO and EU membership. As might be expected, an overwhelming 91.5 percent of Bosniaks support his surrender, with only slightly less Bosnian Croats (86.6 percent) agreeing also. However, Bosnian Serb public opinion shows a significant split between those who support and the majority (53.8 percent) who oppose this “surrender” (Table 8). What this suggests is the existence of a significant divide within Bosnian Serb public opinion in BiH between a smaller group of Euro pragmatists who are willing to critically evaluate former “Serb heroes” and a larger group of hard-line nationalists who still choose nationalist “heroes,” even individuals accused of genocide, over the promise of Euro-Atlantic integration.

### Attitudes toward Dayton after a Decade

During the anniversary month of the Dayton Peace Accords, while Bosnia’s political leaders debated constitutional change in high-profile conferences in Brussels and Washington, our survey of 2,000 Bosnians and Herzegovinians, using a cluster analysis

**Table 8.** “If the Surrender of Radovan Karadžić Would Be a Condition for Bosnia-Herzegovina to Join NATO and the European Union, Would You Support his Surrender?”

Response <sup>a</sup>	Bosniaks	Serbs	Croats
Yes	91.5	37.4	86.6
No	5.8	53.8	5.9
Don't know/refuse to say	2.8	8.8	7.5

<sup>a</sup>Answers in percentages for each group;  $n = 1550$

Source: Prism Research, Sarajevo. Public opinion poll, September 2005.

**Table 9.** “It Is Now 10 Years since Dayton Peace Accords Were Signed. Which of the Following Best Expresses Your Opinion of Dayton?”

Opinion and response <sup>a</sup>	BiH	Bosniaks	Serbs	Croats
Dayton has generally been positive and should not be altered	19.7	7.0	41.5	7.6
Dayton was necessary to end the war, but now BiH needs a new constitution to prepare for the EU	47.5	63.2	28.6	43.7
Dayton was imposed on BiH by foreign powers	13.9	7.7	17.4	24.7
Dayton has generally been negative and should be abolished	10.8	13.4	3.8	18.7
Don't know/difficult to say	7.1	7.1	8.0	5.0
Refuse to answer	0.9	1.5	0.5	0.3

<sup>a</sup>Answers in percentages for each group;  $n = 2000$ .

Source: NSF project survey, Prism Research, November 2005.

methodology, asked a specific question about the attitudes of BiH citizens toward the agreement. Giving respondents four storylines on Dayton,<sup>12</sup> we asked which one best expressed their opinion of the agreement (Table 9). A solid plurality (47.5 percent) of Bosnians and Herzegovinians chose the OHR storyline that “Dayton was a necessary agreement to end the war but now Bosnia needs a new constitution to prepare for Europe.” Less than 20 percent chose the second storyline: “Dayton has generally been positive and should not be altered.” The “Dayton was imposed” storyline attracted 14 percent, while the “Dayton was negative and should be abolished” garnered support from over 10 percent.

A different picture emerges when we look at the results by ethnicity. For Serbs, the second storyline— “Dayton has generally been positive and should not be altered”—is the most popular, garnering over 41.5 percent of all Bosnian Serb respondents. We cross-tabulated the responses with other factors like education, age, income, and socio-economic status, but nothing is statistically significant, except ethnicity. In fact, ethnicity in BiH dominates all the usual socio-demographic cleavages that one sees in modern societies. It is worth noting that one in four Bosnian Croats view Dayton as imposed and that almost one in five view it as

<sup>12</sup>On storylines, see O’Loughlin et al. (2004).



**Fig. 2.** Sample regions in Bosnia-Herzegovina.

negative, attitudes presumably linked to the fact that it institutionalized two and not three entities.

Further analysis of the responses to the Dayton storylines by geographic region within BiH and controlling for ethnicity shows some important differences. Serbs in the Bijelina and Pale areas (Fig. 2) in the eastern RS (with 71 percent and 62 percent respectively, compared to an overall Serb average of 41 percent) show much higher support for the first storyline, that the Dayton agreement was a positive outcome. These regions are generally held to be “heartland” areas of Bosnian Serb separatism. For Bosniaks, there are strong regional differences around the group average of 62 percent that opted for the second Dayton storyline about the agreement being necessary but now needs updating. Bosniaks in the northwestern corner of BiH (Una-Sana Canton at 33 percent) and in Central Bosnia Canton (27 percent) (Fig. 2) show much lower levels of support for this choice compared to the very high ratios in Brcko District (92 percent), Tuzla (89 percent), and the DoboJ-Zenica area (84 percent). This geographic variation is possibly the result of the relative disconnectedness of Bosniaks in the Una-Sana, “surrounded” by Croatia to the west and north, the RS to the east, and the Serbs and Croats in Canton ten (“West Bosnia”) to the south. Central Bosnia was the site of bitter wartime fighting between Bosniaks and Bosnian Croats (Shrader, 2003). Minority returns have occurred, but divisions and suspicions persist, with both cantons characterized by considerable dysfunctionality. Bosniaks in Una-Sana (33 percent) and Central Bosnia (46 percent) showed much higher ratios that the Dayton agreement was a negative development than the overall Bosniak average (14 percent). For each of the storylines, there are dramatic differences between the four Bosnian Croat-dominated sampling units shown in Figure 2. Although a plurality of Bosnian Croats think of the agreement in the same way as

the majority of Bosniaks (that it was necessary in 1995 to stop the fighting but now needs updating), Bosnian Croats in Central Bosnia are much more supportive of this position (72 percent compared to the 45 percent overall average). Unlike Bosniaks in this region, Bosnian Croats consider Dayton more positively because it protected them from being overrun by the more numerous Bosniaks. Our intuition that responses to key attitudinal questions would vary not only according to ethnicity but also according to region (as a result of war experiences and post-war developments) are supported by these varying ratios. We will explore these geographic differences further in future work.

## CONCLUSION

It is indeed ironic that the greatest opponents to the implementation of the Dayton Peace Accords from 1996 onwards, the Bosnian Serbs, are now the community that view the agreement the most positively. The reason is not difficult to fathom. For Serb nationalists, Dayton legitimated Republika Srpska as an ethnoterritorial entity, even though it was founded through ethnic cleansing directed by indicted war criminals. Yet the polling we have reviewed here reveals that different Bosnian Serb attitudes exist toward constitutional change and BiH's European future. Some within the RS are rejectionists and support paleo-nationalist leaders. Others are pragmatists. Although only 28.6 percent of Bosnian Serbs agree with the majority of Bosniaks and plurality of Bosnian Croats that "Dayton was necessary, but now BiH needs a new constitution to prepare for Europe," the current leaders of all the main Bosnian Serb political parties accept this storyline. These leaders have to be seen making a stand to "protect the sovereignty" of Republika Srpska for electoral reasons, but they are constrained by structures, processes, and norms that inevitably force upon them compromise and amelioration of their more exclusivist visions and views. An isolated and ethnically pure RS statelet is not a viable and sustainable option. Nor is unity with a much larger Serbia, itself preoccupied with its own problems, where their power and significance would be parochial. The only politically pragmatic option for these leaders and their political parties is to accommodate themselves to their Bosnian context and negotiate hard so that their presence is central to the functioning of the state, a state they have no other choice but to build if they wish to be perceived by the international community as "responsible leaders" worthy of becoming "good Europeans."<sup>13</sup>

What this means is acknowledgement of the border between the RS and Serbia as an international border, softened in the future as the regional EU accession process, rather than violent state-making, "unites the Serbs." It also means accepting that the IEBL within BiH is a meaningless internal border that is fated to disappear. Indeed, some international officials and politicians claim that Bosnian and Herzegovinian politicians privately concede that BiH's entities will disappear within a decade as the state gets stronger and municipal reorganization builds local capacity to deliver the services currently managed at the entity and canton level.

A source of expectation that the European accession process will dilute nationalist fervor across Bosnia is the experience of other nationalist parties and political constituencies in countries on the accession path toward the European Union. The "road toward Brussels" has a tendency to stimulate the modernization and moderation of nationalist party platforms, and to focus nationalist voters on the future (Vachudova, 2005). The European Union holds

<sup>13</sup>Soft power works by elite subject-positioning (see Harré and van Langenhove, 1999).

similar meaning for all Bosnians. It represents the prospect of security from future wars, greater economic prosperity, and a better future for the young. In a word, it represents “change.” Framing elections around the promise of EU accession, however, will be a challenge given the proven power of ethnic fear and zero-sum ethnic polarization in BiH. The country still faces significant challenges, but the next ten years are likely to be much more progressive and dynamic for the country than the past decade because of the EU accession process. With EU membership possible on the twentieth anniversary of Dayton, there may eventually be something to celebrate on November 21 for all of BiH’s citizens.

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