

Kumar

Preface

This book is intended to counter the recently revived idea that partition can be a solution to ethnic conflict. Originally a colonial formula, partition assumed two distinct forms after the Second World War: ethnic partition, which was accepted as a compromise formula for decolonization, and ideological partition, which was primarily a means of distinguishing Cold War spheres of influence. Though ideological partition grew in importance during the Cold War, ethnic partition suffered a loss of legitimacy, and has gained a new lease of life chiefly in the wake of the 1995 Dayton Agreement for Bosnia-Herzegovina. Its reappearance in a post-colonial and post-Cold War era is especially curious, given that the disintegration of the Cold War has delegitimized ideological partitions (such as Germany and Korea). Indeed, in the present time the formula is essentially anachronistic.

Partition draws on structures of ethnonational negotiation which were developed under colonialism: because they were rooted in divide and rule policies, when the shift to decolonize occurred it took the form of divide and quit. Herein lies the rub. In the case of Bosnia, the divide and rulers (Radovan Karadzic and Ratko Mladic, Slobodan Milosevic and Franjo Tudjman) are quite different from the divide and quitters (Western Europe and the US, roughly a dozen multinational institutions). Thus, the established process of the shift to divide and quit, which entails the relinquishment of divide and rule, has followed a different trajectory in Bosnia. Though the international community has outlawed divide and rule, its local proponents have not. Whether it is possible to accommodate divide and rule within divide and quit, however, is a moot

point. As the following chapters seek to argue, the Bosnian war and the post-war experience of implementing Dayton indicate otherwise.

In fact, the Dayton Agreement was prefaced by a post-Cold War initiative to overcome the troubled history of partition, which dealt with both ethnic and ideological partitions and focused in particular on the unstable ethnic partitions of Ireland and Cyprus, the incomplete ethnic partition of Israel-Palestine, and the partition-in-making of Bosnia-Herzegovina. The brave new post-Cold War world, it seemed for a few giddy years, would redeem its ugly history of war and division. In the immediate aftermath of the Cold War, the US and the UN adopted a new development-centred approach which I have dubbed “renewable peace”, because it recognizes that the process of emerging out of partition war is a slow and difficult one. The concept of renewable peace is based on three key elements: that instead of seeking an overall political settlement determined by conditions of war, the goal is to identify windows of opportunity for peace within an ongoing conflict; that instead of waiting for the end of war before investing in peace, each window of opportunity will be used to initiate programmes which might then widen the terrain of peace (what the Clinton government called the “economic underpinnings of peace”); and that a wider regional responsibility for nurturing the transition to peace – through regional development banks and multilateral peace making – is crucial.

A policy combining these three elements has been deployed to differing degrees in Northern Ireland, Israel-Palestine, Cyprus and Bosnia, and can be said to mark a critical boundary of post-colonial and post-Cold War peace making. While timidity and a lack of political will mean the policy is still inchoate, historically this is par for the course for international policy formation. A comparison of pre- and post-Cold War divide and quit, this book argues, in fact indicates that the revival of ethnic partition theory is not only short-lived but points to a wider process of change in which the deployment of partition as a solution to ethnic conflict will be seen as doing more harm than good, whether in the short or long term.

A Lesser Evil

In November 1995, when the Dayton Peace Agreement was signed, few believed that the West would put in an intervening force of some sixty thousand troops only to ratify through peace what the war was fought for: ethnic states. But as the “Dayton process” unfolded, many began to recognize that the agreement, with its formal recognition of Republika Srpska, was essentially a partition agreement with an exit clause – that once a partition could be stabilized, the international community would be able to withdraw from an area into which it was dragged hind foremost. In fact, however, the Dayton Agreement included two exit clauses, as a form of double indemnity. While key aspects of the agreement, such as the creation of two “entities” with virtually separate legislatures, administrations and armies, went towards partition, attempts to bypass its more hostile legacies were made through provisions for a common economic space, arms control and – in a new departure for most international agreements – an emphasis on the role of civil society. Indeed, in a special twist, the Dayton Agreement’s clauses on elections put the onus of choosing between partition and reintegration on a shattered and terrorized Bosnian civil society: if the Bosnian electorate (including the Bosnian Serbs) voted out their nationalist, and in some instances criminal, leaders, then the West would support moves towards reintegration. If, on the other hand, the Bosnian electorate remanded ethnonationalist leaders, then the international community would accept partition as the “democratically expressed will of the people”.¹

However, the decision to hold elections in a still very uncertain peace in Bosnia marked the tilt towards partition: as was predicted, the Bosnians remanded their ethnic leaders and Bosnia moved a step forward in the transition to partition. The step remained a very hesitant one: though legislative elections were held, attempts to resettle areas through voter registration, combined with a rise in violence in the run-up to elections, forced the international community to postpone cantonal and municipal elections indefinitely. The mandate for partition was still unclear.

The Bosnian war and the Dayton Agreement reignited interest in a theory which had fallen into disuse since the 1970s, that partition could be a solution to ethnic conflict. Only six years earlier, in the immediate aftermath of the fall of the Berlin Wall, the reunification of Germany was hailed both as the triumph of democracy over totalitarianism and as a marker of Europe's potential union. In a flush of enthusiasm, the Western powers expanded the Helsinki Accords of 1975 and proclaimed the end of hostility between NATO and the Warsaw Treaty Organization (WTO).² The Conference on Security and Co-operation in Europe (CSCE) was formed, partly as a fulfilment of Mikhail Gorbachev's vision of a "common European house"; its establishment also provided a European context to test NATO and WTO's transformation in a reunited post-Cold War Europe. Almost immediately, however, the communist governments of Poland, Hungary and Czechoslovakia fell and the WTO collapsed. Soon after, the Soviet Union quietly dissolved. Though the WTO's collapse sparked fears that the Western powers would have to assume the role of "the world's policemen", the relative smoothness with which the central European countries achieved independence and the Soviet Union dissolved encouraged hopes that European integration could also be achieved relatively smoothly. The newly created CSCE extended membership to all the nations of eastern Europe and the former Soviet Union, and NATO began to discuss enlargement.

A new spirit of overcoming the legacies of partition infused European politics and could be detected in US foreign policy: through a Swedish-Norwegian initiative, Israelis and Palestinians negotiated a historic accord

conceding Palestinian rights to self-rule which was signed in Washington and endorsed by the US; through an Irish initiative, Protestant-Catholic talks yielded new scope to resolve the Northern Ireland conflict and, partly under US pressure, the British government conditionally recognized Sinn Fein as a party in negotiations for Irish self-rule; and the EU and US declared a new resolve to remedy the stalemated partition of Cyprus. Moderate gusts of this spirit reached as far afield as the Indian subcontinent, where UN supported proposals for a common Asian security policy were viewed as a way of getting India and Pakistan to cut back the regional arms race each had waged since the early years of partition. The UN, too, had responded to the disintegration of the Cold War with a sense that it might finally fulfil the role it had originally been founded for but which had been severely curtailed during the Cold War. In 1992, the newly recognized states of former Yugoslavia and the former USSR became UN members. At the same time, the UN's peace-keeping operations dramatically increased. Between 1948 and 1978, the UN had conducted thirteen peace-keeping operations *in toto*, of which five remained operative in 1992. In contrast, between 1988 and 1992 the organization established fourteen new operations; in the first six months of 1992 alone, the peace-keeping budget shot up from \$700 million to \$2.8 billion.³ At the same time, the mandate for peace keeping was expanded, moving towards peace enforcement in some areas and peace building in others. Gradually, too, a new doctrine of humanitarian intervention was beginning to emerge.

The first flush of enthusiasm, however, faded as the enormous costs of transformation, integration and peace making became evident. The massive injection of aid, which the West had promised as a kind of cushion to the USSR while it dismantled its Cold War security apparatus and politically and economically liberalized, was never made. Impoverishment had been one of the causes of the disintegration of the communist bloc; the crisis of state legitimacy which ensued was accompanied by the fragmenting of administrative and political structures and the rise of identity politics. Across most of the republics of the former USSR and east and central Europe, communists turned to mobilizing ethnic constituencies as a way of retaining political power; as economic

and social scarcity increased, so did ethnic politics and the variety of forms of ethnic conflict. As the 1980s boom began to take a downward turn in Europe, the US and the Pacific Rim, it began to seem as if a new two-tier Europe was beginning to take shape, whose first tier would comprise the richer nations of west Europe – perhaps expanded slightly eastwards⁴ – and whose second tier would comprise the entire, partly imaginary, European house contemplated by Gorbachev.

The image of a reunited Europe began to crack. A flow of economic refugees and asylum seekers from Africa and eastern Europe led many in western Europe to question whether the aim of European integration was misplaced in the first place. Denmark's vote against joining the EU in 1992, followed by the narrow margin in favour of European union in France, strengthened scepticism over Europe's capacity to integrate, and the potential for the rapid growth of ethnic conflict in both the East and South, with the massive refugee movements these would entail, became of increasing concern to security analysts. In 1991, the Pentagon issued a paper arguing that the threat of "new conflicts" in the East and South required new forms of intervention. The new conflicts, it said, would appear as protracted low-intensity wars which would not confine themselves within state borders; on the contrary, they were wars which targeted civilians and created massive refugee movements which could destabilize a widening circle of countries and regions.⁵ By 1993, it was estimated that one person in every 130 of world population was displaced due to war.⁶

The term which was increasingly used to describe what fuelled these wars was "ethnic nationalism". Initially, an *ethnie* was broadly construed as a community which collectively defined itself by language, custom, religion, race or culture; ethnic nationalists asserted the primacy of ethnic identities in creating nation states or governing them. In this sense, ethnic nationalism could be defined as qualitatively different from either the European nationalism of the nineteenth century or the anti-colonial nationalism of the twentieth century: while the latter two inclined to egalitarianism and based themselves on citizenship, the former was hierarchical and placed collective rights above individual ones.⁷ However, as ethnic nationalism proliferated it became clear that the

wide definition of *ethnie* was itself problematic as far as the relationship between identity and conflict was concerned.

Historically, in the drive to ethnic war, one form of ethnic identity tended to eclipse the others and that one was religious identity, or as the South Asian term will have it, communalism, that is, ethnic conflict based on religious identity. Though racial identities were adduced in defining the two nations in Palestine, and to a lesser extent in India and Cyprus, the chief determinant was religion: Catholics and Protestants in Ireland, Hindus and Muslims in India, Muslims and Greek Orthodox in Cyprus, and Jews and Muslims in Palestine. In this context, the Yugoslav wars, based as they were not only on dissolving the federation but on redrawing its borders communally – between Slav Muslims, Orthodox and Catholics – brought back a spectre which Europeans thought they had laid to rest, that of religious conflict in Europe. As the aims of the Serbian and Croatian political leadership to divide Bosnia-Herzegovina between them grew increasingly to dominate the wars, a bewildered Europe and the US began to re-examine partition theory at two distinct levels: locally, within nations at ethnic war, and Europe-wide, as a new Berlin wall dividing democracies from ethnocracies.⁸

By the early 1990s, partition was beginning to regain credibility as a solution to ethnopolitical strife, but it was still considered to be legitimate only when achieved by peaceful negotiation. The most commonly cited example of a negotiated and peaceful division was Czechoslovakia's "velvet divorce" of 1992. Though this example was brought up again by Richard Holbrooke in November 1995, when he said on the MacNeil-Lehrer news hour in reply to the question of whether the Dayton Agreement was partition that he preferred to use the example of Czechoslovakia's voluntary dissolution, the fact that Bosnia's communal cartography was drawn by a war targeting civilians rather than an unequal but peaceful negotiation made the comparison invidious. Indeed, the key difference between Bosnia-Herzegovina and the Czech Republic and Slovakia, that the former was ethnically intermixed while the latter were relatively homogenous, meant that the dissolution of the Czechoslovak federation did not require an alteration of internal borders or entail the massive displacement of population, and by 1995

fewer and fewer people referred to the Czechoslovak separation as a context for Bosnia. A closer comparison began to be drawn between Bosnia and the partitions of Ireland, India and Cyprus or the incomplete partition of Palestine, because each involved multi-ethnic and demographically dispersed populations – to varying degrees the ethnic map of each was a checkerboard whose redrawing would entail the massive displacement of people – and each was held to be a pragmatic recognition of irreconcilable ethnic identities.

In fact, the comparison with Ireland, India, Palestine and Cyprus drew attention to a different element of the Bosnian partition process: be irreconcilable ethnic identities what they may, historically the parties at war are generally loath to agree a partition without international mediation. Describing the partition of India in 1947, the former civil servant Penderel Moon summarized the British role in pushing partition through without establishing the boundaries of the new states or planning for the wars which might ensue as “divide and quit”.⁹ The phrase followed on an earlier description of the partition of Bengal in 1905 as “divide and rule”.¹⁰ Both phrases underlined the third party, generally colonial, role in partition and pointed to the fact that decisions to divide are most commonly impelled by considerations which have little to do with the needs or desires of the people who are to be divided. This truism of the history of twentieth-century partitions acquired a new resonance in the Bosnian partition process, which the Dayton Agreement sought to transform into a peacetime, seemingly voluntary, transition, and was given a special twist by the fact that Bosnia was not a colony. A question which arises is whether the thrust towards partition will end in the colonization of Bosnia, a consequence which was partly implied by the Washington Agreement of 1994 under which Bosnia was to confederate with Croatia. Such an outcome would reverse the general twentieth-century process of partition as a means of limited self-determination. However, as this book seeks to argue, it is more likely that the experience of attempting to implement a Bosnian partition in a post-colonial and post-Cold War context will call partition theory itself into question.

Indeed, one of the chief aims of this book is to ask whether partition

might be an anachronistic solution to ethnic conflict in these times. Partition has traditionally been linked to empire: though it has recurred as an administrative means of resolving political conflict since the third century, when Diocletian divided the Roman empire along an east-west axis (on a line which ran through the Balkans), it began to acquire its capital ‘P’ only in the late eighteenth century, through the Russian, Austrian and Prussian partitions of Poland between 1772 and 1918, which can more accurately be described as examples of great power territorial dispositions than of a policy of rule by ethnic or communal division. Divide and rule, in its communal sense, was refined by nineteenth-century British colonialism; paradoxically, the policy developed in an age obsessed with cataloguing ethnic, religious, tribal, linguistic, cultural and civilizational difference, especially in the newly colonized worlds of the East and South. Though such endeavours frequently contributed to superiorist theories of the right to rule, they also contributed to the demarcation of areas of self-rule (for example, in the field of family or personal law, under which different religious groups were bound by their own laws of marriage, divorce and inheritance).

This tangled history continued to dominate partition theory in the twentieth century when, within the British empire, divide and rule began to give way to divide and quit. The shift, which occurred between the two world wars, was itself an important move away from colonialism. While divide and rule had been the dominant motive of partition until the First World War, after the war colonial empires began to be increasingly challenged, and subsequent partitions took place either in the context of devolution (end of empire) or as part of the Cold War policy of zones of influence (Germany, Korea and Vietnam). There were two distinct rationales for the partitions which occurred as a result of the fall of colonial empires: the Wilsonian policy of national self-determination which was put forward as a set of principles on which to base the dismantling of the Ottoman and Austro-Hungarian empires and contain Germany, and the British policy of divide and quit (Ireland, India and, in a delayed response sense, Cyprus and Palestine).¹¹

Ironically, the Wilsonian policy had taken a reunited independent Poland as central (this was one of the fourteen points presented by the

US to the Allies in 1918–19). Given that the Poland which came into being was a conglomeration of territories marked by the empires to which they had belonged, whose people were culturally and linguistically different, and which lacked even road and rail connections between the major towns,¹² the extent to which President Wilson equated national with ethnic identity was ambiguous. The fourteen points, in fact, were careful to distinguish between different forms and conditions of self-determination, from independence to limited autonomy.¹³ But though they were based on a key distinction between the rights of the colonized and the rights of minorities, their adaptation to a time when the division of the spoils was more important than “the interests of the populations concerned”, meant that national or ethnic self-determination – as a value – was more frequently invoked to limit territories than to free them or to unite divided peoples.¹⁴ As Harold Nicolson put it, the fourteen points “were hailed as an admirable method of extracting motes from the eyes of others”, but when reference was made to Cyprus, Ireland, Egypt or India, the most fervent British advocate of self-determination felt his ardour cool.¹⁵

Nevertheless, in the oddly fortuitous manner of much historical change, the Wilsonian principles had an important influence on British colonialism. In the same way as Britain’s colonial interests modified its acceptance of principles of self-determination, the extent to which it did accept them altered its colonial practices. The Mandate system, under which Britain ratified its annexations of Cyprus and Palestine, introduced two notional controls: the first that colonial rule was to be time bound, and the second that the goal of colonial rule was to encourage the “autonomous development” of the colonized people towards self-determination. Henceforth, both were touted as constitutive of British policy in the colonies, though the extent to which either was followed varied in relation to internal and external pressures. (Thus, for example, while Home Rule was being negotiated in Ireland, only the most limited measures for representation were introduced in India; while discussions of India’s status were under way, Palestine and Cyprus were still in the process of limited representation; while independence was granted to India and discussed in Palestine, Cyprus was still in the preliminary stages of devo-

lution.) Nevertheless, the process by which each colony moved towards independence and partition shared a central problem. The combination of the principles of independence and ethnic self-determination filled a gap in the shift from divide and rule to devolution, which centred on the question of how to satisfy the conflicting loyalties which had been created by divide and rule. What evolved as the two-nation theory, which underlay divide and quit, took ethnic identity as a key determinant of political rights. However, it departed from Wilsonian self-determination in one important respect: it was additionally based on the lesser evil argument, that an ethnoterritorial division may not weed out the problem but it would contain ethnic conflict.

The current version of the argument that partition can be a solution to ethnic wars draws on the British colonial view to argue that partition is still the most satisfactory lesser evil (the greater evil being the continuation of a war until its ethnonationalist ends are fulfilled). Thus, its advocates claim, partition is probably the most humane form of intervention in an ethnic conflict because it attempts to achieve through negotiation what would otherwise be achieved through war; it telescopes the conflict and saves lives. It might even save a country from disappearing altogether.¹⁶ Nor is partition only a temporary means of containing conflict; it can provide a lasting means of containment as existing ethnic partitions show, for example in Ireland, India and Cyprus. Implicitly, both the lesser evil and containment arguments rest on a primordialist and insular reversal of Wilson’s principles, which was most succinctly put by Reginald Coupland, the great architect of partition theory in Palestine. Writing in 1937, Coupland argued: “Where the conflict of nationalities has been overcome and unity achieved – in Britain itself, in Canada, in South Africa – one of the parties concerned was English or British, and . . . where that has not been so, as in the schism between the Northern and Southern Irish, or between Hindus and Moslems in India, the quarrel, though it is centuries old, has not yet been composed.”¹⁷ In the early years of the Yugoslav wars, the primordialist explanation that these were “ancient Balkans animosities” was commonly advanced, most often as a reason for non-intervention.¹⁸

The new partitioners, however, reverse the argument and put it forward as the *raison d'être* of intervention.¹⁹

The intervene-to-partition argument begins, as it were, in the middle: that is, its essential postulates are that the push to intervene occurs only when ethnic wars are so well advanced that ethnic politics set the terms for a negotiated peace. In such a situation, the causes of the war become chiefly of academic interest, as does the question of whether there actually is substantial local support for ethnic states. Thus it is not necessary to deal with these issues in order to provide a stable solution to ethnonationalist wars; a territorial separation of the conflicting ethnic groups will end the war because it will grant through peace the ethnically homogenous states which would otherwise have to be achieved through war. However, in ethnically dispersed states it might be necessary to take military control of the region at war in order to create ethnically homogenous states; the population transfers which will have to take place can then be organized under international supervision. Because ethnic homogeneity will obviate friction, the argument concludes, population transfers will ensure some degree of long-term stability. Alternatively, in areas where demographic dispersion might make ethnic homogeneity difficult, population transfers can contain the risks of renewed or continuing communal conflict by reducing minorities to such a small proportion of the population that they cannot be construed as a threat.²⁰

Arguments of this sort claim a hard-headed realism by reference to another argument, that most interventions are guided by self-interest and the less self-interest there is, the more incomplete and potentially damaging the intervention will be.²¹ Where there is little self-interest, therefore, it is especially important to limit both the scope and intent of intervention. In this context, intervening to partition provides a clear intent and a limited goal. Indeed, partition can be the most effective form of containment, taking the narrow definition of containment as limiting the spread of a conflict. Despite the claim of realism, however, such an argument more often inclines towards a Lewis Carroll world of selective meanings. Perhaps the most staggering of these is the way it reverses the argument on intervention, which was originally intended

to curtail the scope to intervene, by proposing a massive military operation not only to separate the warring factions and stabilize the region, as IFOR was and now SFOR is tasked with in Bosnia, but to seek out, "intern and exchange" entire communities of people.²²

In this sense the current argument for partition differs radically from divide and quit, and could more aptly be described as "divide and cleanse". Why a democratic country would wish to commit enormous resources to such a dubious end is not considered; in fact, the argument entirely misses the point that the lesser evil doctrine is based on getting out as quickly and cheaply as possible, and conforms as closely to *laissez-faire* as is strategically and morally feasible. Indeed, it was the recognition that this motive superseded all other considerations for the British which had, in the first place, led the local leadership in Ireland, India, Palestine and Cyprus to accept partition as a lesser evil. Ethnic leaders themselves often resisted partition until it became clear that they either had no other options or that the other options were even less satisfactory. Thus it took over a decade for the Zionist movement to accept partition as the only achievable means of self-determination,²³ and the same can be said of the Muslim League. Mohammed Ali Jinnah, regarded by many as the father of Indian partition, died a deeply disappointed man when faced with the results of a partition he had demanded while denied the power sharing he had bargained for.²⁴

Similarly, there is little reason to believe that the push to intervene militarily will occur only when ethnic wars are at their peak. Historically, the third-party role has been one of intimate involvement in the ethnonationalist process leading to partition wars, as British policies in Ireland, India, Palestine and Cyprus indicate. Yet when ethnic conflicts reached their peak in these countries, the British showed a marked disinclination to intervene: in fact, they did their best to withdraw as fast as possible. In the case of Palestine, moreover, the British rejected the partition option on the grounds that it would entail a messy military engagement.²⁵ While there have been limited interventions in Bosnia-Herzegovina, these followed after the international community had been engaged in the region for some time, and the nature of the interventions – first for humanitarian relief and then to deter attacks on some of

the safe areas – can be seen as attempts to limit the effects of the partition war rather than aid in the realization of its goals.

Whether there can be a peaceful transition to partition is a moot point. India's political leadership, for example, agreed to partition the country before the spread of large-scale conflict: indeed, the Congress-Muslim League agreement was intended partly to prevent the spread of communal riots from Bengal in eastern India to north-western India, which was also to be divided. Instead, however, the intense war that followed in the areas to be partitioned left over half a million dead in six months, and displaced upwards of fifteen million people. Historically, partition has more often been a backdrop to war than its culmination in peace; though it may originate within a situation of conflict, its effect has been to stimulate further and even new conflict. Moreover, negotiations for partition generally shadow a conflict long before the thrust towards partition becomes evident. Thus, though the British partition of Ireland in 1921 appeared as a late addition to negotiations to end the 1919–21 Anglo-Irish war for independence, partition had been on board since 1912,²⁶ when it was proposed in response to the government's introduction of the Irish Home Rule Bill that the Protestant majority counties of Antrim, Armagh, Down and Londonderry be excluded from the Bill's purview. This was rapidly followed by a proposal to exclude the entire province of Ulster. Under mounting pressure in Britain, in 1914 the government proposed that Ulster's nine counties could each decide, by vote, whether or not they wanted a temporary, six-year exclusion from Irish Home Rule, an offer which the moderate Irish nationalists were prepared to consider but the Ulster Unionists rejected because they feared that the vote would go in favour of partition only in the four counties where Protestants were in a large majority, losing in the five others.

The moderate nationalist willingness to consider partition divided Irish nationalists and led to the formation of the radical Sinn Fein. Though the Home Rule Bill was enacted in 1914, the outbreak of the First World War suspended its operation and negotiations on self-rule were put on hold until 1916, when the British execution of the leaders of the Easter Uprising triggered an enormous wave of support for Irish independence and made resolution of the Ireland conflict imperative.

In the negotiations which followed, the British government and the Unionists came to an unwritten agreement that both Ireland and Ulster would be partitioned, and that six out of Ulster's nine counties would remain under British rule. The proposal to limit Ulster to six counties (four Protestant majority and two mixed) was made by the Unionists themselves, who had concluded that the inclusion of all nine counties would leave them with far too large a Catholic population. Meanwhile, however, Sinn Fein swept the 1918 Irish polls, formed an Irish Assembly and declared independence. Partly under the pressure of these events, the British proposed the Government of Ireland Bill in 1919, by which Ireland would have two parliaments, one for the southern provinces and one for the northern counties. Both would be joined in a loose federation with Britain, under which Westminster would retain control over foreign affairs, defence, trade, communications and "treason", while all other government functions would be transferred to the two parliaments.

The Bill attempted a peculiar compromise between contending claims for independence and self-determination: it tried to satisfy post-war pressures to embark on a staged withdrawal from empire, but at the same time it purported to accommodate Unionist demands for separation from a self-governing Catholic dominated Ireland under the rubric of self-determination. Its refusal to consider Unionist demands to opt out of devolution by choosing to remain under British rule, however, made it clear that self-determination was part of a package of measures towards withdrawal; self-determination, even when unwanted, could not be considered an "imposition", the government explained. What self-determination comprised was open to question: by including all nine of the northern counties in the jurisdiction of the northern parliament, the Bill offered the Unionists a multi-ethnic Northern Ireland with a 40 per cent Catholic population; in effect, it would institute a form of minority rule which would be open to challenge electorally. The proposal was intended to avert a religion based partition, which might have brought accusations of divide and rule, and was floated with an eye to events within the US, where US participation in the League of Nations was hotly contested by a coalition in which the Irish American organization Friends of Irish Freedom played an important role.

The attempt to move away from divide and rule while avoiding divide and quit, however, proved short-lived. The inherent paradox of conceding a separate parliament to Unionist claims for self-determination while ensuring an electorate in which Protestants constituted a relatively narrow majority moved negotiations towards the further partition of Ulster which had been under negotiation since 1914, and to which Ulster Unionists felt they were morally entitled by their support for the British in World War I. On Balfour's intervention, the Bill was amended in March 1920 so that Northern Ireland would comprise the six counties demanded by the Unionists. Balfour had adduced the 1919 Paris Peace Conference's application of the principle of ethnic self-determination in drawing new borders in central Europe; had they been delimiting the constituency of Northern Ireland, he said, there would have been no question of including "in the Protestant area so large and homogenous a Roman Catholic district as that (say) of the greatest part of Donegal".²⁷

Arguing that the Bill was tantamount to a double partition based on religion, of Ireland and Ulster, Sinn Fein rejected it and Anglo-Irish conflict spread across the south, west and north of the country, escalating to guerrilla war with the formation of the Irish Republican Army in the same year. By this point, Sinn Fein itself preferred that Ulster remain under British rule because this would keep the possibility of eventual unification open, whereas a separate Northern Ireland parliament would provide a political and institutional base for partition. Their fears were well-founded: the enactment of the Bill at the end of 1920 in a context of growing communal violence fuelled the physical process of partition and allowed it to institutionalize itself. While the Act continued to be rejected by Sinn Fein and was thus inoperative in Southern Ireland, the Unionists began to prepare for an Ulster parliament, and well before elections were held in May 1921, the interim Unionist government had created and controlled Northern Ireland's institutions of administration, including an armed Special Constabulary for territorial defence which was recruited from men determined to resist the IRA.

Nor did the war end in 1921, when Britain negotiated a treaty with Sinn Fein offering dominion status to Southern Ireland (to be called the

Irish Free State), on condition that they accepted the right of Northern Ireland's parliament to decide whether to secede or enter into a relationship with the Free State in which they would constitute a kind of autonomous province. Under the Treaty, the two houses of Northern Ireland's parliament would have a month to decide. If they decided to secede, a boundary commission composed of representatives of Dublin, Belfast and London would determine the borders between the two parts of Ireland. The treaty included a provision that such a partition could be reversed by a referendum on reunification to be held two years later. Soon after, the Unionist Parliament of Northern Ireland decided to secede, and a boundary commission was established. The decision to accept partition led to a split in Sinn Fein and internecine conflict was added to communal conflict, ending two years later with the suppression of the De Valera led revolt. At which time the British reneged on the promised referendum. In 1925, the Boundary Commission, chaired by the South African jurist Richard Feetham,²⁸ resolved that the new border would not differ from the old provincial boundaries to any substantial extent; the few adjustments were in Unionist favour. It took, therefore, close on four years of war to achieve the partition of Ireland, and those four years were themselves a culminating phase in a movement towards partition which had begun ten years earlier.

In the course of the decade, communal conflict was entrenched, political movements were fragmented and radicalized, encouraging the rise of armed resistance, and the British were embroiled in a military operation in Northern Ireland which continues till this day. Though the military presence curtailed the toll which continuing communal conflict might otherwise have taken, it also brought the Irish conflict to the heart of Britain as the IRA took to terrorist attacks on London in moves to escalate pressure for a British withdrawal. It is sometimes argued that partition and the subsequent British military presence, costly though it was to Britain, at least contained the Irish conflict and kept deaths to a minimum. But it could also be argued that from the British point of view, independence might have been a more effective form of containment as it would throw the onus of peace onto the Irish; in addition, it might have encouraged regional compromises rather than a religious

stalemate which has dominated political life in Northern Ireland for over seventy years.

The enormous difficulties of moving from divide and rule to divide and quit are underlined by the process of partition in India. Britain's first essay at partition in India was, in fact, the division of Bengal in 1905, which led to widespread protest by both Muslim and Hindu Bengalis, in which the newly metropolitan city of Calcutta played a focal role. The move had far-reaching consequences: it transformed the Indian National Congress by giving it leadership of a popular regional movement, while dividing it over whether to continue with its programme of constitutional reform or opt for a boycott of British rule. And it further communalized Indian politics: both the Muslim League and the Hindu Mahasabha were founded in its wake in 1906. In 1912, the British reunited the province in a limited move away from divide and rule; in the same year they had tabled the Bill for Home Rule in Ireland. The reunification of Bengal offered a singular opportunity to revise the ethnic principle underlying divide and rule, but ethnic politics continued to dominate the British "now you see it now you don't" process of devolution of power. The 1909 Indian Councils' Act's extension of a limited number of elected seats to a restricted electorate included the reservation of seats on a communal basis; this was followed in 1916 by the creation of separate Hindu and Muslim electorates in local elections. Significantly, Indian nationalists responded by agreeing that the principle of minority weightage should be substituted for communal representation. The 1916 Lucknow Pact between the Congress and Muslim League proposed a proportionately greater number of seats for Hindus and Sikhs in Muslim majority provinces and for Muslims in Hindu majority provinces.²⁹

The end of the First World War and the Paris Peace Conference of 1919 had their own effect in India. In another hesitant step towards devolution, taken in the same year that the Government of Ireland Bill was tabled, the British passed the Government of India Act, introducing limited self-government through a dyarchical structure with provincial legislatures, 70 per cent of whose members would be directly elected, while ethnic representation would be assured through separate elector-

ates for Muslims and Hindus (and in the Punjab, Sikhs) on a majority basis. Suffrage remained restricted and the issue of dominion status was postponed. At the same time, the dismantling of the Ottoman empire led a rising pan-Islamic Khilafat movement in India to demand Muslim sovereignty in Arabia, Syria, Iraq and Palestine, and on Gandhi's initiative the Indian National Congress and the Khilafat movement joined in a campaign of non-co-operation with the British.³⁰ Debate over whether or not to participate in the Council elections split nationalist ranks, but in the 1923 elections both the newly formed Swarajya (self-rule) Party and the Congress did well, the former at the provincial level and the latter at the municipal level.

The limits of the 1919 Act were immediately felt: the newly elected parties' moves towards self-government were blocked or vetoed, and the councils hardly functioned at all. Their failure led to rising communal and political turmoil as voter expectations were disappointed amongst a variety of contending groups and parties. In 1927, the British announcement of the all-white Simon Commission to enquire into reforms briefly united the Congress and Muslim League in a boycott; but the rapprochement broke down in 1928 when the Congress rejected Jinnah's proposal that the Muslim League would give up its support for separate electorates if the Congress would agree to a one-third Muslim representation in the Central Assembly, proportional communal representation in Bengal and Punjab, and the creation of three new Muslim majority provinces of Sindh, Baluchistan and the North West Frontier Provinces (NWFP). Instead, and partly under pressure from the Hindu Mahasabha, the Congress suggested a unitary state with minority representation, including minority weightage.

The boycott of the Simon Commission led the British to revive discussions on dominion status, but negotiations in 1929 for a Round Table Conference to discuss the issue broke down over issues of representation, and there was a renewed upsurge of nationalist agitation and political and communal violence. Though three sessions of the Round Table Conference were held, the first was not attended by the Congress, the second broke down over debates on representation for the smaller minorities, such as Anglo-Indians and Eurasians, and the third

was scarcely attended. In 1935, the British passed the Government of India Act, federalizing the provincial legislatures, quantifying ethnic representation along the lines of the Lucknow Pact, and dividing both the Bombay Presidency and the province of Bihar and Orissa to create the majority Muslim state of Sind and the majority Hindu state of Orissa. In the elections which followed in 1937, however, the pact had neither the effect of encouraging communal power sharing, nor of furthering communal divide: the Congress won roughly 40 per cent of the seats to the provincial assemblies, and in the states which were later to be the battlegrounds of partition, the Punjab, Bengal and Sind, it was regional coalitions which formed the new governments. During 1939 and 1940, when Muslim League proposals to push the federal provisions of the 1935 Act a step further towards an eventual federation of Muslim and Hindu majority states began to gain ground, the coalition parties in Punjab, Bengal and Sind suggested instead a loose federation of seven multi-ethnic regions with minority guarantees and wide-ranging autonomy, under a central government whose powers would be restricted to foreign affairs, defence, customs and monetary policy. The proposals were disregarded by the British government, Congress and the Muslim League alike;³¹ the latter's poor showing in the 1937 elections had led it to embark on an energetic organizational programme. In 1942 when, in exasperation with British refusal to set a timetable for self-rule, the Congress announced the "Quit India" campaign, widespread arrests denuded the provincial governments. The Muslim League stepped into the breach and during the Second World War, while Congress leaders bargained for independence, the League unreservedly supported the Allies, as the Irish Protestants had done in the First World War.

For both the Congress and the League, the experience of government under the severely circumscribed mandates imposed by limited devolution meant that individual members' powers resided chiefly in small-time patronage, and though the policy of separate electorates had not so far resulted in the election of communal governments, it progressively steered expectations of patronage in a communal direction. Its effects were bitterly felt between 1945 and 1947, when the British attempted

to negotiate an agreement on power sharing between Congress and the League which would allow them to simultaneously withdraw from India and avert a partition war. Negotiations broke down time and time again, basically over two related issues: Congress's refusal to concede the League's claim to be sole spokesman for Indian Muslims, which would by implication transform Congress into a Hindu party, and the League's refusal to enter any federal relationship which would question their right to sovereignty in Muslim majority areas. The extent to which ethnic politics militated against power sharing is evidenced by the fact that Congress and the League came to the verge of agreement on a decentralized federation of Muslim and Hindu majority provinces in 1946, but the agreement broke down when the League refused to allow the Congress to nominate a Congress Muslim member to the transitional government.³² For the League, the British failure to uphold its rights as sole spokesman for Muslims was a betrayal of their unreserved support of the Allies during the Second World War; Jinnah announced a League led "Quit India" movement, and in the elections of 1946, the party did very well in the key Muslim majority states of Bengal and Punjab for the first time. The vote was subsequently treated by the British as evidence of the irreconcilability of Hindus and Muslims.

As in Ireland, both independence and partition were hastened by war; after the Second World War a Britain which was economically and morally ravaged by the war could not contemplate the prospect of holding on to a colonial rule which was being increasingly challenged both domestically and by strong Indian independence movements, and the notion of gradual self-government was quickly replaced with a programme for the speedy transfer of power. Though partition was only decided in 1947, it had been proposed on and off from the early years of the century and by the 1940s, British officials, especially in north-western India, were referring openly to Pakistan. The decision to partition India was taken after a year of fruitless negotiations (from 1945 to 1946) for a decentralized federation. When it was finally agreed, the logic of the two-nation theory, that Hindus and Muslims comprised separate nations each deserving their own territories, entailed the partitions of Punjab and Bengal and meant a Pakistan much smaller than the Muslim

League had envisaged. The partition of India was announced within months of a formal agreement, before borders had been finalized and without any consideration of the populations involved. In the six months following the announcement, a partition on paper had to be fought through on the ground before it could be achieved.³³

In comparison to the partitions of Ireland, Palestine and Cyprus, the 1947 partition of India can be considered successful because neither India nor Pakistan nor Bangladesh seriously challenge each other's right to exist, but much of the evidence indicates that this success has less to do with the ethnic principle than with other factors, among which the distance of the subcontinent from Europe is important. Unlike Ireland, Palestine, Cyprus and Bosnia, the sheer size of the Indian subcontinent meant a dozen or more new states could have been created. Indeed from this point of view, the deployment of the ethnic two-nation theory had the paradoxical effect that the one new state which was created, Pakistan, was unfeasible because it was in two parts, divided by roughly two thousand kilometres of Indian territory. Moreover, the fact that the subsequent separation of these two parts occurred as a conflict between east and west Pakistani regional ethnic identities, resulting in the independence of Bangladesh in 1971, points to the inadequacies of the ethnic principle in providing solutions. In a profound if horrible way, the conflict between East and West Pakistan, resulting in the independence of Bangladesh in 1971, ended the partition question because it pointed out that superimposing one overarching communal identity over communities of multiple identity did not provide a lasting solution to ethnic conflict; on the contrary, one partition could imply further essentializing partitions. As the case of Kashmir implies.

Since partition, India and Pakistan have engaged in a prolonged conflict which has twice flared into war over what has been described as being, in a phrase dearer to Pakistani than Indian politicians, "the unfinished business of partition", Kashmir. On ethnodemographic grounds it can be argued that the conflict has continued because the Muslim majority Kashmir valley was retained by India when it should have gone to Pakistan, but following ethnic grounds could well entail a further partition of the state into three – the valley, Buddhist Ladakh and multi-

ethnic Jammu – which would not only set the stage for intensified conflict and ethnic cleansing because much of Jammu lies between Pakistan and the valley, but would also end Kashmir as it currently exists.

Significantly, the British rejected the partition option in Palestine in the same years as they espoused it in India. The two reasons they gave for its rejection in Palestine were unfeasibility and the dangers of a military conflict which would involve an expanded British presence. Detailed proposals for the partition of Palestine had been made by the British between 1936 and 1938, and based again on the two-nation theory, but this time with the added dimensions that the European Jews and the Asian Arabs were set apart racially and culturally. In a sense, some form of ethnic partition had been foreshadowed by the 1922 League of Nations' approval of a British Mandate for Palestine and the Transjordan and its ratification by the 1923 Treaty of Lausanne. Under both, the British simultaneously reaffirmed their commitment to the 1917 Balfour Declaration, made when the British annexed Palestine, that the British government "viewed with favour the establishment of a Jewish national home" in Palestine, and committed themselves to defending the civil and political rights of the "non-Jewish communities".

Ironically, the Mandates idea was initially developed under the influence of President Wilson and was intended to represent a departure from empire: indeed, in so far as the Mandate role was to aid Palestinians to become self-governing, the Mandate was really a form of transitional rule towards full self-determination. The Allies had, in fact, fallen out on interpretation of the Mandate, and an American suggestion that an inter-Allied commission visit Palestine to determine "the state of opinion and the soil to be worked on by any Mandatory" ended as a solely US commission. The King-Crane Commission recommended "serious modification" of the programme for Jewish immigration,³⁴ but President Wilson's influence was dissipated by the US decision to stay out of the League of Nations. The British had interpreted this definition of the Mandate as essentially formal from the start,³⁵ and their pursuit of quite separate policies in Palestine and the Transjordan infinitely complicated the issue of self-determination, as Palestinians were divided between the two territories and the Transjordan became a semi-autonomous kingdom in 1927.

The pursuit of the Balfour Declaration in Palestine, meanwhile, meant that between 1920 and 1939, the Jewish population of Palestine shot up from roughly a tenth to nearly a third of its total population. The Jewish Agency, which the British had established to plan and oversee immigration, created enclaves of Jewish existence: land acquired by Jews could only be sold to other Jews; Jews could not employ non-Jews. Gradually, the Agency began to acquire powers of government; they not only defined the rights and duties of Jews but also maintained law and order in the Jewish enclaves.³⁶ Arab resistance mounted and, by the early 1930s, turned from communal rioting to opposition to British rule. In 1936, following a Palestinian general strike, the British appointed a Royal Commission to look into Palestinian grievances, headed by Lord Peel. The Peel Commission Report recommended a partition under which the Jewish state would comprise the northern quarter of Palestine and a large part of its west coast; Nazareth, Bethlehem and Jerusalem would remain under British Mandate; and the remaining two-thirds of Palestine would comprise an Arab state.

Again, partition was linked to devolution and for the same reasons as in Ireland and India, that without partition self-governing institutions would be dominated by one or the other nationality. But what could be argued in Ireland and India fell apart when applied to Palestine. The relatively recent migration of Jews, which was given a fillip by the 1917 Balfour Declaration, meant a particularly piecemeal demographic dispersion in which partition would entail massive and forced transfers of a large proportion of the Palestinian population. For the Zionists, who believed that the declaration of support for a Jewish homeland promised them Palestine, partition was a bitter pill; and when the Peel Commission Report was published in 1937, the Zionist Congress rejected its recommendations, arguing that because the Jewish population of Palestine was still small, the territories it was offered were inadequate.³⁷ For the Arabs, the Peel Commission recommendations were a clear betrayal of the League of Nations Covenant. In September 1937, an Arab National Conference pledged their opposition to the Report, and rebellion broke out. The British hastily appointed a special committee to look into "the technical aspects" of partition: the 1938 Palestine Parti-

tion Commission recommended two possible partition maps. Under the first, the northern quarter which the Peel Commission offered to a Jewish state would be broken up, with the large Arab enclave of Galilee remaining under British Mandate; under the second, the British would retain rule over most of Palestine, the Jewish state would comprise a narrow strip of the west coast and the Arab state would comprise an area of central Palestine. Neither option was really satisfactory, the report concluded, and it would be better to drop the partition option entirely.³⁸

Combined with the eastward spread of the Second World War and its threat to British positions in the Middle East, this led to a rapid British reversal of support for a Jewish state, and in 1939, a White Paper laid out a new policy under which the Mandate would be extended and its goal would be an independent united Palestine. The first steps to implement the policy were land reservation for Arabs and a restriction on Jewish immigration; the latter was especially resented as evidence of Nazi genocide mounted, and Palestinian Jews began in their turn to take to rebellion. By the mid-1940s, the Jewish Agency was no longer co-operating with the British Mandate to oversee law and order in the Jewish enclaves; instead there were overlapping Jewish paramilitary forces, a "static force" of settlers, and a field army of the Jewish Settlement Police. As the full extent of the Holocaust began to be known, pressure to open Palestine's doors mounted, and in November 1945, US President Truman appealed to British Prime Minister Attlee to resettle a hundred thousand Jewish refugees in Palestine. With the end of the Second World War and the replacement of the League of Nations by the United Nations, the British had to redefine their Mandate in Palestine.

In 1946, an Anglo-American Enquiry Committee was set up to assess conditions for replacing the Mandate with a trusteeship while planning for a "permanent solution". The Committee rejected early independence for Palestine, and concluded that partition was unfeasible not only because it would entail forcible population transfers but because it could well result in a tiny Arab state, a Jewish state in two parts and three blocs under continuing British administration, resulting in a situation in which one part (the Jewish homeland) would be self-governing while the other would not. The problem of administration would be further

compounded by the indefinite economic and infrastructural disruption which the creation of these new territories would entail. Instead, the Committee suggested a trusteeship whose tasks would be essentially the same as those of the earlier Mandate, a proposal which the British government rejected and the British members of the Committee suggested as an alternative that two autonomous Jewish and Arab provinces be formed. The suggestion had the merit of being opposed by both Jews and Arabs; the Arabs on the grounds that this would entrench partition and the Zionists on the grounds that it would create a unitary state with an Arab majority. The latter now took to underground resistance to the British Mandate and henceforth negotiations took place within a context of continuing violence. In 1947, the British referred the dispute to the United Nations; the committee they set up was divided between a minority proposal for a binational federal state and a majority proposal for partition.³⁹ The Security Council opted for partition, with a special UN administration for Jerusalem and a continuing economic union for Palestine.

The plan required Britain to undertake a substantial part of its implementation but, with a Ministry of Defence forecast that Britain's troop presence would have to be reinforced in the wars which would follow, Britain announced instead that it would withdraw in May 1948. Communal conflict broke out in Palestine and spread rapidly to a civil war in which both sides sought to establish ethnoterritorial control as widely as possible, while the British stood by. In April 1948, the Jewish Agency announced it would declare a Jewish state when the British withdrew in May; within a month they had wrested control of the key areas of Haifa and Jaffa, expelling Arabs from both. War broke out between Israel and the Arab states, resulting in the displacement of some 750,000 Palestinian Arabs, whom Israel refused to repatriate after the war ended. Jordan, meanwhile, annexed the West Bank. What resulted was a kind of skewed partition creating one new state but not the other. (In this sense, the recent Accords can be interpreted as moves to complete the "unfinished business of partition".) Subsequently, there have been three Arab-Israeli wars (in 1967, the Israelis occupied the West Bank), and the issue of territorial feasibility continues to dog the peace process.

The last-minute British rejection of divide and quit in Palestine was probably based more on their desire to rescue relations in the Middle East than a concern not to repeat the effects it had had in the Indian subcontinent. Nevertheless, the refusal to engage in the population transfers, which had been made an explicit part of the partition proposal, because they would have to be forcible should give the contemporary advocates of partition pause. It is sometimes argued in the Indian context that since partition was agreed before major conflict occurred in the north-west, a peaceful transfer of population could have been organized, like the Greek-Turkish population exchange following the 1919–22 war, but though the latter did not take place in conditions of military conflict, it did entail some degree of diplomatic force. Whether even this could have been achieved had the agreement not come in the wake of the dismantling of the Ottoman empire and a war between Greece and Turkey is questionable. Ironically, both of the populations transferred comprised people to whom expulsion was a consequence of defeat – for the Turks the fall of the Ottoman empire and for the Greeks Turkey's victory in the 1919–22 war. It is a moot point, too, whether such a transfer could be engineered on a much larger scale. In the Indian case, it is virtually impossible that anything short of force would have persuaded close on sixteen million people to give up home and livelihood.

In many ways, the case of Cyprus offers the most striking parallels to Bosnia and makes the issue of whether there can be any peaceful transition to partition acute. As a British colony, until the Second World War the access of Cypriots to government institutions was limited to representation in the island's Legislative Council on the same basis of separate electorates (Greek Cypriot and Turkish Cypriot) as in Ireland and India. A shift to self-government was briefly considered in the immediate post-war years, at the same time as the British were withdrawing from India and Palestine. In 1949, the British extended the principle of separate electorates to municipal elections, as they had done in India earlier; the elections stimulated rising Greek nationalist claims for unification with Greece (*enosis*), and devolution was again put on hold. With diminishing influence in the Arab world following the Palestine débâcle,

and the developing crisis in Suez, British attention turned to Cyprus' potential as a military base.

In 1955, an armed insurrection by Greek Cypriot nationalists (EOKA), followed by severe anti-Greek riots in Istanbul, led the British to convene the London Conference on the future of Cyprus, at which the two-nation theory was expanded under the rubric of "double self-determination" (and independence was made contingent on partition). In the same year, the "Cyprus is Turkish" party was formed. Until this point, the Turkish government had been wary of involvement in Cyprus, in continuation of the Ataturk doctrine of coming to terms with Turkey's imperial history, but now Turkey began to gradually involve itself in Cypriot affairs, partly through British encouragement and partly in response to the increasing mainland Greek presence on the island. By 1957, the proliferation of right-wing Greek Cypriot paramilitaries had led the British to form an Auxiliary Police Force composed chiefly of Turkish Cypriots; soon after, the first communal riots between Greek and Turkish Cypriots broke out. In the summer of 1958, further communal riots led to the declaration of a state of emergency in Nicosia; ethnic cleansing had already begun in the city's mixed neighbourhoods and in scattered villages. The British now proposed that a "condominium" of Greece, Turkey and Britain govern Cyprus; the Macmillan Plan of 1958, as it came to be known, also suggested a form of municipal cantonization, that Cyprus be divided into Greek and Turkish municipalities. In 1960, two years of negotiations on the Macmillan Plan broke down amidst mounting civil and communal unrest, and following the 1959 and 1960 Zurich and London conferences on Cyprus the British withdrew, leaving in place an independent island under a new Cypriot constitution.

Though the British brokered constitution was intended to avert partition, it was based on a kind of minimum compromise which deployed the principle of ethnic representation at every level, creating separate municipalities and providing for ethnic distribution in the civil service, the police and the army. Though Turks comprised some 18 per cent of the population, they were allocated 30 per cent of the jobs. They were also given a right of veto in legislative decisions on elections and taxa-

tion. The recruitment of Turkish Cypriots to the civil services and army was slow, and even three years later the quotas were nowhere near being met. Because the constitution was achieved by engaging the moderates on either side while conciliating ethnic nationalists, it stimulated a protracted internecine as well as communal conflict, and in 1963, the first partition boundaries were drawn through the walled city of Nicosia on a "Green Line" dividing Greeks from Turks. This was followed by a Turkish Cypriot declaration of support for partition and the arrival of UN troops in 1964; at a second London Conference on Cyprus, partition was officially considered for the first time, but at the NATO Foreign Ministers' Conference which followed hard on its heels in May 1964, Turkey suggested a binational federation under which Turkish Cypriots would gain 38 per cent of the island. Both meetings proved inconclusive, and in 1966 mounting Greek and Greek Cypriot pressure for *enosis* was followed by a military coup in Greece in 1967, the renewal of conflict in Cyprus and a Turkish Cypriot proclamation of a "Provisional Cyprus-Turkish Administration" (in 1967), to which the Greek government responded by sending troops in to support the radical Greek Cypriot underground.⁴⁰ Turkey asked for intercommunal talks, and under US pressure Greece agreed to withdraw its troops.

The talks were led by the then Under-Secretary of State Cyrus Vance, who was to be the UN envoy in negotiations in former Yugoslavia a quarter of a century later. A window of opportunity opened in Cyprus: Archbishop Makarios again renounced aspirations for *enosis*, and Turkish Cypriot leader Rauf Denktaş acknowledged that the level of minority weightage offered in the 1960 constitution was unfair, and indeed that the policy of separate municipalities had proved a financial burden on the Turks. The talks, however, broke down on the issue of local autonomy, and in 1973 Makarios said, "We are prepared to accept, to a certain degree, a form of local Government, but not to such an extent that might lead to cantonization or federation. Such a settlement could at a later stage lead to partition." Talks on partition had been held by the Greek and Turkish governments as early as 1969; reportedly, at the NATO Foreign Ministers' meeting in June 1971, the two governments secretly agreed on the terms of

division.⁴¹ Alarmed by Makarios's negotiations, the Greek junta engineered a coup in 1974, replacing Makarios with the extremist Greek Cypriot nationalist, Nikos Sampson. In 1974 and amidst rising violence, Turkey invaded northern Cyprus on the strength of its guarantor status, reinforcing the *de facto* partition of the island which still continues.

The policy of mandatory ethnonational representation embodied in the 1960 constitution was actually an expanded version of the ethnic politics which the British had deployed in Cyprus since 1919 for much the same reasons as in India: a complex adjustment of divide and rule to the doctrine of ethnic self-determination which emerged in the immediate aftermath of the First World War. As in India, the policy engendered a process of political development in which it eventually became the rationale for partition,⁴² despite attempts to divert it from this course. In this sense, the *de facto* partition of Cyprus can only be described as a partition by default which the UN maintained buffer zone inadvertently aided by reinforcing the division of the island. The conflict following independence in 1960 was compounded by the fact that Turkey, Greece and Britain were appointed guarantors by the constitution. The formal structure that this gave to a wider engagement in Cypriot conflicts drew both the Greek and Turkish armies in, allowing the later international tolerance of Turkey's invasion in 1974 and the partition it ratified. While the number of deaths can be said to have been restricted since then, the division of Cyprus consists of little more than a prolonged stand-off which is not only dependent on the continuing presence of UN troops but remains in a state of constant readiness to erupt. Nor can conflict be contained in Cyprus. How short the fuse to its spread is, over twenty years since partition, can be seen by the August 1996 events in which a violent demonstration between Cypriots could result in Greece and Turkey threatening war. (The costs of containment, therefore, include permanent watchfulness on the part of NATO and the Atlantic allies.)

As the ensuing chapters on Bosnia indicate, the partition wars in former Yugoslavia followed a similar trajectory. Like Ireland, India, Palestine and Cyprus, discussions of partition preceded the outbreak of ethnic

conflict in former Yugoslavia, and played point-counterpoint with the course of war in the region. Tito's death in 1980 was followed by intense power struggles both within the communist party and within the federation, which rapidly developed into ethnic nationalist movements for the dissolution of Yugoslavia. The crisis had been accelerated by the withdrawal of international aid to the federation in the 1980s, and was compounded by Yugoslavia's decline in importance as the meeting ground of East and West – a space which was no longer necessary when Mikhail Gorbachev launched the *glasnost* and *perestroika* campaigns. In the 1990 elections, ethnic nationalists won in republican elections across the federation; though intense negotiations were pursued to decentralize the federation, especially by the multi-ethnic republics of Bosnia-Herzegovina and Macedonia, Serbian president Slobodan Milosevic's intransigence undermined them at every stage. As relations within the federation slid into conflict, Milosevic and Croatian president Franjo Tudjman held a series of secret meetings in early 1991, to discuss the partition of Bosnia-Herzegovina between Serbia and Croatia. The European Union (then the European Community), which had accepted the responsibility of mediating a resolution to the deadlocks within the federation in late 1990, now found itself negotiating while war raged.

In the summer of 1991, Slovenian and Croatian declarations of independence were followed by war: though the Slovenian conflict was little more than a skirmish because Slovenia was at one edge of the federation and relatively homogenous, the large Serb population of Croatia ensured a bitter and prolonged war which was bound to spill over into neighbouring Bosnia, with its proportionally even larger and contiguous Serb population. In fact, a cease-fire in Croatia negotiated by Cyrus Vance in December and January 1992 offered a brief window of opportunity to prevent the war from starting in Bosnia: President Izetbegovic appealed at the time for a preventive deployment of international troops, but was told by the EU that Bosnia would first have to apply for recognition. When the EU did recognize Bosnia, in April 1992, it was just as war broke out. The EU negotiations had been complemented by CSCE negotiations to end the conflict: in fact, first efforts to find a solution

were entrusted to the CSCE rather than the UN, in an initiative to develop the organization as a forum for European reunification, as well as the umbrella for NATO's transformation in the post-Cold War period. The CSCE, however, swiftly came to grief over the recognition debate, having opposed the German push for speedy recognition of Croatia and Slovenia, and the initiative in former Yugoslavia passed to the UN.

Though UN troops were stationed in Bosnia at the time, their mandate was in the Serb areas of Croatia, not Bosnia. International energies were, in any case, focused on wresting an ethnopolitical solution to the conflict rather than intervening to end it: in other words, following the do-little rationale of lesser evil theory. In all the negotiations which ensued, one or another form of ethnic separation dominated the search for a solution. Before the outbreak of war, the EU had hosted talks in Lisbon at which a new plan for ethnic cantonization in Bosnia was floated. Though the plan was immediately rejected by what remained of Bosnia's government (the Serb members having opted out), Serb and Croat ethnic nationalists pursued it in both negotiations and on the ground. By the summer of 1992, a three-way partition of Bosnia had been fleshed out by Serb and Croat leaders, detailed maps of Republika Srpska and Herceg-Bosna were agreed, including that Sarajevo and Mostar would be partitioned, and by late 1992, the Bosnians were facing a two-pronged attack, by Serbs in the north and east and by Croats in the west and south. The failed cantonization plan was replaced in January 1993 with an EU-UN plan to create ten ethnically based provinces under a weak federal government. The plan benefited nobody but the Croats, who stood to gain larger territories than they either controlled or could claim on the basis of ethnic proportionality. Though the Croat-Muslim conflict had begun the previous autumn, it became an all-out war in April 1993, when Croats began to seize territories allocated them under the plan. Conversely, in early 1993, the Serbs renewed attacks on the eastern Bosnian enclaves of Srebrenica, Zepa and Gorazde in an attempt to establish claims to the land which the plan denied them; and later rejected the plan altogether.

By the summer of 1993, when the territory under Bosnian govern-

ment control comprised no more than scattered enclaves, the US moved closer to a support for the ethnic partition of Bosnia which it had so far opposed. On 22 May, the US, Russia, Britain, France and Spain put forward a Joint Action Plan for a Union of Three Republics, the sealing of Bosnian borders, and the establishment of six "safe areas".⁴³ The Joint Action Plan was widely seen as a harbinger of the next stage of talks, towards a three-way partition, and hard bargaining began over territorial allocations which continued well into the autumn and was accompanied by fierce fighting. The US, however, was pursuing a two-track policy: while officially they supported the Joint Action Plan, privately they were trying to limit partition by brokering a Muslim-Croat federation. Though these attempts were initially met by the intensification of the Muslim-Croat war, a carrot and stick approach prevailed on Tudjman, and in March 1994, the Croats and the Bosnians signed an agreement to federate Croat and Bosnian held territories and eventually confederate with Croatia. The agreement was viewed as a tacit acceptance of the two-way partition of Bosnia and was immediately followed by a Serb demand for recognition of an independent state (Republika Srpska) and renewed attacks on the eastern enclaves.⁴⁴

Partly for this reason, the Washington Agreement remained chiefly a cease-fire agreement whose civilian implementation of a Muslim-Croat Federation was contingent on the terms of an eventual peace; at its heart lay the question, if a two-way partition was acceptable, then why not a three-way? The complicated answer – that the international community could not accept the creation of a tiny land-locked Bosnian state which might not be viable and would act as an ongoing spur to Muslim resentment; and that the Croats might expect a quid pro quo in the Serb areas of Croatia – was not calculated to please the Herzegovinians. In fact, though the ethnic power-sharing elements of the Agreement were not implemented, the scope that these offered for the ethnic consolidation of power was fully exploited. This was because, like the 1960 Cyprus constitution, the Agreement mandated ethnic representation at the municipal and regional levels as well as at the national or federation levels, and extended it to the civil and police services – in the case of Cyprus, to the army as well – thus encouraging sectarian appointments.

Both locally and nationally, the more authoritarian sections of the Muslim Party for Democratic Action (SDA) and the Croatian Democratic Union (HDZ) began to dominate political and administrative bodies.

To this extent, the Agreement's incorporation of provisions for local and regional devolution of executive powers succeeded merely in bringing partition to a more intimate stage, as the introduction of separate electorates at the municipalities' level had done in India and Cyprus. It also undermined the Washington Agreement's other significant provision, to put Mostar and Sarajevo under international administration (a similar proposal for Jerusalem had been made by the UN partition plan for Palestine), so as to dissolve partition at the local level and initiate a process of integration from below. Because the Agreement on Mostar made all decisions dependent on a council of equal numbers of Croats and Muslims, each represented by their own mayors, the EU administration instead found itself a frequent and rather expensive bystander as the ethnic nationalists who partitioned the city consolidated their hold through the provisions of the Agreement.

In 1995, events in Croatia again pushed the pace of events in Bosnia. In May, a successful lightning Croatian army attack on the UN Protected Area of west Slavonia sent a wave of Croatian Serbs into Bosnia. In July, Bosnian Serb forces attacked the Safe Areas of Srebrenica, Zepa and Gorazde: the first two fell in an agonizing fortnight while international troops stood by. As the peace process sank to its nadir, renewed fighting around the Bosnian Safe Area of Bihac and a Serb attack on the Safe Area of Sarajevo brought NATO air strikes against Serb positions. In August, Croatia moved against the UN protected Croatian Serb territories, and one of the worst exoduses of the war began, of panicked Croatian Serbs into Bosnia. In September, a joint Croat-Muslim offensive recaptured hundreds of kilometres of Bosnian Serb held land in north-western Bosnia, and the division of Federation and Serb held territories began to resemble the 51:49 ratio which the international community had sought to negotiate. Under intense international pressure, the fighting waned and tentative agreements were reached. Bosnia would comprise two "entities", the Muslim-Croat Federation and the Republika Srpska, each with their own parliaments, armies, police forces

and law courts. NATO would send a sixty thousand strong force to police the agreement. The stage appeared to be set for partition, but a partition which would be established under international supervision rather than as a result of the divide and rule war fought with Milosevic and Tudjman's support.

There is a peculiar anomaly here. Unlike Ireland, India, Palestine and Cyprus, the attempted Bosnian partition is not a by-product of the colonial shift from divide and rule to divide and quit. Curiously, not only are the divide and rulers (Presidents Milosevic and Tudjman of Serbia and Croatia, Radovan Karadzic, Ratko Mladic and Mate Boban of Bosnia, and a host of attendant radical nationalists) quite distinct from the divide-and-quitters (over time, the EU, UN, NATO, UNPROFOR, IFOR and SFOR), but they remain in an ambiguous relation to each other. On the one hand, it would be relatively easy to quit and let divide and rule have sway; on the other hand, the established logic of the move to divide and quit requires the relinquishing of ambitions to divide and rule. Indeed, the process by which the international community moved towards divide and quit in Bosnia has been one of increasingly outlawing divide and rule, as the Bosnian War Crimes Tribunal's indictments of Karadzic and Mladic, and the Dayton Agreement's provisions for the rights of refugees to return imply.

The Dayton Agreement, like its precursor, the Washington Agreement, was intended to institute a prolonged cease-fire which could result either in a peace based on partition or a peace based on reintegration. To a large extent, the agreement took partition as a *fait accompli*: as the thinking went, a *de facto* partition had already been largely achieved through the infamous policies of ethnic cleansing; the little pockets of multi-ethnic territory which remained would be dealt with through apparently voluntary population transfers and resettlement. However, as post-Dayton developments indicated, partition was far from a *fait accompli*. The second partition which was put on hold by the Washington Agreement hovered in the wings of the Dayton Agreement.

Moreover, as the map of Republika Srpska showed, even the implied partition was unstable. Like Pakistan on the partition of India, the Serb entity was in two parts, connected only by the narrow Posavina corridor

which had been disputed since the war began; additionally, the two parts leaned in opposite directions, Banja Luka towards Zagreb and the eastern strip towards Belgrade. Normalization would again pull Banja Luka economically to Zagreb and diminish its links to the east. This might mean a further division of the Republika Srpska, rather like Pakistan and Bangladesh, in which case the Republika Srpska would be reduced to a strip of eastern Bosnia. Banja Luka had, therefore, to be forced to look eastward. But the isolation of Banja Luka could only be maintained artificially, through keeping it in a state of anarchy and mafia rule which could not be self-sustaining – as in Italy or the US – but had to depend on external bulwarks. In effect, this meant that efforts to consolidate a partition would have to either further partition the Republika Srpska or find some way of reconciling ethnic and political partition with shared economic and infrastructural space. The attendant ills of such an effort are horrifyingly demonstrated by the process of implementation of the Oslo Accords in Israel-Palestine.⁴⁵

The Dayton Agreement tries to find a reconciliation by including the contingency clauses of previous partition agreements, which provided for partition as an interim solution offering a breathing space for rationality to return as fear ebbed. Significantly, partition has rarely been seen as anything other than a temporary solution to a crisis, which can be reversed as the crisis recedes. Historically, however, ethnic partitions have rarely been reversed in the envisaged time frame; far from offering a temporary breathing space, the process of partition has inexorably driven communities further apart. Sinn Fein's acquiescence to the partition of Ireland was on condition that there would be a subsequent referendum on unification; the referendum did not take place, and now unification is no longer an important issue in the new negotiations on Northern Ireland. The Indian National Congress actually believed that the Muslim League would recoil from partition once it realized that an unfeasible "moth-eaten" Pakistan was all that they could get (to use Jinnah's words); when the Muslim League accepted this as a lesser evil, Nehru hoped that a subsequent vote would reverse the partition, though who was to organize such a vote once India and Pakistan were created was unclear; unsurprisingly, no vote took place. Instead, Pakistan was further di-

vided and Bangladesh was born in an even uglier war than that which took place at the partition of India. The proposed partition of Palestine did not even consider creating feasible entities; indeed, the hope was that sheer unfeasibility would bring the two sides to joint arrangements.

While the Dayton Agreement was being negotiated, both the international community and local politicians expressed the hope that economic rationality, tempered with a solid admixture of reconstruction aid, would either make the partition temporary or overcome the hostile legacies which had made ethnic partition undesirable. As pressure mounted against the acceptance of the 1996 elections as a mandate for partition, more emphasis was put on the reintegration option of the Dayton Agreement: that economic interests and the provisions for a common economic space would erode the partition lines by making them irrelevant. It was argued that the partial partition which the Dayton Agreement partly accepted was only a means of buying time for Bosnia to undergo this process, but historical experience would suggest that the failure to administer a timely and substantial injection of aid only hardens ethnic divisions. The hope that economic interests would militate against ethnic boundaries which the Dayton Agreement expresses was also voiced in India, Ireland and Palestine, but in each case the aid requirements had not been met and economic rationality had not sufficed of itself. Indeed, partition more often hampered post-war development: attempts to build economic cooperation and encourage cross-cultural exchanges in South Asia were successively impeded by deadlock on the status of Kashmir. Irish nationalists and UN mediators in Palestine both hoped that a geographical and infrastructural thrust towards economic union would gradually dissipate the horrible aftermath of partition; indeed, the UN proposals for partitioning Palestine were explicitly grounded on the hope that economic union would compensate for the stray and disparate territories being proposed. Instead, however, partition's legacies thwarted economic union and kept both Ireland and what was left of Palestine in poverty.

In the run-up to the Dayton Agreement, many talked optimistically of a "mini Marshall Plan" which the West was offering to help build peace, though the experience of fundraising towards this eventuality had so far been dismal. However, few asked whether the Marshall Plan was

the appropriate historical example to look to, and indeed the Bosnian experience raises questions about whether there would have been a Marshall Plan at all if Germany had not been the key division of a Europe entering the Cold War. In hindsight, it seems as if the colonial experience would have been a better pointer for Bosnians to interpret Western promises of reconstruction aid. When the question of reconstruction aid came up before the Select Committee on Cyprus, Roy Hattersley, then the Minister of State for the Foreign and Commonwealth Office, was quite clear that most institutions, including the UN and EEC, would not provide the substantial aid that was required until they were convinced that stability had been restored, and this could only occur through "a political settlement" (the British government was prepared to offer aid to the tune of around £750,000).⁴⁶ The British government, he said, had learnt from past experience that "imposed solutions . . . from the time of Derby and Disraeli onwards [had] not been a great success". A long-term solution could only "come about if it is acceptable to the people of Cyprus themselves and therefore springs from the discussion held by the representatives of the people of Cyprus". These were Mr Clerides for the Greeks and Mr Denktash for the Turks.⁴⁷ Significantly, they are the two representatives in talks today.

If the lessons of these examples for Bosnia are noteworthy, it may be that Bosnia will in fact constitute a turning point in partition theory. Though divide and quit was a motive in the British support for partition in Ireland, Palestine and India, the only partition in which it worked as a means of getting out quickly was in India.⁴⁸ From the sequence of events in Bosnia, it seems clear that European and US leaders, and with them the rest of the international community, were prepared to accept the partition of Bosnia if this would curtail Western intervention in the conflict and limit the terms of Western involvement in the region. But as the partition process unfolded, it began to be recognized that divide and quit might actually mean divide and be forced to stay. The September 1996 elections were intended to mark the transition to a peaceful partition but, as the August 1996 pre-election events showed, they accelerated the renewal of low-level conflict and made dramatically evident that partition was still incomplete on the ground. Close to

half the population of Bosnia remained refugees: ethnically homogenous territories could only be created if they were refused repatriation to the towns and villages they were driven from, in the same way as Israel refused to repatriate Palestinians. The refugees became the key constituency in the elections which were held under the terms of the Dayton Accord. Ironically, they continue to be used both to further and to challenge ethnoterritorial consolidation, as the Serb manipulation of voter registration and the Bosnian threat of election boycott showed.⁴⁹

Both IFOR and Carl Bildt's Office (risibly named the "Office of the High Representative") made no secret of their concerns that elections were one factor in what they feared would be a rapid slide towards war. Unlike Somalia or Rwanda, Bosnia was a high-profile intervention because the Bosnians are European, not only in "soft" cultural terms, but geographically and strategically. So far, the West had not been able to walk away from this war, and each half-hearted intervention, however delusory, led to an expansion rather than curtailment of involvement. Though the EU withdrew from Mostar in December 1996 and IFOR subsequently gave way to a smaller "stabilization force", SFOR was still larger than UNPROFOR had been, and the international peace-keeping mandate was extended by another year and a half to summer 1998. Whether the extension would allow SFOR to stabilize a partition, which had begun to fall apart even under the gaze of IFOR, becomes critical in the light of the fact that international policy in Bosnia came to divide and quit without having set the terms for divide and rule. This meant that the issue of when to quit would become critical in a way which was not the case in Ireland, India, Palestine or Cyprus. There the actual or potential conflicts arising from partition were set against the greater good of withdrawal by the colonial power. In Bosnia, on the other hand, the fact that foreign powers entered only to divide and quit meant that their withdrawal would be contingent on ensuring that partition brought peace. This left the critical question of what would happen in Bosnia wide open.

The November 1995 tripartite talks at Dayton took place just after the fiftieth anniversary of the United Nations, at a time when peace seemed at last to be knocking at the door, but it was not clear what kind of peace would be let in. The proposed negotiations had changed into "proximity talks" even before they had begun; preceding weeks had seen evidence of gross UN dereliction and horrifying massacres by Serb forces at Srebrenica, accompanied by continuing ethnic cleansing around Sanski Most and intense jockeying between Bosnian Croats and Muslims to ethnically repopulate regions with a view to political and territorial control. It was not clear whether the Dayton negotiations would halt the process of ethnic apartheid and eventual partition. It was also not clear whether the US led peace plan would be a vital interlude in continued war, a rationalization of partition, or the foundation for Bosnians to take peace into their own hands.

The Dayton talks took some three weeks to conclude. Though the agreements were a rehash of plans which had been on the table since the days of Vance and Owen, and what was eventually signed was drafted by US and UN lawyers well before the talks began, familiar grooves had to be trod before Tudjman could agree to his part of the *quid pro quo* – getting the Federation started – or Izetbegovic could concede defeat. Milosevic had already abandoned the Bosnian Serbs as he had abandoned the Croatian Serbs, but he had to show some domestic benefits to subdue the rising nationalist opposition within Serbia. After over a

week, the talks were still stuck on the functioning of the Federation and on the timetable for lifting the sanctions. On 10 November, a series of new Federation agreements were reached, of which the most significant were to dissolve the institutions of Herceg-Bosna and to locate four Federation ministries in Mostar. The four ministries were commerce; traffic and communications; energy and industry; and education, science and culture.¹ Mostar would be the seat of economic power; so Croatia would move a step further towards the colonization of Bosnia which was implied by the Washington Agreement. The agreements also included an annex on the reintegration of the city, that internal customs checkpoints between government and Croatian held territories would be dismantled within a month, and that the ABH and HVO armies would be integrated with US assistance. The task was infinitely complicated by Herzegovinian penetration into Croatia's power structures during the war, at both political and economic levels. Croatia's defence minister, Gojko Susak, was Herzegovinian; the Herceg-Bosna mafia had profited from the sealing of the Krajina border during the war to move into the temporarily crippled Adriatic tourist industry.

In fact, the story of the Herzegovinian mafia illuminates the way in which the process of ethnic war in former Yugoslavia was successively misread by its domestic nationalists as well as the international mediators. The sealing-off of the Krajina, first by the Croat-Serb war and then by the UN peacekeepers, had closed important routes to the coast through Croatia and crippled the tourist industry. This allowed Herzegovinian war profiteers, whose routes to the coast from Bosnia were under HDZ control and thus wide open, to step in. However, the successful Croatian conquest of the Krajina in the summer and autumn of 1995 reopened Croatian routes to the coast and was beginning to bring Croats seeking to revive their tourist industry into conflict with Herzegovinians. Tudjman's support began to split between "Croatia for the Croats" nationalists and predominantly Herzegovinian supporters of Greater Croatia. In this sense, the more Tudjman supported a second partition (of the Federation), the more his base shifted east and towards consolidating a kind of cross-border control of parts of Croatia by the diasporic Herzegovinian Croats. But the more reliant he became

on Herzegovinian support, the more he lost nationalist support within Croatia, and in the municipal elections in Zagreb following the summer offensive, Tudjman lost control of the city to a liberal opposition coalition.² The growing internal Croat opposition to Tudjman's "Bosnia policy" offered an important new space to the international community – for example, there would have been considerable support within Croatia for sealing the borders with Herzegovina – but the use of this space would have also thrown the onus on to the international community: if the borders were sealed, both the EU administration and the US would have had to deal directly with the Herzegovinian mafia.

Both the International Tribunal and the Bosnian government were, meanwhile, fighting a losing battle to put the issue of war crimes on the Dayton agenda. On 9 November, when three Serb officers were indicted for the Vukovar killings in 1991, sanctions against oil and gas supplies to Serbia began to be lifted. On 12 November, the Serb authorities in East Slavonia agreed to a one-year UN force to oversee the gradual reintegration of East Slavonia into Croatia, whose tenure could be extended by another year. The agreement was interpreted as a sign of Serb-Croat *rapprochement* which would further cut into the Bosnian government's bargaining space, one consequence of which was that the derision with which the Croats had treated much of the negotiations over the past four years grew increasingly open. On 14 November, the day after the Tribunal indicted six Bosnian Croats for war crimes, including the HDZ chair Dario Kordic and the HVO commander General Blaskic, Tudjman gave Blaskic the job of Inspector-General of the Croatian army. Coming three days after the new Federation agreements were signed, the gesture pointed to the cynicism with which he viewed international agreements. As with previous talks, each party was jockeying fiercely on the ground, not only to improve their prospects in the talks but simply to establish the advantages which the plans offered so that they could not be reneged on.

One of the more ironic moments at Dayton was when the Serbs discovered that their concessions on Sarajevo and Gorazde had whittled the territory under their control from 49 per cent to 45 per cent of Bosnia. Hasty and furious negotiations yielded an agreement that the

missing 4 per cent would be made up of land in western Bosnia, around Sanski Most, which was chiefly land held by Bosnian Croat forces. In their turn, the Bosnian Croats hit the roof when they were informed they would have to cede land to the Bosnian Serbs, demanding that a larger proportion should be ceded from Bosnian government controlled territories.³ While the Bosnians and Croats squabbled over who should cede which villages, the UNHCR reported that ten thousand refugees were forcibly moved to Sanski Most, and the JNA began to repair the Bosnian Serb lines of communication which had been destroyed during the NATO air strikes (fearing that once the Dayton Agreement was signed the Bosnian government would effectively prevent them from doing so, and Serb controlled territories in west and east Bosnia would be cut off from each other).⁴

Within the talks, dispute now centred on three points: the Serb claim on Sarajevo, the width of the Brcko corridor and the length of the Sarajevo-Gorazde corridor. To some extent, all three had been agreed earlier: Sarajevo was to be reintegrated under the Bosnian government, negotiations over the width of the Brcko corridor were to be put on hold while the region was put under international arbitration, and the length of the Sarajevo-Gorazde corridor was to be sixty miles. The volatility of the latter two agreements, however, was one reason why the talks were prolonged: for the Bosnians, military weakness meant continuing vulnerability, especially for Gorazde and Tuzla, and the Bosnian government tried desperately in these last days to wrest a guarantee that their army would be trained and equipped by the US despite European opposition; for the Bosnian Serbs, both agreements left the viability of the Republika Srpska up in the air. Additionally, they feared that the loss of the Sarajevo suburbs would mean that the seat of government would move to Banja Luka, the only city of Republika Srpska where the Pale leadership had been periodically challenged throughout the war. In exasperation, the US said that if agreements were not reached within a day, the talks would be wound up; on 21 November, the peace agreement was signed by all except the Bosnian Serbs.⁵ The next day, the UN lifted the arms embargo, which had chiefly affected the Bosnian government, and suspended trade sanctions against the rump Yugoslavia.

Within the US, pressure to arm and train the Bosnian army, always strong, mounted further. The Bosnian *quid pro quo* for accepting partition, the argument went, should be a strong and deterrent force with aid supplied not by Iran but by Pakistan and Poland (which was to be the conduit through which ex-Soviet arms would be transferred to Bosnia).⁶

The text of the agreement which was finally signed on 21 November was an uneasy mix of compromises, reflecting the fact that the agreement was, in any case, temporary. After two years of federation with Bosnia-Herzegovina, Republika Srpska would have the right to review the secession option. Unsurprisingly, the majority of the agreement's clauses favoured the partition process. Under the new constitution signed at Dayton, Bosnia-Herzegovina was to retain a legal continuity but it was going to be a state without a president or prime minister – or, indeed, a defined structure.⁷ Instead, there would be a three-member presidency comprising a Bosniak, a Croat and a Serb, who would nominate a chair. The joint presidency and council of ministers would be responsible for framing foreign, trade, customs and monetary policies, but not economic policy. Instead, there was a promise that within six months, the Federation and the Republika Srpska would begin negotiations on common energy policy and use, and co-operative economic projects.

Each entity would have the right to enter into parallel relationships with neighbouring states, and to make agreements with them and with international organizations. Most alarmingly, there was no provision for national defence.⁸ The two entities would have separate armies. The only attempt at a common defence system was the promise to establish a Joint Military Commission. Though the Organization for Security and Co-operation in Europe (OSCE) was to head initiatives to preclude the renewal of war through arms control and a military balance, these were to be created not only at the regional level but also between the entities. The proportionate allocation of arms and troops discussed in the agreement (5 Federal Republic of Yugoslavia: 2 Croatia: 2 Bosnia-Herzegovina; within Bosnia-Herzegovina, 2 Federation of Bosnia-Herzegovina: 1 Republika Srpska)⁹ could leave Bosnia-

Herzegovina in a fairly weak position. If, for example, the Federation allocation was divided between the HVO and the Bosnian army, and the HVO and RSA forces joined their respective national armies (the Croatian Army and the JNA), the proportions would shoot to 5.6 Federal Republic of Yugoslavia: 2.6 Croatia: 0.6 Bosnia-Herzegovina. The absence of any explicit discussion on building a unified army across Bosnian territory, moreover, also weakened incentives for the Bosnian Croat forces to merge with the ABH.¹⁰

Though there was a marked tilt towards partition in the Dayton Agreement, it also contained significant options for reintegration. The most important of these was a commitment to the return of refugees, for which a separate commission was set up under the UNHCR. However, the Agreement indicated that the international community had few hopes of this provision taking hold; instead, they laid greater weight on the provisions for a common economic space. Bosnia-Herzegovina was to have one central bank; as noted above, there was also a paper commitment to negotiate co-operative economic projects: theoretically, even if the Pale government disapproved, local authorities could point to the commitment as sanctioning cross-border economic activities. The drawback was that neither the West nor the Islamic countries were willing to come up with the kind of money which would be needed for economic activity to dissolve the lines of partition. Even the minimum required for basic infrastructural repairs and reconstruction which the World Bank had determined was \$4 billion had so far only raised pledges of some \$1.5 billion. In the absence of a speedy injection of reconstruction aid, the lines of partition were likely to harden in such a way as to make recovery much more difficult, and indeed the first events following the peace agreement were to show that the process of ethnic divide was taking a further turn.

Like the announcement of Indian and Pakistani independence, the Dayton Peace Agreement was marked by conflagration. The reunification of Sarajevo, to which President Milosevic had agreed without consulting the Bosnian Serbs, was an especially sore point. The Bosnian Serb delegation, on hearing of the agreement, protested to US General Clark. "The red line is Milosevic's," General Clark patiently explained. "You

can't change it. It's agreed." "It may be Milosevic's line," one of the Bosnian Serbs said, "but it's our road."¹¹ Despite these intimations of trouble, NATO policy appears to have followed General Clark's advice to the Bosnian Serbs: "it's best to let it alone for now and allow this to sort itself out."¹² On 27 November, when the five Sarajevo suburbs under Serb control began to seethe over the transfer of authority to the Bosnian government, IFOR announced that it would not help with the return of refugees. A large number of the Serbs living in the suburbs were themselves refugees from other parts of Bosnia; according to one resident of Ilidza, "everybody has a hand grenade in his pocket. Remember Somalia? We too will drag the bodies of dead soldiers through the streets."¹³

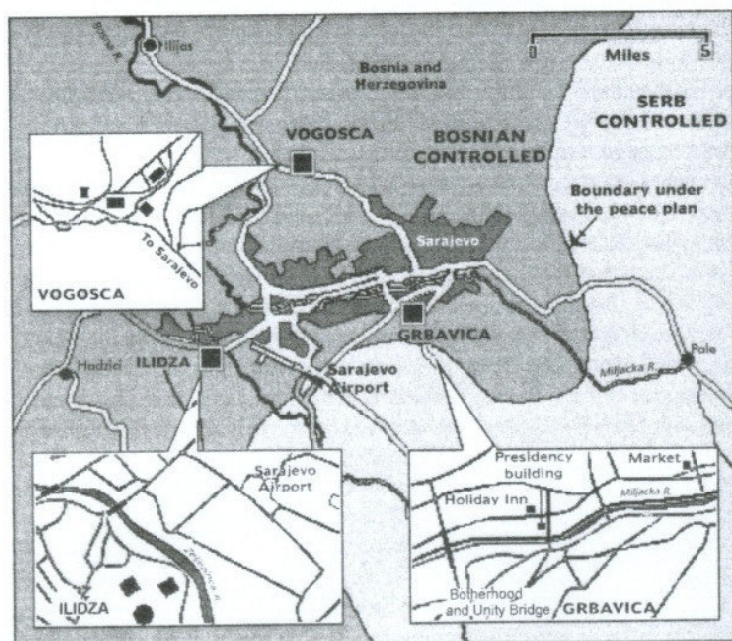


Fig. 4.1 Reunified Sarajevo under the Dayton Peace Agreement
Source: New York Times (<http://www.newslink.org/nyt>).

Under the Dayton Agreement, the transfer of the suburbs was to take place within one and a half months of the IFOR take-over of peace keeping in Bosnia, during which time Republika Srpska would be responsible for withdrawing troops and weapons and demilitarizing the area. The transfer of the suburbs to the Federation government was to be phased over three months; Federation police would not enter the suburbs until the last phase. In the interim, IFOR would "have the right to provide the military security for these transferred areas".¹⁴ The provision was immediately controversial.

The French units, under whose jurisdiction the suburbs of Grbavica, Ilidza, Hadzici, Vogosca and Ilijas fell, began to voice their disquiet at having to patrol the areas, for fear that the sixty thousand Serbs who lived there would revolt and the troops would be drawn in to quell civil unrest. Analysts even predicted a "West Bank scenario" of prolonged conflict over the transfer of the suburbs,¹⁵ and French President Chirac wrote to President Clinton arguing that the articles on Sarajevo's reunification should be amended with additional guarantees for the Serbs living there.¹⁶ The Bosnian Serb leader Nikola Koljevic had already suggested a UN Protected Areas formula for the suburbs, that they should be under international authority for a transitional period.¹⁷ Nevertheless, as unrest mounted in the suburbs over the next three days, NATO was chiefly preoccupied by a wrangle between the US and the Europeans, led by the French, over lifting the arms embargo and the UN role in implementing Dayton. The French demanded that the peace implementation mission should be headed by a civilian, preferably Carl Bildt as the UN appointee; the US resisted any moves to put NATO troops under UN authority.

On 30 November, while Ilidza demonstrated against the agreement to reunify Sarajevo, NATO announced a compromise: the arms embargo would be maintained for six months while arms control talks began under the aegis of the OSCE, after which the international community would work towards creating a balance of forces in the region, using third countries as conduits for arms transfers.¹⁸ The announcement proved premature: under a volley of criticism from both Republican and Democrat senators, led by Bob Dole and John McCain, the US

pushed for and won an agreement that the embargo would be kept in place for three instead of six months, but there would be a six-month ban on the sale of heavy weapons. Meanwhile, the US would put together an international consortium of Islamic countries and the US, which would pay for private contractors to train the Bosnian army and for weapons bought from East European countries.

Though news of the presence of Islamic militants in Bosnia had trickled out from time to time since 1994, suddenly there was a flood of articles on *mujahedeen* concentrations in and around Zenica, which were prompted at least in part by the US announcement. In fact, an agreement on the withdrawal of foreign forces had been high on the Dayton agenda.¹⁹ Though the number of militants was not particularly high, their concentration in central Bosnia made the area a flash point. According to the Turkish battalion commander in Zenica, Colonel Ahmet Berberoglu, there were 1,500 to 2,000 *mujahedeen* in the Zenica region; mainly Libyans, Iranians and Algerians who had fought in Afghanistan; many had turned mercenary as the Afghan war dwindled into an internecine battle.²⁰ One of the ten Islamic charities in Zenica, moreover, was an Egyptian foundation which was banned in Egypt and whose forty employees in Zenica were all wanted for terrorist activities in Egypt.²¹ In a small way Bosnia was becoming a haven for terrorists, but the problem of Islamic militants was minor in comparison with the nexus of war profiteers, mercenaries, small arms dealers, and drug and currency mafia which Mostar was riven by, as subsequent reports showed. In fact, the issue of Islamic militants was seized upon by Bosnian Croat nationalists to argue that they could not participate in a government dominated by people "who were no better than Turkish occupiers".²² In part, the seemingly disproportionate attention paid to the issue was guided also by Western domestic concerns: in late January, for example, US troops in central and north-western Bosnia (a sector including Zenica) tightened security after they received US military intelligence that Islamic militants were planning attacks on them in Bosnia in retaliation for the conviction of Sheikh Omar Abdel Rehman for the World Trade Centre bombing.²³ A week later, the US government was asked uncomfortable questions on their failure to share information on Saudi

Arabia's violation of the international arms embargo by smuggling \$300 million worth of weapons to the ABH; to which they replied by citing an October 1994 Congressional ban on sharing intelligence which could be used to interdict arms shipments to the Bosnian government.²⁴

Meanwhile, irritated by the French troop commander Jean-Rene Bachelet's comments that Sarajevo would prove non-unifiable without better guarantees for the Serbs, the Bosnian government told the US that they did not trust the French troops to oversee the transfer of authority. Bachelet was recalled, but primarily for having added injudicious remarks about French failures to uphold Gaullist principles, and US imperatives for a pre-election foreign policy success.²⁵ In Pale, Bosnian Serb leader Momcilo Krajisnik asked NATO commander Admiral Leighton Smith to extend the deadline for the transfer of the Sarajevo suburbs to nine months; the Bosnian government added that they too felt the need to move slowly so as to soothe Serb fears. But in the suburbs, Serbs asked UN officials if they could be given twenty thousand coffins so that they could exhume their dead and take the coffins with them as they left; and after having initially promised to consider extending the deadline for the transfer of the suburbs, Admiral Leighton Smith said he did not have the authority to do so.²⁶

Tensions continued to mount: at the absurdly named Bridge of Brotherhood and Unity, opened between government and Serb controlled parts of Sarajevo in the summer of 1994, a Serb checkpoint stepped up harassment of Muslims trying to cross; troops from both the ABH and RSA began to filter back to a critical battlefield in the vicinity of the Jewish cemetery in Sarajevo.²⁷ By the end of January, Serb snipers had begun firing at IFOR vehicles in Ilidza. IFOR's own attempts to encourage freedom of movement by dismantling checkpoints provided greater freedom of access for crime than for citizens. Travellers along the newly opened roads through Ilidza and Hadzici, where IFOR had dismantled Bosnian Serb checkpoints, started to be abducted by armed gangs, but NATO said IFOR could not provide them with protective convoys.²⁸ In fact, NATO had prepared a detailed military plan not only to implement freedom of movement but also to provide for the return of refugees as long ago as the Vance-Owen Peace Plan, but once they undertook

IFOR, their main attempt became to limit the mission rather than fulfil its wider mandate.²⁹

The problem of lawlessness was compounded by the absence of the international civilian police force, which the Dayton Agreement had stipulated but for which no budget had been drawn up, no funds were available and no plans had been made. In December, the Pentagon voiced concern that though NATO had a thousand-page military plan for the separation of forces and gradual disarmament of the region, no corresponding plan had been developed for the civilian tasks of implementing the agreement;³⁰ in January, it was reported that US-French bickering had even held up appointments to the civilian mission. The French wanted at least one of the top appointments to go to a Frenchman instead of an American; the US was blocking Bildt's appointment as the UN's head of peace implementation, but was not prepared to induct him on to the NATO Peace Implementation Council either.

Meanwhile, the UN was having great difficulty assembling an International Police Task Force (IPTF) because most countries did not keep reserve police forces (unlike armed forces), and so could not contribute policemen for more than a few weeks at a time.³¹ The lack of manpower and funds for the IPTF mission, many UN officials felt, was a sign that the implementation of this aspect of the Dayton Agreement had low priority for the Western governments. In early February, the deadline for the transfer of the suburbs was extended by a month and a half, to provide time for the IPTF to be mustered. Its first task would be to create a mixed Serb-Muslim police force for the suburbs. Until then, the Bosnian Serb police would remain in them. The arrangement was problematic, given the police were armed; according to the Bosnian government, moreover, the Republika Srpska government was putting soldiers into police uniforms. UN reports added that the number of police officers in the suburbs had increased and that many of the original policemen had been replaced with "new and unfamiliar faces". Led by the police, Bosnian Serbs had begun a lock, stock and barrel removal of factories and machinery from the suburbs to the Serb entity.³²

On 6 February, the Bosnian police arrested six Bosnian Serbs, including two top RSA commanders, whose car had inadvertently strayed on

to government territory *en route* to an IFOR meeting. The Bosnian Serbs suspended relations with the Bosnian government, who had offered to turn the arrestees over to the war crimes tribunal, and threatened retaliatory arrests of Muslims and Croats travelling through the suburbs. The mayor of Ilidza, who had co-operated with IFOR, was denounced as a traitor to the SDS. On 9 February, he warned that Pale was planning to stage a crisis by orchestrating the mass flight of the sixty thousand residents from the suburbs in order to drum up pressure to renegotiate the agreement to reunify Sarajevo. In west Mostar, Croat gangs attacked the offices of the EU administrator, Hans Koschnik, and the HDZ municipal council withdrew from the agreement to reunify Mostar. Koschnik himself was given an unpleasant half-hour when the gangs surrounded his car and rocked it.³³

The issue of the two RSA commanders whom the Bosnian government had arrested, General Djukic and Colonel Krsmanovic, had become so tense that when the Tribunal requested their extradition to the Hague on 10 February, the US dispatched Richard Holbrooke to Sarajevo and Belgrade to negotiate how the request could be fulfilled. Two days later, NATO announced that though they had ferried the two RSA commanders to the Hague, IFOR troops could not themselves arrest accused war criminals because they had not been adequately briefed on who they were. Reportedly, Radovan Karadzic had passed unquestioned through IFOR checkpoints on a trip to Banja Luka. The announcement implied that IFOR was going to take similarly self-protective stances as UNPROFOR had done in the past, with a wider mandate and a much stronger troop presence; it was revealing enough to provoke US Assistant Secretary of State for Human Rights, John Shattuck, to say that NATO commanders had been given records on all fifty-two of the men indicted by the tribunal.³⁴

The debate over IFOR's duties continued while conditions worsened across Bosnia. Though the Croat and Bosnian governments had agreed with NATO that foreign forces, including Croatian army troops and Islamic militants, would withdraw from Bosnia in December,³⁵ on 16 February French troops arrested eleven *mujahedeen*, five of whom were Iranian, and on 17 February, IFOR raided a chalet twenty kilometres

from Sarajevo which they said was being used as a terrorist training centre by Islamic militants. The chalet belonged to the Ministry of the Interior and had been used as a training centre by the Yugoslav government. On the same day, senior EU diplomats confirmed reports that Croatian army troops were still in Bosnia, having exchanged their Croatian army insignia for Bosnian Croat insignia. And the Bosnian government reiterated their plea for the return of Croatian Serb refugees or their resettlement outside Bosnia, on the grounds that they were joining the RSA. As rumours that Milosevic might sacrifice Karadzic and Mladic to the tribunal gained ground, RSA commanders launched a boycott of arms control talks. RSA-NATO relations were at such a low point that IFOR gained access to Bosnian Serb arms depots in eastern Bosnia only after threatening air strikes. Two days of talks in Rome, during 17 and 18 February, yielded only an agreement between Presidents Tudjman and Izetbegovic to reunify Mostar, and a joint appeal by Presidents Milosevic and Izetbegovic to Bosnian Serbs to stay in the suburbs.³⁶

Most of the Serbs in the suburbs had by now prepared to leave: valuables, including furniture and china, had been sent to relatives outside Bosnia, and they themselves were chiefly awaiting the statement on transfer of authority. On 19 February, when the UN announced that the Federation police would begin to move into the suburbs from 23 February, the Bosnian Serb parliament began a media campaign to induce Serbs to leave the suburbs before the transfer of authority began. The process was to be phased: first Vogosca would pass into the Federation, then, at intervals of six to seven days, Ilijas, Hadzici, Ilidza and Trnovo, and finally Grbavica, Novo Sarajevo and Stari Grad. The transfer was to be completed by 19 March, by when there should be a total of 545 Bosnian policemen in the suburbs under the supervision of 300 international police monitors. The Bosnian Serb police in the suburbs were offered the option of joining the Federation police but refused.

In Vogosca, the announcement of the imminent arrival of the Federation police sent residents into a panic: there was a stampede for buses, but UNHCR refused requests to evacuate and said the SDS leaders were bent on creating a fear psychosis amongst the Serbs in the suburbs. Pale radio had begun daily broadcasts urging the Serbs to flee and suggesting

they try a scorched-earth policy. On the day the Federation police were to take over in Vogosca, television cameras showed a stream of refugees trudging out of the suburb, leaving burning buildings and streets behind them. By the time the Federation police entered Vogosca, the majority of its ten thousand residents had left. Reports of harassment by both Federation and Bosnian Serb gangs began to be made: the mixed Federation police comprised forty-seven Muslims, thirty Serbs and eight Croats, and there were not enough IPTF monitors to accompany them on every patrol. Meanwhile, the first joint Croat-Muslim police patrol in Mostar was delayed by several hours because the Croat officers failed to turn up and were only persuaded to do so after several hours of frantic negotiation by Koschnik.³⁷

As the date for the transfer of Ilijas and Hadzici neared, the same stampede for buses began in Ilijas as had taken place in Vogosca. This time IFOR decided to accept the RSA offer to send trucks to evacuate the Ilijas Serbs. In Ilidza, Bosnian Serbs began digging up the graves of their relatives. In Hadzici, a band of twelve Croats wearing hand-stitched Federation police insignia occupied the police station on the day of the transfer of authority, 6 March, ostensibly to protest the composition of the police force (fifty Muslims, fifteen Serbs and five Croats). They were suspected of having come from west Mostar, and could have been the Croatian army troops wearing Federation insignia who had been reported earlier.³⁸ By 10 March, Ilidza and Grbavica were on fire. The Serb gangs who torched the buildings also organized the flight of residents, threatening those who didn't wish to leave. Local Serb officials warned IPTF monitors that over two hundred buildings were to be burnt in the forty-eight hours leading up to the handover of Ilidza; though French firefighters were sent to swell the contingent of Federation firefighters in the two suburbs, they proved ineffective. In the days following the handover of Ilidza on 12 March, armed Muslim gangs replaced the Bosnian Serb gangs, looting and threatening the three thousand, mostly elderly, Serbs who had remained.

The denouement was at its most graphic in Grbavica: the day before it was to be transferred, gangs armed with gasoline cans dodged IFOR troops in smoke-filled streets. But the division of authority between

IFOR and the IPTF, which allowed IFOR to restrict its mandate while the IPTF lacked the resources and manpower to fulfil its own, meant that even when IFOR troops did try to stop the arson their instructions were to hand the arsonists over to the local police to be dealt with – many of whom were among the arsonists. When Italian troops arrested one gang whom they suspected of four separate arson attacks and took them to the local police station, still in the hands of the Bosnian Serb authorities, the Serb police jeered as the group was marched in and then set the gangsters free. The UNHCR warehouse was fired and it was rumoured that the safe house they had opened for the Serbs who wanted to remain in Grbavica would be fired next. Federation firefighters refused to enter Grbavica because grenades had been thrown at them two days earlier. The few Serb firefighters who were in the suburb refused to help put the fires out. On 18 March, when the Federation police entered Grbavica, so did armed Muslim gangs. Fires continued to rage and the Bosnian police were reduced to bystanders as Muslim gangs roamed Grbavica's streets, looting what they could. In a farewell speech to the Bosnian Serb police as they left Grbavica, Republika Srpska's Deputy Minister of the Interior said that though the Serbs had lost at Dayton what they had defended during the war, future generations of Serbs would reclaim it. Sarajevo, which had so proudly resisted ethnic divide during the war and occupation, was being driven to it by reunification under the peace agreement.

The significance of Sarajevo's *auto de fe* to the future of the Dayton Agreement was underlined both by international mediators and local politicians. Carl Bildt and Haris Silajdic saw the conflagration in the suburbs as testimony that a policy of partition was now being deployed by the SDA, albeit not to the same extent as the SDS and HDZ. Bildt warned that if Sarajevo's reunification failed to maintain a multi-ethnic city, then the prospects for a united Bosnia were dim; Silajdic said Bosnia was now in a situation of *de facto* disintegration.³⁹ (Relations between Silajdic and Izetbegovic had steadily worsened during and after the Dayton Agreement, and in early February, Silajdic had announced his intention of standing against Izetbegovic in the forthcoming elections.) Within Sarajevo, a new jockeying for power had already begun, which

showed the level at which internationally brokered agreements were effective. The question was over the status of the city as defined respectively by the Washington Agreement of 1994 and the Dayton Agreement of 1995. The former had said that as capital, the city would have the status of a district; the latter placed the city within a canton of greater Sarajevo.

The conflict mirrored the tussle over Mostar when the 1994 agreement for an EU administration was signed: as long as the city held a special status, its proportionately larger Croat population could be certain of considerable power; within a larger canton with a proportionately greater Muslim population, Croats risked being outnumbered. Though the Sarajevo Croats were a minority in the city, a greater Sarajevo would make their numbers negligible. The HDZ threatened to boycott the city council if Sarajevo was declared a canton; the SDA held out for a canton. Through February and March, while Serbs fled and the suburbs burned, the city's attention was focused on a series of inconclusive talks between Presidents Izetbegovic and Tudjman on the status of Sarajevo; eventually, the SDA forced the issue by convening a cantonal assembly. The decision caused a further split in SDA ranks: Sarajevo's mayor, Tarik Kupusovic, resigned, saying "the Sarajevo canton is being established through political violence; it has pronounced a death sentence on Sarajevo as an urban environment." It seems that Muslim refugees from eastern Bosnia were being hurriedly resettled in the suburbs the Serbs fled. When it was discovered that fifteen thousand of them were refugees from Srebrenica, the bitter rumour that the Bosnian government had made a tacit agreement with Republika Srpska to exchange the suburbs for the Srebrenica enclave gained a new lease of life.⁴⁰

Nevertheless, it was Mostar rather than Sarajevo which presaged the full gamut of dangers to the Dayton Agreement. Though the Bosnian and Croatian authorities within the Federation signed a twelve-point agreement on 18 April to reorganize the Federation government, unify the police, customs and tax collection, get the multi-ethnic cantons going, and work together in Mostar, the former lacked the power and the latter the will to take on the gangsters who ruled the city. (Indeed, the number of unimplemented agreements on Mostar's reunification which

had been signed indicated that the Croats viewed agreements rather as the British viewed inquiry commissions: a useful way of indefinitely shelving action.) In May, a local policeman who arrested one of west Mostar's criminals was so badly beaten for his temerity that he had to be hospitalized; the one unit of integrated police which was all that the EU had been able to muster in its two years of administration was, by EU admission, no more than a showpiece. According to EU police officers, Mostar was becoming "the car theft capital of the world"; in the past eighteen months, they had registered over six thousand vehicles stolen in Italy and Germany, but couldn't reclaim them because the west Mostar mafia were too powerful to cross. In a familiar progression, its two leading lights had both previously worked for the Yugoslav Ministry of the Interior; they now did a roaring trade in forged passports, smuggled alcohol and cigarettes, and the flesh trade to the Netherlands and Germany. The HDZ was in cahoots with them; its newly opened military headquarters was underwritten by one of the mafia leaders, Mladen Naletilic (familarly known as Tuta). Apparently, local HDZ leaders also levied protection money from stores.⁴¹

IFOR troops were now beginning to be pushed into actually impeding the return of refugees in order to prevent further violence. On 27 April, when around fifty Muslim refugees from the north-eastern village of Mahala attempted to visit the village, they were fired on by Bosnian Serbs who had been bused into the village. The next day, IFOR troops stopped two buses filled with Muslim refugees seeking to visit the nearby town of Teslic, because there were some 150 Bosnian Serbs dressed as civilians waiting there, whom NATO suspected of being armed with guns and grenades. Teslic, its former mayor Rade Pavlovic said, was being run by hardline SDS police who were helping to expel the few Muslims remaining in the town; though he had asked IFOR troops to provide protection for them, the troops were not permitted to bypass the local authorities.⁴² NATO spokesmen said that the task of providing safe escorts for refugees seeking to return was supposed to be undertaken by local officials under the Dayton Agreement; but, as they confessed, even where there were local officials willing to do so, it was difficult for them to find a way around the hardliners. A meeting of

local Muslim and Serb officials from the north-eastern village of Koraj, which was held under the aegis of Russian and US troops, had ended without agreement; it was only after further pressure that Serb officials had agreed to permit Muslim refugees a brief visit. After the meeting, a Muslim official had said to one of the Serb officials, "We must find a way to put our extremists, our wild dogs, on chains"; to which the Serb had ruefully replied, "I don't have enough chains to hold all my wild dogs."⁴³

Despite the volatility of the situation, the international community decided to push ahead with plans for elections. In late April, the OSCE announced that an additional \$53 million would be required for the elections; half of this sum would be put up by the Federation and Republika Srpska. The OSCE would allow only two categories of refugees to cast absentee ballots: refugees living outside Bosnia and displaced people in temporary accommodation. Others, who "appeared to have established permanent residence" in places other than those they were registered in during the 1991 census, would have to register and cast ballots in person. They could register to vote either in the villages they had been driven from, or in their new places of residence. The rules were intended to favour the reintegration option of the Dayton Agreement by making it easiest for Bosnians to vote in their places of pre-war residence. But the absence of any significant change in nationalist controls, especially in Republika Srpska and Herzegovina, meant that both the rules and the intention behind them were largely irrelevant.

According to UNHCR, nine out of ten applications to visit "the other side" were being rejected.⁴⁴ This meant refugees were faced with the prospect of either voting in a place which they would be unlikely to return to in the foreseeable future, and in effect wasting a vote, or electing a candidate who might represent their rights to a residence, no matter where. Effectively, this tilted the balance in favour of the nationalists. By late May, registration problems had led the OSCE to warn that they might have to postpone local elections because they had been unable to create a central register to establish who could vote where. In Republika Srpska, the Assistant Justice Minister said that the SDS would not allow independent election monitors into the region, but would form

their own election commission.⁴⁵ As reports of forcible Serb voter registration in former Muslim villages began to trickle out, the Bosnian government announced that it would withdraw from the elections unless the registration rules were rewritten and Karadzic and Mladic removed from power; the OSCE responded that it was aware of the anomaly of the election rules, but the Bosnian government had agreed to them after a long debate with the SDS and it was too late to change them.

Karadzic had just won a power struggle against the Republika Srpska Prime Minister, Rajko Kasagic, whose popularity in Banja Luka and nose for the main chance had led him to challenge Pale's ascendancy. The problematic viability of Republika Srpska began to be hinted at: "the dispute threatens to split Serb controlled territory into an eastern section under Mr Karadzic in Pale and a north-western region run by a moderate faction based in Banja Luka." Kasagic was a Milosevic appointee whom the SDS had accepted prior to the Dayton talks as a possible link to the international community, but after Milosevic's jettisoning of key SDS demands at Dayton, Kasagic's usefulness was outlived and his threat came to nothing. Karadzic nominated a more hardline replacement for Kasagic; at the same time, he announced he was prepared to resign in favour of Biljana Plavsic, a hardline SDS stalwart from the days of the 1991 coalition government and currently his deputy.

The War Crimes Tribunal was by now at loggerheads with the US: on 21 May, Judge Richard Goldstone "went public" over his anger at NATO's refusal to arrest Karadzic and Mladic; the US replied that their policy was to isolate them.⁴⁶ On 2 June, at a meeting between Warren Christopher, Franjo Tudjman and Alija Izetbegovic, it was agreed that presidency and parliamentary elections would be held as scheduled even if Karadzic had not been arrested, provided that he was out of power. Reconstruction aid to Bosnian Serbs had already been made conditional on the removal of Karadzic and Mladic.⁴⁷ While Alija Izetbegovic appeared on Bosnian TV to appeal to voters to boycott the elections if these conditions were not fulfilled,⁴⁸ the US head of the OSCE civilian implementation, Robert Frowick, instructed his staff to focus on "positive developments" rather than "negative human rights violations". The instruction was in response to a leaked OSCE weekly report which said

that the west Mostar police were continuing to expel Muslims. Now it was the Europeans within the OSCE who appeared to be at loggerheads with the US: its Italian head, Francesco Cotti, was reluctant to set an election date, because he feared that a nationalist dominated election would "only bolster ethnic intolerance" and could create new conflicts. Pressure to delay the elections mounted. On 12 June, Human Rights Watch warned that holding elections would solidify ethnic partition; a week later, the Pale board of the SDS nominated Radovan Karadzic to run as president, and at the end of June the SDS Congress re-elected him party president so that he would effectively continue to control Republika Srpska, including the SDS appointed police.⁴⁹

For many refugees, the elections were beginning to pose a choice between underwriting war criminals or sealing partition. As one Muslim refugee from Doboï said in Germany, if he sent an absentee ballot to Doboï (now in Republika Srpska), he would almost certainly sanction the sending of an SDS representative to parliament; but if he voted from somewhere in the Federation, he would seal Bosnia's ethnic partition.⁵⁰ By the end of June, it was clear that the Mostar elections, which were going to be held before the all-Bosnia elections because they had been set by the 1994 agreement with the EU, were going to bear out Cotti's fears. No Muslim candidates dared to canvass in west Mostar and no Croat candidates canvassed in east Mostar. The Croat candidates who tried to campaign on a reunification platform in west Mostar were confronted by angry crowds of women and children in mourning, who had been bused in by the HDZ, and who hurled slogans of revenge at the candidates. In both west and east Mostar, local radio and television stations broadcast incendiary nationalist speeches; ironically, the Croatian Peasant Party were denied media access in Mostar, but were broadcast in Republika Srpska.⁵¹ The reservation of municipal seats on an ethnic basis which the 1994 Washington Agreement had provided for, with sixteen seats each for Croats and Muslims and five for Serbs and "Others", said the OSCE election organizer for Mostar, meant that the OSCE was forced to accept a kind of ethnic election rigging.⁵²

Predictably, this oversimplified the situation. While the HDZ curtailed opposition campaigning in west Mostar, in east Mostar the SDA

entered into a coalition with the Party for Bosnia-Herzegovina, the Liberal Bosniak Organization, the Liberal Party and the Serb Civic Council. The coalition was called the Citizens' List for a United Mostar.⁵³ But though the imperative to cut into Croat control drove the SDA into coalition in Mostar, matters were very different in areas where partition lines were to be consolidated. Here parties challenging ethnic divide were fiercely resisted, all the more so if the challenge was seen as coming from within. In the Usora-Sanski canton in north-western Bosnia, for example, where there was fierce competition to demographically resettle towns and villages, Haris Silajdic was attacked by SDA policemen while addressing a rally at Cazin held by his Party for Bosnia-Herzegovina.⁵⁴ The mayor of the neighbouring town of Sanski Most was the Bosnian army general who had led the autumn 1995 offensives in the area, Mehmed Alagic. The paradoxical choices posed by the political imperatives flowing from the Dayton Agreement were at their most vivid in Republika Srpska, where Milosevic attempted at one and the same time to consolidate Serb resettlement, especially in the more vulnerable border areas, and to pit the Banja Luka SDS against the Pale leadership.⁵⁵

Meanwhile, pressure continued to build on the war crimes issue. On 30 June, the G7 countries threatened to reimpose sanctions on the rump Yugoslavia if Karadzic was not removed from power, and on 5 July, the Tribunal began hearing evidence against Karadzic and Mladic. A debate began amongst US policy makers on the feasibility of a military sortie to arrest the two, but appears to have been shortlived. Instead, the G7 Summit in Lyons created an International Commission for the Missing on 7 July, to be headed by Cyrus Vance. UN war crimes investigators had already begun digging up a mass grave at Cerska, near Srebrenica, which they had identified with the aid of CIA satellite photographs. On 11 July, while Bosnian Serbs "celebrated" the fall of Srebrenica and their leaders told them to think of building an independent Serb state rather than a reintegrated Bosnia, the Tribunal issued international arrest warrants for Karadzic and Mladic, and asked that an inquiry into Milosevic's possible role in war crimes begin. The next day, Richard Holbrooke went to Belgrade to push Milosevic to depose

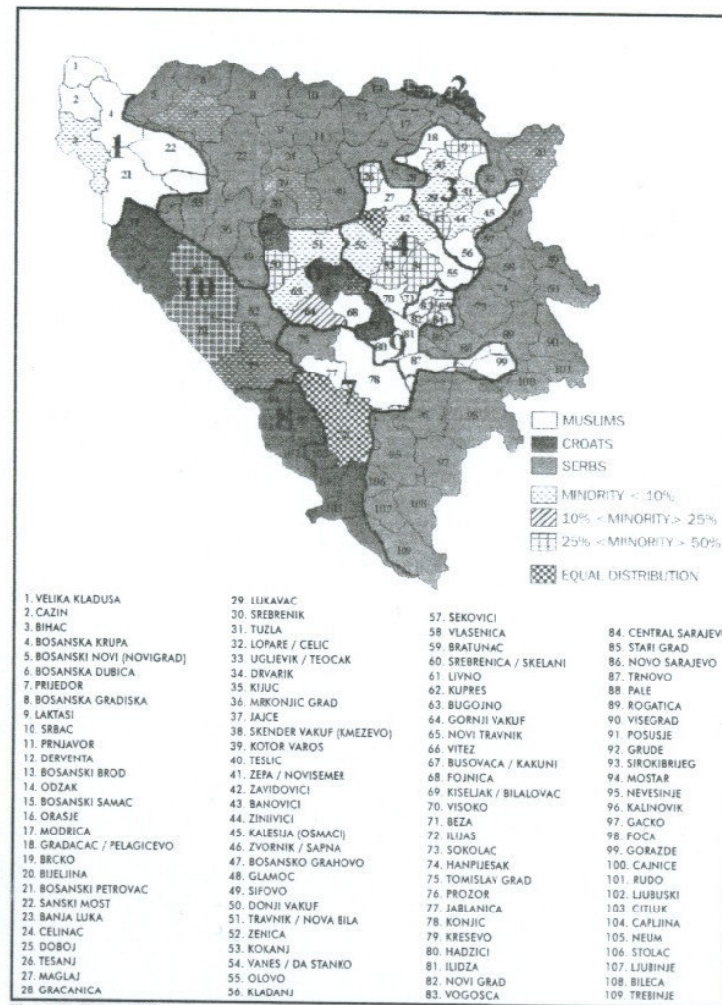


Fig. 4.2 Bosnia-Herzegovina - ethnic distribution in 1996

Source: Organization for Safety and Co-operation in Europe (OSCE).

Karadzic and Mladic, and the day after that Bosnian Serbs blew up a UN truck at Doboj. On 14 July, the French government said it planned to ask the UN Security Council to give NATO a wider mandate to arrest indicted war criminals, providing NATO's governing council also agreed; the US troop commander in Bosnia, General William Nash, added that his troops could effect the arrests if ordered to. The next day, Robert Frowick delayed the start of the election campaign until Karadzic and Mladic had stepped down. A party whose officers numbered indicted war criminals, he said, would not be able to participate in the elections.⁵⁶

Tensions continued to rise in Republika Srpska and in Herceg-Bosna. On 16 July, Bosnian Serbs threatened they would take IPTF monitors in Doboj and Modrica, north of Doboj, hostage if Karadzic was arrested. Doboj was becoming as lawless as Mostar: "Bosnian Serb police lurk in pairs behind bushes and trees at the NATO checkpoint on the outskirts of town"; Muslims crossing the checkpoint were beaten and robbed as they moved out of its sight. Crime, in any case, was not considered to be the purview of IFOR troops; it was for the IPTF monitors to control the Bosnian Serb police. But there were still too few monitors, the mission was yet to be properly organized, it lacked funds to even provide monitors with telephones, and their brief was more often to try persuasion than pressure. Additionally, IPTF head Peter Fitzgerald said, training local police forces in public service was a major and gradual undertaking: they had been instruments of state control for too long to adapt easily to the idea that they were employed to protect individual human rights.⁵⁷ This problem was, in fact, a key issue which the international community had consistently shied away from because it posed an unpopular, and in many ways impossible, choice: whether to try to retrain people schooled first in authoritarian governance and then by ethnic apartheid, or to risk a potentially colonial takeover of authority and police Bosnia themselves until a new police force could be created. The choice of the former also meant that the international monitors would be little more than a pressure group: because their function was to monitor, they could not even conduct independent investigations

into allegations of police misconduct, but could only be present at local police investigations which most witnesses were loath to participate in.

While international pressure for Karadzic's arrest had mounted, the Belgrade magazine *Nin* reported that support for the SDS, which had declined since the Dayton Agreement was signed, had gone up among Bosnian Serbs from 50 to 80 per cent. In Mostar, the results of elections held at the end of June returned a Muslim mayor to the united city council; the Citizens' List had won twenty-one of the thirty-seven seats (this was the total of the sixteen Bosniak and five "Other" reserved seats), and the HDZ the remaining sixteen. The results were further compounded by the fact that in the city municipal elections – in which each of the city's six municipalities elected its own 25-member municipal council – Bosniak and "Other" reserved seats outnumbered Croat seats.⁵⁸ Though over 58,000 people had voted, a discrepancy in the votes cast by absentee ballot at Bonn – there were twenty-six ballots too many – was seized upon by Croats to demand that the poll be annulled. The eviction of Muslims from west Mostar multiplied. In fact, the Croat refusal to accept the Mostar election results was guided as much by the Mostar cantonal elections as by the city elections. The threat of the Bosniak majority cantonal assembly was that with its wider regional powers, including over local police forces, it could challenge the hold of the war-created Herzegovinian mafias who were the *de facto* rulers of Mostar. But if the city council itself could be prevented from working, then the cantonal assembly would have little opportunity to act. This would suit the Herzegovinian mafia, who still needed time to consolidate their hold on the Adriatic coast and its rich tourist industry.

Returning to the country-wide elections, in mid-July Holbrooke met with Milosevic, Krajisnik and Serb security chief, Stanistic, in Belgrade to discuss Karadzic's ousting, but the talks proved inconclusive. Meanwhile, over forty-seven political parties had registered to participate in the Bosnian elections, fielding over 25,000 candidates (this included cantonal and municipal candidates). It was reported that while seven thousand Muslims in the federation had applied for a change of their voting residence, 250,000 Serbs had applied in Republika Srpska:

local authorities there were making aid given by UNHCR conditional on registration to vote.⁵⁹ Moreover, the authorities in Serbia were refusing to supply Bosnian Serb refugees with forms to register as voters in their home towns, offering change of residence forms instead.⁶⁰

Of the three main opposition parties to the SDS in Banja Luka, two were formed of politicians who had been on the periphery of the Pale controlled SDS: one was a newly formed Bosnian Serb branch of Milosevic's Socialist Party, fielded partly to quench Western pressure to remove Karadzic, led by a well-known pragmatist, Zivko Radisic; the

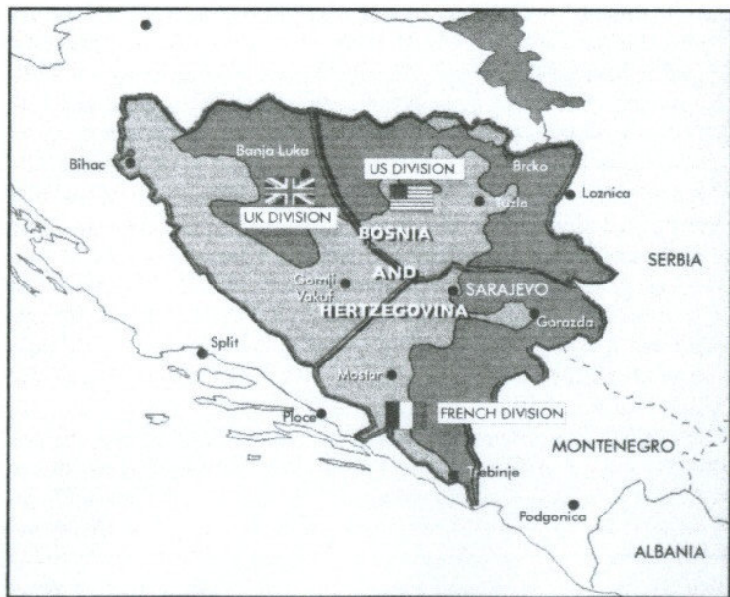


Fig. 4.3 *The Dayton Agreement and IFOR division of responsibilities*
Source: <http://www.dtic.dla.mil/Bosnia>.

other was a coalition of disaffected politicians, some formerly SDS, called the Democratic Patriotic Bloc, led by Banja Luka's mayor, Predrag Radic. The third and smallest opposition party, the Liberal Party led by Banja Luka's most prominent dissident, Miodrag Zivanovic, was in a broad coalition called the Alliance of Peace and Progress with the Socialist Party, the Social Democrats, the United Left and the New Labour Party. The Alliance made an already weakened SDS so nervous that it sought opposition support for a minimum programme of joint ethnic interests and support for key SDS candidates, in particular presidential candidate Momcilo Krajisnik, but the oppositions' rejection of their offer turned their attention again to intimidation.⁶¹

In late July, reports of ruling party harassment of opposition parties began to filter through: in Doboj, Bijeljina and Teslic, SDS activists resorted to violence to intimidate Socialist Party supporters; the moderate Bosnian Serb town of Teslic was an opposition stronghold, but its residents were kept in a state of fear by the SDS appointed city council and police, supported by a small band of Serb paramilitaries with whom the local priest, an ardent nationalist, was in cahoots.⁶² In Bijeljina, which linked the road from Banja Luka to Serbia, an SDS split between Pale and Banja Luka loyalists had led one faction of the municipal council to ally itself with the Democratic Patriotic Bloc; both they and a recently formed Socialist Party branch were under threat not only from the SDS but from a number of extreme Serb nationalist parties. Arkan's Party of Serb Unity, Seselj's Serb Radical Party and a new party, called the Serb Emigrant's Party, headed by the former president of the self-styled Commission for Population Exchange, were all contesting Bijeljina. The city had been among the first to be attacked by Arkan's Tigers in the spring of 1992 and had suffered systematic ethnic cleansing since. During the war, its strategic position on the route from Serbia had led most of the Pale leadership to open enterprises there; it was also the border customs and tax post for the Bosnian Serb guest-workers in Serbia. Throughout the war, Republika Srpska's economy was propped up by taxes paid here. The SDS split had partly been the result of local resentment at the Pale leadership's war profiteering; in response, the Ministry of Internal Affairs for Republika Srpska was transferred to Bijeljina, and

accompanied by roughly a thousand strongmen whose primary task was to protect businesses owned by Pale's SDS members.⁶³

Both NATO and the Pentagon were by now sufficiently concerned by the rise in low-level violence to argue that the mission might have to be extended. In late July, General Patrick Hughes, the head of the US based Defence Intelligence Service, said the peacekeepers' deadline would have to be extended by another year to provide a stabilizing force for the peace to take hold. It was possible, he added, that the Europeans might be willing to stay on without US troops, but it would be unwise to treat lightly their threat to pull out when the US did.⁶⁴ The comment was an implicit reference to negotiations within NATO to develop a new formula allowing the Europeans to lead missions without US troop commitment, but using the chiefly US provided NATO equipment, intelligence and transport. The formula would present President Chirac with an argument to bring the French into NATO; domestically, he would now be able to say that NATO was *en route* to becoming the European led security force that De Gaulle had stood for. But the US was not ready to give up US command of NATO missions, and this was the issue which had originally led De Gaulle to march France out of NATO. Increasingly, the Bosnian peace-keeping mission had become the theatre of US-French debate on this aspect of NATO's transformation: either the US kept ground troops on an extended mission in Bosnia, or they conceded French demands for European command of NATO.⁶⁵

Tensions continued to rise in the run-up to elections. In Mostar, the continued refusal of Bosnian Croats to accept the results of the municipal elections had precipitated a political crisis both within the Federation and for the Dayton process. The escalation of low-level violence since the announcement of the election results, with tit-for-tat fire-bombing of Muslim mosques and Croat churches in late July, was accompanied by the revival of a demand for partitioning Mostar and recognizing west Mostar as the ethnically pure capital of Herceg-Bosna. At the end of July, Federation Vice-President Ejup Ganic went to request Tadjman's help in pressing the Bosnian Croats to respect the new city council; he was accompanied by the US ambassador to Bosnia, John Menzies, US ambassador to Croatia, Peter Galbraith, and Carl Bildt's deputy, Ambassador

Steiner. The meeting was to press for both the city council to begin operating and for Herceg-Bosna to dissolve itself; the self-proclaimed statelet was an illegal construction, said IFOR-UN press officer Calum Murphy, and Ambassador Steiner had threatened that if the HDZ didn't begin to discipline the Herceg-Bosna mafias, then the IPTF would.⁶⁶ The EU administration had already announced that if the vote was not accepted and Herceg-Bosna was not dismantled, it would withdraw; the decision would be taken on 3 August. Tadjman, however, cut the meeting short saying he had a Croatian National Security Council meeting convened; matters were subsequently resolved only at President Clinton's intervention on 2 August, when Tadjman agreed to press the HDZ to allow the united Mostar city council to start functioning and pledged himself to see that Herceg-Bosna began to dissolve itself by the end of the month.⁶⁷

After two years, beginning with the Washington Agreement of 1994, the promises were beginning to sound hollow, but the EU administration's choice was to either confess defeat or swallow the promise with sanguine mien, and they chose the latter. Somewhat rashly, as it turned out: the Bosnian HDZ response to Tadjman's promise of 2 August was to convene an extraordinary meeting at Neum (Bosnia's only coastal town and a critical point of Federation negotiations), which journalists compared to a Mafia gathering called to select a new godfather. The HDZ mayor of west Mostar, Mijo Brajkovic, vowed that "Croats will not submit to EU demands to unite the city . . . No power can make us change that decision."⁶⁸ US pressure, in turn, yielded increasingly open defiance; HVO General Ivan Andabak now dismissed US demands for compliance with the Dayton Agreement's provision for a phased integration of the HVO and the ABH within three years as impossible: "It won't happen in twenty years."⁶⁹

In early August, the newly repaired bridge at Dobo, whose opening had been marked by Muslim-Serb conflict, was blown up, a half-dozen Muslim families seeking to return to the town were beaten up, and it was reported that some 1,500 Serbs from West Slavonia were being resettled in the town, while its local residents were told they would be given no more aid unless they registered to vote from Brcko.⁷⁰ At the

same time, though after Republika Srpska had appointed an arbitrator to the Brcko negotiations, they boycotted the preliminary meetings of the Brcko Tribunal.⁷¹ The speciousness of holding municipal and cantonal elections had already appeared in the decision to go ahead with elections in Brcko while the region itself was under arbitration; not surprisingly, the vote was being interpreted as a referendum on whether Brcko was to go to the Federation or to Republika Srpska.

Yet another twist in the Dayton Agreement now stood revealed: though the Brcko region was placed under international arbitration, the wording of the Agreement simply referred to "the disputed portion of the Inter-Entity Boundary Line in the Brcko area indicated on the map attached at the Appendix".⁷² It now transpired that no map had ever been appended; this meant, Republika Srpska argued, that the Brcko Tribunal had no jurisdiction to proceed. In fact, it seems the Bosnian Serbs had not been shown the full Dayton map: in response to their argument the international arbitrator, Robert Owens, produced "a Dayton map showing the IEBL in the Brcko area and indicating (by footnote) that the location of the line in the Brcko area was subject to negotiation".⁷³ There is little doubt that the omission was deliberate: mediators must have hoped that by leaving the boundaries vague, the ticklish issue of Brcko would resolve itself by a more indirect process of demographic resettlement or even reintegration.

But – as Bosnia's peculiar telescoping of political time had a habit of ensuring – the announcement of elections put paid to this hope by focusing attention on Brcko. Ultimately, it was the debate over elections in the town which led the OSCE to postpone municipal elections. The debate centred on the status of Brcko town: according to the Bosnian government, the Dayton provisions placed the town itself under international arbitration; according to both the SDS and the majority of the Serb opposition, the town was excluded from the area under arbitration. The Dayton map itself was vague on this point: "the precise segment of the boundary line that lies within the disputed area is not explicitly defined."⁷⁴ Before the war began, under the 1991 census, the Brcko *opština* was 44 per cent Muslim, 25 per cent Croat and 21 per cent Serb; the town itself was 56 per cent Muslim, 20 per cent Serb and only

7 per cent Croat. Now the town was majority Serb, one-third of whom had lived in the town before the war and two-thirds of whom were refugees from the Sarajevo suburbs, Jajce and the Posavina.⁷⁵ Though the current city council was SDS dominated, there was a predominantly Muslim city council in exile based in Tuzla, which had set up a co-ordinating committee to establish the Federation's legal right to Brcko soon after the Dayton Agreement in January 1996. The self-appointed mission of the committee was to counter SDS attempts to rig votes through resettlement by registering refugee voters.⁷⁶ While the pre-war Serb population of Brcko town was roughly 18,000 (out of a total population of 87,300), OSCE voter registrations showed around 51,200 Serbs had registered to vote there (31,278 of these were refugees in Serbia).⁷⁷

Vote rigging had become so widespread that a pilot UNHCR project to implement the return of refugees, which was promised by the Dayton Agreement, was blocked by municipalities eager to register their ethnicities of choice. Conditions were so bad in the Serb dominated municipalities of Sanski Most, Prijedor and Doboj, and the Croat dominated municipalities of Drvar, Jajce and Stolac, that the UNHCR was considering recommending sanctions against them for violating the Dayton Agreement.⁷⁸ The new peacekeeping mission was beginning to find that tentative forays led them into the same dire straits as the UN mission had, with the difference that the UN employed IPTF quite often took the flak for the NATO deployed IFOR's actions. At the end of August, when IFOR troops intervened to stop Bosnian Serb policemen beating up Muslim refugees returning to Zvornik, a mob of six hundred Bosnian Serbs surrounded the local IPTF headquarters, roughing up several officers and destroying several of their vehicles.⁷⁹ Faced with a volley of reports of forced registrations, intimidation of opposition candidates and denial of media space to the opposition, on 27 August, the OSCE announced that the municipal and cantonal elections were going to be postponed.

"The real problems, the searing problems of the country," said Robert Frowick, "are centred on the municipalities." The extent of ethnic gerrymandering by the SDS, the HDZ and latterly the SDA was shown, senior EU official Jeffrey Fisher added, by the fact that fifty-five municipalities

were currently partitioned by an ethnic dividing line. But it was precisely in many of these municipalities that the announcement of the postponement of local elections was received with most mixed feelings. Residents suffering under the kind of regime of fear that Teslic suffered from, for example, had hoped that the international community would offer them the infrastructural support, including policing, which would allow them to democratically oust from power the small gangs who ruled them. Indeed, the postponement of municipal and cantonal elections did nothing to abate the wave of ethnopolitical consolidation: rather, it shifted the theatre of consolidation to the presidential and parliamentary elections.

As election campaigns got underway, it became clear that the main Serb and Croat parties interpreted the Dayton Peace Agreement as providing a peaceful means to the end which they had fought for, and were using the elections as a proxy war of ethnic partition. In west Mostar, where the municipal election results were continuing to be challenged, the threat was so intense that two opposition leaders were under the protection of EU police and a third had abandoned his candidacy and fled the region. But, though the new EU administrator, Sir Martin Garrod, said "any moderate who speaks out can reasonably expect a bullet in the back of his head", the OSCE regional election head, Wolfgang Odendahl, said he had seen "no concrete evidence" of intimidation. It was curious, he added, that the moderate opposition parties were so little in evidence; he would have imagined they would attract considerable support. As another OSCE official pointed out, this was putting a none too fine gloss on the OSCE dilemma: "The ruling parties are the government in the places they control. They provide the election workers; they provide the local officials. If they stop co-operating, it would hamstring us in carrying out our number one mission, which is to have elections that at least look technically correct."⁸⁰

In a way, the geographically opposite Croat majority towns of Orasje and Caplina best demonstrated the way divide and rule was translating itself in the transition to peace: in the north-eastern town of Orasje, lying between Croat controlled Slavonia and Serb controlled Brcko, the SDA was able to campaign peacefully though the town was 90 per cent

Croat; a joint Croatian-Bosnian interest in curtailing Serb control over the Posavina corridor had kept the town united throughout the war. On the other hand, in the town of Caplina, which lay south of Mostar on the border with Croatia, from which Muslims had been expelled during the war, the SDA rally could only be held under tight security – and the SDA took the occasion as an opportunity to threaten that if necessary, they would use force to allow Muslim refugees to return.⁸¹

In Republika Srpska, political contest now devolved on a single issue: whether the Serb entity was going to respect the continued existence of Bosnia-Herzegovina, albeit as a loose federation, or whether it would strive to secede. The SDS was openly campaigning for an independent Serb state; already, by early August, six SDS meetings at which candidates' speeches opposed the Dayton Agreement's provisions for joint institutions had been documented.⁸² The diasporic Serb nationalist parties which were participating in the Bosnian elections in an alliance with the SDS were even more explicit: addressing a campaign rally of Vojislav Seselj's Serb Radical Party at the end of August, the former paramilitary commander of the "The White Tigers" turned Republika Srpska parliamentary candidate, Slavko Aleksis, said his main concern if elected would be to undermine the institutions of joint government in Bosnia;⁸³ a week later, addressing a rally held by his Party of Serb Unity in Bijeljina, Arkan said that the period of war for a Greater Serbia was over and, in the peace, the elections constituted the new route to partition and a unified Serb state.⁸⁴ As the joint presidential candidate of the Alliance for Peace and Progress and the Democratic Patriotic Bloc, Mladen Ivanic, pointed out, the creation of two entities under the Dayton Agreement lent credence to Arkan's interpretation and meant that moderate opposition groups had a delicate course to steer: they had to simultaneously represent the interests of their constituencies as a national or ethnic group and try to find ways to strengthen the joint institutions of Bosnia-Herzegovina.⁸⁵

In contrast, the Bosnian interest lay in finding ways to ensure that the partition lines did not harden. For the nationalist SDA, this meant both tightening control over the areas they held and registering as many absentee

voters in Republika Srpska as they could. In early September, while the SDA kicked off with a rally which opened with Muslim songs and readings from the Koran, at which the Iranian ambassador was the only foreign attendee (he travelled with President Izetbegovic), the SDA dominated municipal court in Bihac began proceedings against Fikret Abdic, who was again contesting the elections; in nearby villages, refugees from Prijedor were assisted to register as voters there.⁸⁶ The democratic opposition parties, the Party for Bosnia-Herzegovina, the Joint List of Social Democrats and the United List for Bosnia-Herzegovina, on the other hand, chose an explicitly multi-ethnic and secular platform; though they had suffered some harassment – the Party for Bosnia-Herzegovina, in particular, had had its rallies disrupted and candidates roughed up – and had less media time than the SDA had, they remained the only opposition parties who had the choice of opting for a multi-ethnic and reintegrated Bosnia. As Mladen Ivanic indicated, whatever the personal beliefs of opposition candidates in the Republika Srpska, the Dayton Agreement's recognition of the Serb entity meant that candidates had to represent Serb interests; within the Croat dominated area, as we have seen, non-nationalist opposition was effectively silenced.

The election results reflected these conditions. The nationalist parties dominated both the presidency and the House of Representatives returns. Alija Izetbegovic, Kresimir Zubak and Momcilo Krajisnik were elected to the three-man presidency; significantly however, while Zubak and Izetbegovic won 88 per cent and 80 per cent of the Croat and Muslim vote respectively, Krajisnik won only 68 per cent of the Serb vote. Mladen Ivanic, the moderate opposition candidate, had won 30 per cent. The results of the elections to the House of Representatives gave the SDA nineteen seats, the SDS nine and the HDZ seven. Between them, the opposition parties held seven seats. While the results were similar to those of the 1990 elections, where the three nationalist parties too had won over 80 per cent of the seats, the SDA won three seats from Republika Srpska, and in the intra-entity elections neither party had a two-thirds majority. In the Republika Srpska National Assembly, the SDS won fifty of the eighty-three seats; its allies, the Serb Radical Party, held another seven, but the tally still left the ruling bloc one short of the

fifty-eight seats required for a two-thirds majority. The situation was further complicated by the fact that the SDA won six seats. The OSCE, who were responsible for the elections, did not know how these elected candidates would be able to attend Assembly sessions in Republika Srpska; it was not clear who would ensure their safety. In the Federation House of Representatives, the SDA's eighty seats fell far short of the ninety-three required for a two-thirds majority; unless they found common nationalist cause with the HDZ, the joint democratic opposition holding was likely to keep them on the moderate side of nationalism.⁸⁷

By this point, the success of the Dayton Agreement hinged on Mostar and Brcko. After two and a half years of administering the city, the EU had failed both to dislodge the nationalist HDZ and to dissolve the partition of Mostar. In December, the EU withdrew from Mostar; their withdrawal took place amidst renewed sniping in Mostar West. Subsequently an OSCE monitoring mission took their place, and IFOR troops were replaced by the new Stabilization Force (SFOR), which cut the number of NATO troops in Bosnia from sixty to thirty thousand, and extended the NATO mission by another eighteen months to mid-1998. In early February, when east Mostar Muslims visited a Muslim cemetery in Mostar West, they were fired upon by HDZ members; it seems local policemen were involved in the firing. One man died and over twenty others were wounded; SFOR troops did not intervene, but barricaded the bridges between the east and west. HDZ authorities then evicted another hundred Muslims from Mostar West. Ethnic cleansing, it seems, had to be total.⁸⁸

In the same month as the EU withdrew from Mostar, the Republika Srpska formally attempted to withdraw from the Brcko arbitration, accusing Owens of using the arbitration "as a smoke screen for the imposition of a preordained, unjust decision, all to the harm of the legitimate and vital interests of Republika Srpska". The issue of control over Brcko, both Republika Srpska and Federation representatives said, was so important that if no agreement was reached, then both would "quit Dayton and resume hostilities". Yet the case of each was based on "the mutually-exclusive demand that each Entity exercise

sole control of the Brcko area", which was divided with 48 per cent of the *opstina* controlled by the Republika Srpska and 52 per cent by the Federation. Only fifteen Muslim families had been able to return to the town since the Dayton Agreement; south of the town, twenty-seven newly-repaired Muslim houses had immediately been destroyed.⁸⁹

In February, days after the Mostar West firing upon and eviction of Muslims, the Brcko arbitration announced its verdict. Brcko would be placed under interim international supervision for a year: the Office of the High Representative would appoint a Deputy High Representative for Brcko, who would supervise the implementation of the Dayton Agreement's provisions for freedom of movement and the return of refugees (the former in liaison with SFOR and IPTF and the latter with UNHCR), and would "strengthen local democratic institutions" in the area. The Deputy High Representative would have authority over the courts and police, who would be required to enforce regulations or orders issued by him even if they conflicted with existing laws. Nevertheless, the current local authorities would remain in place until municipal and cantonal elections were held.

The Arbitration Award essentially put the decision on whether Republika Srpska or the Federation was to control Brcko on hold for another year, in the hope that the interim period would allow the issue to lose its edge. Clearly, Robert Owens believed this would only happen if the international community made a concerted effort to do in Brcko what it had failed to do in Mostar, or indeed, elsewhere in Bosnia: devise and speedily implement a strategy for the return of refugees, economic revitalization and freedom of commercial movement. Brcko was to have an Advisory Council composed of members of the OSCE, UNHCR, SFOR, IBRD and IMF, together with representatives of Bosnia and Herzegovina and local groups. But the Award was not signed by either entity, the representatives of the Federation and Republika Srpska having bowed out of the proceedings while the Award was being formulated.⁹⁰ Nor was it clear who was going to provide the troops to man the roads and ensure freedom of movement; and the issue of Brcko town was left open with the intriguing threat that since the Brcko Tribunal was aware "that matters in the relevant area may be so controlled as to prevent

satisfactory compliance with the Dayton Accords and the development of representative local government", a later award might conclude that: "the Town of Brcko must become a special district of Bosnia and Herzegovina in which district the laws of Bosnia-Herzegovina and those promulgated by local authorities will be exclusively applicable."⁹¹