Asim Mujkić

WE, THE CITIZENS OF ETHNOPOLIS

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Foreworded by
Dr. V.P. Chip Gagnon

I dedicate this book to Professor Richard Rorty who taught me that distrust towards all metanarratives is not a sign of weakness but an imaginative frontier of freedom.

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FOREWORD

From the very first international interventions in the Yugoslav wars of the 1990s, outsiders have almost without exception pushed consociational type "solutions" that involved the formation of ethnically defined political spaces and institutions. Most notable in this regard is the Dayton Agreement, which divided Bosnia-Herzegovina into ethnically defined "entities" and which set up a political system defined in terms of ethno-national groups. At the same time, the western powers, most notably the US, claimed that their goal was to transform Bosnia-Herzegovina into a functioning liberal democratic state.

Twelve years later, after billions of dollars and enormous involvement of the international community, Bosnia-Herzegovina seems no closer to that purported goal than it was at the end of the war. Outside scholars explain this apparent failure in various ways: some argue that it is the international community's own strategies of control that have prevented a functioning Bosnian state from succeeding, and that if only the internationals would leave, Bosnia would work. Others argue that the problem is the international community's insistence on keeping Bosnia together as a single state, that its ethnic divisions are too deeply embedded, and that the only solution is therefore a territorial division of the country. Indeed, Bosnia has become a prime case study across a whole range of literatures in political science on questions of post-conflict political settlements, divided societies, and ethnic politics.

The actions of outsiders from the very beginning have indeed served to prevent Bosnia from existing as a unified, stable state. In that

sense those who look to the internationals have a point. But what is neglected is the way that the ethnopolitical structures that were set up at the end of the war, and that have been reinforced by the outside, make it impossible, despite claims to the contrary, for Bosnia to become a functioning liberal democratic state. The irony of this situation is that those who imposed these structures on Bosnia are themselves liberal democracies, whose own political systems are based on individual rights and other tenets of liberal democracy.

Dr. Asim Mujkić provides us with a much needed theoretical analysis of Bosnia's dilemma from a liberal perspective, based on a deep understanding of the empirical "facts on the ground" in post-war Bosnia as well as a thorough knowledge of the debates among liberal theorists. This is an analysis that is sorely needed both in Bosnia and abroad. It also constitutes a major contribution to liberal political theory. In particular, liberal theorists have trouble with the tension between the individualism that is inherent in liberal theory and the concept of the community or people; many liberals see institutional arrangements like Dayton to be a solution to this tension. Dr. Mujkić, in a passionately argued yet very logical and systematic way shows why they are wrong, and provides an answer that is firmly grounded in the key principles of liberal thought.

Drawing on Bosnian and western liberal theorists, Dr. Mujkić systematically demonstrates how liberal individualism is incompatible with ethnopolitics; that is, a Bosnia organized on ethnopolitical grounds makes liberal democracy impossible. Indeed, as he points out, although the citizen is "the fundamental precondition for liberal democracy", in today's Bosnia "the category of citizen is essentially absent from our constitution". Instead of a democracy of individual citizens, Dayton has created a situation in which "ethnic groups" are the primary subjects. In Dr. Mujkić's words, Bosnia "can be best described as a democracy of ethnic oligarchies rather than a democracy of citizens". And as he points out, these "ethnic oligarchies" are representing not the interests of their "peoples", but rather their own narrow interests. The ethnopolitical structure of Bosnia not only enables them but indeed makes such an outcome almost unavoidable. Indeed, as he points out, "the ethnically-centered

Dayton Agreement has become *the main obstacle to the establishment of civil society* in Bosnia and Herzegovina".

Why was Dayton established in this way? Part of the reason was the international community's acceptance as a natural reflection of reality what was in fact "an ethnopolitical simulacrum created by the use of arms and by riding roughshod over civil rights and freedoms". This external assumption of an essentialist multiculturalist logic thus led to the belief that "there are no common values in BH", which purportedly required a consociational solution. On this point, Dr. Mujkić cites liberal theorist John Gray, who notes, "We do not need common values in order to live together in peace. We need common institutions in which many forms of life can coexist". Any thinking person who considers the range of material interests and ideological worldviews within any of the functioning liberal democracies of the world can recognize that Gray is correct.

For Dr. Mujkić, Dayton and its focus on ethnonational groupings is also a continuation of the socialist collectivism of pre-war Yugoslavia. Both nationalism and socialism are "totalitarian, collectivist, dehumanizing orders for which the citizen... becomes a mere shell suitable for every kind of ideological manipulation". Indeed, this raises an intriguing puzzle: why is it that westerners who were justifiably skeptical of the communist parties' claims to represent the interest of the collective working class now swallow uncritically the claim of the "nationalist" parties that they represent the interests of their respective collective nations? My own hunch is that it is a remnant of an orientalist way of thinking in which those in the East are assumed to be at an earlier stage of political consciousness and development, such that they are seen as identifying so strongly with their nation while not yet having developed an individualistic consciousness. This supposed mentality is portrayed partly as a result of their experiences under socialism, and partly as a result of Balkan cultures. This assumption explains the resonance among so many in the west of the "ethnic hatreds" thesis, as well as the uncritical acceptance of Dayton's ethnonational institutions, regardless of the empirical evidence.

Dr. Mujkić convincingly demonstrates that the ethnopolitical structure of the agreement did not reflect historical traditions, trends or experiences; indeed, in response to those who argue that Bosnia has no history of liberal democracy, and therefore cannot be expected to adopt such a system, he responds that there is also no historical foundation for the kinds of institutional arrangements found in Dayton. Rather, "the initial prerequisite for resorting to a consociational constitutional disposition – the existence of separate cultural collectivities in BH – is in fact the outcome of this disposition". In other words, it was exactly the Dayton institutions that are *creating* the separation and ethopoliticization of Bosnia; rather than being a response to some already existing situation on the ground – the claim of the essentialist multiculturalists and those who favor consociational "solutions" – Dayton is constructing and solidifying that situation. The result of this process is that Bosnian society is being taken "further and further away from the business of building civil society". So despite claims that this Dayton arrangement is just a way station, a temporary holding pattern to prepare Bosnia-Herzegovina for liberal democratic system, in fact, it is exactly what is preventing the country from moving in that direction, and making it less and less likely that such an outcome will even be possible.

Indeed, Dr. Mujkić very convincingly demonstrates that "ethnonationalism cannot be civilized, since it survives by generating crises". Such crises serve a crucial purpose for the ruling elites, in that they are sustained almost solely through producing and emphasizing difference, in ways that produce and sustain conflict. "The entire Dayton legal and political framework is on the side of the ethnopolitical entrepreneurs and their unimpeded rule". In everyday life, "the 'ethnic question' does not dominate the lives of ordinary people". It is only at the time of elections that ethnic crises arise, or more accurately, are generated by ethnic elites whose very rationality leads to these scenarios. In a situation where elites can survive and thrive only on conflict, stability is highly unlikely to ever arrive. Indeed, Dr. Mujkić points out that "political elites... remain in power by encouraging insecurity, low intensity conflict and instability". Given

this situation, they "obviously cannot produce stability because they retain their leading positions by virtue of conflict".

Because of this, the expectations of theorists of consociational arrangements are turned on their heads. There is no desire for transcending cleavages, there is no commitment to cohesion or stability, and instead of seeing political fragmentation as perilous, these elites see it as desirable and indeed necessary. "Neither the well-being of any particular ethnic group nor 'vital national-ethnic interests' is the final goal of ethnopolitics. Its *raison d'être* is *crisis*, a constant appeal to the existential danger faced by the group. A permanent condition of threat is the only effective way for politicians to remain in power". And I would add, not just politicians, but all those who are dependent on the current system for their access to and control over resources: political, informational, economic. In short, Dr. Mujkić argues that the introduction of a truly liberal democratic order based on individual rights represents an existential threat to these elites. They depend for their very existence on the ethnopolitical order enshrined in the Dayton agreement, and on the subordination of individual rights to the purported rights of "nations". To ensure a liberal democratic Bosnia therefore "depends on the success of disempowering the ethnopolitical framing", or in other words, of substituting liberal institutions for the ethnopolitical ones of Dayton.

Dr. Mujkić explains the outcomes in Bosnia as a result of very particular structures, through the example of the Prisoner's Dilemma. This analogy is vitally important because for so many observers of Bosnia, there is a kind of methodological naiveté that leads them to assume that what they are seeing is the natural outcome of a natural, traditional order within the country. In fact, the outcomes we have seen in Bosnia are the specific result of the political and legal structures that were imposed on the country at Dayton. These structures empower certain actors – the ethnopolitical elites – and demobilize and restrict the choices of others – ordinary citizens. It is those structures which have produced a system in which elites thrive by generating crisis and conflict along ethnic lines. For Dr. Mujkić it is exactly the anti-liberal bases of

those structures that is responsible for the crises and also therefore make stability and liberal democracy an impossibility.

Dr. Mujkić argues that the rights of individual citizens takes precedence over collectivist claims. And only through a truly liberal democratic system can these rights be ensured. "[E]very constitutional protection of collectives in BH must be preceded by constitutional protection of the citizen, and not the other way around". This is the opposite of the current Dayton arrangement, where "the collective is the bearer of rights over and beyond the individual". The answer for Bosnia and for its citizens is thus a move toward ensuring *individual* rights. This in turn will ensure that the interests of all citizens – all interests, including those related to ethnic and national identity – will be ensured, and that Bosnia-Herzegovina will exist as a stable polity. Without a shift to true liberal democratic ideals, Bosnia is doomed to an unending cycle of crises – not outright war, but a low level of instability.

Dr. Mujkić's book is an absolutely vital text for liberal theorists, for those interested in questions of the relationship between group identities and liberalism, and for those concerned about the fate of Bosnia. Dr. Mujkić has given us a passionately argued, systematic critique of the ethnopolitical order imposed on Bosnia at Dayton, and a bitingly effective takedown of the arguments of international and domestic supporters of that order who claim to support liberalism. Dr. Mujkić has provided a strong case for the primacy of individual citizens as the subject of any political order that strives to be liberal. Given the lack of this kind of analysis in English, as well as the general lack of understanding of events in Bosnia, I believe it is incredibly important for this text to be published as soon as possible.

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The book *We, the Citizens of Ethnopolis* was written from a *minority* perspective – from the perspective of a member of a minority urban sub-culture socialized by listening to rock'n'roll, punk and new wave music; with piles of books and films that he had read and discussed passionately for hours; a member of an "alienated" or "de-ethnicized" minority who has never given his vote to an "ethnic party" and who thrills rather, say, to the first notes of Jumpin' Jack Flash than to fiery calls for the "unity of the people".

This is a book about a minority socialized in the plural universe of truths that flooded this part of the world in the 1980s, a minority that detects unmistakably and instantly, in calls for the one and only truth, the manipulative hand of the powerful, heralding new practices of humiliation, marginalization and discrimination. As I say, it is about a minority – the sub-culture of those who came of age in the generational *gap* between those – mainly elderly – who could surrender wholly to the ideology of the communist *ancien regime*, and those – mainly younger – who wholeheartedly embrace the new, seductive lexicon of an ethnic or religious nationalism. This non-constituent minority that comes of age and matures intellectually in the brief period of the "crisis of ideology", in the context of gap and *discontinuity*, that remembers the cynicism of the communist mastodon in its death throes, is too *ironic* to allow itself to be harnessed to the cynical mechanisms of the newly emerging nationalist power. This is its blessing, but also a major curse.

Despite all this, the book *We, the Citizens of Ethnopolis* was written in anticipation of a "Bosnian Spring"...

General Framework Agreement
on the Dissolution of Bosnia and Herzegovina

Ten years ago the *General Framework Agreement for Peace in Bosnia and Herzegovina* (hereinafter the *Dayton Agreement*), heavily sponsored by the US Administration, was signed in premises of Wright-Patterson military base in Dayton, Ohio in order to "bring an end to the tragic conflict in the region". Indeed peace was brought to Bosnian ravaged homes, and sensless killing ceased. Besides this peace-enforcing aspect of the *Dayton Agreement*, an additional, even more crucial aspect was envisioned: to encourage the establishment of operational democracy and civil society. In that respect the *Constitution* was drafted as Annex 4 to the *Dayton Agreement* that established institutions and offices, duties and responsibilities similar to any other democratic country elsewhere in the world to facilitate transition of Bosnian society to democracy, civil society and free market economy.

Unfortunately, ten years after the *Dayton Agreement* had been signed, these metaphors of Western liberal thought cannot be said to designate political context of contemporary Bosnia and Herzegovina. Even superficial look at Bosnian political practice will surely lead one to conclude that the obvious lack of constitutional liberalism in vague Constitutional provisions, along with strong preference of collective rights of ethnic groups to detriment of individual citizen has pushed rather formal Bosnian democracy deeper in the quicksand of discriminatory, humiliating and illiberal practices. The hesitation of domestic and interational community's political representatives to introduce liberal principles proved to be disasterous. The constitutional framework set forth by the *Dayton Agreement* seem to encourage only procedural democracy of ethnic

groups' political representatives (oligarchies) and as such it fosters, what Amin Maalouf describes, positioning of

> "an individual's place in society as depending on his belonging to some community or another" therefore perpetuating "a perverse state of affairs that can only deepen divisions" (MAALOUF, 2003: 149).

Exclusive collectivist representation, and emphasis on ethnic affiliation, discourages every civic initiative and in a legitimate way – free and fair elections, e.g. – dismisses individual (or citizen) from any political power[1] so that the political practice in Bosnia can be rightly described as the *democracy of ethnic oligarchies*, not as *democracy of citizens*. Furthermore, such a formally democratic procedure without explicit, constitutional political legitimation of citizenship, remains only a mechanism for legitimation of non-democratic government (political parties, or better put movements who pretend to represent one of the three constituent people). The ethnically-centered *Dayton Agreement* has become *main obstacle to the establishment of civil society* in Bosnia and Herzegovina.

As it turns out useless to stick with liberal-democratic vocabulary, or for that matter vocabulary of current political philosophy in any analysis of Bosnian political context, and for the purpose of the definition of the whole problem, simple question could be raised, namely, what would be the best term to describe such state of affairs in Bosnia? Some of my colleagues[2] and I suggest the term *Ethnopolitics*.

At this point I cannot give one comprehensive and coherent definition. In fact, I will borrow some hints from Roger Friedland

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[1] The Preamble of Bosnian *Constitution* clearly provides Bosniacs, Croats, and Serbs as constituent peoples while bracketting the "Others" (See Annex 4 of the General Framework). Though there is a mention of "citizens of Bosnia and Herzegovina" it is not clear in Constitutional articles how they can practice their rights and powers unless they were declared either as members of constituent peoples or at least members of the Others: Jews, Ukrainians, Checs, Albanians, Roma, etc.

[2] I thank my colleagues Nerzuk Ćurak, Dino Abazović, Nermina Šačić and Ugo Vlaisavljević from whose insights I profitted in developing this idea.

who defines one phenomenon similar to Ethnopolitics: *religious nationalism*. Paraphrasing Friedland I could speculate that *Ethnopolitics offers a particular ontology of power, and ontology revealed and affirmed through its politicized practices and the central object of its political concern, practices that locate collective solidarity in ethnic affiliation heavily designated by particular religion, and not in contract and consent enacted by abstract individual citizens*.[3] Similarity with Friedland's motives becomes obvious having in mind that the election victory of ethno-nationalist parites of 1990 in Bosnia had been accomplished by enormous support and effort of religious institutions. That continues to be the case up to this day. It is rather sign of a paradox that with 1990-overthrown of communism in Bosnia there has been a parallel process of erosion of institutionalism and constitutionalism, or generally put – of the rule of law and basics of civic virtue.

Indeed new virtues have been put afront – *ethnic virtues* which have become predominant in public life to this day. What is even worse, these virtues are now "engraved in stone", first by illegal use of force and genocide, and further on by rather vague vocabulary of the Dayton *Constitution*. This Bosnian viscious circle now confirms Fareed Zakaria's point that in

> countries not grounded in constitutional liberalism, the rise of democracy often brings with it hypernationalism and war-monge-ring. When the political system is opened up, diverse groups with incompatible interests gain access to power and press their demands. Political and military leaders who are often embattled remnants of the old authoritarian order, realize that to succeed they must rally the masses behind a national cause. The result is invariably aggressive rethoric and policies, which often drag countries into confrontation and war (ZAKARIA, 2003: 114).

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[3] Friedland's original definition says: "Religious nationalism offers a particular ontology of power, and ontology revealed and affirmed through its politicized practices and the central object of its political concern, practices that locate collective solidarity in religious faith shared by embodied families, not in contract and consent enacted by abstract individual citizens". Roger FRIEDLAND: "Religious Nationalism and the Problem of Collective Representation", *Annu.Rev.Sociol*.2001.27:125-52.

What are the key elements of Bosnian Ethnopolitics and its rather paradoxical ontology of power? I will offer nine following hypotheses:

1.

Ethnopolitics is somewhat oxymoronic term. The meaning of word *ethnos*[4] implies pre-political category of the *people* referring to its blood origin, heritage, tradition; it "refers to an imaginary community of belongingness and connection of the kinship" (BALIBAR, 2003: 31). The ethnos is best described as *kinship.* On the other side, *politics* implies public practices carried through a network of institutions and procedures, as *citizenship*. In other words, it presupposes *demos*, or the people "as collective subject of the representation, decision-making and law" (BALIBAR, 2003: 31). Very rudely put – Ethnopolitics, at least in Bosnian case, is such a political context where person's citizenship is predetermined by her or his kinship, or her or his belonging to this or that group of mutual *blood* origin. The subversive mechanism of Ethnopolitics consists in practice of *presenting ethnos as demos*, where *ethnos* acts like *demos* thus, paraphrasing Balibar, becoming an imaginary community of belongingness and connection of the kinship as collective subject of the representation, decision-making and law. The function of representation, decision-making and the establishment of legal framework become discriminatory[5] on basis of kinship. Unlike civic conception of *inclusive* greater participation of greater number, Ethnopolitics is being constituted, by means of legal democratic procedure, as *exclusion*: citizens are divided into autochtonous and other, foreign group(s).

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[4]   *Ethnic*: "designating or of a population subgroup having a common cultural heritage, as distinguished by customs, characteristics, language, common history, etc". [See *Third College Edition of Webster's New World Dictionary of American English*, Victoria Neufeldt, Editor in Chief and David B. Guralnik, Editor in Chief Emritus (New York: Webster's New World, 1988), 467]

[5]   For example Article 5 of the *Dayton Agreement* provides that "The Presidency of Bosnia and Herzegovina shall consist of three Members: one Bosniac, one Croat, each directly elected from the territory of the Federation, and one Serb directly elected from the territory of the Republika Srpska". This provision is extremely discriminatory and consequentially Anti-Semit, for example, because it prevents a Jew citizen of Bosnia to assume the office of Presidency.

2.

Ethnopolitics is able to cope with plurality. Bosnia is multicultural society. However, ethnic communities (Constituent peoples) are viewed as essnetialist, absoulitst, or perrenial entities – *Ethnoabsolutism*. Society as whole is understood as a mosaic of "individually homogenous", self-enclosed mono-cultures, timeless atomic particles that exists parallel to each other. One of the key errors of the international community's approach to Bosnian problem is that it accepts such an essentialist view, clearly visible not only in *Dayton Agreement*, but also in the *Washington Agreement,* as well as in everyday practice of international community's institutions such as OSCE, *European Union*, and the *Office of High Representative*. Their efforts are focused on the attempt to establish stabile society by means of some kind of equillibrium between the three presupposed, self-enclosed, homogenous particularities. Instead of introduction of liberal democratic values, representatives of the international community are wasting their energies on impossible reciprocities of collective representation. It is completely wrong to assume that there are three completely different, particular cultures in Bosnia. Bosnian "kinships", or legally formulated, "constituent peoples" – Bosniacs, Serbs, and Croats are almost exclusively constituted along religious lines – Islam, Orthodoxy, and Catholicism, while any attempt to draw sharper distinction in their respective cultural heritage(s) is ambiguous, pseudoscientific, and mainly politicized. It is important to note that all three "kinships" share the same language, though, in vocabulary ethnopolitical correctness, it is referred to as Bosnian, Serb, and Croat language.

3.

It would be incorrect to conclude, however, that the political arrangement of Ethnopolitics has its own comprehensive doctrine, institutions, form of government, its own set of principles. The imposed democratic one suffices. Ethnopolitics is more of a parasite to existing democratic institutions– for example, one of its most important institutions – *the protection of vital national interests* is

taken from liberal-democratic vocabulary. Of course, in Bosnian case, it presupposes rather vague notion of "national" and is most commonly interpreted as "ethnic". So, it successfully performs its parasitic function either on destructed socialist institutions or on new liberal-democratic institutions, frequently imposed by the international community. In its "doctrinary" part, Ethnopolitics is some kind of a melting pot of various bits and pieces of political doctrines and principles: socialism, liberal democracy, fascism, romantic nationalism, religious nationalism, but also a melting pot of various cultural pieces: historical narratives, mythologies, literature, religion, tradition, or other events that are considered of vital importance to the identity of one particular ethnic group. Unlike most other political doctrines, Ethnopolitics as non-doctrine has no other goal or vision, or eschatology – but to remain in power. Well-being of particular ethnic group, or any other complete realization of "vital national-ethnic interests" cannot be final goal of Ethnopolitics. Its' *raison d'être* is *crisis*, appeal to constant existential danger of the group. Permanent condition of endangerment is the only effective way to remain in power. Should by some miracle all vital national issues be resolved over night, the existence of three ethnopolitical parties in Bosnia and Herzegovina would seem pointless. Ethnopolitics in that regard is indeed transitory arrangement, however, intended to last as long as possible, as the *delay* of civil society.

<p style="text-align:center">4.</p>

Due to marginalized, or discriminatory position in the Constitution, Bosnian citizen is valuable only as a member of kinship, and he or she has two purposes in his or her individual life: *reproductive* purpose – to provide biological mass of the collective, and *pseudo-political* purpose – to vote for "his or her kin" on the elections. Both of these functions or purposes are deeply *biological* – the first – reproductive being obvious, and second implies that political vote for the representative of person's kinship is vital precondition for the very existance of person's kin-group and person as its member. In other words, you don't vote for lower taxes, for ecological laws, etc., *you vote for your own survival*. And each and every elections are being

described as "decisive", "crucial", a "matter of life or death". That is why the Ethnopolitics is a form of politicized ethnicity, where ethnic identity is the fundamental ground for every political reasoning. Such politics takes form of biological obligation, and in that sense Ethnopolitics is one form of *Biopolitics*. The notion of individual citizen taken apart of his ethnic and religious kinship is viewed as subversive, and even as some form of heavily despised *atheism*, moral corruption, decadence and rebellion.[6] In other words, a person can be an individual citizen if she or he agreed to be marginalized and trivialized. That is why, individual or private life is trivialized in public discourse. In typically collectivist manner, which is sad tradition of this part of the world, a person is being taught that without a collective (whether it is a proletariat, or ethnic group) he or she did not mean much. The private (for example person's ethnic and religious affiliation) became public and ruling determinants of public discourse and conduct, while issues usually delegated to public sphere from key social problems to institutions are privatized, they became a matters of private deals and of secret verbal agreements, or which is most common practice in Bosnian politics, become imposed by the International community representatives.

5.

In Bosnian case Ethnopolitics is very similar to *Religious natio-nalism*. Bosnian ethnic groups ("constituent peoples") are basically formed along the religious lines as the only "striking" difference between their communities. In fact, there is a little to their ethnicity besides their particular "religiousness". Person's pseudopolitical obligation to vote for his or her kin is not only biological, but also it becomes his or her *religious obligation*. Religion becomes politically instrumentalized as religious activities serve as a mean to ethnic mobilization and homogenization. Such state of affairs is brilliantly described by John Dewey:

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[6] During 2003, a group of social democrat politicians, journalists and intellectuals were, unsuccessfully prosecuted for the attempted *coup d'etat*. These unbelieveable Stalinlike accusations were orchestrated by top Ethnopoliticians and media they controlled.

> As long as the prevailing mentality thought that the consequences of piety and irreligion affected the entire community, religion was of necessity a public affair. Scrupulous adherence to the customary cult was of the highest political import. Gods were tribal ancestors or founders of community... temples were public buildings, like the agora and forum; rites were civic functions and priests public officials (DEWEY, 1954: 48).

In the line of Dewey's thought, in present ethnopolitical constellation of Bosnia and Herzegovina "consequences of piety and irreligion" are of public concern. This is because of the fact that it is almost exclusively the religion that constitutes particular identity of Bosnian ethnic group; the religion in this case is indeed, as Dewey notes, "our" tribal ancestor or founder of "our" community, key element of "our" group identity. Thanks to our particular religion "we are who we are", above all in political sense. Therefore, there is no plausible way "for us" to separate Church from politics because, in that case, we would turn our back to kinship connections, we would be "lost", fragmented, an easy targed of hostile others who are homogenized in their identity. As a key code of "our" identity, religion is the supreme arbitrator, and all "our" representations, actions, and ideas should be commensurated with its principles. Religious rituals became civic obligation, yet every critique of public, or political engagement of religious officials is interpreted as the attack on "our" identity, or blasfemy.

6.

Ethnopolitics operates in *parainstitutional* way. After almost every election, the three ethnic massive parties (SDA – Bosniacs, SDS – Bosnian Serbs, HDZ – Bosnian Croats) usually[7] gain their substantial "stake" in National institutions. They appoint "their" ministers, deputy-ministers, their chairmen and vice-chairmen, "their" ambassadors and vice-ambassadors, etc., and they operate almost exclusively through "their people" in the institutions. The same goes for

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[7]   Social Democrats managed to win on 2000 General Elections, however mainly in areas of Bosnia and Herzegovina with Bosniac majority. The ethnopolitical constellation of the entire country was main cause of their election failure two years later.

reporting responsibilities. Serb Ambassador of Bosnia only formally reports to Bosniac Foreign Affairs minister. Indeed he reports to "his people", his kinship, or in reality to his ethnic party leaders. Croat Minister cannot sanction his Bosniac Deputy without consent of Bosniac ethnic party leadership. Otherwise, painful and tremendously virulent Parliamentary dispute will be raised on bases of the protection of so called vital national interest.

7.

Ethnopolitical leaders advocate the conception of free market economy. However, consequences of their "economic endeavor" reveal that they are closer to the ideal of economical *autarchy* – concerning rather smaller portion of ethnically based market – controlled by corrupted enterpreneurs, the class of *noveau rich* consisting of corrupted political leaders, war profiteers, smugglers, and other criminals, most of them members or close to inner circles of ethnic parties. Ethnopolitics is in that regard paraeconomical. It is directly concerned with what could be defined as reappropriation of public property (in Communism owned by society in general). It would be more fair to describe Bosnian capitalism as capitalism of Wild West type (or Wild European East type, to be more accurate). Connections of *noveau rich* with ruling parties enable them access to state capital and utilization of this capital under extremely favorable conditions. I will paraphrase famous Bosnian journalist Senad Avdić claiming that generators and main promoters of criminal, lawlessness, erosion of state institutions' authority are the very those who sit on the top of these institutions, on the top of ethnopolitical structures.

8.

Ethnopolitics is also *pseudoscinetific*. One of the imperatives of ethnic elite which consists also of various academics, is "reappropriation of cultural ownership" (VLAISAVLJEVIĆ, 1998 : 22). Vlaisavljević points out:

> Thus revised nationalism is based on remake of very communist ideology in such way that it can give up its collective ownership in economy in the name of the collective ownership in culture (in

'general economy'): industrial revolution and agrarian reform is followed by the reappropriation of cultural heritage (VLAISAVLJEVIĆ, 1998:22).

This task is given to Humanities in general – departments of History, Literature, Philosophy, National Language, etc., but also to some of Social sciences (such as Political studies, etc.). Bosnian humanities established themselves as *founding force* of elementary "ethnic" narratives. They view themselves as specific form of archeology with task to "dig out" certain "authentic" elements of projected community or collective. Their "findings" and narratives of mainly mythical and religious nature become fields of gravity of ethnic ideology "in construction". These sciences have task to fill out content of thus projected kinship or collective identity and thus give scientific legitimacy to Ethnopolitics. This practice is not new. The task of scientific legitimation of ruling socialist ideology was once given to Social sciences. Ethnic or "national" literature is in the focus of the task of cultural reappropriation. Vlaisavljević points out that "for new ideologues of national self-determination the literature is the place, dominant place of the establishment of national being in its authenticity and pureness" (VLAISAVLJEVIĆ, 2004: 60).

9.

Psychopathology of life under Ethnopolitics: After each election procedure and period of preelection ethnic mobilization which enabled Ethnooligarchy to maintain its rule for next four years, processes of homogenization are usually eased. Individual members of ethnic *biomass* are now left to themselves, to their own personal misery[8]: cruel exploitation of enterprise owners close to ruling parties, general unemployment, black market, while their children are left to narco-dealers and criminals whose "wealth and glory" are presented in ethnopolitically inclined media as desirable values worth striving for. Political leaders, members of ethnooligarchy keep an eye to their personal benefit and mask it under issues of "vital national interest", vigorously discussing their salary raise (almost the only issue on which different Ethnic parties always reach consen-

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[8]   Bosnia and Herzegovina is a country with over 40% unemployed.

sus), or simply do not participate in work of public offices they had been elected for. Individuals are left to themselves, accummulating bitterness and frustration, however pointing it not to their own ethnooligarchy but to the Others in general – to those from another *ethnos* who are to blame for obstruction of the rule of law and justice (very important role of ethnooligarcy controlled media here). While in other countries level of hatred in society could serve at least as some kind of guidance for the following elections, in Bosnia, hatred of masses towards society only contributes to continuation of the rule of ethnooligarchy. It is, in other words, *not only allowed to hate, but it is desirable to hate your society* which is imposed by others (the international community, so we should hate them), and which is obstructed by others (the other ethnos' whom we hate anyway). So in a perverse way, hatred enables unity of society. There is another perverse twist in this constellation: political agents of this unity are ethnooligarchies who promised justice and the rule of law, but "being as it is", are prevented from implementing it only should others – international community and other ethnic communities, "Communists" and "Neocommunists",[9] and other "traitors" of their own kin – let them do so. Since they would not let them, therefore they could not be held responsible for any failure. Ethnopolitics is thus a dream-system for political irresponsibility. Ethnopoliticians in effect are saying: please, vote for me so that I would be incapable of doing anything for your personal benefit, because the Others won't let me do it; however, if you do not vote for me then your biological existence is in danger. There is no choice. This is a short and raw formula of ethno-rule. So individuals hate society in which decisions are made by those who they had supported on elections, but who are not considered as responsible for directions society is following. Society becomes some kind of *nature*, indifferent to happines, sufers, pain or hatred of its own members. Ethnopolitics become some kind of pre-political Eden with political legitimacy. It is very common among ethno-ideologues to point out that Ethnopolitics or "people's democracy" is natural state for their

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[9]   Every leftist opinion is ruled out by dominant Ethnopolitical vocabulary as "Communist", "Neocommunist", "Bolshevik", "Atheist", "Yugo-nostalgic", "Western" etc.

peoples, and that every other form of social organization including Communism, or Liberal democracy is unnatural, artificial (or alienated) form of social life. This is triumph of cynicism of "people's leaders". However, one might incorrectly conclude that the purpose of instrumentalized hatred is another war. Famous Bosnian sociologist Slavo Kukic recently said in an interview:

> The goal of these three nationalistic philosophies is not to initiate some kind of physical conflict. Their goal is to maintain a certain level of frutstrations between ordinary citizens and, based on that, to maintain logic of exclusiveness and distrust toward the other ethnic groups and in such way to extend their rule (Kukić, 2004).

This systematic indoctrination conducted by Ethnopolitics lead us directly to dangerous depolitization of individual members of ethnic groups. They leave "political reasoning" to their elected leaders – *watchdogs* of their survival. Just a superficial view on Bosnian public reveals that there is no such scandal, coruption, failure of ruling structures that can effect public rage or any decent public reaction. Bosnian peoples and citizens received their shots of *political euthanasia* as final product of Ethnopolitics.

In the end I can only agree with Friedland as he points out that "the religious nationalism makes politics religious obligation and requests withdrawal from modernity, it has no economical element, it is goal for itself (Friedland, 2001:130). Indeed, Ethnopolitics has no clearer goal either.

ANNEX 1:
Twelve Years of Illiberal Democracy — General Overview

1. Bosnia and Herzegovina: An Illiberal State

We hear from all quarters that Bosnia and Herzegovina is a "democratic state". Even the fiercest political opponents and the greatest ignoramuses stopped questioning this self-explanatory fact a long time ago. In that historic year of 1990, we renounced the totalitarian regime and committed ourselves fully to democracy and to the seductive charms of political pluralism. If, though, one were to ask on what grounds we so readily define our society as democratic, the response might be that democratic electoral and decision-making procedures have been at work in Bosnia and Herzegovina for over fifteen years, and that respect for human rights and freedoms is "carved" into its very Constitution. In addition, lip service at least is repeatedly paid to this society's commitment to a market economy. For all that, it seems that something is out of kilter. Something is wrong with the definition of democracy itself. As Fareed Zakaria puts it, "This definition also accords with the common sense view of the term. If a country holds competitive, multiparty elections, we call it 'democratic'." (ZAKARIA, 2003: 19). In this short study of ethical-political discourse in Bosnia and Herzegovina, we shall assert that Bosnia and Herzegovina is an undemocratic society or, at best, a society of *illiberal democracy*, as defined by Zakaria, since neither its election procedures nor its decision-making process are democratic – they are conducted in an

atmosphere of fear, perpetual ethnic homogenization and party-based and nepotistic clans, nor is the fundamental feature of political action in Bosnia and Herzegovina marked by respect for basic human rights and freedoms – on the contrary, the priorities of ethnic and collectivist rights and freedoms that I generally define as *ethnopolitics* are being set in stone. Commitment to the protection of minorities and the free market will not be a specific subject of consideration in this study. However, I will say that these two aspects belong rather to some sort of futurology. In a nutshell, to call Bosnian-Herzegovinian society democratic reminds me of an old anecdote whose key actors are Plato and Diogenes of Sinope:

> When Plato gave Socrates's definition of man as "a featherless biped" and was much praised for the definition, Diogenes plucked a fowl and brought it into Plato's Academy, saying, "This is Plato's man". After this incident, "with broad nails" was added to Plato's definition. (LAERTUS, 1985: 180).

The metaphor of Bosnian-Herzegovinian democracy, in my view, resonates best in this anecdote about *the plucked fowl*. Above all, this is what Zakaria describes as illiberal democracy, i.e. democracy *without* a background of constitutional liberalism. Zakaria underlines that "for people in the West, democracy means 'liberal democracy': a political system marked not only by free and fair elections but also by the rule of law, a separation of powers, and the protection of basic liberties of speech, assembly, religion, and property". (ZAKARIA, 2003: 17). In this study, I seek to demonstrate that, quite contrary to this definition, in 1990, one form of collectivism was replaced by another, distancing this society even further from the rule of law, creating a even more intimate fusion of legislative, executive and judicial powers, transforming it into a matter of underhand deals, while rights and fundamental freedoms were transferred from the "proletariat" to a new, re-described "base" – three *ethnic* collectives.

This whole process, along with the horrific extent of the war against Bosnia and Herzegovina, has merely contributed to the further erosion of the network of social institutions. The election victory of ethnonationalist parties in 1990 was not achieved by regular

institutional means, but thanks to the extraordinary efforts of religious institutions. Since then, political life as a whole has been reduced to the decision-making process that is in the hands of the *representatives* of the elites of these new collectives – the proponents of political subjectivity – and is conducted as a rule behind closed doors and without any written record. The 1990 victory of the ethnonationalist parties destroyed the process of constituting a civic state and the general democratization that had begun in the mid-1980s and stifled these nascent civic values by imposing ethnic values that have become, and still remain, the dominant feature of both public and political life. In this regard, the key issue is whether democratic peace can be maintained if it is not a liberal peace; can one call any country democratic if individual autonomy and dignity are not safe from oppression, whatever its origins – state, church, society or any other form of collective?

The failure to "impose" liberal principles in that crucial year of 1995, backed by NATO tanks and 60,000 troops – which is how such principles were imposed in 1945 on a Germany poisoned by nationalism – followed by another ten years of the same failure by the hyper-bureaucratized administration of the international community, which instead insisted, quite irrationally, on "partnership relations" with "moderate" and "reform-oriented" nationalists, has proven to be a disastrous mistake. The price is already being paid by both the citizens of Bosnia and Herzegovina and the international community itself which, ten years after the signing of the Dayton Peace Agreement, is still stubbornly sweeping the "Bosnian problem" under the carpet. "The greatest danger of unfettered and dysfunctional democracy is that it will discredit democracy itself" (ZAKARIA, 2003: 255). A decade of the Dayton experience has demonstrated that Bosnia and Herzegovina has none of the qualitative prerequisites to be regarded as a modern democracy, but only those that are merely empty phrases, such as "making democratic decision-making effective, reintegrating constitutional liberalism into the practice of democracy, rebuilding broken political institutions and civic associations. Perhaps most difficult of all, it requires that those with immense power in our societies embrace

their responsibilities, lead, and set standards that are not only legal, but moral". (Zakaria, 2003: 256).

Ten years of "plucked" democracy in Bosnia and Herzegovina, as backed by the international community, persist in the meaningless "Bosnian democratic paradox" that offers no way out: our free and fair *democratic* election procedure has for more than a decade served to legalize *undemocratic*, ethnonationalistic government constituted by ethnonationalistic elites. It would be fair to conclude that Bosnian-Herzegovinian democracy is a true *oxymoron* because it is a "democracy of oligarchies" or "ethnic democracy" (Šarčević, 1997). One needs to say clearly that democracy in Bosnia and Herzegovina today is not a democracy of citizens but a "democracy" of three so-called constituent peoples, ethnic groups, each of which is to a great extent repressive towards individual autonomy and dignity. The democratic process, thus laid bare, manifests itself as a process in the hands only of the three collectives, or ethnic groups or, more accurately, of their political, economic and intellectual oligarchies. In such a constellation of relations and with significant backing from the international community, the chances of any transformation are almost nil.

2. Bosnia and Herzegovina: a 'Multicultural State'

The next, and very important, delusion we need to shed, after that of Bosnia and Herzegovina as a "democratic state", is that it is a "multicultural state". Generally speaking, this concept is regarded as the opposite of the ethnic approach, and hence as a desirable alternative. It usually expresses an essentialist, absolutist or perennialist understanding of the notion of ethnic groups. Essentialist multiculturalism suggests that pluralism of different cultures consists of a mosaic of "individually homogeneous", self-sufficient monocultures. It sees different cultures as timeless atomic particles of society, set next to each other in a mechanical way, as if they were formed in an ahistoric vacuum without any interaction. These "mosaic multiculturalists... often treat cultures as homogeneous, holistic, cleanly-bounded, encompassing, and incommensurable....

In denying fluidity, heterogeneity, and mobility, holistic models not only neglect important aspects of culture viewed from the perspective of an observer or anthropologist. They also obscure the ways that, from a participant's perspective, agency, identity, and individuality can emerge from resources and spaces contained within the overlapping and cross-cutting narrative webs into which humans are thrown". (PERITZ, 2004: 270-271). Furthermore, a political "order based on priority of collective rights, in final analysis, cannot obtain legitimacy since it is immoral; and it is immoral because a collective cannot act as a moral agent" (ŠAčIć, 2007: 17).

In my view, this mosaic-multiculturalism is simply not Bosnia, but it does not mean that it will not become so if this domination of ethnopolitics continues. The result of such an approach – *consociationalism*, in the broadest sense of the term – is that ethnopolitics become still more fortified. In that respect, some inter-ethnic actors take a flawed approach by concluding that the greatest problem of Bosnia and Herzegovina is the imposition of some sort of equilibrium among three self-sufficient, homogeneous particularities. "Consociational arrangements based on multiculturalist theoretic background are not in close connection with democracy... They are brought and suggested by party leaders as representatives of communities, but not the citizens, and they are often undebated by the wider public. (...) the basis of their undemocratic practices is revealed by the fact that they are left to the mercy of the subjective will and cultural affinities of their leaders, their personal sense of agreement, compromise and tolerance" (ŠAčIć, 2007: 18). But once again, the individual is cut out of the picture. It seems that in every collectivist concept, even this "multi-collectivist" one, the place of the individual is reserved for the reproductive role of the collective. The individual is the embodiment or the means to realize the historic mission of the collective. Essentialist multiculturalism sees not the individual but the collective as an atomized entity in isolation from any decent and normal social interaction. Theoretically, perhaps, at least where our country is concerned, it might be helpful if multicultural approaches were to stop denying the liberty of individuals, of citizens, and the importance of their self-realization. Likewise, liberal approaches should be more sensitive

to the socio-historical and cultural context of the individual. The anti-essentialist, liberal-democratic concept of multiculturalism requires that "if a well-functioning public arena with open communicational systems that promote and allow discussions oriented towards self-understanding may be developed in such multicultural societies against the backdrop of liberal culture and on the basis of voluntary associations, then the democratic process of actualization of equal individual rights may expand to the extent to which it will become possible to guarantee equal right to co-existence to different ethnic groups and their forms of cultural life". (HABERMAS, 2003: 108). In any event, any form of socialization, regardless of its degree of multiculturality, that is designed to reduce individual freedom of self-realization, becomes a pretext for powerful elites to distance democracy from ordinary citizens. Moreover, the preservation of a policy of cultural identity and key and dominant narratives of the self-understanding of ethnic groups in the sphere of politics inevitably means preserving the ethno-political elite in power.

The persistence of ethno-politics nurtured by collectivist homoge-nization, fear and an entire socio-pathology, encouraged by a flawed understanding of the inter-ethnic factor involved in Bosnia and Herzegovina, reveals that the fundamental precondition for liberal democracy does not exist – the citizen: a category that is margi-nalized in the Constitution itself as well as in public discourse. Instead, there is collectivism and a shaky balance between mutually exclusive all-embracing ideologies. All that remains of the citizen is mere individualism in its primordial form – egoism.

The prospects for the development of liberal democracy in Bosnia and Herzegovina are linked to the process of de-ethnicization, which one might also call the process of de-trivialization of the individual and de-mythologization of the collective. In other words, it is the "social constructivist conception of culture... guided by a regulative ideal of the self" (PERITZ, 2004: 276); "the concept of persons as self-interpreting and self-defining beings whose actions and deeds are constituted through culturally informed narratives". (BENHABIB in PERITZ, 2004: 276). But how are we to change the dominant

collectivist matrix? The ideological matrix of ethnonationalism is based on the conviction that its understanding of the world – of the present, past and future – is so primordial and natural that, even if we disagree with it, it is still a point of reference that simply cannot be ignored. Most anti-nationalist intellectuals and politic activists fall into the trap of assuming *a priori* that this is a natural mode of thought, and not a social construct. The simplistic nature of such a reductionist understanding of the world among intellectuals, the "tendency to take groups for granted in the study of ethnicity, race and nationhood... the tendency to take discrete, sharply differentiated, internally homogeneous and externally bounded groups as basic constituents of social life, chief protagonists of social conflicts, and fundamental units of social analysis" (BRUBAKER, 2002: 164), takes its toll in the shape of a reduction of free critical space to "ethnic common sense – the tendency to partition the social world into putatively deeply constituted, quasi-natural intrinsic kinds" (HIRSCHFELD 1996 in BRUBAKER, 2002: 165).

In the spirit of Brubaker's propositions, the aim of this study is to observe ethnic groups as variables and detect the element of "the dynamics of *group-making* as a social, cultural and political project" (BRUBAKER, 2002: 170). I believe I shall succeed in demonstrating choosing between two social constructs – the citizen and the ethnic group – in favour of the citizen is a far better option for the future of this country. Breaking free from the "naturalness" of the ethnopolitical matrix could thus take the course of affirming the concept of "citizenship", a difficult process that would mean patiently cultivating free thought and general rationality. This amounts to a process of secularization in the widest sense of the word as the emergence, to put it in Kantian terms, from self-imposed immaturity; secularization as the de-essentialization of dominant interpretative frameworks. As I see it, in its broadest sense secularization is a tendency towards the privatization, or rather the *depoliticization*, not only of religious doctrines but also of all comprehensive comprehensive collectivist doctrines in line with Rawls's political liberalism. In the case of Bosnia and Herzegovina, the secularization process would include the depolitization of the prevailing ethnoreligious collectivist narratives. If we are to achieve it, we must ask

ourselves whether we are capable of depoliticizing ethnicity the way religious convictions have been depoliticized in the West. In my view, it is both necessary and desirable, particularly in Bosnia and Herzegovina, where the line between religious and ethnicity is a fine one.

The defenders of ethno-collectivist rights may object that ethnic affiliation is important for individual identity. However, though religion is also important to the individual in the West, it is being privatized and thus depoliticized. Privatization should not be understood, as Richard Rorty notes, as trivialization – unless we consider our own life as trivial. The defenders of ethno-collectivism claim that privatization means trivialization. The fact is rather that privatization means the trivialization of the sources of their political power. Since Bosnia and Herzegovina has no "majority nation", the prospects for privatization are all the better. In the context of contemporary ethical and political discourse, the private is not the same as the trivial. On the contrary,

> "democratic discourse should be open to a wide diversity of novel and strange claims and modes for their presentation, but must demand that all consideration that carry weight in determining decisions take the form of public reasons demonstrably in the interest of all concerned" (PERITZ, 2004: 279).

That is why the privatization, or de-politicization, I am talking about of means none other than the acceptance of a cultural democratization, which implies a democratized horizon where the most diverse cultural demands are equal participants in public debate led by publicly accepted and well-argumented patterns, in contrast to the arbitrariness, absolute untouchability and indisputability in the public arena of the demands we are bombarded with by the "people's representatives". Of course, ethnic and religious entrepreneurs give no thought to epistemological democratization of this kind – the acceptance of equality with other demands in well-argued public debate – because it deprives them of the key argument for their survival at the apex of the political pyramid.

Why cannot we continue with the domination of the collective in public life? Simply because we, the citizens of Bosnia and Herzegovina, have for too long been witnesses to the impossibility of

harmonizing the different antagonistic, mutually agonistic collectivist ethnic narratives. Each excludes the other and inevitably leads to tensions, destruction and often bloodshed. Our historical experience tells us that there neither is nor can be dialogue between different ethno-religious collectivist narratives. What kind of dialogue could there be except a narrow, unilateral reference to their exclusivist essentialist vocabularies? Exclusivism of collectivist narratives, unfortunately, tends to lead to conflict, so it is high time we opted for the alternative of facing a rational choice: to secularize, to privatize our own ethnic affiliation, that is our own religion, by situating it in a democratized discourse of public debate within which the most diverse cultural demands would be subjected to the pressure of "the practice of reason-giving" (BENHABIB, 2004: 293).

To paraphrase Rorty, I maintain that if we want to live a safe life, with at least a minimum of democracy, then we will have to admit that our readiness to exchange the guarantee of religious and ethnic freedoms for privatization is a good, self-sustainable move. More precisely, the level of reduction in the exclusive importance and domination of the collectivist doctrine needs to be open for debate: the identity of the Bosnian citizen may be developed into two or more equally valid tracks of identity – on the one hand, the identity of belonging to a group, or groups: the group, as I understand it in the denaturalized sense Brubaker refers to, is not just ethnic or religious, or national, but also cultural in a broader sense, each with its identity narrative of group-ness, whereby none has any grounds for a privileged position *vis à vis* the others. In this way we can be members of groups such as class, civic associations of various kinds, cultural identification, such as homosexuals, or the identity of "us-radical-anarchists". In other words, collective identity needs to be understood as any form of group solidarity, whereby ethnic or religious solidarity is just one among many other types of solidarity. It may be more important to the individual's identity make-up than any other group solidarity, but that must not constitute grounds for demanding that fellow citizens reposition the components of their identity in the same manner. If we add to this the political incentive to emphasize ethno-religious identity by a process of disciplinary

depreciation of every other way of constituting individual identity, what we have is a rigid and undemocratic regime based on the mechanisms of segregation and discrimination (every similarity with Bosnia and Herzegovina is deliberate here). The other track is that of individual identity in a process of constant recomposition and self-realization, guided by the most diverse interests and beliefs. For such a parallelism, which ensures the greatest possible space for one's own free self-realization as a citizen, which means in the liberal-democratic context, what is required is a political environment constituted in a democratic manner on the principle of *accommodation*, rather than on the principle of *subordination* of this plurality of identities. To be Bosniacs, Serbs, Croats, Muslims, Orthodox Christians, or Catholics to the degree we ourselves want to be, we need as citizens to have the greatest possible free space for our own self-realization. There should be no need to emphasize that Bosnia and Herzegovina can count on the loyalty of its citizens only if they experience the community as one within which they can develop their own private and collective identity as freely as possible. Naturally, this is possible within a liberal-democratic concept of accommodation of differences, with all the problems it entails. In this context, the reasons we propose in support of our cultural demands will be regarded as reasons in the true sense of the word if "they could be defended as being in the best interest of all considered as equal moral and political beings... and we can justify this claim because we have established (it) through processes of public deliberation in which all affected by these norms and policies took part as participants in a discourse" (BENHABIB, 2004: 295).

In that respect, what I suggest is nothing new: the political model of a *society that is blind to ethnic diversity in the political sense*, a model that suggests the life of the individual is not trivial, as it is nowadays in the ethnopolitical constellation, but that it implies one or more comprehensive doctrines – religious, ethnic, philosophical, or any other – which give meaning to the life of the individual. True, Amy Gutmann observes that "the challenge for a multicultural democracy is not to be culture-blind but to be fair to all individuals, whatever their cultural inheritance" (GUTMANN, 2003: 57). Never-

theless, the focus on the individual may be characterized, on the one hand, by "blindness", because where cultural practices are not "individual-friendly", Gutmann envisages their rejection in a democratic society. In other words, for the individual to be guided in private life by some comprehensive doctrines, they cannot have political backing, because political backing for one, as we have seen in Kasim Trnka's analysis of the debate on constituent nature, leads to discrimination against others. These doctrines should not therefore be relevant in *political* life in the sense of rigid constitutional principles and laws that would give precedence to a particular ethnic identity over universal human/citizen identity. This context of an ethnically blind society in the political sense gives rise to the principle according to which, as Habermas notes, that "the individual is the holder of the right to cultural affiliation" (HABERMAS, 2003: 108). As for the *public arena*, doctrines can feature only as equal interlocutors with other doctrines and narratives.

Nowadays, sadly, the public arena in Bosnia and Herzegovina is a testing ground for collectivism that enjoys absolute freedom, subsuming the individual, to the utmost possible extent, under its abstract categories. The democracy of the three ethno-religious groups is thus none other than a democracy of oligarchies, groups of authoritarian members of ethnic groups engaged in shaping ethnic, collectivist narratives; and such a democracy is meaningless.

Now, more than ever, it is time to echo what Thomas Jefferson said about freedom of religion, two hundred years ago: "But it does me no injury for my neighbour to say there are twenty gods or no God. It neither picks my pocket nor breaks my leg... The way to silence religious disputes, is to take no notice of them". (JEFFERSON, 1998: 168).

Taking no notice, however, requires civic values; and that needs citizens, the de-essentialization of politics, and the abolition of ethnopolitics. Bosnia and Herzegovina needs less "plucked" democracy, and more liberal democracy. Liberal democracy proposes that only thanks to the free individual that group identity, ethnic or otherwise, has any meaning. Anything less than that leads into the affair of pathology, frustration and pre-political schizophrenia that we are witnessing every day. Anything less than that is fundamentalist

reductionism, which has no hesitation, in order to retain its ruling position in society and culture, in launching yet another blood-drenched homogenization and mobilization of the collective. The liberal democratic concept posits, to paraphrase Rorty, that people who regard themselves primarily as Bosniacs, Serbs and Croats, but also as radical anarchists, atheists, artists, husbands, homosexuals, and then and only then as citizens of Bosnia and Herzegovina, will have no problems as long as they bear in mind the key liberalist principle formulated by John Stewart Mill that the *liberty of the individual is limited by that of others*. Instead of the inward-looking coagulation of the collectivist identity, the liberal democratic model I openly advocate on the following pages posits an expansion of identity, an expansion of the concept of the "us" with whom we must make common cause.

3. Bosnia and Herzegovina: civic state or anarchy?

The question of crucial importance for the future of this country is *whether Bosnia and Herzegovina is capable of becoming a civic state*; or in other terms, *whether the society of Bosnia and Herzegovina will be able to wrench itself free of the rule of collectivist doctrines*. In this regard, it is usual to say that there is no universal prescription for the establishment of a civic state, but rather that each country must find its own path. It will be my assertion that though there may be no universal prescription, there are certain well-established practices, institutions and values contributing to it. In his *Two Faces of Liberalism* (New York: The New Press, 2000), John Gray sets out the minimum standards of modern democratic political legitimacy:

> "In contemporary circumstances, all reasonably legitimate regimes require a rule of law and the capacity to maintain peace, effective representative institutions, and a government that is removable by its citizens without recourse to violence. In addition, they require the capacity to assure the satisfaction of basic needs to all and to protect minorities from disadvantage. Last, though by no means least, they need to reflect the ways of life and common identities of their citizens" (GRAY, 2000: 106-7).

At first glance, this last standard seems so prosaic, so self-evident that one might wonder why we need to highlight it in particular. This is the very point in Bosnia and Herzegovina. I would go so far as to say that we are seeing the *deferment* of the civic state, a deferment first called for in the Parliament of the Socialist Republic of Bosnia and Herzegovina in 1991 by the late Nikola Koljević, who claimed that the time was not yet ripe to begin building a civic state, however desirable and praiseworthy a goal it might be; that we must first sort out the relations between our constituent peoples,[10] after which, some fine day, we shall step forth into a civic state and the rule of law. Although Koljević has long since left the land of the living, his doctrine of the *deferment of the civic state*, the basis of all ethno-centric politics both in Bosnia and Herzegovina and abroad (Croatia, Serbia, the inter-ethnic factor), but also of proposals for the conso-ciational constitutional polity that so denigrates the citizens of Bosnia and Herzegovina, implicitly regarding them as it does as too immature to take on their own account decisions that concern them unless they are part of some greater collective. This is so pervasive that it has long been considered the only true reality, after gaining sway as the "matrix" or domain of the really-Real, ruthlessly con-demning every other discourse to utopia and abstraction.

It is this very afterthought of a standard for the functioning of a democratic state that is, in the case of Bosnia and Herzegovina, the vital precondition for all the other minimum standards to which every other democratic society operates. In short, unless the citizens is legitimated, the principles of a democratic civic state (to which the Dayton Constitution itself has pretensions) are perverted, in our case, into the *minimum standards of an ethnocratic state*, which read like an oxymoron.

As regards the effectiveness of representative institutions and general consent to democratic procedures in Dayton Bosnia and Herzegovina, what we have now is a subtle, much-ramified pro-cedure of covert and semi-covert deals between the ethnopolitical elites, which can only nominally be called procedure – the procedure of a democracy of oligarchies, not of citizens; in addition, it is an empirical fact that for a country with a low political culture,

democratic procedure becomes a mechanism for legitimating the non-democratic forces in power. At best, then, it can be regarded as an *illiberal democracy* or honorary democracy. The *effectiveness* of the representative institutions at all levels of governance in Bosnia and Herzegovina is better suited to be the subject of an expert analysis of paranormal activities than to any serious analytical undertaking. As regards its ability to maintain peace, the workings of ethnic exclusivity in a constant atmosphere of homogenization maintains Bosnia and Herzegovina in a perpetual "state of emergency" which, in the absence of a heightened presence of an inter-ethnic military and intelligence service, seriously calls into question the ability of this country to keep the peace. The process of ethnic homogenization is still ongoing, and is conducted by means of intimidation and violence.

As regards the rule of law, respect for human rights and freedoms amounts in reality to respect for Bosniac, Serb and Croat collective rights and freedoms, the scope of which is arbitrarily set in line with current power constellations by the ruling ethnopolitical oligarchies. It can thus be a matter of "vital national interest" whether to call Sarajevo airport Alija Izetbegović airport, to dismiss some corrupt local police officer, to privatize a certain corporation, and so forth. As regards sustaining the lifestyle and shared identity of its citizens, ethnopolitics allows for only one lifestyle (authentic, ours, traditional) and only one shared identity (the identity of our peoples). What this means for Bosnia and Herzegovina is an unsustainable reduction to a single collective identity. This constellation is being systematically imposed on us as the sole reality, or at least an interim one until such time, as the ethno-ideologues explain it in Koljević-style vocabulary, we constitute ourselves as peoples, or political subjects, and ensure our biological survival and our religious, cultural and political subjectivity. It is obvious, however, that "[a] world in which people are defined by membership of a single community is not only far removed from that in which we live. It is not seriously imaginable by us" (GRAY, 2000: 119) – by anyone, that is, other than the political elite of Bosnia and Herzegovina and its indifferent inter-ethnic representatives. As for the

protection of minorities, it is not even treated as an issue, since the constituent peoples themselves are effectively minorities throughout Bosnia and Herzegovina.

Roughly speaking, this is the *ethnopolitical* model of Bosnian-Herzegovinian society, a "type of ethnic democracy that cancels out the values of the European Enlightenment, the autonomous individual and the abstract citizen" (ŠARČEVIĆ, 1997: 55). We might exert ourselves to the utmost to rewrite the Swiss constitution, or anyone else's for that matter, and its dispositions, to redraw the maps of the cantons, to abolish and invent new entities; we might reach consensus on the subtlest of equilibrium between different groups; we might adhere to another hundred new human rights conventions and incorporate them into our constitution; we might even, by the grace of some supernatural power, become a full member of the EU – but all that effort will be in vain *without the political legitimation of citizenship*, without triumphing over the ethnopolitical matrix.

It should be made quite plain that instead of the civic model, every possible means has been used in Bosnia and Herzegovina – democratic procedures without a background of constitutional liberalism, war, and ethnopolitical mechanisms of homogenization – to create a kind of consociational model,[10] thereby perpetrating a 'political crime' against the citizen, who is being "*ethnically disciplined*" (ŠARČEVIĆ, 1997: 40); the scope of individual rights and freedoms has

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[10] According to Gray, "communities, not individuals, are bearers of many important rights... each community has institutions of its own, in which its own values and laws are authoritative, while sharing a common framework with the rest... Where different communities are commingled in the same territory, consociational institutions allow each to maintain a separate identity while interacting to mutual benefit with the rest". (It is no wonder, then, that increasingly, although entirely unconstitutionally, the institutions of Bosnia and Herzegovina are called the "joint institutions", the Federation of Bosnia and Herzegovina is routinely called the "Bosniac-Croat Federation" etc. – A. M.) A little further on, Gray says, the most serious disadvantage of consociational systems "is that they are often unstable... They do not survive for long unless they are underwritten by an external power". (GRAY, 2000: 128-29).

been drastically reduced,[11] since the so-called guarantors of peace and their local accomplices in the structures of governance are happy to sacrifice them for the sake of an illusory "peaceful coexistence". It is unparalleled hypocrisy to tolerate the collectivist oppression of the citizen and to justify it with the phrase "accommodating the plurality of different values and ways of life". It is a common fallacy that the model of the civic state with its rights and fundamental freedoms or, to put it still more broadly, demo-cratization, was in fact the cause of all ills in ex Yugoslavia and Bosnia and Herzegovina. In my view, it was something entirely contrary to this: here, following the first so-called free elections in 1990, it was not a matter of introducing human rights and freedoms and extending them to all, but of an *unprecedented reduction of individual rights and freedoms*.

Let us recall for a moment these "differences" within Bosnia and Herzegovina, about which there is so much concern in local and inter-ethnic political circles – differences that we take as self-explanatory. I believe that there are no significantly different ways of life in Bosnia, no significantly remote cultures whose diversity we ought to be dealing with to identify some kind of collectivist, consociational balance. Indeed, this is the very problem that creates such a nightmare for every ethnopolitics in Bosnia and Herzegovina. This is why they see it as imperative at all costs to create, to manufacture differences, the greater the better – by genocide, ethnic cleansing, exodus, coercion, falsifying history, linguistic hair-splitting – so as to bestow an apparent legitimacy on their discourse on different ways of life; and then, against this forcibly generated background, to conduct a "rational" debate on the quest for pro-portion, ratio and balance between these imagined differences. It is these constructed differences that the ruling ethno-politics calls our true reality. I call it criminal, sociocide, or the destruction of functional society.[12]

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[11] "Citizens are totally excluded from constitutional procedure" (ŠARČEVIĆ, 1997: 58).

[12] See: Keith DOUBT, *Sociologija nakon Bosne*, (*Sociology After Bosnia*) translated by Asim Mujkić (Sarajevo: Buybook, 2003).

The key postulate for a consociational regime in Bosnia and Herzegovina is the existence of three compartmentalized ethnic cultures, widely separate from each other. The commonsense question is whether there are three different, compartmentalized cultures in Bosnia and Herzegovina. Bosnian-Herzegovinian ethno-politics would say that there are. For them, the history of Bosnia and Herzegovina prior to 1990 is a history of the suppression of the differences between different cultures. Only with the victory of ethnonationalism did this cultural diversity gain sufficient space for development and protection. The liberally-minded citizen such as myself would say the opposite. We do not have now, nor have we ever had in Bosnia and Herzegovina, compartmentalized, widely separate cultures. The differences between our cultures derived mainly from the confessional conventions maintained by the feudal Ottoman *millet* system, followed by regional affiliation, which later – from the end of the 19th century – became politically instrumentalized, outside but not within Bosnia and Herzegovina, among reactionary bourgeois circles and ethnicized clerics. This was the tardy Balkan emergence of the nation-state in line with the classic European pattern of nationality that "proved inspirational for ethnic nationalism", entailing "[T]he collapse of multinational states [which] has triggered the erection of barriers between their former subjects" (GRAY, 2000: 126). In Bosnia and Herzegovina, these circles perceived the code for uniform nationality in confessional affiliation. This code, which was integrational for the Serb and Croat bourgeoisie, meant the disintegration of Bosnia and Herzegovina's society. The process of disintegration which began in the second half of the 19th century is still ongoing, reaching a peak after 1990, when the political manufacture of differences between confessional groups – ethnos – gained strength at its inception by acts of genocide and ethnic cleansing and by the process of ethno-territorialization by the illegal use of military force, with the direct or indirect involvement of the armies of Bosnia and Herzegovina's neighbouring states and which evolved into the 1995 Dayton Peace Agreement. From that point on, for the first time in the history of Bosnia and Herzegovina, an ethnonationalist, consociational constitutional disposition was imposed on the state. Ten years after the

octroyed Dayton Agreement, this forcibly imposed equilibrium between Bosnian ethnonationalisms is being presented as "natural", as something that has always been there.[13]

In a long-term, the current Bosnian-Herzegovinian ethnopolitical concept, which arbitrarily promotes mechanisms to protect the collective at the expense of individual rights and freedoms, a concept that is created, institutionally speaking, in a hybrid, *ad hoc* manner to reflect artificially manufactured differences by illicit means, is the principal obstacle to the establishment of an efficient, functional state mechanism. As a result, the Dayton Peace Agreement and its constitution has turned Koljević's *deferment of the civic state* into the *deferment of the state of Bosnia and Herzegovina*. This vacuum, the absence of a state, which is supposed to guarantee an arbitrarily assembled body, but which has in effect been left to the caprice of a high representative who is answerable to no-one and to a pleiade of second- and third-rate inter-ethnic politicians, has proven in practice to make the case for *anarchy*, of the kind that Hobbes felt such an aversion to during the bitter civil war in England. In fact, as Gray puts it, "anarchy rather than tyranny has become the chief threat to human rights" (GRAY, 2000: 131).

On the other hand, nothing that gets in the way of the unimpeded development of the citizen, the individual, not least the reduction of the individual to the biological given of belonging to a certain collective, can be legitimate. Despite all its contradictions and utopian overtones in this part of the world following so many experiments with collectivism – socialism and ethno-politics – this classic liberal principle seems to me to be the most reasonable or, if

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[13] This theft of the past, so characteristic of the ethnonationalist process of reduction and crystallization of the ethnic nucleus, is not only unjust to the society of Bosnia and Herzegovina and its cultural and political development, but is also tinged with the *personal*. The ethnonationalists have devalued my personal history, have swept it under the carpet, by imposing their construct of history; the ethnonationalists have denigrated and stolen my memories, my coming of age prior to 1990, by declaring it to be hypocritical and fraudulent; and lastly, they hijacked and humiliated my city and decimated its population, only now to expect me to say that this is something perfectly natural and normal, that things just had to be this way.

you will, the least damaging, the least painful. I know of no better. It provides a ray of hope for a different community, one that does not require us to diminish our distinctiveness but to enlarge it.

Annex 2:
The Liberal-Democratic Epistemology of Disarmament

This brings us to one of the key issues for building Bosnia and Herzegovina as a civic society – issues that centre on a question of extreme importance, which is how to make the ethnic or other collective components of identity politically irrelevant, or at least to restrict their political relevance. In this regard, I shall focus on the pragmatics of liberal indifference or ignorance, in the widest sense of the word. First, though, I shall consider the legitimation of ignorance, or more broadly speaking non-knowledge, as a political principle that in my view plays a major part in the operation of what appears to be rationally-based liberal democratic thought that has been elaborated in detail. Finally, do we not already have too much irrationality in society? Furthermore, did not liberal democratic thought, as part of an age of Enlightenment in which we are still living, come into being in opposition to the underhand, the unskilled, the ignorant, the prejudiced, and its arbitrary nature? Kant's Enlightenment call to humankind to emerge from our *self-imposed immaturity*, and not to hesitate to use our *own understanding*, seems to be aimed directly at ignorance, which is not a virtue of any kind, least of all a civic one. And yet, ignorance is legitimated as a virtue at the very root of the liberalist rebellion, as an integral part of liberal culture, primarily through the process of *plebeianization*, the de-monopolization or, broadly speaking, the *democratization* of knowledge, the dethroning of "powerful", "militant", "armed" epistemologies. Political and, more broadly, cultural liberalism took shape in that emanicipatory fervour as the "recognition that all of

life is not governed by a single, all knowing and all-powerful authority... It was the tolerant idea that every sphere of human activity – science, technology, politics, religion, and private life – should operate independently of the others, without trying to yoke everything together under a single guiding hand. It was a belief in the many, instead of the one. It was an insistence on freedom of thought and freedom of action... a freedom that recognizes the existence of other freedoms, too" (BERMAN, 2003: 37-38). In the political context of liberalism, ignorance presupposes a highly rational renunciation of omniscience, of all-encompassing doctrines, of any kind of absolutization, of the knowledge of last things in a political environment that, for its part, would call for political articulation and practice to align itself with that essential, central concept.

The ethico-political consequence of liberal ignorance, of the conscious option in favour of non-knowledge, or indifference, is on the one hand to "let them be in their differences, otherness, distinctiveness", while on the other, which is intimately linked to the first, it is the refusal to legitimate politically any affiliation and its eschatology; in other words, it is about the acknowledgement and legitimation of the plurality of particular affiliations. Enlightenment culture thus rose up in arms against "religious culture", for whose institutionalized doctrine, fostered by clerics, "others in their difference" are invariably a sign of corruption, of *betrayal*, and thus worthy of the utmost contempt.

The de-monopolization of knowledge is no longer total omniscience, but *trickles down* into the community, becoming a matter of public reflection, of justifying knowledge to a specific public, at the level of intersubjectivity. It emerges from the contemplative tranquillity of the monastery to the marketplace, the parliamentary rostrum, and the courtroom. Ontologically speaking, the strategy of liberal non-knowledge is essentially antimetaphysical – by entering the public arena it now has problems of human interest sidestepping the baffling questions that are of the essence for society and the individual, on the basis of which it could extrapolate an appropriate political construct. Ontologically, liberal non-knowledge fits into the general, Enlightenment-initiated context of the *crisis of foundations*,

as a result of which one might call liberalism an anti-establishment project. Hume warns that "This sceptical doubt... is a malady, which can never be radically cur'd, but must return upon us every moment, however we may chace it away... Carelessness and in-attention alone can afford us any remedy".[14] Despite countless essentializing trials and temptations, and in particular the latest, neo-liberalist one, two centuries of liberal democracy have demonstrated that it can withstand the "crisis of foundations", and furthermore that the belief is slowly maturing within it that it is sometimes a good thing to "stop trying to analyze and deconstruct our society down to the bitter end. Perhaps we shall realize that in order to get on properly with life, as with mathematics, a great many things just need to be taken for granted. Perhaps, like Hume, after arriving at some nihilistic end point of our inquiries, we shall recover our respect for the much neglected, sadly unfashionable virtues of carelessness and inattention" (DERBYSHIRE, 2003).

I shall consider the constituent significance of ignorance for liberal theory through three important liberal metaphors – the *Jeffersonian* compromise, J. Rawls's *veil of ignorance*, and D. Davidson's *principle of charity*. The choice is an arbitrary one, coinciding with my current interests in the field of contemporary political philosophy, and I do not rule out the possibility of other cases of ignorance on principle. As I see it, one of the first instances of the introduction of non-knowledge as a political principle was associated with the "Jeffersonian compromise". In his *Notes on Virginia* of 1785, published in Paris, Thomas Jefferson responds to the question of the "different religions received into that state" in these terms:

> Difference of opinion is advantageous in religion... Millions of innocent men, women, and children, since the introduction of Christianity, have been burnt, tortured, fined, imprisoned; yet we have not advanced one inch towards uniformity. What has been the effect of coercion? To make one half the world fools, and the other

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[14] David Hume, according to John Derbyshire: "The Importance of Not Thinking Too Much"
http://www.nationalreview.com/derbyshire/derbyshire080103.asp
as 2003.8.14.

> half hypocrites... Our sister states of Pennsylvania and New York,
> however, have long subsisted without any establishment at all...
> They flourish infinitely... [and] have made the happy discovery, that
> *the way to silence religious disputes, is to take no notice of them*
> (emphases added) (JEFFERSON, 1998: 168).

Taking no notice, or *liberal ignorance*, is about the rational choice
to turn a political blind eye in matters of religion. Thomas Jefferson
thus "set the tone for American liberal politics when he said "it does
me no injury for my neighbour to say that there are twenty Gods or
no God. His example helped make respectable the idea that politics
can be separated from beliefs about matters of ultimate importance
[*eschaton* – A.M.], – that shared beliefs among citizens on such
matters are not essential to a democratic society. Like many other
figures of the Enlightenment Jefferson assumed that a moral
vaculty common to a typical theist and the typical atheist suffices
for civic virtue.... He thought it enough to privatize religion, to view
it as irrelevant to social order but relevant to, and possibly essential
for, individual perfection" (RORTY, 1995: 279). Instituting ignorance
or political *blindness* to questions of ultimate importance to the
individual also entail the creation "of political institutions that will
foster public indifference to such issues, while putting no res-
trictions on private discussion on them" (RORTY, 1995: 297).
Privatizing the debate on principles and questions of ultimate
importance that politics *does not want to know about*, that it ignores,
makes way for their legitimation in the public arena. Principled
non-knowledge of matters of ultimate importance made public
liberty possible, freedom that was not "the privacy into which one
can arbitrarily retreat in the face of the world's pressures, nor was
it *liberum arbitrium*, freedom of choice between preordained
possibilities. The freedom that these people advocated could exist
only in the public sphere; it was secular, perceptible, a reality
established by people, not a gift or some kind of ability impatiently
waiting to be realized. In other words, it was a public space or
agora" (ARENDT, 1991: 106).

The foundations were thus laid for a society that will not take a
stand on matters of ultimate truth, of "ultimate essence". This
"negative" self-definition results from the tendency of the citizen to

fight for as much space as possible for his or her own life, based on these ultimate truths and convictions, but this time freely chosen; for a life in the community, that is, that allows for a maximum of self-respect; for "freedom is the cardinal, absolute requirement for self-respect… Because we cherish [the] dignity [of the individual – A.M.], we insist on freedom [on as much space as possible to live in accord with our own beliefs and ultimate essences – A.M.], and we place the right of conscience at its center, so that a government that denies that right is totalitarian no matter how free it leaves us in choices that matter less… *The greatest insult to the sanctity of life is indifference or laziness in the face of its complexity*" (emphases added) (DWORKIN, 1993: 239-40).

The importance of ignorance as a matter of principle for liberal democracy, particularly for the concept of justice, was understood by John Rawls, who develops the "veil of ignorance" metaphor:

> "Somehow we must nullify the effects of specific contingencies which put men at odds and tempt them to exploit social and natural circumstances to their own advantage. Now in order to do this I assume that the parties are situated behind a veil of ignorance. They do not know how the various alternatives will affect their own particular case and they are obliged to evaluate principles solely on the basis of general considerations… no one knows his place in society, his class position or social status; nor does he know his fortune in the distribution of natural assets and abilities, his intelligence and strength, and the like" (RAWLS, 1995: 136-37).

Here the intention is to arrive at the broadest possible consensus on fundamental principles of justice, by way of a mental experiment which anyone can embark on at any time through non-knowledge as a matter of principle. In other words, to make the paradox still greater, it is through non-knowledge that we seek to make room for rational thought and every furether construct in general terms so as to achieve what Rawls calls unanimous agreement. The veil of ignorance thus prevents the parties from using the principles of justice to their advantage, just as in the Jeffersonian compromise failing to notice religious affiliations in general makes rational public debate possible. Just as ignorance in the Jeffersonian compromise has allowed us to place many theological topics in parentheses, thus

freeing up the operational potential of the political space, so the veil of ignorance allows us to bracket off the concept of human nature, the meaning of life and a whole range of moral concepts for, as Rorty observes, it is clear to Rawls that no single general moral concepts can "provide the shared basis for a political conception of justice" (RORTY, 1995: 279) in a modern democratic society. From a political rather than a metaphysical perspective, the "veil of ignorance" and the entire "original position" that Rawls develops do not postulate any kind of universal rationality binding on every one of us, but are "founded" on the liberal imagination that prompts us to choose the principles of justice chosen by Rawls, for we ourselves could find ourselves in the category of the "most vulnerable". Rawls's *theory of justice* cannot therefore be seen as an ode to some universal rationality that excludes every other form of human self-creation, but as an ode to a sensitive imagination that, thanks to non-knowledge as a matter of principle, paves the way for us to transcend our narrow egotistical perspective, allows for solidarity with the most vulnerable, which is where every pro-justice social construct should begin.

The third metaphor of liberal non-knowledge or ignorance as a matter of principle is one I have borrowed from Donald Davidson and his principle of *charity*. Davidson points out that when interpreting what our interlocutor is saying, we need to exercise a degree of charity. "Charity is forced on us: whether we like it or not, if we want to understand others we must count them right in most matters. If we can produce a theory that reconciles charity and the formal conditions for a theory, we have done all that could be done to ensure communication... We make maximum sense of the words and thoughts of others when we interpret in a way that optimizes agreement" (DAVIDSON, 1985: 197). Before we embark on a discussion with others, therefore, we are bound simply to accept that they are right in most matters, or that the "general outlines of [their] view of the world are correct" (MURPHY, 1990: 103).

Davidson avers that when we attempt to interpret our interlocutor we need "to read some of his own standards of truth into the pattern of sentences held true by the speaker. The point of the principle is to make the speaker intelligible, since too great deviations from

consistency and correctness leave no common ground on which to judge either conformity or difference" (DAVIDSON in WILLIAMS, 1996: 310). Treating our interlocutors as being "as rational as I am" means acknowledging them in their dignity; it means that however different our world-views and convictions may be, they are in some way coherent and we cannot be that different, since both they and I are rational beings, acknowledging each other's dignity. In this way, by insisting not on "getting to the truth" but on prior acknowledgement and mutual respect, *despite* the truth, Davidson introduces ethics into cognition theory, and democratizes communication by abolishing the possibility of postulating privileged narratives that exclude others from the debate (unless, perhaps, they deviate too far from consistency and correctness). Charity requires us to admit the "rationality" of our interlocutors, and to endeavour to recognize similarities in what they consider to be the truth – always supposing we want to reach agreement.

The point of this metaphor is that the quest for common ground is given precedence over the quest for the truth as such, a non-referential, timeless, eternally valid truth. It is more *important* to narrow down the differences between points of view than to search for a first principle, for an inexorably comprehensive axion. However strange it may at first sound, the quest for the truth is abandoned, or replaced by the quest for understanding and *agreement* in communicative practice that is as tolerant as possible and conducted as far as possible in a spirit of equality. All three metaphors of non-knowledge are based on the view that "all substantive beliefs about what is good and bad, stemming from particular traditions, would be put on one side when we decide what a fair and just society would look like" (TRIGG, 2005: 85).

Non-knowledge pertains to "matters of ultimate value", to the Truth. In other words, what is required in a strategy of liberal non-knowledge is *disagreement* about what constitutes the truth. This means "that the kind of reasoning allowed in the public sphere is going to be markedly different from what individuals might use privately. There is a radical split between the 'public' and the 'private', between what is allowed in a social setting and what

individuals can privately believe... The aim is to allow maximum freedom to each other to live by one's beliefs, without interfering in what others do" (TRIGG, 2005: 86). Although these three metaphors or strategies of non-knowledge reinforce the distinction between the private and the public, as we have seen this distinction should not be regarded as an atemporal gulf between two sets of values. It allows the individual to live in accordance with his or her beliefs, but also posits the "civic virtue" of the individual, the will to enter into public debate and trust. It is thus of the utmost importance that the citizen, and moral education in the democratic spirit, be fostered, rather than members of this or that ethnic collective, for "private morality is not separate from the existence of public and social interaction. It is the precondition for it. How we decide to live affects those around us. None of us can forget that we all live in groups, and in social settings, and have obligations that go far beyond our own particular wishes" (TRIGG, 2005: 95).

These three metaphors, then – and there is no doubt that several more could be found in the history of liberal thought – reveal that, contrary perhaps to established expectations, the pillars of liberal democratic politics are not irrefutable doctrinaire axsions, but pillars of non-knowledge as a matter of principle. Non-knowledge as a matter of principle, ignorance, indifference is thus a crucial constituent if liberal democratic politics is to work, but also essential to creating its content. Thus, for instance, non-knowledge as a matter of principle, or the desire to set some new differences between parentheses, is responsible for the steady expansion of the catalogue of human rights and freedoms, and for the extension of sensibilities towards that which is different and the willingness to expand the range of those with whom we make common cause by using the word "we" and those whom we regard as equal interlocutors. One can see in this a tendency to abandon the Platonic ideal of approaching a set of extratemporal, transhistoric truths and to replace with an ideal of free and frank communication between equal participants in communication, as Jean-Luc Nancy describes it.[15] Nancy states that "communication is by no means a fact grafted onto human reality;

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[15] For more details, see in Jean-Luc NANCY, *Dva ogleda / Razdijeljena zajednica:*

rather, it constitutes it" (NANCY, 2004: 29). He goes on to suggest that what I call my consciousness is not specifically, distinctly mine, but only in and of the community. That which is essentially ours, the innermost self that gives us our distinctiveness and individuality, is now seen to be something essentially external to us. That which constitutes our individuality is thus revealed as something beyond us; being is always "being with", being as communication, which in Nancy's view constitutes the very essence of the individual. Similarly, community is not a subject or suprasubject in opposition to which some kind of dialectic as other-being has erected an object or world of objects in order ultimately to return to itself. Community is seen rather to be a pre-horizon against which something resembling the individual could be imagined. Again, in Nancy's view, whenever the individual is conceived as compartmentalized, there is inevitably, in the corner of every such thought, a You as Partner in the I. The concept of community developed by Nancy as "the impossibility of constituting a communitarian entity as subject" (NANCY, 2004: 22) opens up an immense space for a critique of the ruling ethno-politics, which is none other than the presentation of national collectivities as subjects. I deal with this in greater detail in the annexes entitled "A Contribution to the Critique of Ethnic Selfhood" and "Ethnic Group-Making Processes". It is important to note here, however, that this concept provides the founders in the political domain with exactly what they want – to found the unfoundable, the intangible – and cannot become the subject of any comprehensive evaluation or ideology. The impossibility of constituting the community as subject or, as Willard Quine would say, the ever-present inscrutability of reference, would seem to condemn to failure, by virtue of the simple fact of being together, simultaneous, every attempt to "cut off", to sweep away the reduction of communication on which every totalitarian regime that "holds itself dear" is inevitably based. Our ethnopolitical elites, which construct ahistorical, eternal reality (following Rogers Brubaker, I refer to this process as "calling forth-as-production"), must know that their artificial bestowal for the

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o singularnom pluralnom bitku, trans. Tomislav Medak (Zagreb: Multi-medijalni institut, Arkzin: 2004).

purpose of the radical elimination of the other is impossible for, as Nancy remarks, "the essence of being as finite (historical temporal) being is a priori marked by finitude as a partnership of singularities" (NANCY, 2004: 35).

Can any kind of community, and particularly a political one, be founded on these "quicksands" of perpetually sinking truths, convictions and conceptual constructs? Does not a community need some solid foundation – possibly in the shape of a philosophical doctrine on the essence of human nature or of some eschaton? And yet, if one considers the problem more closely, one will necessarily observe that at the very heart of such essentialist philosophical doctrines, mobilizing epistemologies and the eschaton itself there lies considerable non-knowledge, not of the principled kind – that is, not rationally selected – but radical, as is a philosophical doctrine itself that coalesces around transcendental concepts, or an eschaton as *eschata* – ultimate – as a doctrine of the ultimate meaning of the world and life, hence radical. On what do I base this assertion? Liberal thought notes that founding liberal politics, or politics in general, on philosophical grounds, carries with it the danger of totalitarian ideological constructivism, which first marginalizes and then eliminates, at times with an excess of violence, those cultural representations that do not fit in. Non-knowledge, on the other hand, reveals itself as a strategy of destructive epistemology, in contrast to essentialist politics of knowledge (communism, nationalism, neo-liberal capitalism) that use strategies of mobilizing epistemology, that define and determine communication by reductive mechanisms of "commensuration" that are all too often brutal and violent. For our part, we have seen that the "final truths" themselves on which "politics of knowledge" is based are *radically transcendent*, and as such represent true, radical non-knowledge.

With or without an eschaton, a community evades constitution in the form of a monolithic subjectivity. We have seen that Jean-Luc Nancy says that it is impossible to constitute a communitarian entity as subject; what is in question is a "community that is not a space of 'selves' – subjects and substances, fundamentally immortal – but one of the 'I' who are invariably those others, or are nothing"

(Nancy, 2004: 22). The desubstantialization of a community of those 'I' stripped of publicly identifiable deep foundations and sharp edges, of the 'I' who are invariably those others, could on the basis of this ignorance have radical consequences for the concept of every political collectivism. Liberal non-knowledge, or abstention from the political production of political differences in the political domain – which is to foster blindness to certain differences the intrusion of which into the political space plainly leads to dissension and bloodshed – means not wanting to see certain differences, not wanting to regard a specific kind of difference as relevant to political practice, or wanting to see certain differences as politically irrelevant. To ignore on principle, as already noted, needs advanced civic virtue, and a certain degree of consensus on values reached in public and political debate; no "first principles" are required. The need for liberal non-knowledge as a matter of principle, as a civic virtue, brings us back home, past a rationalistically constructed political and legal, abstract framework, back to community, in the domain of everyday interaction; it brings us back to Dewey's observations on democracy: "democracy must begin at home, and its home is the neighborly community" (Dewey, 1954: 213). If we take Dewey's idea further, we shall see that we are straying away from the rigidly contractual, rationalist conception of the foundations of liberal democracy and coming closer to Adam Smith and his *Theory of the Moral Sentiments*, with its emphasis on *empathy* – the ability to put oneself in another's place; or to Rorty's concept of the manipulation of feelings to expand the referential range of the people with whom we make common cause when we say "we". For Adam Smith, for instance, "feeling for our fellow citizen is the foundation of ethics and is of essential importance for social cohesion" (Ryan, 2004: 23). Liberal non-knowledge is one of the ways of avoiding any possibility of our own essentialization – urgently needed to counter modern neo-liberalist tendencies – and of decentralizing a rationalist scheme and preventing attempts to absolutize rationality.

ANNEX 3:
Religion and Politics:
Bosniacs, Serbs and Croats

The ethnopolitics of Bosnia and Herzegovina are inextricably entangled with religion, which takes the shape of "politicized religion" within the context of which "the politicized use of ritual space and religious ritual acts serve as a means of mobilization" (FRIEDLAND, 2001: 140) – in the case of Bosnia and Herzegovina, in ethnic territory. In these circumstances of self-identification through the collectivist matrix, the space for public action is far too restricted to allow for independent citizenship and alternative comprehensive concepts. The operation of the collectivist matrix of religious nationalism[16] and its comprehensive doctrine is a doubly destructive process. On the one hand, it will find itself in a "permanent state of emergency", always on the verge of conflict with the comprehensive doctrines of other collectives, from which, paradoxically, it will constantly draw renewed energy from within for *destructive* processes, presented as constructive, unifying and homogenizing. These internal destructive processes are on the one hand those of perpetual homogenization and the mobilization of its own collective, and on the other those of constant self-reductionism, which manifests itself in the purging of *obnoxious* internal enemies. Remaining within the collectivist matrix means, in fact, being in a

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[16] Contemporary sociological theory defines the phenomenon of religion becoming a kind of ontology of power and guardian of our collective identity as "religious nationalism". For more, see Dino Abazović's master's thesis, "Sociološko određenje religijskog nacionalizma u savremenom svijetu", Faculty of Political Science, Sarajevo, 2005.

perpetual state of emergency, on the brink of war, constantly prone to excesses, postponing democracy, the rule of law, a rational social organization and normal economic processes. Friedland is right, therefore, when he says that religious nationalism, indeed like every collectivist ideology, is an end in itself.

John Dewey is still more explicit when he concludes: "As long as the prevailing mentality thought that the consequences of piety and irreligion affected the entire community, religion was of necessity a public affair. Scrupulous adherence to the customary cult was of the highest political import. Gods were tribals ancestors or founders of the community... temples were public buildings, like the agora and forum; rites were civic functions and priests public officials" (DEWEY, 1954: 49).

In the present ethnopolitical constellation of Bosnia and Herzegovina, it is religion, almost exclusively, that is the basis of the identity of ethnic groups; and in Dewey's words, it is the "ancestor" of *our* tribe, the founder of *our* community, the essential link in *our* group identity. In the view of religion, *we* are what we are, particularly in the political sense. There is no way, therefore, even if we wanted to, that we can separate the Church from politics, for if we were to do so we would be *renegades* to *our group*, *our* political identity, which is *kinship*. The entire network of public institutions is designed ultimately to be a network of institutions of *our* devotion. Religious ritual becomes a tacit *civic* duty, and any criticism of the public or political involvement of religious leaders is regarded as a disturbance of the peace, an attack on *our* identity, even, in the extreme, as an act of *blasphemy*.

In contrast to this, as individuals or beings we are a collection of the many descriptions and participations (NANCY, 2004) in which we understand and express ourselves. There is no such thing as a central description that we would call our essence. Every being creates its own inner world by accepting or rejecting endlessly changing linguistic signs. There is no privileged point of being. Hence all the boundaries that shade our identity, including the ethno-confessional, are multisemic, and one cannot conclude on this basis that the ethnic category is in any way more important than others. Thomas Hylland Eriksen observes: "Research on group

formation and social identities has tended to regard groups as mutually exclusive in a *digital* way: either one is a member of X or one is not. I have nevertheless shown that people can often be *somewhat* X. The digital way of thinking about groups and identities may be influenced by nationalist ideology and practice, according to which one cannot simultaneously be and not be a citizen in a state. However, in real life people do not normally classify each other just by referring to their citizenship. Many other statuses are relevant. Therefore, it may, perhaps be more appropriate to think of identity in general as an *analogic* phenomenon than as a *digital* one" (ERIKSEN, 1993: 157).

To be a member of only one group (religious and ethnic, for instance), or even of several groups making common cause, we must grant the same right to others, our fellow citizens, which is a simple formula for secularization in the political context of liberal democracy, which is wholly compatible with religiosity, if religiosity is to have any meaning for the life and identity of the individual. It is perhaps for purely selfish reasons, because I want my religious affiliation or my membership of an ethnic group to be my sole *raison d'être*, so that I can practice it in peace and construct my identity along those lines, that I must allow my neighbour to do the same – to be left alone to construct his own identity along the lines he chooses. The political irrelevance of the religious or any other collective element thus in fact means that it has existential relevance, and it is in this sense that one can speak about the importance of the religious in general for the construction of identity.

For this, however, we need an "independent civil sphere [that can] exist only in so far as the privacy of individual interaction is protected, institutional independence is guaranteed for the creation of law and public opinion, and normative symbolic patterns make honesty, rationality, individual autonomy, cooperation and impersonal trust the basic criteria for membership in the binding community that defines 'society'" (ALEXANDER, in FRIEDLAND, 2001: 147).[17] In our

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[17] ALEXANDER J. 1996. Collective action, culture and civil society: secularizing, updating, inverting, revising and displacing the classical model of social movements. In *Alain Touraine*, ed. M Blane, J. Clark. Falmer, UK: Falmer.

present circumstances, in which rationality is the extreme, I cannot but repeat the profoundly "modernist" message of American intellectual President James Madison, who cautioned that "as long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of Government".[18] All in all, we can agree with Mile Babić when he concludes that "collectivism is the worst injury, a cancer in the state and society of Bosnia and Herzegovina. No one in this country has the right to reduce living people, free individuals, unique human persons, to mere members of a national collective, a religious collective, or any other collective. Collectivism is the negation of individual freedom, the negation of true religion, politics and morality" (BABIĆ, 2005: 172). Ultimately, religion, politics and morality alike are essentially a matter of individual freedom.

Unfortunately, the key to deciphering the code of Bosnia and Herzegovina's ethnopolitics is politicized religiosity, which is an inexhaustible source of transcendent, mobilizing metaphors for the differentiation of ethnic groups led, in the political domain, by people's (*national*) parties. This kind of politics is inevitably collectivist, hostile to the individual and his or her autonomy. Politicized religiosity and religiously-based politics are interchangeable terms. Just as under previous regimes, there is a marriage between a grand overarching eschatological narrative and political power. Just as Rorty observes that there can be no true religious dialogue if the participants appeal solely to religious dogma in forming their opinions, so there can be no true dialogue between three ethnopolitics, since they draw their ultimate legitimacy from "their" particular confession. The final reference of their political arguments

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[18] In Clinton Rossiter, ed, *The Federalist Papers* (1961), 77-84.

lies in the "will of the people" – people whose key guardian of identity is a particular religion. Ethnopolitics in Bosnia and Herzegovina thus frequently amounts to "putting political convictions in religious terms" (RORTY, 2003: 142), while religious convictions are often articulated in political terms. With their frequent meddling, ecclesiastical institutions in Bosnia and Herzegovina, proving Rorty's view, have become "dangerous to the health of democratic societies" (RORTY, 2005: 33).

What are the consequences of ethnopolitics founded on religious particularism in Bosnia and Herzegovina, particularly for the Bosniacs? At the political level, it would undoubtedly be the voluntary involvement in the all-encompassing process of ethnicization of the state of Bosnia and Herzegovina, broadly speaking. On the other hand, taking a narrower view, would it be *nationalization of an ethnos*?

However much it might appear at first glance that we are dealing with two mutually exclusive processes – the ethnicization of the state and *nationalization of an ethnos* – seen from the perspective of the visible consequences of both processes, which is of particular importance for all of us in Bosnia and Herzegovina, they are in fact one and the same process. Both come down to adopting an ethnic matrix of self-identification, which entails institutional, political and cultural homogenization, or the mobilization of part of the population of Bosnia and Herzegovina, projected, shaped and "led" by ethnic, political, cultural and quasi-bourgeois oligarchies or elites with political, economic and cultural power. The process is conducted in part through the legal institutions of state, and to the extent to which "our" political representatives are represented within them (so that "our" man, who may be deputy Foreign Minister, is in essence "our" Foreign Minister and to some extent run "our" foreign policy; and the same is true of "our" judge, president, mayor and so on). In part, too, the process is conducted through the legal institutions of society – sundry cultural and civic associations; in the legal and the "grey" economy; and through informal associations and centres, in the operations of the shadowy inner elitist circles that decide on major, "strategic" issues.

Whatever the reasons, direct or indirect, that may be put forward in support of the "current" or "historically" justified necessity for this kind of organization, the ethno-religious homogenization of the Bosniacs, reflected in the process of the ethnicization of the state and its institutions and procedures (and of the peoples of Bosnia and Herzegovina in general) is a process of irreversible reduction. Why irreversible? Because each successive round of homogenization will produce fewer of the "real" or "orthodox" who fit into the projected image of ethno-religious oligarchies. Under nationalist rule we could see what kind of *pathological* form of reductionism this is: it was a time of "cutting off the other", from the "other" in the ethno-religious sense to the left-wing "other" who advocated civil society, atheists, and anyone who thought differently. In this view, there will always be "others" who have to be eliminated. Ozren Kebo has an interesting observation to make on this destructive process: "Since we have no received judicial satisfaction for the terrible sufferings of the recent war, Bosniacs have begun to follow the well-worn path that had already been laid, shamefully and bloodily, by Serbs and, to a large extent, by Croats: every aspect of public life is being invaded by extremism, the myth is being systematically and painstakingly created of a vulnerable people who, being endangered, are becoming a danger to all around them. The Bosniac right-wing is no less dangerous now than the Serb or Croat right. It holds the powerful media in the palm of its hand, and is led by dangerous, unstable and eloquent types whom no one controls and whom to a great extent the people celebrate as authentic national thinkers. The knives are sharp. Everything is ready for action".[19] (KEBO, 2003: 97).

On the other hand, the dreaded *secularization*, or ethno-religious decomposition in the political and institutional sense or, broadly speaking, *dehomogenization*, which entails opening up to those with whom we make common cause as "we", draws the Bosniacs, as citizens, into a process of modern politicization that, by giving purpose to and strengthening state and public institutions and procedures, will preserve Bosnia and Herzegovina as a political community, which is to say as the only context within which citizens

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[19] Ozren Kebo, *Start*, 126, 7 October 2003, Sarajevo, p. 7.

– Bosniacs, Bosnian Serbs and Bosnian Croats – can have political relevance. Secularization in a civic state cannot be compared with secularization during the socialist period, as referred to by critics from a mainly religious and nationalist background, because *socialist society recognized no boundaries between the public and the private*. In other words, there was no "private domain" in which religion could be located, just as nowadays there is no public arena in this ethnopolitical environment. The invasion of the public into the private domain, particularly under rigid socialism, has been replaced, particularly nowadays under rigid nationalism, by the invasion of the private into the public. This can be seen, for instance, in the controlled projection of the "proper Muslimhood", private religious duties have been turned into publicly desirable patterns of conduct: among them, making very public, and publicized, visits to the mosque, fasting in a very obvious manner, and serving *iftar* (the meal breaking the daily fast) in public institutions.

In the case of the Bosnian Serbs and Croats, there are entire, highly detailed programmes of self-extermination, for example by way of language, and education based on the curricula of neighbouring countries, constituting the forcible manufacture of difference (reductionism) to eradicate the "Bosnian" in their identity. To that extent their "mobilizing" calls for homogenization designed to preserve "vital national interest" are a fraud: *reductionist calls for homogenization mean sinking into political irrelevance*, and amount to dismantling their identity for the sake of what is for them, politically speaking, an external centre – their so-called *mother* state and nation. The kind of reductionism being advanced in recent years as desirable is even more dangerous for the Bosniacs.

The politicization of the ethno-religious element among the Bosniacs, as is now being promoted to a significant degree, in fact means their essential depoliticization, their *reduction to a religious community*; conversely, the depoliticization of the ethno-religious denotes their essential politicization as citizens of a modern political nation with a much-ramified network of public institutions and civic associations enabling citizens to preserve every component of their identity (including the ethno-religious). Decollectivizing the cultural

and political domain, and dethroning the one, comprehensive doctrine, turns religion into a matter "of private choice, not a social obligation. The individual has an option to choose a world view". (RIIS, 1993: 376). For its part, privatization is not trivialization, as Rorty notes, unless we regard our own individual life as trivial. What is genuinely trivialized is the role of politically yoked clerics in the legitimation of socio-political processes. It has become almost axiomatic – of which there is daily proof in Bosnia and Herzegovina – that the more religiosity is a constant presence in the public arena, the more it is manifestly collectivist, the more it is drained of the inspirational content that could be relevant to building individual identity, so turning into hollow ritual, a chimaera, a mere rhetorical flourish. Conversely, the more private it is, the more real, the more meaningful for the creation of individual identity. On the other hand, "such private religiosity, however 'real' it may be to the individuals who adopt it, cannot any longer fulfill the classical task of religion, that of constructing a common world within which all of social life receives ultimate meaning binding on everybody" (BERGER, 1990: 133-34). The all-embracing, that which becomes binding on everybody, as history keeps demonstrating, goes hand in hand with the infliction of pain and humiliation, persecution and atrocities. It is only in this context, that entails the homogenization and mobilization of the "flock" or collective, rather than in the context of the privatization of religion, ideology or any other comprehensive doctrine, that the life of the individual is trivial.

It may sound paradoxical, but only the free citizen – the Bosniac, Serb, Croat individual – can preserve that kind of collective identity. Conversely, the absolutized collective that sees in the individual its deadly enemy, will cross, and even invert, the demarcation between the public and the private, shaping society along totalitarian lines; and thereby, will be preparing itself to commit *suicide* (which every totalitarian system always, unerringly does). In the present constellation of power, membership of the group is defined on the basis of "ethnic" affiliation, the ultimate characteristic of which is religious affiliation – and this is acquired by birth. The problems of such identities, in particular in their reductive sense, have already been adumbrated, and one might conclude that it has become

fruitless or, if you will, politically frivolous, to think in these terms. The absurdity of everyday life provides daily evidence that no serious political organization of social life, which is unimaginably more refined, complicated and complex than anything offered by this simple populist interpretation, can be based on this concept of recognition and on the so-called "protection of vital national interests". Vital national interest is satisfied these days by praying in the mosque in Kotorsko or Stolac, not by solving the major social problems because of which twenty or so people – Bosniacs, should it be necessary to point that out – are ready to go on hunger strike to the death.

This is why it is necessary to start reconstructing the term Bosniac if, as the SDA (Party of Democratic Action) once defined it, "Bosniac" pertains solely to the "historical Muslim circle". In real life, to take the most radical case of the hunger strike by workers in Una-Sana Canton, people do not for the most part classify themselves by ethnic affiliation. What do we mean when we say "Bosniac-hood"? Is Bosniac-hood some kind of essential suprastructure resistant to the contingencies of time and social interaction? Is ethnic or national identity conceived in our political practice, as Hardt and Negri observe, "not as the resolution of social and historical differences but as the product of a primordial unity" which is "prior to historical development"? (HARDT, NEGRI, 2003: 95). Is it something "natural", as now imagined? Or is Bosniac-hood, as a broadly overarching and somewhat vague concept of identity, a network of opposing comprehensive, mutually competitive doctrines of identity, each with its own version of "true" ethnic or group identity, a version of "good community" as maintained by the current constellation of political, economic and cultural power. It would seem that neither the Bosniac identity, nor indeed that of any other people or nation, has been able to avoid constructing itself on, to quote Hardt and Negri again, "an imaginary plane that hid and/or eliminated differences, and this corresponded on the practical plane to racial subordination and social purification" (HARDT, NEGRI, 2003: 97). This view of the concept of national identity negates the core of every nationalist ideology that sees its foundation in ahistoricity, in isolation from social interaction, in the concept of "naturalness". From this perspective, the concept

is intended to suggest that what is rather vaguely defined, according to Hardt and Negri, as "a People (an organized particularity that defends established privileges and properties)", consists in fact of a set of such particularities. Ideologues, or those whom the current privileged constellation of power grants the position of arbiter in the description of what constitutes membership of group X and what does not, would say that one cannot negate the existence of some "ahistorical" or, at least, enduring elements denoted by the collective but vague term tradition.

These elements, however – including the epic history, customs and habits of a certain community (the boundaries of which are always unclear), and its values, are "redescribed" or reinterpreted in each of these competitive, comprehensive identity doctrines. In other words, the mosaic of multicoloured stones regarded as identity is constantly being relaid, depending on the wider social context, with some of the "traditional" pieces being rejected with the passage of time, and replaced by other, new or borrowed ones. The essence of this approach is that if we genuinely strip away the veil from the comprehensive doctrines that seek to define our collective identities, we shall not find – to the dismay of many ethno-ideologues or ethno-archeologists – a "bearing structure", suprastructure or foundations of any kind. However deep we dig, we shall find nothing but words, fistsful of interpretations often radically contrary to each other, since there is no intelligible attitude towards reality except a linguistic one. We shall thus discover that what they call collective identity (ethnic or other) is just one of the "we" with which we could but need not necessarily identify ourselves when rearranging the pieces of our own identity. There is no natural, primordial connection per se. *There is no adequate reason, be it metaphysical or epistemological, by which politics that homogenizes and shapes the ethnic "we" by generating differences outwardly, in regard to other imagined "we's", and by destroying inwardly that "we" (which is homogenization), could satisfy some "natural" priority, could justify taking precedence over politics that opens itself to the "we" on the outside, encouraging differences within that "we" – which is democracy.*

Nowadays, adopting the prevailing description of the collective with which we can make common cause means accepting the dominant

comprehensive doctrine of ethnic identity imposed in the present constellation of political, economic and cultural power. This ruling doctrine may have been "tempting" to some citizens in times of crisis of identity that was open to the collapse of one particular comprehensive doctrine in the early 1990s; it referred seductively to a "return to our roots". But this is none other than an invitation to a redescription, a reinterpretation, a rebalancing of the constellations of power by the "reinvention of tradition" (HOBSBAWM, 2002). The past decade is clear confirmation of that. Similarly, though, its rise to power and apparent absolute rule certainly does not mean that some new, more persuasive, more comprehensive, more flexible or perhaps still more exclusive doctrine will not appear on the market of comprehensive doctrines. The ruling ideology coalesces around political hyper-irrelevancy, around the hypo-stasized ethno-religious (with the "ethnic" on the basis of which membership or non-membership of group X is not natural, but purely arbitrary). Pursuing this further, we should enquire what is happening to ethnic identity if it becomes politically irrelevant, if it slips off the existing constellation of social power. It could, of course, become irrelevant in the way we have already seen when the communist party was in power, when it was replaced by the comprehensive doctrine of another collectivity – the *proletariat*. This concept, also based on the digital principle according to which someone is or is not a member of group X, is repressive, and should therefore be regarded as illegitimate. One should speak, therefore, not of the political irrelevance of ethnic identity but of a re-evaluation of its relevance when, in the reinterpretation of some new comprehensive doctrine that will bestow political relevance on some other segment of social life, it becomes just one in a set of other, equal concepts of identity.

Ethnic identity should therefore be regarded as just one among many modes "of consciousness... each of which is produced as particular historical structures... We cannot assume a priori that ethnic alignments are more important than others" (ERIKSEN, 1993: 157). The essence of analogue identity, unlike that of digital identity, comes down not to a reduction but to a "maximization of opportunities for individual variation, and group variation" (RORTY, 1999: 237), as long

as the latter provides space for the free self-creation of the individual. Clearly, this concept means constructing society on a liberal democratic basis with the individual – the citizen – at the centre of political relevance. Even the most cursory glance at our past will reveal that collective identity has always been to the detriment of individual happiness. If we look at things from another angle, a kind of Copernican revolution takes place. It is only through the "happy individual" or the free citizen that ethnic identity, or any other identity for that matter, can realize its function. Everything else is pathology and frustration, the pre-political schizophrenia that we witness daily – in essence, reductionist fundamentalism that, as often happens here, will not stop at the most brutal homogenization and mobilization in order to retain its privileged position.

To paraphrase Rorty, according to this concept of identity people who wantto think of themselves first as Bosniacs, Serbs or Croats, or as radical anarchists, atheists, artists, husbands or homosexuals, and only secondarily as citizens of Bosnia and Herzegovina, will have no problem if the liberal principle is upheld that proposes that all can do as they wish as long as they do not prevent other people from doing so too. In my view a relaxation of the "we" identity of the Bosniacs (the reductionist view in the equation is that Bosniac equals Muslim), rather than the ethnic and religious homogenization that meant becoming part of the Greater Serbia or Greater Croatia matrix, is a prerequisite for everyone's survival in this part of the world. Instead of a coagulating identity, we need to embark on an expansion of identity, to enlarge the "we" with which we can make common cause, with which we can identify ourselves, to extend the variations on that "we". Instead of creating para-institutions and a self-contained institutional framework we need to direct our energies to strengthening state and civic institutions and associations; instead of crippling and severing social interactions, we need to enter into them over the widest possible range. The prerequisite for this is that we abandon the premodern attempt to found everything on a national basis, and focus on individual freedom.

Here I shall paraphrase the great Matoš, who once said: "Our culture will be national once it is European"; my version is that our identity will be Bosniac, Serb, Croat once it is *Bosnian-Herzegovinian*.

In this identity self-valediction, we must no neglect the importance of our neighbours, signatories and guarantors of the Dayton Agreement. Their role in the production of the ethnopolitical matrix in Bosnia and Herzegovina has a counter-reaction in the form of political stabilization and national homogenization at home – particularly noticeable in the media, in the tone of official statements – and is reflected in their contribution to maintaining "tensions" between Bosnia and Herzegovina's ethnic groups, helping to entrench their mutual "differences" by constantly emphasizing, implicitly or explicitly, the "vulnerability" of their part of the population in Bosnia and Herzegovina, at risk from the "others". For instance, despite the fall of Tuđmanism, certain media and intellectual circles from Croatia take every opportunity to foster an image of the Bosnian Croats as "the real thing", as "pure", as "victims" or "heroes" who resist and persist in their Croathood. The real, uncompromising, heroic Serb is not to be found in "tepid", and even at times "traitorous" Serbia but in Bosnia and Herzegovina: that is where our hero is defiantly fighting for Serbdom. It is no coincidence that Mladić and Karadžić are currently the two most popular Serbs in Serbia. At the first hint of instability in Zagreb and Belgrade, they reach for the ideal archetypes of the national identity itself, heroically resisting and suffering on the far side of the Una or the Drina, observing with stern but paternal eye the traitorous exuberance of the "ungrateful" in their "mother country".

One cannot avoid the impression that to the nationalist establishment in Serbia and Croatia, Bosnia and Herzegovina is a kind of country of their *subconscious*, a country of their epic imagination and fantasy, peopled by an ideal archetype, by a pure national substance to the highest degree of identity coagulation in contrast to the "other"; a country of the solid, indestructible, epic and tragic bulwarks of Serbdom or Croathood respectively. The language, too, of the Bosnian Serbs and Croats, our linguists in Belgrade and Croatia tell us, is the "purest" and most "authentic" Serbian or Croatian. Even the majority of "national leaders" and other prominent members of the national elite of Serbia and Croatia are linked in some way, even if only by birth, with Bosnia and Herzegovina. Their appeals to national homogenization invariably refer to

the case of Bosnia and Herzegovina as the ahistorical zero point of reference of national identity. For the disciples of the project of national recrudescence in Zagreb and Belgrade, Bosnia and Herzegovina is a "Kosovo maiden" healing the wounds of their national frustration, caused by the pressures of having to open up to the world, to Europe, to the other in general. This is seen by the leaders of ethnic reawakening as degenerating from their ethno-substance, as sullying their purity, and ultimately as humiliation, to which their elected political circles (often qualified as "traitorous": Zoran Đinđić in Serbia, Stipe Mesić in Croatia, for instance) all too often have to submit to. Bosnia and Herzegovina is thus a kind of place in which the "Holy Grails" of the purest national identity are preserved. The level of frustration is all the greater when one knows that this Bosnian "substantive" part of "our" nation – the "substantive mother nation" – has been irreversibly severed from the "mother" country, which is thus only formally the "mother country". It is logical to wonder what the "mother country" or "mother nation" really is here. In essence, all politics conducted in Zagreb and Belgrade are vacuous, traitorous, mere form, like a headless insect blindly threshing about, while its head is on the other side of the Drina or the Una. Bosnia and Herzegovina is thus a kind of "phantom limb" that we keep on feeling, even though it has long since been amputated. If this is so, Bosnia and Herzegovina is still necessary to nationalist Serbia and Croatia, but not to such an extent that this or that chunk of its territory should be merged with them; rather, it serves to keep tensions and antagonisms, constructed around the perpetual vulnerability of "our" national archetype, at boiling point, with their homogenizing and cohesive counter effect on national political processes in Serbia and Croatia. The Serbo-Croatian guarantee of the Dayton Agreement is thus a guarantee of constant low- and high-level conflict in Bosnia and Herzegovina and of the rule, or at least the significant presence, of the nationalist concept in Zagreb and Belgrade. Zagreb and Belgrade need such an agreement, whereas Sarajevo most certainly does not.

ANNEX 4:
A Contribution to the Critique of Ethnic Selfhood

In his "Remarks from Torino",[20] Richard Rorty uses Peter Singer's metaphor of "enlarging the circle of the 'we' – enlarging the number of people whom we think of as 'one of us' " (RORTY, 2005b). Earlier, Rorty takes up a similar metaphor, this time by Wilfried Sellars: the "widening of the we-intention", increasing the number of people with whom we can make common cause, for whom we can say "we". In the narrowest sense, these two synonymous metaphors are to do with *human imagination*, with the ability to see thing from the perspective of those who have until now been outside the "we" circle; from the position, in other words, of the marginal Other. Thus an imaginative strategy of expanding the "we-intention" would locate us men in "*women's* shoes", but also in Jewish, Muslim or black people's shoes. This sensibility of the imagination that Rorty avers is spread by "sentimental education"[21] – for example, by reading literary works, poetry, philosophical treatises, good journalism – will put us in the place of a homosexual even though we may think "that the love they feel for another is a disgusting perversion" (RORTY, 2005b). It is in this way, not by means of some powerful insight into an atemporal structure of human existence or philosophical "revelation of the true human nature", that the

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[20] Richard Rorty, manuscript "Remarks in Torino" dated 8 September 2005.

[21] For more see Richard Rorty: "Human Rights, Rationality, and Sentimentality" in Richard Rorty, *Truth and Progress / Philosophical Papers Vol. 3* (Cambridge University Press, 1998); 167-186.

referential scope of the notion of "we", the notion of the "open end" as part of a romantic, Enlightenment, broadly poetic (*poietic*) vision of humanity as, *pace* Rorty, a "planet-wide cooperative commonwealth" (RORTY, 2005b). To enlarge the circle of the "we", we need an emancipatory imagination, awakened, as we have seen, above all by literature which, in Rorty's view, is second to none in revealing ever more subtle forms of oppression, marginalization, and exclusion of unhappy human beings from the "we".

There are still so many people outside the "we", so many brutal and denigratory practices that exclude, that it is to be hoped that our descendants will severely judge us, marvelling that we simply took no notice of the oppression and suffering of the fellow human beings closest to us, just as we today accuse our forebears of humiliation and oppression, of repugnant forms of execution such as the burning of "witches", and many other practices that until recently were never questioned, let alone regarded as problematic. In other words, Rorty teaches us that other than this poetic vision of humankind, whose horizons we should constantly be expanding in the intellectual imagination, we have no guarantee that we are on the right path, or that there waiting for us, when we reach "the end of the path", is the platonic ideal of human identity that we have attained. Based on this poetic vision of humankind as a planet-wide cooperative commonwealth, a community that has enlarged the referential scope of the notion of the "we" to the maximum, slowly and painstakingly, following imaginative insights, we are adapting and altering social institutions, making them more sensitive, more open to those who until yesterday were not "one of us", who were not "we". The drudgery of this imaginative emancipatory process of enlarging the community of the "we" is underlined by the impossibility of ascribing to it any definitive, final attribute. The list of human rights and freedoms, like the inventory of subtle forms of marginalization and exclusion, will never be a definitive one. This *Magna Carta* of humankind is in a constant process of reconstruction. The reason for this, as Rorty notes, is that "every purported object of philosophical speculation or of religious worship is a product of the human imagination. Some day it may be replaced by a better object. There

is no destined end to this process – no point at which we can claim to have found the 'correct' ideal" (Rorty, 2005b).

The most lucid lesson of Rorty's pragmatism implies simply that man, that "smart animal", copes with reality *poetically*. Human history is the history of the imaginative human creation of meaning, and is a grand, *unfinished poem*, being composed by entire generations of those who are the most sensitive intellectually in the hope that, "any millennium now", as Rorty would say, we shall find ourselves living in a world in which human beings live a far happier life than we do now. It is in this meaning-creative, poietic manner, that human beings "dwell poetically on this earth", as Hölderlin's famous line has it.

In contrast to this is the belief that the poem of human meaning-creativity has long since been written or encoded without us or, in Ratzinger's words, "the very structure of human existence", and that all we need is to find the "right" way of decoding its incomprehensible characters or, as Rorty puts it, the idea that there is some "truth greater than ourselves is to confuse ideals with power" (Rorty, 2005b). This belief rests on the assumption that there is a small, "select" group of wise men who have decoded the poem, or know the secrets of its code, and that their metaphors and vocabulary have thereby earned a privileged position and the right to call upon us to follow them. The emancipatory imagination of enlarging the "we-intention" without any external guarantee greater than "ourselves" then comes under attack: sometimes as heresy, sometimes as communicating with the devil, at times as a dangerous conspiracy, and at other as relativism. These accusations are regularly issued by the *wise*, who already have an insight into the code of the long-since completed poem of human meaning. This "puts a stop" to the enlargement and initiates the reduction of the "we" that differentiates "we true believers" from the "heretical them". We begin to dwell on this earth ideologically, not poietically; the poem of meaning-creativity becomes an ideological manifesto, a dogma cocooned in a protective shell, an ode to meaninglessness of which the exclusivism and reductionism of the "we" takes on drastic forms where millions of the "not-we" are thrown to starving lions,

burned at the stake, sent to the gas chambers, or killed in cities under siege.

These "readers" of the codes of the secret poem of the structure of human existence acquire immense power, like the priests of ancient Egypt, offering salvation to the privileged, reduced group of the "we" as a reward for following them. The idea of salvation or redemption is in itself, as Rorty observes, aimed at the reduction of the "we", and is thus denigratory in advance, since it is based on thebelief that people are "degraded beings", immaterial souls "imprisoned in a material body", "innocent souls corrupted by original sin". The criterion of degradation and the recipe for redemption are in the hands of the powerful few who "know" how to compare the level of our incarceration or "corruption" with the "original" text of the poem on the atemporal structure of our human nature. The emancipatory power of the human imagination, for its part, disarms every privileged view and "deep reading of the codes", since it irretrievably consigns every view, wherever it originates, to a democratic forum of perpetual debate, of dialogue in the "ideas market" – of alternative poetic visions of the future development of the human community, with no chance of privileging or authorizing any one position. Benedict XVI was to characterize this context of a "debate of equal narratives" as relativism, whereas Rorty sees it as a struggle between alternative visionary poems. One such poem, he notes, is the vision of a "vertical ascent towards something greater than the merely human. The other is the vision of horizontal progress towards a planet-wide cooperative commonwealth" (RORTY, 2005b).

The political context of Dayton Bosnia and Herzegovina is unsustainably reductionist, coming down as it does to a constant restriction in the number of people we regard as "one of us". The essential feature of the politics of Bosnia and Herzegovina that I have dubbed ethnopolitics is in fact a steady "constriction of the 'we' " that may be roughly defined in politico-philosophical terms as ethnic homogenization, or what Rogers Brubaker calls *crystallization*. This *dwelling ethnically on this earth* of ours in Bosnia and Herzegovina, reinforced by its constitutional, legal and institutional frameworks, generates reductionist descriptions and practices of

marginalization and humiliation that make it impossible for us to put ourselves in another's shoes, instead redirecting imagination to an essentializing reading of "a priori *natural* facts", in our case ethnic groups.

Ideologized education, inflammatory historiography, ethnically-based journalism, literature and art, and essentialist philosophy and social sciences not only sensitize our imagination, and in particular our civic imagination; they dull it, quashing our every chance of relocating ourselves, consigning us to a deep trench into which, as into a mould, the puny, "perpetually vulnerable", ever self-reducing "we" is poured. If, to quote Rorty once again, "political progress is made when institutions which have made possible increased freedom and decreased cruelty are replaced with institutions which enlarge freedom still more, and mitigate cruelty still further" (RORTY, 1997: 40), then, goes the lugubrious axiom of "Balkan politics", constant, paranoid, we-reducing, political regression is no doubt achieved when the institutions that restricted our freedoms and heightened brutality are replaced by institutions that reduce freedom *still further* (the political reduction of citizens to their affiliation by blood to a given ethnos) and taken brutality to new heights (the process of crystallization, or the reduction of the "we" by means of genocide, mass executions and forced expulsions). This assertion becomes still more tragic if we note the process of segregating education in Bosnia and Herzegovina, which has now been going on for more than a decade.[22]

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[22] Here and there, segregation in education is seen as abhorrent, and is condemned among citizens in Bosnia and Herzegovina, but never among those who bear the heaviest responsibility for this state of affairs in our schools – political representatives. Apart from the manifest excesses in which ethnic intolerance escalates, they see nothing controversial in this kind of education system. Segregated education simply does not seem to them to be a problem. Why is this? Mainly because they are the representatives of "constituent nations", not of the citizen. The aim of the ethnopolitical education system they are sponsoring is not "citizen-upbringing" but the upbringing of good, model members of the ethnic community, the "constituent nation" – good Bosniacs, good Serbs, good Croats. They see nothing controversial in that, but the fact that there are a couple of mixed cantons in which good Bosniacs and good Croats have to be taught "under the same

If, to pursue the same analogy, "democratic institutions... [are] tools for gratifying certain human desires – the desires which become prevalent as more and more people join what Hume called 'the party of humanity'" (RORTY, 1997: 41), then our non-democratic institutions[23] are tools for gratifying those human desires that have come to the fore since an ever greater number of people have begun to exclude themselves from the "party of humanity", which has become a synonym for our ethnic group, with our ethnic "we". The language of the self-constituting ethnic "we" is reifying, substantializing; it presents our ethnic "we-hood" as a natural fact, as the natural order of things-in-the-world, reading a poem that has already been written in "decoded" words – depictions of things as they "really" are. Certain components of social practice are hypostasized, set in stone, atemporalized by such essentialist language of *appelation* or *invocation* (BRUBAKER), finally to be displaced altogether from that very social practice.

In contrast to this key determinant of our Bosnian-Herzegovinian ethnopolitical discourse, and the repugnant aesthetics of bringing humiliation and constraints on liberty to a fine art, Rorty and others like him believe that it is impossible to say that some such language

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roof". Education in Bosnia and Herzegovina is not democratic (civic), but deeply *ethnic*. The aim of this education is not inculcating civic virtues, independent reflection and decision-making, but *casting pupils in an ethnic mould*. In the context of such a system, to take irony to the extreme, "multiethnic education" is most fully expressed in "two schools under the same roof", in the segregation of pupils on ethnic grounds by making them attend different shifts or classrooms on different storeys. This physical separation is still further accentuated by its spiritual component – religious instruction. This lays the foundations for the production of a new generation hating everything that is other and foreign, a new generation of xenophobes who will draw strength and dignity solely from their affiliation with some artificial, imaginary collective. In the absence of effective central institutions constituting an organized state from a given space, Bosnia and Herzegovina is a "protofascist" country that is socializing its youth by means of ethnically segregated education so as to ensure continued homogenization.

[23] Why undemocratic? I should like to meet anyone who dares to state publicly that, for instance, the concept of ethnically segregated education is in fact a democratic institution.

or set of behaviours is truer to human nature than any other. This language of "essences" is a discourse of reification; and "reification is a social process, not simply an intellectual bad habit. As a social process, it is central to the *practice* of politicized ethnicity" (BRUBAKER, 2004: 10).

A discourse of reification is exclusivist, reductionist to the "we", and discriminatory, since it necessarily entails the crystallization of who "we" really are. It is a discourse in opposition to the emancipatory imagination, which is inclusive, and requires a strategy of self-relocation of one's own position and perspective. Such a strategy undermines the homogenization of the reduced "we", and is often regarded as *traitorous*. We keep hearing that "our" intellectuals are "destroying the unity of our nation", that they have not "stood up for their nation", that puny "we"; that they have become "alienated" from their own nation and its faith and tradition. The emancipatory imagination is genuinely an alienating one, foreign to any substantializing discourse, every "natural" state of "affairs-in-the-world".

In consequence, the problem of the ethnic "we's" of Bosnia and Herzegovina is not in the absence of inner unity and homogeneity, but the very opposite; it lies in their exaggerated unity and homo-genization, their self-reduction to the social practices of self-crystallization that have acquired their own concomitant institutional framework. In other words, the problem is that the "we" has become so shrunken, so reduced to the crudest and most primordial, that it can no longer "breathe". The problem is that the invocatory practices of self-substantialization have reached such a level of reduction, cut off from all normal social interactions, that the very survival of these reduced "we's" as natural, essential, wholly inward-looking "things-in-the-world" is not in question.

There can be no dialogue, let alone concord, in such a situation. The ethnopolitical production of differences from the other (to the point of dehumanization) as the simultaneous production of self-identity according to the identity formula A=A, a formula for the euthanasia of logic, as is true of any other privileged, essentialist, ideological discourse, has completely outlived its day, becoming utterly

pointless. The commonsense question is, where can one possibly go from an ideological context that has been positioned in this way. We have reached absolute zero in the process of self-absolutization of the reduced ethnic "we". The ethnopolitical mindset we have created is a system of structured and structuring dispositions where "constructing the objective relationships, necessarily leads when it hypostatizes these relations by treating them as realities already constituted outside of the history of the group" (BOURDIEU, 1993: 480). This is a construction of social reality, in our case an ethnopolitical mindset, which is "a product of history [that] produces individual and collective practices – more history – in accordance with the schemes generated by history. It ensures the active presence of past experiences, which, deposited in each organism in the form of schemes of perception, thought and action, tend to guarantee the 'correctness' of practices and their constancy over time, more reliably than all formal rules and explicit norms. This system of dispositions – a present past that tends to perpetuate itself into the future by reactivation in similarly structured practices" (BOURDIEU, 1993: 481).

Annex 5:
Ethnic Group-Making Processes

If we wish to move beyond the sphere of "substantial" discourse on ethnic groups, which conceals whole accumulations of complex, mutually opposed and disparate social interactions, according to Rogers Brubaker, we must renounce terms covered by the general term "groupism". "This is what I will call 'groupism' by which I mean the tendency to take discrete, bounded groups as basic constituents of social life, chief protagonists of social conflicts, and fundamental units of social analysis. I mean the tendency to treat ethnic groups, nations, and races as substantial entities to which interests and agency can be attributed. I mean the tendency to reify such groups... as if they were internally homogeneous, externally bounded groups, even unitary collective actors with common purposes. I mean the tendency to represent the social and cultural world as a multichrome mosaic of monochrome ethnic, racial, or cultural blocs" (Brubaker, 2004: 8).

Ethnopolitical discourse on ethnicity in Bosnia and Herzegovina and neighbouring countries is a classic example of "substantial" discourse and attributing interests and agency to ethnicity in metaphors such as "the will of the people", "this was what the nation wanted", "the very identity of the nation is under threat", and so on. The *common sense* approach to the conception of the ethnic group is always *naturalizing*, in the sense that it implies, *contra* Nancy, that there is a way in which "ethnic identity" *is* in itself, in some non-relative sense, regardless of certain historical manifestations that are only different "at first glance". This "scarlet

thread" of national spirit runs through a diversity of often contradictory manifestations like an atemporal constant that only the most adept connoisseurs of "national identity", and of its essentiality, are able to recognize. The ethnic group, like what is known as "human nature", possesses some core essence beyond all the manifestations that are yet to be attained. The message of this populist eschatology is that to move away from, rather than closer to, this core essence means to betray the national identity.

Common sense is apt to talk about the ethnic group in terms of real, natural, substantial things-in-the-world, as if they were "natural species". As if it were still possible to talk of a reference as something that transcends the vocabulary we currently use, something that would transcend what Willard Quine calls a "conceptual schema" as a "network of terms and predicates and auxiliary devices [that] is, in relativity jargon, our frame of reference, or coordinate system" (QUINE, 1969: 48). We can talk about ethnic groups, as indeed about tables, flowers and trees, only in relation to that coordinate system, and not to some atemporal, substantialized category. However, Habermas observes that, for instances,

> the ecological view of the preservation of species cannot be transposed to culture. Cultural heritages and the forms of life articulated within them reproduce themselves by means of persuasion of those whose personal structure they shape, or by motivating their members productively to adopt and prolong their traditions. The rule of law makes possible this hermeneutic achievement of cultural reproduction of the worlds of life, but cannot guarantee it.[24] To guarantee it, it would necessarily have to deprive the members of the community of the freedom to say *yes* or *no*, which is essential if they are to preserve and embrace their cultural heritage. When culture becomes reflexive, the only traditions and forms of life that can be maintained are those that

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[24] This is the very point of the grotesque Dayton Constitution – all that is guaranteed are certain politically-articulated cultural forms of life of that moment, at the expense of others, legitimizing the production of discriminatory policies and practice in social life and rendering day-to-day life frustrating and violence-ridden.

> succeed in becoming binding on their members, while simultaneously submitting to critical reexamination and leaving to future generations the freedom to learn about other trraditions or to convert and alter their way of life (HABERMAS, 2003: 109).

And yet the world of commonsense convictions cannot be accepted uncritically, especially because of its baneful practical consequences of the politicization of such substantialized entities. It is for this very reason that "ethnicity, race and nation should be conceptualized not as substances or things or entities or organisms or collective individuals... but rather in relational, processual, dynamic, eventful, and disaggregated terms. This means thinking of ethnicity, race, and nation not in terms of substantial groups or entities but in terms of practical categories, situated actions, cultural idioms, cognitive schemas, discursive frames, organizational routines, institutional forms, political projects, and contingent events. (...) And it means taking as a basic analytical category not the 'group' as an entity but groupness as a contextually fluctuating conceptual variable" (BRUBAKER, 2004: 11). It is in what Quine calls "conceptual schemas", *sensu latu*, that every possible referential context should be sought. Is it not, quite simply, implausible to ask the essentialist question, "What is the essence of such-and-such a group?" The question leads us down the blind alley of the "thing-in-itself", beyond the only referential context accessible to us by which we cope in this world by means of self/understanding. But if we replace the question "What is the essence of such-and-such a group?" with another: "what do people and organizations do with the categories of groupness?" – if we take it out of the extrahistorical, perennial, substantial context and place it in the context of social practice – it opens up a new space for an analysis "of the organizational and discursive careers of categories – the processes through which they become institutionalized and entrenched in administrative routines" (BRUBAKER, 2004: 13). In other words, it gives us room for understanding and analyzing a specific *habitus*, which in our case is ethnopolitical, as an "acquired system of generative schemas [which] makes possible the free production of all the thoughts, perceptions and actions inherent in the particular conditions of its production – and only those" (BOURDIEU, 1993: 482).

Conversely, remaining at the "natural level", in the domain of "things-in-the-world", holding on to the commonsense conviction that the categories of ethnic groupness are primordial, not only makes analysis and research impossible, but also leads us from the sphere of politics per se to that of biological politics, where there is no rational debate. Moving from predestined constructedness to the often contradictory and dynamic processes of construction, to "the system of structured, structuring dispositions" (BOURDIEU, 1993: 479), leads to us to treat groupness as an *event* (BRUBAKER) – a "chain of events of the nation", the widely-known metaphor of late 1980s Yugoslavia stripped of its "substantializing" connotations. This chain of events does not mean, as it is usually interpreted, to rise in defence of the ahistorical identity and essence of a nation that has become endangered, but a chain of which the concatenation of tangled interactions is merely the start of constructing what we shall leter refer to as the "objective" sphere, by means of hypostatizing "these relations by treating them as realities already constituted outside of the history of the group" (BOURDIEU, 1993: 480). A *nation happens* by coming into being after embarking on a careful and often well thought out choice between a multitude of interactions and their subsequent hypostasization with the political intention of embracing as many compartmentalized homogeneous groups as possible, whose continued detachment from the context of social interactions creates an impression of transhistoric objectivity, of solidt, objective constituent elements that will proffer themselves for analysis in the social and humanist sciences. It turns out that these pseudo-transhistorical "triggers for [its] discourse" [ahistorical – A.M.] are found in its [historically conditioned – A.M.] discourse which goes along like a train laying its own rails" (BOURDIEU, 1993: 483).

In these wide-ranging efforts to "uncover" ahistorical, natural constituent elements on the part of the ruling ethnonationalist elites – politicians, intellectuals, writers, journalists, academicians and religious authorities – this hypostatizing discourse of groupness actually "covers up" the historical, "all-too-human" social constituent elements, which are invariably fluid, subject to review, transient. As a means of "discovery", these efforts are, to put it in

Heideggerian terms, in fact a "production", since "all production is based on revelation" (HEIDEGGER, 1972: 98). That which is produced in the revelation of the ahistorical constituent elements of the group is the we-identity of the group – a particular, compartmentalized substantial identity in difference in regard to others.[25]

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[25] It is hard to identify just when the new vocabulary, the new system of generative schemas of ethnopolitical invocation as production came into being in the former Yugoslavia. These are thankless judgments. But if I were to allow myself to identify the *type* new "magic phrases" that paved the way for a politically generating articulation, I would certainly opt for Slobodan Milošević's words in Kosovo in 1987: "No one should dare to beat you". At the time he was a second-rate politbureau apparatchik who had been sent, almost as a scapegoat, to the hatch of the Kosovo problem by older, wiser and more cautious top politicians. This chance phrase, uttered somewhat impulsively more out of fear and powerlessness, at once "caught on", paving the way for an entirely different articulation and understanding; it reached people for the first time in many years of the alienated rule of the "dead" (nongenerating, nonproductive) phrases of the socialist bureaucratic vocabulary, which had long since lost anyone to invoke. In addition, Milošević himself, as a Party apparatchik, had gone to Kosovo to give a speech in the standard Party code and phraseology. However, in an un-expected moment of mischief-making, he said what he said, suddenly paving the way for a new production – that very day, a "nation happened" in Kosovo, or more accurately a nation was born, and a dinosaur of a doctrine collapsed, with all its long-since meaningless verbal repertoire. The rest of history is all too well known: Milošević went to Kosovo in 1987 as a loser, but returned to Belgrade as the leader of a new-born nation. The way was paved for the introduction of a new vocabulary of invocative production that rapidly made it possible to restructure the ruling apparatus – *differentiation*, culminating in the Eighth Session and making further space for individuals and groups who had until then been marginal, who had practised that method of invocation (nationalist and ecclesiastical circles), shutting out those who articulated their views in the manner appropriate to the then ruling apparatus – "bureaucrats". This established a new standard of political production – the "anti-bureaucratic revolution" – of the desired subject, the nation, not as workers but as ethnic. The phrase "no one should dare to beat you" is meaningless in itself, but the context in which it was uttered – the militia, mainly ethnic Albanians, and the dissatisfied demonstrators, a group of ethnic Serb citizens of Kosovo, plus the symbolism of Kosovo polje as a topos of the fateful resolution of group ethnic survival – was essentially ethnic. The phrase was aimed at a distinct group of ethnic Serbs headed by citizen Šolević, in a language that "made sense". It was uttered by a comrade from Belgrade, an ethnic Serb from the republic's capital, who wanted to

The discovery that lies at the base of Bosnia and Herzegovina's ethnopolitics is an *calling forth production of difference* – the production of key "ahistorical" identity features to which one may refer in the further construction of difference in our ethnic or cultural "we:" into which language, history, literature and art, tradition, the legacy of our forebears and, of course, religion all fall. The business of invocatory discovery is literally presented as digging up "forgotten" or "forbidden" evidence of our difference, as an archaeological exercise of reconstructing the true core, substance and essence of our nationhood, lying concealed beneath the "sullying" deposits of contingent history that has nothing in common with that pure substance. Thus, for instance, the language we speak, also spoken, "regrettably", by those from whom we seek to differentiate ourselves, a language that, again "regrettably", we understand perfectly well, which cannot possibly seem alien or foreign to us, is being produced by the archaeological exercise of invocatory discovery as in fact essentially our language, while the different manifestations of linguistic and orthographic variety are now seen as an "ontological" difference to which we shall appeal as the crowning evidence in the production of what is distinctive to our language. This linguistic similarity with the enemy remains the major problem for the ethnopolitical production of difference, since the actual differences are so small that they do not allow for any persuasive reification of the other as other at the sensate level – the sensate other – as would, say, the use of Hungarian or Albanian, as wholly different languages. This means that "we can attend to the dynamics of *group-making* as a social, cultural, and political project,

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protect them. It was the first time anyone from Belgrade had addressed the Serbs of Kosovo, not as workers and citizens of Kosovo, but as ethnic Serbs, and they "heard" him loud and clear. The group of dissatisfied Serbs so invoked produced the nation, an abstract subject of invocation – the notions of "workers and citizens", of "comrades", gave way to the "newly-discovered" ethnic subject, specific people "suffering under the blows of the truncheon" wielded by a militia of ethnic others. In the next stage of ethnic homogenization, of national production, Milošević was to continue for years to exploit the same group of citizens for the ritual repetition of this act of invocatory production over and over again, throughout Serbia, Montenegro, Croatia and Bosnia and Herzegovina.

aimed at transforming categories into groups or increasing levels of groupness" (BOURDIEU in BRUBAKER, 2004: 13).

For Heidegger, one of the key processes of group-making is calling forth or "ex-vocation". By analogy with his analysis in *The Question Concerning Technology*, one might conclude that the discovery that rules in the process of group-making is invariably some kind of invocation that lays upon groupness the demand to deliver hypostasized, ahistoric elements, which can be appealed to in the ongoing process of homogenization of the ethnic group For our purposes, however, what is far more important to the detection of the group-making process is what is *concealed* within this invocatory revelation as the production of groupness. Who is it that calls this groupness for as revelation and production? "Ethnical enterpreneurs, who... may live 'off' as well as 'for' ethnicity – often have what Pierre Bourdieu has called a *performative* character. By invoking groups, they seek to evoke them, summon them, call them into being. (...) By reifying groups, by treating them as substantial things-in-the-world, ethnopolitical enterpreneurs can, as Bourdieu notes, 'contribute to producing what they apparently describe or designate'" (BRUBAKER, 2004: 10). Brubaker clarifies this in a footnote, citing Bourdieu: "such performative, group-making practices, of course, are not specific to ethnic enterpreneurs, but generic to political mobilization and representation" (BRUBAKER, 2004: 206).

That which could be recognized in Bosnia and Herzegovina and its surroundings in the late 1980s and early 1990s as the "happening of a nation", or forcible ethno-homogenization, is what Brubaker covers by the term "crystallization of the group", conceerning the establishment of clear-cut boundaries of an ethnicity in contrast to another. Performativeness or invocation as the production of ethnic groupness is accelerated and enhanced by "dramatic events" – usually deliberate acts of violence "undertaken as a strategy of provocation, which sometimes prove (as they indubitably did in the countries of the former Yugoslavia) to be an "exceptionally effective strategy of group-making" (BRUBAKER, 2004: 14). Still more explicitly, referring to ethno-homogenization in Kosovo, Brubaker writes that the crystallization of the group and polarization are the result

of the violence of the "*politique du pire...* [of] the cycle of attacks and counterattacks sharply [increasing] groupness" (BRUBAKER, 2004: 13-14) between Kosovo's Serbs and Albanians.

Unlike the commonsense mindset that is ready unreflectively to give the process of crystallization the official epithet of "ethnic conflict", and to continue to build upon it the idea of a "final solution" to the conflict, Brubaker does not fall for that seductive logic. What is more, he concludes that "the chief protagonists of ethnic conflict, in fact the chief protagonists of most ethnic conflict – and a fortiori of most ethnic violence – are not ethnic groups as such but various kinds of organizations, broadly understood, and their empowered and authorized incumbents. These include states (or more broadly autonomous polities) and their organizational components such as particular ministries, offices,[26] law enforcement groups, and armed forces units; they include terrorist groups, paramilitary organizations, armed bands, and loosely structured gangs; and they include political parties, ethnic associations, social movement organizations, churches, newspapers, radio and television stations, and so on" (BRUBAKER, 2004: 14-15). The experience of the war in Bosnia and Herzegovina made it crystal clear that the entire network of such organizations carried out that "fateful" first strike, initially on the constitutional and legal ordeer of the Republic, by creating a parallel system and concocting ethnic administrative units, and then by the use of armed force designed to redefine the Republic ethnically by physically eliminating "others". At this point the process of crystallization acquires a perverse shift:

> while organizations are ordinarily the *protagonists* of conflict and violence, they are not always the *objects* or *targets* of conflict and

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[26] Recall the way in which the Serbian SDB (security force) sauntered about the Bratunac and Srebrenica area in 1990, and the role of that force in creating the shock units known as the Red Berets in order to provoke "ethnic conflicts" in towns and cities throughout Bosnia and Herzegovina; the role of the intelligence service of the Republic of Croatia in forming a Croatian parastate in Bosnia and Herzegovina and conflict with the legal authorities of the Republic of Bosnia and Herzegovina; the role of the "Bosniac" intelligence service in the Pogorelica "anti-terrorist training camp", etc.

violence. Entire population categories – or putative groups – can be the objects of organized action, even if they cannot easily be the subjects or undertakers of such action. (...) And what makes violence count as ethnic violence? "The answer cannot be found in the intrinsic properties of behavior. Violence becomes 'ethnic' (or 'racial' or 'nationalist') through the meanings attributed to it by perpetrators, victims, politicians, officials, journalists, researchers, relief workers, and others. Such acts of framing and narrative encoding do not simply *interpret* the violence; they *constitute* it as *ethnic* (BRUBAKER, 2004: 16)

Framing could be a key mechanism for the construction of groupness". Discovery as invocation thus acquires a powerful, convincing conceptual "framework", a produced interpretative formula that generates interpretations, like the train laying its own tracks, appealing now to "reality" and "naturalness" on the basis of which a "realistic solution" to the conflict is called for. Brubaker continues:

Although such perceived groupness does not necessarily reflect what is felt and experienced by participants in an event, a compelling *ex post* framing can exercise a powerful feedback effect, shaping subsequent experience and increasing levels of groupness (BRUBAKER, 2004: 16).

Invocation as the production of ethnicity, generated by ethno-entrepreneurs through a whole range of crystallizing processes, is imposed as the prevailing interpretative framework, counting on commonsense acceptance and falling back on the production of reality as a natural given while suppressing the possibility of any alternative public deliberations as "unrealistic", "abstract" and "utopian". Detecting the process of ethno-entrepreneurial invocation as an almost unreservedly violence production of ethnic groupness, as does Brubaker, facilitates a sobering exposure of ethnopolitics as "thuggery, warlordship, opportunistic looting, and black-market profiteering" (BRUBAKER, 2004: 19). If one scratches the surface of "nations at daggers drawn to the point of death", one can see beneath them ordinary citizens who invariably talk of ethnic conflicts as a "top down" process, as something "stirred up by politicians pursuing their own interests. The near-universal refrain is that ethnicity is 'not a problem'" (BRUBAKER, 2004: 23). It is in fact

that very reality, that infinite diversity of social interactions, even since the bloodiest conflicts ever in Bosnia and Herzegovina, this communications musical chairs that filled the area as soon as the salvoes of cannonfire ceased, that confirms at every step "the gap between nationalist organizations and the putative 'groups' in whose names they claim to speak" (BRUBAKER, 2004: 23). Sharp boundaries of groupness are being set now only during election campaigns or in connection with some – often deliberately concocted – event, when invocation is used to generate an intense feeling of ethnic solidarity, when the framing and construction of certain political discords or tensions are again worked up as if they were the very essence of ethnic conflict. This sporadic "pulsation" of ethnic homogeneity, this *ethno-contraction* pumping the blood, merely proves that ethnic groups are not essentially groups but practicable social categories – simultaneously produced and producing. Conversely, as was the customary perception both at home and abroad:

> "Starting with groups, one is led to ask what groups want, demand, or aspire towards; how they think of themselves and others; and how they act in relation to other groups. One is led almost automatically by the substantialist language to attribute identity, agency, interests, and will to groups. Starting with categories, by contrast, invites us to focus on processes and relations rather than substances. It invites us to specify how people and organizations do things with, and to, ethnic and national categories; how such categories are used to channel and organize processes and relations; and how categories get institutionalized, and with what consequences. It invites us to ask how, why, and in what contexts ethnic categories are used – or not used – to make sense of problems and predicaments, to articulate affinities and affiliations, to identify commonalities and connections, to frame stories and self-understandings" (BRUBAKER, 2004: 24-25).

As the experience of Bosnian ethnopolitics demonstrates, ethnic categories are used to produce an ethnicized world view, an ethnically-guided sensibility and perception. The future of Bosnia and Herzegovina as a democratic country will depend above all on its success in disempowering ethnopolitical framing.

ANNEX 6:
Bosnia and Herzegovina between Ethnic and Ethic Equality

Ten years of the Dayton disposition was sufficient to establish an entire, specific ethnopolitical discourse consisting of phrases, terms, metaphors, thought-patterns in politics, science and culture, and even in everyday life, in which we express our judgments, assessments, interpretations and analyses of the social situation, and even articulate our own self-understanding. These models of judgment-making and understanding have become ossified, and are well on the way to becoming a self-contained doctrine with its own "untouchable postulates". In this way, they have long been making it harder to understanding the situation in Bosnia and Herzegovina, as well as the self-understanding of its citizens and the way they understand one another. In the following passages I shall assert that "to understand the development of a social practice is to understand the development of its norms, and while there can certainly be causal accounts of how norms develop (in terms of historical causation, the diffusion of knowledge, the effects of new modes of production, and so on), an account of norms *as* norms is not causal but is itself normative. It is an account of how one set of norms fails at achieving its aims, how it undermines itself or is undermined by the acceptance of other norms – in other words, how it fails or succeeds on normative grounds itself" (PINKARD, 2005: 14).

One could almost describe this, now, as a process of forming an entire network of Dayton ideology, establishing its own power structures and dictating economic and cultural relations by

imposing itself as a natural given, a "natural species". Worse still, these prevailing normative patterns pervading every sphere of society have begun significantly to disrupt the "normal pulse" of the plurality of interactions in society by making them pointless. The Dayton ideology makes sense today only to itself and its actors, the ethnopolitical entrepreneurs: ethnic politicians, scholars and business wheeler-dealers, and their international sponsors. The following passages are an attempt to address established and non-established forms of understanding by broadening the hermeneutic context in order to problematize and explicate the key normative patterns of "Daytonology".

Ten years of Dayton Bosnia and Herzegovina and a full fifteen years of ethnonationalist party rule, with all its baneful consequences for this country, justify us in beginning to investigate alternative spaces for meaning and self-understanding. In this regard, debates on amending the Dayton Agreement could go two ways:

1. The right of the nation to self-determination takes precedence:

This model of *essentialist* multiculturalism focuses on consolidating the position of an ethno-cultural community as the holder of fundamental rights. This option is the legacy of almost two decades of the rule of ethnopolitics, focused on achieving its designs to construct the state on the basis of ethnic identity (GRAY, 2000: 126). The essentialist multicultural approach is the premise for the introduction of a consociational regime in Bosnia and Herzegovina of the type being promoted of late. However, the premise is questionable at the very outset, for a number of reasons. Above all, advocating a consociational regime in Bosnia and Herzegovina means 'the uncritical adoption of the categories of ethnopolitical practice' from the outset as 'category of social analysis' that is already an established fact. A consociational arrangement implies in advance "groups as real, substantial things-in-the-world" (BRUBAKER, 2004: 8), as "natural kinds". Asserting that kind of "naturalness" would mean first answering the question of 'what we are referring

to when we say this or that ethnic group, nation'. Attempting to answer that question would reveal to us the 'mechanisms of grouping or similarity', the 'happening of an ethnic group' or "nation", or what people do when they say they are operating in the ethnic sense, rather than coming any closer to an even half-way plausible response to the question. Although, as Willard Van Orman Quine concludes, "this progress of similarity standards, in the course of each individual's maturing years, is a sort of recapitulation in the individual of the race's progress from muddy savagery... the similarity notion even in its theoretical phase is itself a muddy notion still". (QUINE, 1999: 117). One cannot therefore think in terms of "natural kinds" but of what people do with these notions and categories.

In this connection, it is hard to say explicitly in Bosnia and Herzegovina that there are three different, compartmentalized cultures, as substances, as things-in-the-world, even though the entire nexus of ethnopolitical power is engaged in producing them. Ethnopolitical entrepreneurs would say categorically that there are three different cultures in this country, and even appeal to the UN Human Rights Charter to protect their distinctive culture. A superficial glance at the building blocks of culture – language, history, art, tradition, confession – is sufficient to call into question the rigid ethnopolitical view that there are different cultures, and to see that the word intended to denote compartmentalized cultural groupness is applied too broadly. Despite the "superhuman" efforts of *ethno*-linguists, it is hard to claim, from the linguistic point of view, that the language spoken in Bosnia and Herzegovina, Serbia, Montenegro and Croatia is not one language.[27] There is no doubt that to take "the immense

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[27] "Linguistically, in terms of historical, comparative and typological linguistics, Serbo-Croatian is a single language. Sociolinguistically, with the emphasis on the linguistic standard, not on the diasystem that underlies it, it is a single standard language – but polycentric, with differing standard variants in Serbia, Croatia, Bosnia and Herzegovina, and Montenegro. Two relatively clearly drawn and mutually opposed variants, Serbian (eastern) and Croatian (western), function as fully-fledged standard languages. From the perspective of social psychology, which to a large extent concerns views towards language and the identification of speakers, the entire matter becomes still more complex, since certain speakers (mainly from the eastern

common core of Serbo-Croatian, and the very short time that has elapsed since its formal disintegration, linguists themselves will readily be able to surmise that ordinary communication between people of average education from Belgrade, Zagreb, Sarajevo and so on will continue as before. Which would mean that, if the principal linguistic criterion is free, unrestrained communication (disregarding any artificially introduced barriers), Serbo-Croatian will remain alive and well, smelling as sweet by any name". (BUGARSKI, 1997: 14-15). One could say that politically and symbolically legitimate terms such as "Bosnian", "Serbian", "Croatian" and, of late, "Montenegrin" too, refer in the strictly linguistic sense to a single language with four different but equally valid names.

What about history? There is no separate, compartmentalized history of the Bosniacs, the Bosnian Serbs and the Bosnian Croats. How can one construct the history of one of these groups without touching on the other two? – no one has yet invented a "scientific" scalpel of such precision as to excise the history of the desired group from the entire complex ocean of diverse interpersonal interactions that have created the social fabric of Bosnia and Herzegovina. A partial, compartmentalized history of this kind could only be non-Bosnian, and the solution proffered by the ethnopolitics of Bosnian Serbs and Croats might appear straightforward – their youngsters will learn the history of the Croats of Croatia or the Serbs of Serbia, in line with ethnopoliticized curricula. This will create, within a generation or two, all the conditions for obliterating their cultural – Bosnian – distinctiveness. The microidentity of Bosnian Serbs and Croats makes historical sense only within the history of Bosnia and

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regions) see this language as an entity, albeit with internal variations, and are inclined to call it Serbo-Croatian, while others (particularly in the western parts) have the feeling that in question are two separate though kindred languages, Croatian and Serbian. As a result, it is not only linguistic differences that are in dispute, but also the symbolic values ascribed to them in an ethnically, confessionally, socially and politically differentiated community of speakers, administratively grouped into a federation on an uncertain footing. In consequence, the identity of Serbo-Croatian is to a great extent a matter of opinion and interpretation rather than of the observation of accessible linguistic facts". (BUGARSKI, 1997: 13).

Herzegovina. The vacuum caused by the voluntary rejection of their history by the ethnopolitics of Bosnian Serbs and Croats will be skilfully exploited and embraced by Bosniac ethnohistorians.[28]

What about art? In this part of the world the art of the 20th century, at least, was free of any ethnic connotations. The volume of Meša Selimović's, Ivo Andrić's and Mak Dizdar's artistic creativity, inseparably linked with Bosnia and Herzegovina's climate and social context, will not be diminished by their being cast, politically, as "Serb" or "Croat" writers and poets. What is specifically "Serbian" in the paintings of the Bosnian artist Lazar Drljača? What is "Bosniac" in the poems of Semezdin Mehmedović? Is there anything Ukrainian" in Aleksander Hemon's stories (to say nothing of "Others")? There is no special way in which the ethnic label or affiliation of an artist has constructed the particular identity affiliation of the ethnic group. For the ethnic political cleansers, linguistic "difference" has remained unbearably small.

What about tradition and confession? There we do indeed find differences, but since the end of the Ottoman millet system, they belong to what is known in modern societies as the private domain, the sphere of what Whitehead calls our "oneness". In the public arena, they have become the concern of religious institutions, cultural and artistic societies, educational institutions (ethnology, anthropology) and museums, but are by no means a constitutional principle. Even in Bosnia and Herzegovina, that very tradition that generates differences consisted to a significant degree of a sophisticated customariness that required differences of a confessional nature to be reserved for the privacy of the home. Until 1990, it was regarded in Bosnia and Herzegovina as impolite to make a show of one's religious affiliation, particularly in the "market place", the public arena of communication and trade. Now it is "improper" to restrict one's religious affiliation to the home, but one is supposed to leave one's views on public and political affairs at home and to share them there with one's friends, usually in the shape of frustration. In Bosnia and Herzegovina, then, people so are profoundly commingled – they speak a single language that they call by different names, they share the same history and the same economic space,

culturally and traditionally, they share the same "living space", and even confessionally if you will – history abounds in examples of brothers and cousins switching from one confession to another to preserve their property – that one cannot talk with any plausibility about different cultures that supposedly lived in Bosnia "alongside each other", cohabiting in parallel or "consocializing".

In the case of Bosnia and Herzegovina, the construction of "ethnic states" within its territories went in parallel with the *production* of ethnic identities themselves. Religious differences and the extreme savagery of war gave an added impetus to this political production of differences, which could be achieved only through the negation – and to a large extent the physical elimination – of other groups, and by denying that the rights and fundamental freedoms of the individual and citizen took priority. As we have seen, ethnic groups began to be talked about as substantialities, as "things-in-the-world", as "natural kinds". Groups of ethnonationalist intellectuals put themselves at the service of invocation as the production of identity, the production of "sufficient differences" in language, history, art and tradition, modelled on the confessional differences that were supposed to accompany the entire process of "invocation" as its clinching argument. The entire production of ethno-identity accompanied the political process of ethnic *crystallization*, which began by singling out and hypostatizing certain practices and then referring to them as external, as "things-in-the-world". This ethnopolitical achievement, including both genocide and ethnic cleansing as the "purest form" of the political production of difference and compartmentalization, is now to be legitimized in the

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[28] "we have all been witnesses for a long time now of the destructive politicization of history in the Balkans, though Bosnia and Herzegovina and the other countries of the former Yugoslavia have been hardest hit by this politicization over the past two decades. 'Over the past two decades the historian intellectual has drawn closer to the centre of power than at any time since the days when historians served as the biographers of royal families. Historians have become the makers of myths about clearly defined projects and have been rewarded for their skills. At the same time, the politicians who created the state sought the advice of historians, rewarding them generously and helping to distribute their works.'" (KAMBEROVIĆ, 2002: 67).

form of consociation, the institutional forms of which, in the shape of amendments to the Dayton constitution, would be tasked with "the embodiment of collective identities" (GRAY, 2000: 129), since consociational institutions "make possible a form of democratic government that does not presuppose a single common culture" (GRAY, 2000: 128-29). One can thus agree with John Gray that "where peoples are deeply commingled, the project of constructing states on the basis of ethnic identity is a recipe for *disaster.... The rise of democracy in formerly tyrannous regimes has led to the attempt to establish ethnically homogeneous states... In such circumstances, democracy and ethnic cleansing go together*" (GRAY, 2000: 126) (emphases added).

We are now facing a strange dilemma. Much has been *invested* in the production of separate ethnic identities in Bosnia and Herzegovina over the past two decades. Considerable intellectual energy has been invested: entire armies of ethnonationalist academicians, intellectuals, journalists, doctors and engineers have committed themselves wholeheartedly to the invocatory manufacture of identity differences. Much money and destructive energy have also been invested – the illegal use of force by regular and irregular armies and militia, ethnic cleansing and genocide – to produce three compartmentalized ethnic identities each with aspirations to creating their own state, and now expecting their efforts to pay off. The dilemma we face is *whether to accept this immense intellectual, material and criminal military energy and its outcome – three separate ethno-identities, three compartmentalized cultures – and declare them to be the "natural state of things-in-the-world" even though they are not yet separate cultures, and to make that the basis for reforming the Dayton Agreement in order to introduce a consociational model*.

The Dayton constitutional framework is already largely consociational – in the sense "in which communities, not individuals, are bearers of many important rights" (GRAY, 2000: 128). This framework is designed to produce culturally compartmentalized entities, and is applied here to ethnicities in the process of production, of hyperpolitical emergence; designed, that is, for "not-yet-entities"

and thus structured to facilite this kind of evolution of difference. It blocks the development of a civic, democratic mindset and initiatives by encouraging ethnopolitical identity reductionism the products of which – individual practices, taken in isolation from the broader social context and hypostasized; "markers of difference", "we-coagulation points" – we are now to accept as givens, as substantial, as "things-in-the-world", as new points of commensuration of "our" compartmentalized, particular collective being-in-the-world. The consociational elements of the Dayton constitution imposed at a time when a common culture existed are now used as the legitimate, institutional warrants for different, walled-off, crystallized cultural hybrids. The *initial prerequisite for resorting to a consociational constitutional disposition* – the existence of separate cultural collectives in Bosnia and Herzegovina – *is in fact to be the outcome of this disposition* for as Gray notes, let us not forget that "consociational institutions may still be useful as ways in which collective identities can be embodied" (GRAY, 2000: 129), where the entire illogical roots of the rough-and-ready mechanism of ethnic group-making lie hidden.

In other words, the process of crystallization and ethnic homogenization in which to a large extent the investment has been outside Bosnia and Herzegovina, and which was accelerated by the illegitimate use of force, genocide, and politicized cultural intellectual efforts to invoke difference, acquired its own institutional driving force in the Dayton constitutional framework, taking the society of Bosnia and Herzegovina further and further from the business of building civil society and developing civic values. For their part, thus, the octroyed "instruments of mediation" of the conflict between groups and communities that are still so "unbearably close" to each other, which may be the very reason for the unprecedented degree of ferocity of the conflict on the ground, are leading us into a state of *anarchy*, which Gray sees as the greatest threat to liberty. The major drawback to consociational arrangements, indeed, "is that they are often unstable... They do not survive for long unless they are underwritten by an external power" (GRAY, 2000: 129). In Gray's view, the regrettable result of this "mediatory" endeavor in a conflict that arose as an anemic

compromise with "attempts to establish ethnically homogeneous nation-states [that] have occasioned gross violations of rudimentary human rights" (GRAY, 2000: 129) looks like this:

"The regimes that have been established in Bosnia and Kosovo are hybrids – part liberal, part consociational and partly involving de facto partitions... [T]hey do not depend on consent. They are protectorates, whose security is guaranteed by the powers which established them.... What we are witnessing in the Balkans at the turn of the twenty-first century may prove to be the reinvention of the institution of empire as a remedy for the evils that flow from the attempt to construct ethnic nation-states. Yet it is far from clear that the imperial institutions that are under construction can recreate multi-ethnic societies" (GRAY, 2000: 130).

The view of that "empire-in-the-making", the *European Union*, of the problem of Bosnia and Herzegovina is well known, but what so well known is not is *why* it is as it is. Why did the international protector of Bosnia and Herzegovina (through the establishment of the institution of High Representative of the EU for Bosnia and Herzegovina, Brussels betrays itself as just that) choose an option that not only fails to match reality, by accepting as the reality an ethnopolitical simulacrum created by the use of arms and by riding roughshod over civil rights and freedoms, but one that can only be described, even in the most generous of terms, as a "powder barrel", an option that survives at the expense of generating differences and discrimination, and that is an impediment to the most commonplace of social interactions – that is leading us, as twenty years of ethnonationalist experience makes plan, into a state of anarchy. Gray warns that "the worst threat to freedom today is not an overmighty state. It is anarchy" (GRAY, 2000: 132). In this regard, the objection put forward by the proponents of essentialist multi-culturalism that there are no common values in Bosnia and Herzegovina, and that it is therefore necessary to construct a consti-tutional disposition – a consociation – that would make it possible for different values to exist, quite simply misses the essence of the problem. One may conclude, with Gray: "We do not need common values in order to live together in peace. We need common

institutions in which many forms of life can coexist" (GRAY, 2000: 6). What we need, then, is a constitutional and institutional arrangement that will remove the ethnopolitical mechanism of the production of difference from its privileged position, stripping it of political power and relevance, and return it to the normal plural public social context in which it will become just one of many different, equal narratives, comprehensive doctrines on what constitutes the good life; "there is no 'essence' of the world that imposes one set of descriptions on us rather than another; instead, we classify, describe, and explain the world in terms of what best makes sense to us given what it is we want to do and accomplish" (PINKARD, 2005: 49). We do not want to defend the discriminatory ethnopolitical order by our endless appeals to the "protection of cultural distinctiveness". It seems to me that these appeals clearly derive from the "natural stance", the view of cultural groupness as a natural kind, thus equating the protection of cultural distinctiveness with the preservation of some endangered species that really is a natural kind. Therein lies the entire absurdity of the situation, for cultures are not natural species.

"The environmental view of the protection of species cannot be transposed to cultures. Cultural heritages and the forms of life articulated within them reproduce by convincing those whose personal structure they shape, by motivating their members productively to adopt and perpetuate their traditions. The rule of law helps to give life to this hermeneutic achievement of cultural reproduction of different worlds, but cannot guarantee them. If it were to guarantee them, it would necessarily have to deprive the members of the community of the freedom to say *yes* or *no*, which is vital if they are to preserve and appropriate their cultural heritage. When culture becomes reflexive, the only traditions and forms of life capable of being self-sustaining are those that succeed in binding their members while both subjecting themselves to critical scrutiny and leaving to future generations the freedom of choosing to learn from other traditions or to convert and change their way of life. This is true even for relatively closed sects such as the Amish in Pennsylvania". (HABERMAS, 2003: 109). It would seem, though, that the opportunity for choice does not hold good for

Bosniacs, Serbs and Croats in Bosnia and Herzegovina – so says our dismal ethnopolitical "amendment".

If we are to have the freedom to choose, we need a *civic, liberal democratic framework*, which will render politically irrelevant the generative, reductionist schema of ethnic homogenization, and establish state institutions that will guarantee the greatest possible degree of freedom to value choices, the normative orientations of its citizens. Quite simply, I regard the alternative of essentialist multiculturalism as the legalization of the genocidal actions carried out during the war on the one hand, while on the other, despite the presence of democratic procedures, I regard it as a profoundly nondemocratic form, in line with the views of Jürgen Habermas, for whom "a legal system is legitimate when it guarantees the autonomy of all citizens to the same degree. Citizens are autonomous only if those whom the law concerns can see themselves as the authors of that law" (HABERMAS, 2003: 103). It is superfluous to note here that it is impossible for a collective – particularly if it regards itself as primordial, existential, substantial – to consider itself the author of a law. We are thus left without the subject of law, or else, in line with protofascist organicist theories, we shall have to ascribe to the "national collective" such individual characteristics as will and desire (as is to be seen in the ethnopolitical motto "the will of the people!"). In this regard, the legitimacy of the Dayton constitution is already questionable, not *de jure*, but *de facto*, given its systematic marginalization of the rights and fundamental freedoms of our citizens. A consociational regime would be completely illegitimate, since it would undermine the very structure of the law, and eradicate all differences between law and politics. Rather than essentialist multiculturalism, the society of Bosnia and Herzegovina as a whole, as a late modern plural society, "is not the consensus on values that communitarians imagine they find in past communities. It is common institutions within which conflicts of interests and values [the ethnic and confessional values are but one among many – A.M.] can be negotiated. For us, having a life in common cannot mean living in a society unified by common values. It means having common institutions through which the conflicts of rival values can be mediated" (GRAY, 2000: 121). But if what one is dealing with are

"natural kinds", things-in-the-world, compartmentalized substantialities, there can be no mediation. We can at least hope, with Gray, that "in any future that we can realistically envision, states will be legitimate only if they reflect the plurality and hybridity of common identities" (Gray, 2000: 122).

It will be said, quite rightly, that the liberalist redescription of Bosnia and Herzegovina I advocate has no historical precedent; we have absolutely no experience of such a thing. Very well, I take the point: liberalism in Bosnia has not even the most tenuous of roots. Allow me to respond, however, by asking what historical Bosnian precedent the Dayton constitutional and legal framework and all the consociational structures being erected on its foundations can appeal? What historical references could communism appeal to during those dark days of November 1943? In other words, if a liberal democratic order is to be found as that social hybrid well, so much better. It will not diminish its value simply because it would be the *least bad* means of achieving mutual accommodation of plural social life in Bosnia and Herzegovina.

2. The right of citizens to self-definition takes precedence:

This "priority" calls for the position of the citizen, the individual as the bearer of rights and fundamental freedoms to be strengthened. The only alternative to a consociational arrangement is liberal democracy. "From the democratic point of viedw, a person's national (ethnic) identity is not his or her primary identity and, though respect for diversity [where it genuinely exists, e.g. in the sphere of religiosity – A.M.] is important in multicultural democratic societies, national identity is no basis for the recognition of equal value and the idea of equal rights associated with it… from the liberal democratic point of view, a person has the right to demand equal recognition above all, on the basis of his or her universal human identity or potential, and not primarily on the basis of national identity" (Rockefeller, 2003: 77-78). To take this idea literally would mean believing that to give priority to the right of the citizen to self-definition, politically speaking, is to express one's respect for the dignity of all human beings. As Amy Gutmann observes, failure

to acknowledge this right is always based, to a greater or lesser degree, on "the assumption of the fundamental inferiority of others" (GUTMANN, 2003: 31), and as such is invariably "hate speech". In the political life of a community that is so constituted, one is faced with a chronic "problem of disrespect and the absence of constructive communication between the spokesmen of ethnic, religious and racial groups – and that is a problem that too often leads to violence" (GUTMANN, 2003: 29).

Such "views, giving flagrant expression to the denigration of the interests of others, are not worthy of respect and thus express no authentic moral position" (GUTMANN, 2003: 30). What is more, the political community, which systematically – and indeed, in the case of Bosnia and Herzegovina, constitutionally – denies priority to the right of the citizen to self-definition, is based as a community on hate speech and, more or less, on controlled violence and antagonisms that enable ethnopolitical entrepreneurs or the "spokesmen" of cultural differences to remain in power in the process of their political construction. As such, by systematically riding roughshod over human dignity, the only legitimacy it can enjoy is that of mere force. In the case of Bosnia and Herzegovina, these are the power guarantors of the agreement together with homegrown mechanisms for the ethnopolitical generation of the fear of "ceasing to be", of cultural assimilation, calls to protect distinctive cultural features, and so forth. Dethroning all the mechanisms of political constructionism that, broadly speaking, I refer to as the "right of the nation to self-determination" aimed at "ethnic equality" would also mean stripping the mechanisms of discrimination and segregation of legitimacy. Giving priority to the "right of the citizen to self-definition", aimed at the "ethical equality" of every member of society, would create the basis for a political context in which "the dignity of free and equal beings requires democratic institutions to be non-repressiver, non-discriminatory and prudent" (GUTMANN, 2003: 22).

The *Ethnopolis of Bosnia and Herzegovina* has diametrically opposite institutional qualities; its institutions are repressive, discriminatory and irrational. Transposed to the domain of collective rights, the society of Bosnia and Herzegovina is a society of

irrational multiculturalism, of cultural absolutization and so-called *ethnic* equality, which is wholly ethically and value neutral, so rendering meaningless any plausible concept of tolerance. The *political correctness* of a community of ethnic equality where the most radical views on the inferiority of others, every possible mechanism of ethnic crystallization, and talk of the moral values of humankind are advanced in the public arena, is *immoral*. As members of their ethnic collective, in the concept of ethnic equality the worst criminal and the noblest humanist obliterate all their mutual differences. As a result, the worst criminal can with perfect legitimacy be the greatest hero, and the greatest humanist may with equal legitimacy be a traitor. It is all one in the constellation of ethnic equality, in which we dare not pass ethical judgment on the values of another community because it would be politically incorrect. The worst crime of all, genocide, can become an unquestioned value in the constellation of ethnic equality, a metaphor for ethnic homogenization, which does not see the act of genocide as a problem. It is in these examples that the *unacceptable moral vacuum of the Dayton constitution* may be detected.

Worse still, the multiculturalism of ethnic equality so established acts as a brake on any plausible public debate. Ethnically-based discourse is none other than what Richard Rorty calls a "conversation stopper". Any public questioning of its postulates, particularly on an ethical basis, is regarded as politically incorrect. It is the same "morally neutral" mechanism that deletes the word "genocide" from school textbooks, replacing it with the word "error". Hand on heart, the Dayton constitution, conceived as it is along these lines, cannot be anything other than immoral, since the moral agent of that multiculturalism is the collective, and thus the non-existent, impossible bearer of moral values and responsibility. Indeed, previous analyses have shown that the "morality of the collective" is projected by ethnopolitical entrepreneurs who have stripped their members, the members of the imagined community, of personal moral responsibility, while simultaneously referring to their views as the "will of the people". There is, however, no such thing as ethnic morality. Charles Taylor concludes that "morality in a certain sense possesses an inner voice" (TAYLOR, 2003: 35).

Morality in a community of ethnic equality is "external", since it does not derive from the choices made by free individuals. Hence there is no morality in the *Ethnopolis of Bosnia and Herzegovina*. Given that it is external, its point of reference is the manifestation of the mechanisms of ethnic distinctiveness which, in our case, are almost solely of a religious nature. Morality so perverted into something external consists of imitating the manifestations of ethnic unity and recognizability – ostentatiously fasting during Ramadan, attending church or going to the mosque – so "everyone can see", and the like. This tendency has long since been spiritually denounced among the people themselves, as evidenced by the resistance to this inner "moral sense" among ordinary citizens, in the shape of metaphors: "He is an M-92 Muslim" or "he's more Catholic than the Pope", and so on. Any structure based on such postulates is not only politically illegitimate; it is immoral.

By contrast to such concepts, "multicultural societies and communities that stand for freedom and equality for all are based on mutual respect for reasonable intellectual, political and cultural differences. Mutual respect calls for widespread will and the ability to articulate disagreement, to defend the our views to those with whom we disagree, to differentiate between valid and invalid respect and to be open to changing our minds when we meet well-founded criticism" (GUTMANN, 2003: 31).

This self-denigration on the part of the citizen, this rejection of the possibility of individual self-definition, has become one of the most powerful instruments of oppression exercised by the ethnopolitical oligarchy. The use of "smart mechanisms" of ethno-homogenizing self-invocation is creating an entire army of self-haters and worshippers of their own membership in one or another ethnic collective. One has to agree with Taylor that "the discovery of my own identity means that I do not create it in isolation but acquire it through dialogue with others, partly out loud, partly internal" (TAYLOR, 2003: 40). It is true that individuals do not create themselves in a vacuum, but at the same time acquiring one's own identity through dialogue with others may be problematical if it takes place in a repressive context, a context of desocialization and

educational indoctrination. What kind of identity will individuals acquire if they are simply interlocutors, reduced to a position of inequality by their "name" or some other "marker" of their *alterity*, or if they simply *have* to be interlocutors – if they are unable of their own free will to choose their own interlocutors and subjects of discussion? The ill-will and repressivity of the context in which such dialogues take place, which is typical of ethnopolitical Bosnia and Herzegovina, creates nothing but frustrated individual identities. It is true, and nobody could seriously deny it, that "persons, including juristic persons, become individualized only through a process of socialization. A theory of law that is properly understood requires a policy of recognition that protects the integrity of the individual in the existential contexts in which his identity is formed" (HABERMAS, 2003: 97); but what if these contexts are based on the absence of freedom, on imposition? Should they be protected? Should they be "immortalized" in the form of constitutional principles? In Bosnia and Herzegovina demands for the recognition of collective identities were – which is even worse – demands to impose extra-existential contexts underpinned by media and intellectual ethno-entrepreneurs. Homogenization on an ethnic basis was deeply anti-individualistic, and indeed repressive. Furthermore, one might agree with Taylor that 'the denial of recognition is a form of repression' (TAYLOR, 2003: 42), but then the Dayton ethnopolitical denial of recognition of the individual is the worst form of repression, since the individual is the starting-point for every kind of group affiliation. A little further on, Taylor concludes that, as he sees it,[29] "a society

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[29] Michael Walzer sums up the two kinds of liberalism that Taylor describes in his *Politics of Recognition*: "The first kind of liberalism (liberalism 1) is committed to in the strongest possible sense to individual rights and to a rigorously neutral state, which is almost deducted from these rights, a state without cultural or religious projects, or any kind of collective goals beyond the personal freedom and physical safety, wellbeing and security of its citizens. The second kind of liberalism (liberalism 2) allows the state to commit to the survival and prosperity of a particular nation, culture or religion or to a (restricted) groups of nations, cultures and religions – but only if the fundamental rights of citizens who are committed to wholly different goals or who have no such commitment are protected" (WALZER, 2003: 86).

with strong collective goals may be liberal provided it is in a position to respect diversity – particularly in the case of those who do not agree with these shared goals – and provided it is able to offer adequate protection for fundamental rights" (TAYLOR, 2003: 58).

This version of multicultural is very close to an anti-essentialist version, but raises a number of important questions. The key word in this observation of Taylor's is *provided* – 'provided it is in a position to respect diversity.' It is doubtful how far the rule of collective goals is able to guarantee to protect the fundamental rights of the individual. In Bosnia and Herzegovina, for example, in the 1990 election campaign the leaders of the "national parties" proposed a concept of society that was based on a collectivist definition of the good life – which is to be found in the traditional values of the ethnic group or nation – while promising all kinds of guarantees of fundamental civil rights; empty promises of the kind uttered by nationalist leaders who promised "the rule of law with effect from next Monday". After the new collectivist ideologies came to power, the bloodshed began, and fundamental civil rights are still largely unknown. It is more likely to be the other way about – giving priority to the fundamental rights of the individual is a prerequisite for every other difference, for different views of what constitutes the good life, different self-definitions for the individual, which may be of a collective nature.

Still less can I agree with Taylor that "the form of a policy of equal respect of the kind advanced by a liberalism of rights, which is hostile to diversity because a) it insists on the uniform application of the principle of defining fundamental rights without exception and b) because it is suspicious of collective goals" (TAYLOR, 2003: 58-59). Liberalism of rights is not necessarily hostile to diversity, but is in fact the prerequisite for every possible kind of difference that derives from, and only from, the free choice of the citizen. I see nothing controversial in the "uniform application of the principle of defining fundamental rights without exception". *Without the uniform application of principles relating to every citizen as a member of the human race there can be no justice or morality*. Naturally there may be exceptions, but there I agree rather with

Rockefeller than with Taylor. As Rockefeller observes: "It is one thing to support somebody on the basis of the right to self-determination of the political autonomy of some historically indubitable distinct and autonomous group such as the tribes in New Guinea, who are still living in the stone age, or the Tibetan Buddhist culture in China. The situation becomes more complicated when someone has in mind the creation of an autonomous state within another democratic state, as is the case with the Québecois...". "I feel uncomfortable because of the danger of the erosion of fundamental human rights over time, which arises from the separatist mentality that elevates ethnic identity above universal human identity". (ROCKEFELLER, 2003: 77, 79).

Furthermore, to return to Taylor's doubts about collective goals, after our experience of war one has the right to ask, *What if a collective goal, or its ultimate effect, is ethnic cleansing, genocide, and the eradication of any evidence that Others ever existed?* True, Taylor seeks to clarify this by adding: "I regard it as hostility to diversity because it cannot accept what the members of distinct communities really aspire to – *survival*, which is a collective goal that will almost inevitably call for variations from one to another in the types of law regarded as permissible" (TAYLOR, 2003: 59). To be quite explicit, I assert that any argument in favour of any collective goal appealing to the category of survival is a threat to the very existence of society as a whole, and ultimately of the very group whose "survival is at risk". Appealing to an "existential argument" that "does not need to be argued" excludes its proponent from the rational community of argumentation and public debate. As the case of Bosnian demonstrates, the proponent's efforts to argue the case will end in the resort to arms. The rule of collectivist goals, which are mutually exclusive and self-cancelling, is the shortest route towards the violent disintegration of a social community. Rockefeller is quite explicit: "When a liberal society is faced with the question of the allocation of special privileges, exemption from duties and granting political economy to a cultural group... *it cannot compromise on fundamental human rights*" (ROCKEFELLER, 2003: 80; emphases added).

Appealing to survival is an undemocratic act. As a disciple of John Dewey, Rockefeller brings this problem back to the domain of democratic debate. A crisis of democracy is not resolved by exceptions, compromises with undemocratic measures, and especially not by arguments based on the concept of "natural kinds", but rather by *even more democracy*. As Rockefeller observes: "The democratic way is in conflict with every rigid idea about or absolute right to cultural survival. The democratic way means respect and openness to all cultures, but is also a challenge to all cultures to abandon intellectual and moral values that are inconsistent with the ideals of freedom, equality and ongoing cooperative investigation the goal of which is truth and wellbeing. It is a creative method of transformation... It is, however, most unlikely that a society will be open to such transformation if it is preoccupied with protecting a particular culture to the point of allowing the government to support that culture at the expense of individual freedom" (ROCKEFELLER, 2003: 81).

In addition, the great paradox of "cultural survival" is that only free individuals, using their imagination, can keep a culture alive, expand its horizons, and participate on its behalf in dialogue and cultural interactions. A culture without free individuals, without recognized individuals in general, is a chimera, a "fossil" ripe for archiving and conservation. The same is true of the identity of an ethnic group. Furthermore, in the case of Bosnia and Herzegovina, Taylor's *liberalism 2* concept does not apply, because a policy of equal respect can take root only where there are markedly different cultures. The Québecois speak a distinct language from that of their neighbors, the Angophone Canadians. The problem with our country is that almost all our ethno-cultural differences are mere political constructs, seeking classic cultural and political recognition on that basis. The vacuity of this political constructivism is particularly plain in the case of ethnopolitical entrepreneurs among the Bosnian Serbs and Croats. They are not demanding the survival of their cultural distinctiveness when they call for "cultural and political survival", as common sense would suggest – the survival, that is, of the cultural features and values of the Serbs and Croats of Bosnia and Herzegovina – but the complete eradication of

"Bosnian" distinctiveness by means of an aggressive process of integration into the culture of the Serbs in Serbia and the Croats in Croatia. Such demands for recognition, so often advanced to gain legitimacy, show themselves in this instance to be a *demand for recognition of the rejection of the recognition of cultural difference*. I should like to see what kind of theory could accommodate such a demand. Bearing in mind the obvious consequences of this attempt to erase cultural distinctions, should one accommodate this self-cancellation?

There can be no talk of the rule of law, then, without democracy. "The principle of national sovereignty calls for fundamental rights, without which legitimate law is impossible – first and foremost all rights to equal individual freedom of choice and action, which for its part presumes the comprehensive legal protection of the individual... The theory of law indeed gives absolute priority to rights over the collective welfare, so that arguments about goals – as Dworkin demonstrates – can serve as a 'trump card' as regards demands based on individual rights only if for their part these goals can be justified in the light of other rights that are given preference" (HABERMAS, 2003: 104-105). In this regard, let us consider the entire problem from another angle, with a complete "paradigm shift" from:

a) *ethnic* to *ethic* equality, and

b) the right of the *nation* to self-determination to the *right* of the citizen to self-definition.

For a start, one could agree with Nerzuk Ćurak's view. In his *Politički liberalizam: stvarno i moguće* (Political Liberalism: Actual and Possible), Ćurak writes that "political liberalism in Bosnia and Herzegovina is possible as a relatively successful political project if we liberate the public arena from ethnic oppression" (ĆURAK, 2003: 173), though he cannot see any forces that might sign up to such a project. What it would entail is making a better and wiser choice, for the sake of the well-being of every citizen of this long-suffering country, by replacing the *constituent nature of its peoples* with *constitutive liberalism*, meaning the rule of law, separation of powers and mechanisms of control, the protection of individual rights, and

a certain level of representation in government. But how is one to free the public arena of ethnic repression; how to reject the ethno-political matrix as the ultimate reality? How are we to get rid off what Ćurak calls the "longing for non-freedom" of the citizens of Bosnia and Herzegovina.

As a result, the crucial question for the future of Bosnia and Her-zegovina is *whether the citizens of Bosnia and Herzegovina have the right not to be discriminated against on the ethnic principle in public and political life*. Does the citizen have the right to break out of the imposed context of "ethnic equality" and demand "ethic equality", in which everyone would be equal with every other citizen of Bosnia and Herzegovina in human dignity and freedom of individual choice concerning matters of public and private interest, matters important for his or her individual self-development and group affiliation? The only context in which this could be arrived at in Bosnia and Herzegovina is one of ethic equality or the "right to ignore ethnic differences". Without such a concept – a society that is politically blind to ethnicity – the legal equality of the individual is merely an empty compliment to a society in which the public, political domain and the private sphere are defined by the tectonic forces of the ethno-religious elites. The right of the individual, or even of the majority within a given community, to put their religious or ethnic affiliation in first place, as the starting point of their personal identity, does not entail the right of such a view of self-understanding to be imposed as the only legitimate one, particularly in the political sense.

Consequently, we need to debate whether it is right to protect the ethnic groups (constituent peoples) of Bosnia and Herzegovina constitutionally as collectives only after we consider whether our country's constitution and its laws properly protect individual rights and freedoms, the dignity of the citizen. Regrettably, though, the category of citizen is essentially absent from our constitution. The calculation of quotas and proportionality, the delicate mecha-nisms of collective protection without the prior protection of the individual citizen's "constituent nature" is undemocratic, since the cause of democracy is the moral cause of dignity and the worth of

the individual" (DEWEY, 1982: 303). It is high time we understood that *every constitutional protection of collectives in Bosnia and Herzegovina must be preceded by the constitutional protection of the citizen, and not the other way about*, as is now enshrined in the Dayton constitution. A liberal democratic recomposition of the constitutional order of this kind, a paradigm shift towards the individual, would disempower the ethnopolitical matrix and destroy its narrative of the collective good, leaving it as one of many alternative voices forming the general hubbub of society. The public arena so democratized would pave the way for various forms of individual and group self-understanding without the possibility of their being imposed:

> If a public arena that is functioning well, with open communication systems promoting and allowing for discussion aimed at self-understanding, can be developed in such multicultural societies against a background of liberal culture and on the basis of voluntary associations, then the democratic process of actualizing equal individual rights could take root to the extent that it guarantees the equal right to coexistence of different ethnic groups and their forms of cultural life... for from the normative point of view, the integrity of the individual person cannot be guaranteed if the intersubjective experiences and existential context within which the person is socialized and his or her identity is formed are not protected. The identity of the individual is intertwined with collective identities and can be stabilized only within a cultural network that cannot be expropriated as private property, any more than can be done with one's mother tongue. *As a result, the individual remains the bearer of the right to cultural affiliation* (HABERMAS, 2003: 108 – emphases added).

In Bosnia and Herzegovina, *the collective is the bearer of rights over and above the individual*. The prevailing ethnopolitics does not recognize the individual as the bearer of the right to cultural affiliation, but rather regards ethnic groupness as a substantiality, as a "natural kind". The cultural network within which members of the ethnic group are socialized has been privatized by ethno-political entrepreneurs – it is they who dictate its key metaphors of self-description and restrict the referential scope of its self-understanding. The right of the citizen to self-definition is thus the

best way to accommodate difference in Bosnia and Herzegovina. And the best way to accommodate them is to democratize the public arena and to put an end to the political application and institutionalization of ethnic differences. "No liberal democratic policy dedicated to the ideals of liberty and equality can escape the demand to create a tolerant and stimulating social environment in which all peoples are respected in their cultural diversity, thereby gaining a sense of belonging to the wider community" (ROCKEFELLER, 2003: 84-85).

ANNEX 7:
Bosnia and Herzegovina
—A Community of (Un)Equal
Peoples and Discriminated Citizens

In the light of the "second round of talks" on constitutional reform, which it seems will be held after the 2006 elections, a key question for the constitutional future of Bosnia and Herzegovina should be raised: does the citizen of Bosnia and Herzegovina have the right to oppose discrimination on ethnic grounds in public and political life? In other words, does the citizen have the right to break out of the imposed context of "ethnic equality" and demand "ethic equality", in which every citizen is equal in human dignity and freedom of choice in matters vital to his or her individual self-development. I am of the opinion, which I hope to demonstrate in the following pages, that any reform of the supreme state legislation that fails to take into account this principle of liberal democracy will end in the continued postponement of democracy and the further entrenchment of the discriminatory ethnopolitical order.

Unfortunately, like almost every idea in Bosnia, this idea of the ethical equality of citizens is being hopelessly distorted. The conviction is being forced upon us that, since some of the ethno-ideologists of the "largest" nation in Bosnia and Herzegovina insist on that principle, it is impossible for the principle to be exercised in a multicultural society without becoming the manipulative politics of the majority, which leads us to the absurd conclusion that "one of the major problems of Bosnia and Herzegovina today is based on a paradox: the identical political effect is achieved both by

nationalists advocating the absolute domination of collective, ethnic rights and by their 'rivals', who are for the absolute domination of individual human rights. The outcome of their advocacy is plain to see – the current constitutional structure of Bosnia and Herzegovina is being set in concrete" (PEĆANIN, 2006). In much the same way, it is being suggested that "the same tendency [urging Croats and Serbs towards secessionism: A. M.] is increasingly leading to more and more stubborn (and ever more frivolous) repetition of the idea of one man one vote, as a formula for resolving the current political crisis and lack of future prospects. It is based, quite incorrectly, on the conviction that others may be forced into a political option that does not suit them, while transparently making use of the political lexicon of western democracy" (LOVRENOVIĆ D, 2006). Though the fear of manipulation is justified, I do not believe it is a valid argument.

However "vacuous" it may be, the lexicon of western democracy has proved to be a solid foundation for progress notwithstanding the trials that beset it from time to time. On the other hand, as one who is "labeled" by his very name as a Bosniac, I wonder whether I even dare speak, in multiethnic Bosnia, about a model of ethic equality for all citizens without being denounced as a unitarist. Does this mean that those who are irretrievably ethnically labeled, whose "biology" somehow predetermines their "ideology", cannot plead for the "civic option?" As someone with fervent liberal democratic views, being discredited "biologically" is offensive; it violates my freedom of expression and my human dignity. Even so, I regard these "fears" as understandable, since they arise in the context of a ravaged socio-political community based on ethnic discrimination generated, above all, by the illegal use of armed force and genocide, followed by the discriminatory constitutional legacy of the modern political community of Bosnia and Herzegovina, which has in most cases preferred ethnic to ethical equality.

However, to try to unravel what is in my view a false dilemma – the priority of the collective or the priority of the citizen – it would be no bad thing to cast our eye briefly over the modern articulation and self-understanding of Bosnia and Herzegovina to date. In his latest

book, Mirko Pejanović sees the political community of Bosnia and Herzegovina as a twin-track polity. "At the level of civilizational achievements, Bosnia and Herzegovina is... defined in two ways. At one and the same time it is a state of free citizens and the state of the equal peoples living in it" (Pejanović, 2005: 248). As a political scientist, he finds a basis for this view in an interpretation of the leading political documents that articulated identity of Bosnia and Herzegovina from the first and second sessions of ZAVNOBiH, the Anti-fascist National Council of the National Liberation of Bosnia and Herzegovina, to the Dayton Agreement. Pejanović finds corroboration for his view that Bosnia and Herzegovina is simultaneously a state of its citizens and the state of the equal peoples living in it in each of these major political documents, which constitute the foundations of Bosnia and Herzegovina's political identity.

Modern Bosnia and Herzegovina is thus based on two documents – the Resolution adopted at the first ZAVNOBiH session, "promoting the political equality of [its] peoples", (Pejanović, 2005: 249) and the Declaration on the Rights of Citizens issued at the second ZAVNOBiH session. Some of the key moments that followed should be highlighted against the background of this dual definition of the political community of Bosnia and Herzegovina, bearing in mind half a century of political experience, with the aim of finding out where we should be going. With the exception of the period of rigid totalitarianism immediately after World War II – when an attempt was made to transcend ethnic antagonism by emphasizing the "class issue" – the political self-understanding of Bosnia and Herzegovina has ever since then been focused almost exclusively on the idea of the *equality of its peoples* (the idea of ethnic equality), not on *the equality of its citizens* (ethical equality). To put it in the terminology of modern political philosophy, one could conclude that the principles upon which the political community of Bosnia and Herzegovina is based are always founded on the principles of *ethnic* equality, of the equality of the collective, not on those of *ethical* equality, the equality of individual citizens. Although every constitutional disposition of Bosnia and Herzegovina from 1946 to 1995 has opted for this *duality* of citizens and peoples, in the authoritarian social

practice of socialism and ethnonationalism the political equality of citizens has been nothing but a hollow notion. The marginalization of the category of the civic and the focus on the model based on the political equality of ethnic collectives – beginning with the famous *ethnic key* inaugurated by the authorities of socialist Bosnia – means that discriminatory practice towards its citizens is taken for granted, and indeed reduced to the mere possibility of political action and articulation on ethnic determinants, which took place during the socialist period. In a country which was in any case governed by a repressive one-party system, this extremely narrow field of political action by its citizens was further restricted by the *ethnic filter*, which was conceived to ensure the political equality, not of the individual, the citizen, but of the collective or nation – in fact, of its ethnic groups.

Though no doubt inadvertently, the socialist definition of Bosnia and Herzegovina as a community of equal peoples thus created the conditions for the *politicization of its ethnic groups*. The political acceptability and even political encouragement of ethnic differences as the sole, established means of political action in general, meant that with the collapse of the socialist self-management system, political organization was understood almost exclusively as ethnic political organization. Pejanović is no doubt right when he defines Bosnia as a duality in the political sense, but the history of Bosnia and Herzegovina over the past fifty years has shown what happens when these twin definitions are not treated equality, but rather one is selected as the ruling principle – the equality of the collective – and the other is marginalized: the equality of individual citizens. The utter political irrelevance of the civic in the political practice of socialist Bosnia made the transition from socialism to nationalism perfectly logical. Both systems are totalitarian, since neither accords the least significance to the free citizen, but only to a collective of one kind or another. The loss in the late 1980s of the firm authoritarian political framework, as was the Yugoslav and socialist context, resulted in 1990 in the need for the political affirmation of "ethnic equality", this time in an atmosphere of fear and uncertainty.

> The fall of communism brought with it the burning need to find
> one's place both in the country and in the law. The end of the war
> dawned with peoples who, as "majority nations", had once again
> found, seized and conquered by military means, but also lost their
> territories. There were no such national territories before the war,
> nor could there have been, and it would probably have been
> difficult for them to come into being without war (VLAISAVLJEVIĆ,
> 2006: 168).

The nations needed to be consolidated, *free-standing* in their
equality, and as well as the systematic political production of
cultural differences they needed to become independent political
subjects if they were to continue to be equal. To achieve full political
identity, or full political equality, it was essential that they be
territorially self-contained. At the first hint of crisis, privileging the
concept of the equality of peoples, the political practice and
affirmation of these differences as the prerequisite for their
distinctiveness – their national self-definition – which would have
to be recognized and thereby brought into a relationship of
"equality" with others, thus sparked off its own logical sequence –
a tragic one for all of us – resulting in the establishment of territorial
or ethnic entities by means of war. Voting for so-called "national
parties" ever since 1990 is thus a kind of ritual repetition of the act
of ethnic self-definition, ethnic self-affirmation in the constellation
of the political community of equal peoples. Why should the ideology
of *national self-definition* based on the wartime territorialization of
ethnopolitical entrepreneurs be decisive today?

One might say that it is a matter of the "demands of reality". A
common reproach, directed among others at the author of these
lines, that all this talk about "ethical equality" sounds very nice in
theory, but that one must have regard to practice which, to all
appearances, is not favourable to such "theoretical prescriptions".
Appeal is made to the "consideration of practice", which in my view
forgets that the majority of the "praxologists" of this reality to
which they refer are either in the dock at the Hague War Crimes
Tribunal or living as fugitives. I mean by this that everytime we
"appeal" or refer to reality in discourse, we are in fact invariably
appealing only to certain discursive patterns of interpretation of

"reality" that, at least where Bosnia and Herzegovina is concerned, have always been sketchy and reductive. Why is it wrong, when considering possible directions to be taken in the transformation of Bosnia and Herzegovina's society as a whole, to appeal to "reality" and to "derive arguments" from it on how things stand in our society? First and foremost, because facts in themselves do not speak. It is language that speaks, or rather a specific discursive context with its own more or less coherent group of notions and terms, metaphors, phrases, and patterns of interpretation used by a specific social group. So when we reflect on models of social transformation in Bosnia and Herzegovina we do not ask ourselves in advance whether this model "corresponds" to the real state of affairs (on the ground). My epistemological starting-point is a pragmatic, or social constructivist, one, so I ask myself what kind of meaning a certain model of socio-political rearrangement would have in this context, what kind of social action it would provoke, and then (an indispensable question from the introduction to modern political philosophy), how that concept works in relation to political power. In my belief, a concept that calls for us to respect the "achievements of ethnic territorialization" and a privileged position for the ethnic principle would be the cause of a whole range of discriminatory social practices on the one hand, and would continue to underpin the production of ethnopolitical ideological frameworks among the oligarchies that I call the "manufacturers of nations" on the other. Such a model would encourage the continued political production of cultural differences, further directing the construction of homogeneous, compartmentalized political arenas, systematically and steadily redirecting the focus of political discourse from the question of social justice to that of "national injustice".

Has not the logic of the constant concessions made to such models – to the production of repressive and totalitarian practices by the elites – long since proved to be a failure? We have seen that the conclusions of the first and second ZAVNOBiH sessions in which Pejanović sees the dual self-understanding of Bosnia and Herzegovina as a state of equal citizens and equal peoples have degenerated, after fifty years of practice, into the following: the concept of the political equality of peoples, or of ethnic equality, which was

privileged over the concept of the equality of citizens, was unable to guarantee the political equality of its citizens, the ethical equality of every citizen of Bosnia and Herzegovina in dignity and freedom. As a result, both in its socialist and its ethnonationalist form, Bosnia and Herzegovina was an *unfree* society, invariably according political power to the collective, or rather to the political elites who run the collective, rather than to the individual citizen. This is the cause of all our dysfunctionalities, both then and now. Bosnia and Herzegovina is thus a state of "equal" peoples and unfree citizens.

Could we turn for help not to the collective but to individual human rights and freedoms in order also, however paradoxical it might sound, to achieve "equality of peoples?" We have seen, of course, that a systematic ideological campaign has always been waged against the human rights and freedoms of citizens, contrary to the spirit of the Declaration of the second ZAVNOBiH session. In ideologically privileged formulae the ethical equality of citizens was invariably disparaged. People were said, for example, to realize themselves in their full humanity and freedom only through class self-definition, through a process prudently led by the avant-garde of the working class, or only through national awareness-raising or national self-definition, a process led by the avant-garde of the nation in question, which we normally refer to as a "national party". Decades of denigration have resulted in the principle of ethical equality, or the principle of "one man one vote", being seen as non-binding, unsuitable for "our circumstances" or, at best, just as destructive for Bosnia and Herzegovina as the principle of ethnic equality, as one may hear from even the best-intentioned intellectuals these days. Naturally, such views cannot be accepted as a basis for argument for the simplest of reasons – they entail rejecting in advance what we are supposed to be demonstrating; rejecting in advance a concept that has never taken effect in our past history.

I would assert the opposite – despite such denigration and, what is worse, legal marginalization, *the citizen of Bosnia and Herzegovina must wish for a constitutional order that will unconditionally protect these rights and freedoms even when the vast majority of the public is inclined to disregard them*, to manipulate them, denigrate and

cast aspersions on them. If the society of Bosnia and Herzegovina is plural, which it is, so much the more should we wish for such a constitutional order, for "respect for individual freedoms ensures a *modus vivendi* that is essential for the stability of plural societies. It also ensures that the majority of the population, and not just the members of the ideological groups that are dominant for the time being, is able relatively to progress" (RAZ, 2005: 112).

In other words, there can be no legitimacy for the objection that the *majority of citizens of Bosnia and Herzegovina* (and by Bosnia and Herzegovina we now mean Bosnia and Herzegovina as an ethnopolitical construct maintaining itself in power by means of a repressive, discriminatory apparatus helped along from time to time by intimidation and ethno-religious homogenization) *do not want a civic Bosnia and Herzegovina*, so we need to begin the quest for a *modus vivendi* on the basis of the current state of normative preferences of the majority, circumstances created by a horrific war and maintained by repressive mechanisms of segregation, which would satisfy "all the parties in the case". We in Bosnia and Herzegovina cannot simply decide whether we want to back the *right of citizens to self-definition* based on the concept of fundamental human rights and freedoms, which take priority over every other kind of self-determination. They *must be protected*, and with them the right of citizens to self-determination at every level of governance. "In politically sovereign groups where people are not treated as civic equals with equal freedom, the internal resistance to basic rights cannot be considered the free will of the people" (GUTMANN, 2003: 56). Why? First, what is in question is a civilizational achievement, not the transparent use of the lexicon of western democracy, failure to uphold which sends us right back to what we wish to escape from – the western, orientalist imagination of the Balkans as a place of ancient tribal hatreds. Second, rejecting ethical equality is irresponsible towards the "nations" the viability of which we want to protect. "The protection of many of the most valued civil and political rights in a liberal democracy is justified by the fact that they serve the common or general good", (RAZ, 2005: 64) the good of each and everyone in Bosnia and Herzegovina. Conversely, the constitutional marginalization of these rights and freedoms, and the

ethnopolitical practice based on the protection of what the constitutions calls "vital national interests", are revealing themselves year on year as contrary to any rational concept of the common or general good. Thanks to this, we are perpetually on the brink of conflict, living as discriminated citizens exposed to corruption, autocracy and the ideological manipulation of the chosen/elected protectors of national interests. I see no reason why we should "reward" political options that take no account of the general good by according the status of the "real state of affairs" whence every possible solution is to be conceived. Nor should one forget, finally, that "no one can be free except in a society of free people. Concern for individual freedom leads directly to concern for the state of society as a whole" (RAZ, 2005: 140)., but ethnopolitical Bosnia and Herzegovina may be a state of free members of the avant-garde of the peoples, but in no way, as we have seen, a society of free people, and consequently nor is it a country of equal peoples.

Let us now return to the fears adumbrated at the start of this section. We may legitimately raise the question whether in a political community that focuses on the right of peoples to self-determination, peoples that have been territorialized by war and post-war discriminatory practices – however accurately the mechanisms of reciprocal protection have been weighed – we are also achieving equality for its citizens, or rather whether we are simultaneously facilitating the right of the citizen to self-definition. And conversely, would shifting the focus onto the right of the citizen to self-definition, onto the ethical equality of each and every citizen of Bosnia and Herzegovina regardless of their group loyalty, simultaneously enable us to arrive at the concept of the "equality of peoples", or "ethnic equality?"

It is very hard to give an unambiguous answer. But one thing is abundantly clear – at least the half century of experience of living in a modern political community in Bosnia and Herzegovina governed by the principle of "ethnic equality" leads us to such a conclusion – *in Bosnia and Herzegovina as a community of "equal peoples" who have occupied territory, citizens are unequal, discriminated against and severely restricted as to the scope of their*

individual freedoms and rights. As such, in its modern under-standing, Bosnia and Herzegovina is a state of (un)equal peoples and unfree citizens. If "one man one vote" is an unserviceable ideological concept concocted to achieve one nation's domination over others, what then is an acceptable and democratic, legitimate principle (probably we shall attempt to cut Bosnia's "Gordian knot" in a democratic atmosphere, or perhaps not)? Perhaps the current principle whereby one vote is worth a million of "ours", or *three votes, three million constituent votes*? I do believe that *the problem lies not in the idea of "one man one vote" but in the absence of the will or imagination to go beyond the ethnopolitical concept that distorts this principle, transmogrifying it into its very opposite*. In principle, the axiomatic value of such utterances as "I don't want myself, as a Bosniac, to be represented by a Croat or a Serb in line with the 'one man one vote' idea, or vice versa;" "I don't want a black man to represent me, a white", "I don't want a Jew to re-present me, a German", or "I don't want a woman to represent me, a man" is identical.

Liberal democracy can cope with a discussion on a degree of repre-sentativity quotas – ethnic, minority, gender, disability and so forth – provided that under no circumstances does such an approach become the dominant one, ultimately reducing the articulation of political interests and the democratic decision-making process, or reduce the arena of public debate by setting as its limits such arbitrary "conversation-stoppers" as "the protection of vital national interests;" and provided in particular that it does not insist on the territorialization of that principle. Therein, ultimately, lies the essence of the paradox adumbrated above. Instead of endea-vouring to base our political system on the protection of the fundamental values from which collective rights also derive – ethical equality, the respect of individual freedoms – we stubbornly persist in looking for mechanisms for a constitutional foundation in derivative, particular, and often highly arbitrary values such as ethnic equality, as a result of which the fundamental values of a democratic political system are reduced to the particular – to ethnic values. In other words, to paraphrase Ronald Dworkin, religious or any other collective affiliation must be woven into democracy, and

not the other way about, as it is in Bosnia and Herzegovina today, where the fabric of democracy is woven through with the resistant threads of ethno-religious groupism.

To explain further why I believe that the right of citizens to self-definition should take precedence over the right of peoples to self-determination, I must go back to the beginning of this section, where I expressed my own fear that as a Bosniac who prefers the "one man one vote" option I might be automatically classified as a "Bosniac unitarist" using empty western rhetoric in fact to sub-ordinate other ethnic groups. Although even this fear is not a valid argument, all the same I shall try to meet it halfway by "abolishing my 'Bosniac-hood' (whatever that ought to be)" and make use for further argument, which I shall merely reinforce from my "Bosniac side", of the views of a Ukrainian Bosnian (I hope Aleksandar Hemon will forgive me for labelling him ethnically, but I think it is high time for this kind of self-identification to be reduced to absurdity) who is now a naturalized American. Hemon writes:

> "It should be obvious that any political structure in which the most important and least possible political unit is the 'nation' is essentially antidemocratic. Political parties and institutions that base their legitimacy on representing the 'nation' necessarily and inescapably neglect and undermine the interests and needs of the individual, whether he or she is classed as 'other' or to belongs a 'nation', whose interests have nothing to do with national interests and are thus not represented in the said institutions and parties. In the case of Bosnia and Herzegovina, any debate about changes to Dayton which does not aspire to a political structure based on the principle of 'one citizen one vote' is a waste of time... as long as collective interests outweigh individual interests, as long as peoples, not individuals, are constituent, no one is going to address individual destinies, human lives needing jobs, education, trans-port, the theatre, bread, coffee, healthcare, individual dignity, the arrest of the huge range of criminals, and so on – in short, that which every state that dares to call itself democratic would have to offer its citizens" (HEMON, 2006: 55).

Many would agree with the diagnosis of the current problem of Bosnia and Herzegovina's constitutional polity, but would be quick

to add that, sadly, the *political reality* of our country dictates entirely different solutions. Hemon has this to say on this point:

> "The phrase 'political reality' is usually used as an excuse by those who 'represent the constituent peoples' at the expense of their individual members. The pompous phrase 'political reality' implies that what is happening in Bosnia is some kind of natural disaster. We have come to this 'reality' somehow or other, and now we have to deal with it, with political structures operating like the Red Cross – not there to change what cannot be changed, but to help the survivors and tidy up the mess. But in reality – individual, human reality – we are actually faced with the fact that those who have constructed this disastrous 'reality' now claim nothing can be changed or, if it can, they will do it, all in good time, bit by bit, but not in full... Hence the general politial inertia of Bosnia and Herzegovina's citizens: politics quite simply operates at an entirely different level of reality, which appears remote and meaningless to ordinary men and women" (HEMON, 2006: 55).

If, however, despite everything, by the very fact of my name, I am to be labelled with "Bosniac unitarism", then I shall propose the "most ethnic (most Bosniac)" view I can. In his editorial of 3 November 2005, Senad Avdić (*Slobodna Bosna*) ends by saying: "And what was the aim of the Greater Serbian and Greater Croatian aggression against Bosnia and Herzegovina: confrontation, followed by the separation of the peoples!" What, then, should be the "strategic aim", the "vital national interest" of Bosniac politics: *to transcend the conflict and to intermingle the peoples*! Naturally, Bosniac ethnopoliticians are striving with might and main, though rather belatedly, to do their bit for confrontation and separation whereby, like Zovko, they are contributing to the denial of their constitutional national rights.

To return, against this background, to the question I raised earlier – is it possible, in a political community that focuses on the right of peoples to self-determination, also to achieve equality for its citizens; and *vice versa*, would shifting the emphasis onto the right of the citizen to self-definition, onto the ethical equality of each and every citizen of Bosnia and Herzegovina regardless of their group loyalties also mean we were able to arrive at a concept of the

"equality of peoples", or "ethnic equality?" – our conclusion would surely be that in a political community where the concept of the "equality of peoples" (ethnic equality) prevails, and in particular if it has been "territorialized", it is impossible to achieve equality for its citizens. Nor is that all for, as we have seen, declaring a state of ethnic discrimination to be a "natural state of affairs" has created the dangerous depoliticization of the citizens of Bosnia and Herzegovina. A situation arrived at by the hyperpolitization of the ethnic principle has now become, not just one of a range of political situations, but no less than the "natural state of affairs", a fatalistic construct for which the rhetoric of liberal democracy can only be hollow, "unreal", a mere "theory". Worse still, "nature" is indifferent to intelligence, so every attempt at a critical analysis of this "natural state of affairs" is interpreted either, with benign intent, as naïve and utopian or, with malign intent, as unitarist. In this regard, the prevailing ethnopolitical order has exposed itself in its full dehumanization and inhumanity, as only "nature" knows how to be. We are still expecting this inhumane, unpolitical order to be "rewarded" with political recognition in the form of constitutional provisions that would "take into account the political – natural – realities" on the ground. That is why we now talk about "nationalism with a human face",[30] just as uselessly as we talked about "socialism with a human face" twenty years ago, as if we did not know that there can be no such thing as socialism or nationalism with a human face. They are both totalitarian, collectivist, dehumanizing orders for which the citizen, who has first been emptied of any content, becomes a mere shell suitable for every kind of ideological manipulation. And why is this? Probably because every appeal to rights – whether individual or collective (class rights, national rights) – without reference to ethical responsibility in exercising them is to condemn those same rights to being subject to manipulation. This brings us up against a strange paradox: those who criticize the liberal democratic position because it is based on a so-called notion of the individual as abstract, detached from the social context,

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[30] One of the creators of the reinterpretation of nationalism with a human face is the former High Representative Paddy Ashdown, who tried for a long time to see nationalists as reformists.

cannot see that it is precisely such an "abstract" individual that is the end product of collectivist ideologies.

But would changes to the constitutional and legal framework focusing on ethical equality also imply ethnic equality? One can make a guess. Pejanović proposes one reasonable option. Appealing to the original dual system on which he insists in the light of constitutional reforms and the process of integration into the family of free European nations that lies ahead of us, as Pejanović suggests, means returning once again to the state continuity of Bosnia with its twin-track organization, but not, this time, favouring one track over the other, as Pejanović proposes. What we need, as Professor Pejanović insists, is to decide *rationally* what the vital national interest of the peoples of Bosnia and Herzegovina really is, to protect constitutionally, and thereby to limit it, thereby liberating a huge area of the political from the ethnic basis of political organization, freeing it up for free citizens and enabling them to organize politically as interest groups.[31] Of particular importance, in this regard, is to highlight the baneful effects of territorializing the ethnic principle, which is the cause of all instability and

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[31] Meanwhile, the draft amendments to the Constitution of Bosnia and Herzegovina proposed on 25 March 2006 tried to some extent to achieve this. True, this does not mean that the job of reaching a precise definition of these collective rights is complete. There is still much analysis to be done, to see if, for example, the proposed collective rights are in line with the catalogue of human rights and freedoms set out in Article II.3 of the Constitution of Bosnia and Herzegovina. It takes only a cursory glance to see that the right of veto over the protection of the vital national interest is envisaged as a right of *territorial* organization. I fear that recognizing and according general relevance to the right to the territorial organization of Bosnia and Herzegovina's constituent peoples could readily be used to justify the existing ethnically homogeneous political and territorial administrative units as well as to create new ones. As I see it, it would be sufficient for the fundamental collectivist right of all three constituent peoples to be represented in the legislature, executive and judiciary, and to have equal rights in the decision-making process, which would not be problematic. But when it is reinforced by the territorial right, when it is "territorialized" or "grounded", that is when the problems begin: discriminatory and segregative practices in regard to both individual rights and the collective rights of "others".

undemocratic practices. In this way, those who oppose the civic order and rule of law will have no valid basis for their objections, for how could they draw conclusions about something that has never existed in Bosnia – and there has never been true freedom in Bosnia. Pejanović is thus in line with attempts to achieve equilibrium between these two strands of Bosnia and Herzegovina's society, reflected on the one hand in limiting the arbitrariness of what had been regarded as the "vital national interest" and, on the other, in strengthening the position of the citizen. It should be noted that a rational definition of what the vital national interest is could still represent an important premise for overcoming the dominance of the ethnic principle in the sphere of political organization. In other words, only a rational definition of the principle of protecting vital national interests could represent an important prerequisite for the future rational organization of the state, which by delegitimizes the irrational "naturalness" of ethnopolitics by the very fact of being rational, and thereby eliminates it entirely.

This is why I believe that the key to achieving a just balance in the dual definition of Bosnia and Herzegovina as a community of equal peoples and citizens is not *ethnic*, but *ethical*, or civic. "The challenge for a multicultural democracy is not to be culture blind but to be fair to all individuals, whatever their cultural inheritance, fairness in turn, favors democratic support of cultural practices that are compatible with repect for individuals while rejecting those practices that are not" (GUTMANN, 2003: 57). On the other hand, to be fair towards groups while neglecting the individual means paving the way to repression and oppression, which is why only a civic society is truly plural and able to facilitate the development of cultural pluralism by celebrating its wealth of differences. An ethnically divided, consociational society, though it may seem so at first glance, is not, since it is based on the dictate of faceless sameness. This is why "the most straightforward way of defending cultural survival of this sort is to defend human rights" (GUTMANN, 2003: 77), and not solely collective rights. A twin-track Bosnia and Herzegovina will thus, in my opinion, come into its own only if we subordinate ethnic equality to the ethical equality of each and everyone in Bosnia and Herzegovina. "Basic human rights are

instruments to protect and respect individuals as creative subjects or agents. Democratic states, therefore should give priority to basic rights over the claims of cultural groups that are incompatible with those rights, whether the group be called a nation, a culture, or the state itself" (GUTMANN, 2003: 79)

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Slobodan Jovanović, one of the ideologists of Greater Serbia, has said: "there are cases [where] the salvation of our homeland is conditional on the loss of our soul... The choice between immoral patriotism and non-party morality always remains a difficult and painful one" (IDRIZOVIĆ, 2006: 25). It seems to me that, after fifteen years of ethnonationalist rule, persecution, genocide, destruction, discrimination and segregation, in the case of Bosnia and Herzegovina the reverse is true: the salvation of the "homeland" of Bosnia and Herzegovina is now, more than ever, conditional on the "preservation of its soul". Instead of *immoral patriotism*, which is exploited, by inciting violence and maintaining ethno-homogenization processes, to complete ethno-territorialization as the key prerequisite to the creation of a nation-state in Bosnia and Herzegovina, we should opt for *non-party morality*. We have seen that the ethnopolitical quasi-states in Bosnia and Herzegovina are fundamentally immoral. For this very reason I agree with the claims of those who advocate consociation, who believe that the outdated 19th century European mechanisms of creating nation-states cannot be applied in Bosnia and Herzegovina. But I also believe that it is equally outdated to believe that the civic is invariably mononational. Only this option can save our soul. The queasiness and pain caused by this choice will be felt, it seems to me, only by the ethnopolitical entrepreneurs who live by and profit from immoral patriotism. It would appear that the solution to the problem of Bosnia and Herzegovina has always entailed the moral political option, not the immoral patriotic one – in 1943, and today.

ANNEX 8:
Bosnia and Herzegovina between Centrifugal Nationalisms and Centripetal Citizenship

It would seem that there is no prospect of a rival to the rule of collective rights in the society of Bosnia and Herzegovina. On the whole, I regard what is currently being presented as an acrimonious debate between some refined collectivist models and an unrefined "civic" model as futile, for the simple reason that both options are what one might call "discourses of essences", a kind of transubstantiality for one's position. In the case of local ethnopolitics, things are pretty clear – they always end up in transubstantiality and, paradoxically, in a kind of ahistoricity, given that, like every ideology, they talk about essences. The civic option, so-called, is criticized above all for cultural reasons – the society of Bosnia and Herzegovina, it is said, has no tradition of liberal democracy (as it has of ethno-entity organization, and a long and rich tradition at that); it has none of the elementary premises in its cultural diversity for a consensus on shared goals; and also for ideological reasons, speculating whether this might not be yet another attempt to impose a supra-identity, a new kind of Yugoslavness the ultimate aim of which is to fritter away our cultural differences, which in the final analysis is a new kind of political repression by means of which the majority nation in Bosnia and Herzegovina (there is actually no such thing, though the epithet is often attributed to the Bosniacs) intends to legalize its political dominance. The concept of civil citizenship, which is disqualified as dangerous on the one hand and utopian on the other, is opposed by the concept of the cultural or

collective citizenship of its constituent peoples. This notion is not based on the quest for shared goals that everyone can subscribe to; and some would say that a political community like that of Bosnia and Herzegovina cannot find such goals anyway. It is this kind of society, or concept of citizenship, that I define as an ethnopolis: *a community characterized by giving political precedence to ethnic groupness over the individual, which in practice consists of a process of democratic self-legislation, a community characterized by giving political precedence to the ethnic group right to self-determination over the right of the citizen to self-definition where the citizen's membership of the political community is predetermined by his or her membership of an ethnic community. The political narrative and practice that justifies this ethnically-based social construct is known as ethnopolitics.* I shall assert that this is a false opposition, first because these are merely two communitarian aspects of citizenship almost wholly ignoring other forms of citizenship such as the social or the economic, which are, in my view, fundamentally a political form of citizenship that is often lumped together with civil citizenship. Political citizenship, or "nationality" pertains to the widest range of "political rights and duties in relation to the political system, and demands that the political system of the society or community be recognized and the essence of democratic values and views be understood, together with the importance of political tolerance and an advanced level of participative skills such as cooperation, communication, critical thought, conflict resolution and so on" (DOBOZI, 2003: 28).

In my judgment, any kind of transubstantiality or Bosnian transculturality is unnecessary for the constitution of Bosnia and Herzegovina's, or indeed any political community – what would "British transculturality" look like, at the end of the day? I take the liberty of concluding that in each of these cases, what is happening is the reformulation of deeply collectivist, all-embracing doctrines within which there is no place for the political relevance of the individual except as the biological carrier or reproducer of some substantiality or another – ethnic, or civic-ethnic. I thus believe that the ethnic-civic dichotomy is an artificial and unproductive one, since it comes down ultimately to choosing the version of collectivity

that has condemned Bosnia and Herzegovina to be *a priori* structured against individuality, which it is prepared to regard as a disintegrative threat.

Since the republic, civic model of society has been largely rejected as "unrealistic" in the case of Bosnia and Herzegovina, it would seem that some kind of recognition of the ethnically-bounded reality of our political community is our inescapable destiny. Would not the most we could hope for, then, be that working to preserve such a community, in which everyone is unhappy, would be a kind of "civilized nationalism" (Lovrenović): "If peace and an integral state are the two fundamental conditions for the possibility of ever achieving social harmony here, it should be pretty clear that the way does not lead through any kind of utopian or – let it not be said! – revolutionary version of the 'melting pot' but rather through an evolutive process of civilizing ethnonationalisms, with all the hesitancies and uncertainties that this entails" (LOVRENOVIĆ, 2006).

I still think, though, that ethnonationalism in Bosnia and Herzegovina has nowhere to go as it evolves but towards the further dissolution of the country, thereby eliminating the two fundamental conditions of peace and an integral state, which would end by exacerbating the general misery. As a primarily exclusive project, ethnonationalism is a kind of "perpetual return to the same", a constant variation on the same theme of "national survival – biological, of course" on grounds that draw their political legitimacy with the help of tried and tested, formulaic homogenization and discriminatory practices of constant low-intensity conflicts and a state of emergency. In fact, in this reality we refer to, and from which we now aim to embark on the democratic reconstruction of Bosnia and Herzegovina's political community, it reveals itself as criminal in its wartime manifestation and discriminatory in its peacetime form. I have said on several occasions, and believe I will successfully demonstrate, that there can be no such thing as "ethnonationalism with a human face". An authoritarian ideology has no human face – the experiment with socialism with a human face also failed here – and it is instructive to wonder why one should expect the experiment to work with ethnonationalism.

I believe that ethnonationalism in Bosnia and Herzegovina has evolved almost as far as it can, following the rules of the game that it has laid down, and that the only change we can expect in the future in such a political context is for the ethnonationalist oligarchies to hold power in relays, with variations on the same theme of ethnopolitical mobilization that we were able to see all too plainly in the last elections. The end of the evolutive sequence for ethnonationalism can only be for *ethnic groups to mature into nations*, forming their own nation-states on their own national territory, which renders the legal framework of Bosnia and Herzegovina as a state irrelevant. In other words I believe that ethnonationalism cannot be civilized, since it survives by generating crises, by means of constant, repeated crystallization, the repetition of those symbolic elements for the purpose of performing nationality in which the negation of other nationalities is taken for granted, with its discourse of "survival" and "existential vulnerability". Every attempt at "civilizing" it fails, as did the recent attempt to adopt constitutional amendments, because it creates a vacuum in the bitter rhetoric that proves so irresistible to this inexhaustible reservoir of opponents – pretenders to the privileged position of the leading ethnopolitical elite that acquires the power to manage the articulation of what the "vital interests" of its own ethnic group are.

Despite the musical chairs being played by the ethnopolitical oligarchies, however, somehow I would prefer to believe that the ethnic group is the smallest unit of realism from which we should be starting when considering how to rearrange the political framework of Bosnia and Herzegovina. The conclusion one might draw from this is as follows: "the first condition for the creation of a viable democratic state is the free territorial political organization of the three main national communities. Bosnia and Herzegovina is not viable as a non-ethnic or "administrative territorial" federation of the US or German type, nor will its ethnic communities be satisfied with some kind of 'unemotional regionalism' as is typical of western nation-states. The ethnic communities are now for the most part concentrated geographically, and it is no longer hard to draw territorial boundaries between them. The deliberate creation of artificial administrative boundaries between the cantons and

giving administrative names to the federal cantons merely hides the fact that what we are dealing with is ethnic territorial-cum-political self-governance. This could also be seen as a covert strategy by means of which the plans for the territorial political restructuring of the Federation, and of the state as a whole, are being deliberately stalled until such time as the national composition of certain areas has changed" (KASAPOVIĆ, 2005: 197-8). Ms Kasapović is clearly basing her views on the essentialist concept that Rogers Brubaker calls "groupism", the "tendency to treat ethnic groups, nations, and even races as things-in-the-world, as real substantial entities with their own cultures, identities, and interests" (BRUBAKER, 2004: 78).

Hence my premise that, if we really want to achieve the democratic reconstruction of Bosnia and Herzegovina's political community as soon as possible, we must grasp the fact that any discourse on ethnic groups as substantials, as things-in-the-world that by their very presence necessary impose just one description of the state of affairs, with all others merely utopian and unrealistic, pointless even; and what is more, that their classification and description make the plausible democratic transformation of our society much more difficult, but certainly not impossible. I can only speculate as to what Ms Kasapović hopes to achieve by her essentialist discourse of compartmentalized ethnic substantials.

This brings us closer to what I call the central dogma of nationalism in Bosnia and Herzegovina: ethnicity is understood ontologically, not epistemologically, which could be analogous to the liberalist dogma of the citizen. The epistemological or cognitive perspective means seeing ethnicity or nation, "not as substantial entities but as collective cultural representations, as widely shared ways of seeing, thinking, parsing social experience, and interpreting the social world.... Race, ethnicity, and nationality exist only in and through our perceptions, interpretations, representations, and identifications. They are not things *in* the world, but perspectives *on* the world – not ontological but epistemological realities" (BRUBAKER, 2004: 79). A social-constructivist analysis will show that ethnic affiliation is of a *performative* nature; that it entails a whole range of actions designed to confirm ethnic affiliation – a group of cultural

activities recognized in the symbolic world as the constituent elements of the identity of that particular collective. The essence of ethnopolitical action is thus recognized as the practice of naturalizing ethnic collective practices, the outcome of which is to reshape what is constructed socially in the biological, natural and unalterable, thus making it the "indisputable" realistic platform from which we need to proceed in any further deliberations on the reconstruction of Bosnia and Herzegovina's political community.

The cognitive perspective teaches us that there is no core Bosniacdom, Croatdom or Serbdom to be achieved or to which one should approach more nearly, but merely a projection of an ideal type, composed of procedures – essentialist symbols that need to be performed, and which are read in the formula proposed by the media, the high-profile "macho figures" of a certain community, those who died for the freedom of our community, the bones of ancestors admonishing us. It turns out that ethnicity is yet another kind of social structuring or socially organized set of practices shaping relations between people, but not kinds of people. I have already noted that a nation is, and cannot be, a natural kind, but a profound social practice displaying classic power structures within which, as Brass writes, "ethnic groups 'are creations of elites, who draw upon, distort, and sometimes fabricate materials from the cultures of the groups they wish to represent in order to protect their well-being or existence or to gain political and economic advantage for their groups as well as for themselves'." (BRASS in CALHOUN, 1993: 229). As a result, where a certain constituent nation dominates, the mere ethnic affiliation of that nation is not per se what ensures the status and power of the citizen. It is plain to see that the majority of members of this "privileged" nation are still living in unprecedented poverty, marginalized as never before. This is how the myth of the reality of ethnicity was conceived – ethnicity as the smallest building-block of Bosnia and Herzegovina's society as compartmentalized, equal units. A cognitive analysis demonstrates that there is not one single Bosniac, Serb or Croat ethnicity, but rather an entire plurality of often conflicting concepts kept subordinate by a single comprehensive concept that I call hegemonic

ethnicity. It is a pure discourse of the ruling elite, selecting the key identity and ethnic differences and usingn them to produce the desired context of ethnicity. It locates ethnicity in opposition to others, by setting up in advance the context of the characteristics of the group, based on the assumption that group categories have a set of inherent meanings. The concept of hegemonic ethnicity in Bosnia and Herzegovina comes down to domination by the ethnopolitical elite through a range of discriminatory practices directed not only against the members of other ethnicities but also against those who affiliate themselves with subordinate or alternative concepts within that same ethnicity to which the elite belongs. It thus becomes clear that *ethnicity is linked with the practice and rhetoric of domination, which is based on the devaluation of individuality* and a strategy of depersonalization. The strategy of depersonalization is rooted in the presentation of political conflicts in our society as "us and them" conflicts, as a fight against political enemy, who are the members of other ethnic groups, and a clash between the "honest" and the "dishonest" within the same group, so as to prevent alternative views. In this regard, the entire Dayton legal and political framework is on the side of the ethnopolitical entrepreneurs and their unimpeded rule, without the slightest competition – a framework within which the citizen can feature only as a member of an ethnic group, only as a depersonalized member of a political group. It is an ethnopolitical practice of reducing fellow citizens to faceless Others, who can easily be manipulated and discriminated against or even become the victims of acts of violence.

We see, as Calhoun concludes, that "'nation' is at best a rhetorical mode of makinng political claims, and at worst a way for certain elites to manipulate mass sentiments in pursuit of power" (CALHOUN, 1993: 214). Yet we are inclined to accord this dislocated collectivist concept a privileged status of reality at the expense of the individual, for whom the best we can do is the melancholy remark that his time has yet to come. Further analysis will show not only that one cannot speak of ethnicity as a thing-in-the-world, but that one cannot even say whether the designated aim of the transition from ethnic group to nation will ever be achieved, at least in the foreseeable future. It is certainly a question of territory. The

concept of ethnic territorialization is most easily seen in the treatment of the problem of "maps". One will recall that the main stumbling block during the various peace negotiations about the restructuring of Bosnia and Herzegovina was the question of the "maps". Thanks to the cameras, we witnessed a horrific anatomy class when the ethnopolitical leaders of Yugoslavia, meeting in Geneva, dissected the territory of Bosnia and Herzegovina, poring over detailed maps of this unhappy country. Maps are a major source of frustration for ethnopoliticians, since they are an important ingredient in the nationalist collective imaginings of group compartmentalization. Modern political maps first appeared in the late 18th century, and the context in which they did so corroborates Brubaker's thesis of the ethnic as a world view:

> These bounded imaginings were given graphic and synoptic expression in the proliferation of maps... [that] began to register the whole world as a set of bounded territories, different colors for different empires or autonomous countries. They became the visual representation of a world organized into a system of states. They also offered maps of individual countries as 'logos', the image of their territorial shape giving a definite form to the imagined community (Calhoun, 1993: 234-35).

It is clear that the formation of states in Yugoslavia in the late 1980s in the founding procedures of the new-old political elites for the purpose of the invocatory production of national organisms was based to a great extent on so-called ethnic continuity as the nucleus of the nation being born. The national emancipation projects were based on the one hand on reading specific cultural and political practices into the biological fabric, and on the other on a kind of land registration. To the dismay of national leaders, the consistent application of the ethnic principle designed to shape the new national body, as if in a mirror, produced only modest results. The maps that they suddenly saw in the ethnic mirror fell far short of providing anything definite or specific, any clear compartmentalization in the various colors used to designate the different groups or any sensory, visual, tangible representation of their imagined national community based on ethnic distinctiveness as a separate organism with its own meaningful form. The ethnic mirror

revealed the map of this entire region to be an unacceptably stained patchwork, a leopard's skin, making any spatial or territorial distinctiveness and recognizability impossible. Alas! – the mirror revealed, for instance, that the second-largest Serbian city was in fact Sarajevo, outside the motherland of Serbia, and that the most homogeneous Bosniac area was about a hundred kilometers outside Bosnia and Herzegovina, in Novi Pazar, while the densest area of Croathood was in western Herzegovina. There was a fairly dense Serb territory lying in part within the borders of Croatia, while Serbia as a homogeneous nation was confined to one small area known as inner Serbia.

Another of the founding substantials of national groupness is language. Without wishing to embark on any profound linguistic reflections, I should like here to set out a few facts. If one admits that "shared language is a condition (or at least a facilitator) of claimed national community regardless of whether it is ancient or distinctive" (CALHOUN, 1993: 226), one will understand why the indeterminacy of linguistic references are a particular source of frustration for local centrifugal nationalisms in Bosnia and Herzegovina, and also to a large extent in Serbia and Croatia. If one accepts Anderson's claim that "language [is]... the essential cultural condition of nationhood" (CALHOUN, 1993: 233) it is not hard to understand that it was a powerful motive force during the anti-colonial struggle in the southern Slav lands, reviving the vernacular as against the imperial as articulated in Latin, Turkish, Hungary and, of course, German. But the standardization of the vernacular – from the earliest attempts by Vuk Karadžić and the Illyrian movement (the Croatian national revival) to the much-vaunted Novi Sad agreement – soon engendered a sense of frustration, a fraught atmosphere. Our languages found themselves in what one might metaphorically call the 'ZAVNOBiH paradox': they became at one and the same time Serbian and Croatian and Bosnian and yet neither Serbian nor Croatian nor Bosnian; in other word, the vernacular utterances of the different national communities in this part of the world, which were on their way to final national emancipation in the mutual interaction of their members, were unable to contain and clearly compartmentalize their national

identity; on the contrary, this same vernacular meant that they were able to go on understanding each other without difficulty. This vital component of national self-containment rapidly became one of the missing links that created a particular type of national frustration – the frustration of the unbearable propinquity of the other. Because of the shared horizon of understanding of the various imaginary groups, the other groups that need to be boxed off from this group of ours on the road to our own statehood – as is already the case with the Hungarians, Bulgarians, Slovenes, Albanians, Romanians and Macedonians – could not so plainly seem to one another to be different, to be clearly compartmentalized. It is really frustrating when one's own language, as the key building-block, the vernacular expression that should sum up the experience of the group as compartmentalized off from the imperial culture, is also the language of another – of the very neighbor from whom the young nation also wants to differentiate itself. Thanks to this never-to-be-completed compartmentalization, the Other is now able at all times, and without hindrance, to "peer through the keyhole" into the privacy of the space regarded as "our" preserve. The other cannot appear to be other to me because of his language. While, as Anderson observes, "print-capitalism gave a new fixity to language"... "standardized usage of certain administratively sanctioned languages" (CALHOUN, 1993: 233), in Serbia, Bosnia and Herzegovina and Croatia the language of the media merely reminds us that full compartmentalization is impossible – like it or not, the three countries' overlapping radio and television networks and the books, periodicals and daily newspapers in circulation continue to be understood by all; and understanding, whatever one might think about it, invariably means – to put it in Gadamerian terms –a fusion of the horizons of meaning, not their compartmentalization. Lacking this vital vernacular component of being able to separate out what is for the other a sensorily different language, it is extremely difficult to institute the nation as an imagined community.

The initial dilemma now appears in a different light – what kind of ethnic reality can we reckon on when considering the reconstruction of Bosnia and Herzegovina? Accepting the present constellation of power relations, which is mainly based on an equilibrium between

the ethnic elites, as the basis for our future polity is, at best, irresponsible and undemocratic. The historical experience of Bosnia and Herzegovina clearly demonstrates that giving precedence to collectivism invariably entails misfortune and loss of liberties, which makes it my civic duty to raise the question why, when considering alternative forms of organization of Bosnia and Herzegovina's political community, are we agreeing to quit the arena of democracy. Why did we choose, in 1945 and 1990, to rebuild society by stifling individual rights and freedoms? How is the civic reconstruction of our society going? Regrettably, as I have already suggested, when we talk about the civic option we usually refer to so-called civil citizenship, to "a way of life in which citizens define and aspire to shared goals pertaining to the democracy concept of society. It is dedicated to the values of liberal democracy, including belief in the rule of law, freedom of speech, religion and association, and access to information" (DOBOZI, 2003: 28). So then we should inquire how things stand with regard to political citizenship, or nationality. To answer that question, we need to consider the following problem: how to make an ethnic collective, or any other collective for that matter, politically irrelevant; how to dismantle ethnopolitics, or any other politics with authoritarian aspirations that betrays itself as a discourse of substantiality. In my view, this issue is intimately linked with another: what kind of institutions and political practice "can help democracy survive in countries split by deep cleavages of race, religion, language, or ethnicity" (REILLY, 2002: 156)? For sixteen years, Bosnia and Herzegovina's ethnopolitics have been making it abundantly plain to us that the ethnopolitical entrepreneurs in this ethnically divided society of ours "have strong incentives to 'play the ethnic card' at election time, using communal appeals to mobilize voters. 'Outbidding' – increasingly extreme rhetoric and demands – can offer rewards greater than those of moderation.... Any strategy for building sustainable democracy in divided societies must place a premium on avoiding this depressingly familiar pattern and must instead find ways to promote interethnic accommodation, multiethnic political parties, and moderate, centrist politics" (REILLY, 2002:156). To reduce the debate on the accommodation of ethnic differences to the level of principles and value choices, one could say

that the proposed model of consociation implies that the process of accommodation must proceed by developing power-sharing mechanisms between the ethnic elites. My essential objection to this intention is above all of a philosophical nature: it is hard to imagine preserving democracy by democratically questionable mechanisms such as power-sharing between the elites of ethnic groups. Secondly, it is impossible in my view to accommodate ethnic differences by deepening them or even generating them, since at least in the case of Bosnia and Herzegovina the elites of the country's constituent peoples are sustained by producing and emphasizing difference, and thus by conflict generation. If I can accept the objection of those who suggest that the solution lies in trying to find mechanisms for cooperation between the ethnopolitical elites, implying that suppressing differences is hegemonistic and conflictive, so should they accept that the exacerbation and generation of differences breeds conflict, and secondly, as socio-constructivist analysis has demonstrated, it is in fact the imposition of hegemonistic difference. Consequently, if we want to avoid the unitarization of the state on the one hand and an all-out Hobbesian jungle war for territory on the other, we need to expend our intellectual energies elsewhere: for instance, in finding mechanisms of accommodation between opposing ethnopolitical elite and their groups that would avoid essentializing difference by homogenization and acrimonious opposition ever teetering on the brink of conflict. Ethnic diversity should be preserved, but its political relevance should be diminished, depriving it of any reason to be a source of hegemonic political authority. We need to think up a way of consolidating democracy solely by democratic means, while accommodating ethnic differences in free interaction, encounter and communication. One of the ways to achieve this would be to restore the relevance of the citizen in the political arena. I agree profoundly with Ivo Marković, who said recently in an interview in *Feral Tribune* that "what we need here are people who will begin to construct a healthy society and democracy on the basis of respect for human rights" (MARKOVIĆ, 2006). Such people could come to the forefront only through changes to the constitution, clearly defining and restricting the scope of "collective rights" and thus paving the way for the articulation and

relevance of civic initiatives. In a country where literally everything can be contested as a matter of so-called vital national interest, any non-ethnic perspective is rendered meaningless. The mythology of vital national interests, the ethnic essentialism that generates conflict because it is taken for granted and construed solely in opposition to the other two ethnic essentialisms (negative identity), has removed the citizen from the scene altogether. The absence of mechanisms for the protection of fundamental human rights and freedoms at the state level, which are subordinate to ethnically construed institutions which are therefore a priori hostile to individual rights and freedoms, merely makes the entire situation worse. In addition to constitutional and legal engineering, another means of democratic consolidation should also be election engineering, "making politicians reciprocally dependent on the votes of members of groups other than their own" (HOROWITZ in REILLY, 2001: 22) which would in turn compel the parties, particularly in pre-election mode, to "find ways before the election to communicate their ethnically and racially conciliatory intentions to the voters" (HOROWITZ in REILLY, 2001: 22). The history of elections in Bosnia and Herzegovina from 1996 to 2006 reveals quite clearly that political parties have a far better chance of victory if they address only the members of "their" ethnic group, using ethnically inflammatory and conflictual communication that still further homogenizes the group and exacerbates its opposition to others. As against the centrifugal, consociational approach that maintains that "some form of proportional representation is all but essential for divided societies, as this enables all politically significant ethnic groups, including minorities, to 'define themselves' into ethnically based parties" (REILLY, 2001: 21), a kind of centripetal approach needs to be thought up, in which "the best way to mitigate the destructive effects of ethnicity in divided societies is not to simply replicate existing ethnic divisions in the legislature, but rather to utilize electoral systems which encourage cooperation and accommodation between rival groups, and therefore work to break down the salience of ethnicity rather than foster its representation in parliament" (REILLY, 2001: 21). In no way does this approach propose some new transubstantiality. What is more, it is obvious, as

many series studies demonstrate, that "electoral systems can play a powerful role in promoting both democracy and successful conflict management" (REILLY, 2002: 156). I am convinced that the true solution lies not in surrendering our lives to the caprice of the ethnopolitical elite and our concern whether or not agreement will be reached on the allocation of ministerial portfolios, which is what the all-too-meagre political life of our society largely comes down to, and rewarding them even further by compartmentalizing ethnic territory so that their already authoritarian powers can become absolute, but rather in the search for a legal, political and philosophical arrangement that would provide incentives for cooperation between opposing groups within the divided society, an arrangement that will tirelessly seek ways of transcending artificial ethnic boundaries without aiming for a melting-pot solution, a pathetic patriotic framework to be imposed as a means of giving citizens political credentials, or some kind of supracorrective.

As for various electoral models, it can be said that a desirable preferential voting system will be no guarantee for such success, since it is based on the assumed "presence of a core group of *moderates*, both among the political leadership and in the electorate at large" (REILLY, 2002: 167). Can we say that there is such a core group in Bosnia and Herzegovina? I believe there is. Most of the time, indeed right up until the start of election campaigns, the "ethnic question" does not dominate the lives of ordinary people. Since the war, elections have come to serve as the trigger for ethnic mobilization: the rhetoric becomes more bitter, and the current electoral system richly rewards those politicians who use such rhetoric while compelling moderate politicians to take a tougher stance in the hope of garnering as many votes as they can. During the election campaigns, politicians' use of the fire-breathing rhetoric of ethnic homogenization and their renouncing moderate views is evidence that the politicians of Bosnia and Herzegovina's key political parties are in fact highly "rational actors who will do what needs to be done to gain election" (REILLY, 2002: 167). What if we so arranged matters that all that was required to gain election was inter-ethnic accommodation and cooperation? Even if at first voters

were not inclined to give their vote to candidates from other ethnic groups, as happened in the Northern Ireland elections in 1998, a preferential voting system could strengthen the position of moderate parties and politicians within the various ethnic groups. There is a real analogy with the 1998 elections in Northern Ireland, when for the first time the dividing line between political parties was not ethnic divisions but whether one accepted the Good Friday agreement or not. With a little more preparation, and better timing, a trans-ethnic dividing line could also have taken place in our latest elections – for instance, between those who were for and those who were against the constitutional amendments. The Irish example of the division into the parties that were for the agreement and those that were against it, even though no major trans-ethnic transfer of votes was noted, led to victory for the moderate parties on both opposing sides. When addressing this problem, the most important thing is to provide an answer to this question: "To evaluate an electoral system or to choose a new one, it is necessary to ask first what one wants the electoral system to do" (HOROWITZ, 2003: 115), for "to prefer one over another is to make a policy choice" (HOROWITZ, 2003: 116). Our current electoral system isnone other than an ethnopolitical election designed to maintain the ethnopolitical status quo for as long as possible. Any arrangement based on an agreement between elites is in fact base on the power of party leaders to decide who will stand for election, the concomitant of which is that the elected representatives have next to no responsibility towards the electorate. Elite politics reveals itself to be wholly alienated from the voters of "their" ethnic group, which it claims to represent and for whose interests it is supposedly contending. The system of electoral lists thus leaves it largely to "party leaders to decide which candidates will have favorable positions on the parties' lists" (HOROWITZ, 2003: 117). This is not the way to achieve democratic consolidation, but rather consolidates the authoritarian order, and one may with full justification wonder why deliberations on the way for Bosnia and Herzegovina to emerge from crisis persistently abandon the arena of democracy. Why is the importance of a just solution, just for all the citizens of Bosnia and Herzegovina and not just their ethnic elites, being marginalized?

Any limitations on individual rights in favor of collective rights, such as the right to the protection of vital national interests, should be rationally justified to be morally acceptable. John Dewey saw the way out of the crisis of democracy not in further restrictions – and deals between the ethnic elites are a restriction par excellence – but in still more democracy; but democracy understood in its fundamental sense, where its moral goal is the dignity of the individual, not some pseudo-democratic procedures to ensure the rule of ethnic oligarchies. The democratic transformation of Bosnia and Herzegovina must entail a turn towards the individual in freedom and dignity, with mechanisms to ensure ethnic equality, particularly now that we can plainly see that communities based on developing the mechanisms of ethnic equality in communist and nationalist Bosnia and Herzegovina are the two greatest frauds of the 20th century.

Annex 9:
Bosnia and Herzegovina and the Challenges of Consociation and Federalization

I. Bosnia and Herzegovina as a consociation

In an interview for *Novi list*,[32] Ugo Vlaisavljević said that "Bosnia and Herzegovina could be structured as a consociation, a tri-national state, but this time on a genuinely territorial principle, that of territorial federalism". Vlaisavljević goes on to conclude that "if one entity already exists, and if Bosnia and Herzegovina can be reckoned to be a state with two entities, then the call for a third entity is entirely legitimate" (Vlaisavljević, 2005).

In similar tone, Ivan Lovrenović comes to a similar, though not so explicit conclusion in his editorial for the magazine *Dani*[33] when he says that "in 1990 the HDZ's opposition to changes [was] motivated by the struggle for equality for the Croatian nation, judging that the

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[32] "Rat, najveći kulturni događaj?", Ugo Vlaisavljević interviewed by L. Tomičić and I. Fuka, *Novi list*, Rijeka, 16.7. 2005.

[33] Ivan Lovrenović: "Silajdžić i HDZ 1990", Sarajevo, *Dani*, 5.5.2006. This editorial began the interesting polemic which I enterd into with Mr. Lovrenović on the possibility of a consociational arrangement in Bosnia and Herzegovina which culminated – constructively, in my view, though it has not yet come to an end – in a seminar dedicated to this subject, facilitated by the editors of *Dani*, which was published in is entirety under the heading "A consociational model for the state – the salvation or the collapse of Bosnia and Herzegovina?", *Status* no. 10, Mostar: autumn 2006, pp: 190-203.

proposed changes did not provide the means for this... These are principles without which there can be no just system for a multinational state, in which the political structure is not based on the domination of the 'majority', 'state-constituting' nation, as will become clear the day *a serious debate on structuring this state in line with European consociational principles begins*" (emphases added).

Mirjana Kasapović[34] is much more explicit, and on firmer theoretical ground, in her study on the possibility of a consociational rearrangement of Bosnia and Herzegovina:

> The first condition for the creation of a viable democratic state is the free territorial political organization of the three main national communities. Bosnia and Herzegovina is unsustainable as a non-ethnic or 'administrative territorial' federation on the US or German model, nor will its ethnic communities be satisfied with some kind of 'unemotional regionalism' of the kind typical of western nation-states. The ethnic communities are now, for the most part, clearly concentrated geographically, and it is no longer difficult to draw territorial boundaries between them. The deliberate creation of artificial administrative borders between the cantons and giving the federal cantons administrative names merely hides the fact that what we have here is ethnic territorial political self-government. This could also be seen as a covert strategy deliberately to stall the plans for the territorial political restructuring of the Federation, and indeed of the entire state, until such time as the national composition of certain areas has changed (KASAPOVIĆ, 2005: 197-8).

An ethnically reterritorialized Bosnia and Herzegovina of this kind would require a specific ethnic institutional infrastructure, which is the second condition for the creation of a viable democratic state. This then would imply the institutionalization

> of other essential consociational mechanisms, or the mechanisms typical of a democracy in which there is a separation of powers. The main political institutions would accordingly have to be structured on the principles of proportionality and parity. The conditions for

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[34] Mirjana Kasapović, *Bosna i Hercegovina: Podijeljeno društvo i nestabilna država* (Zagreb: Politička kultura: 2005).

the decision-making process in the federal state bodies by consensus and qualified majority would have to be normatively prescribed. The constitutional veto points and the constitutional veto actors in the political system would also have to be clearly defined (KASAPOVIĆ, 2005: 198-9).

Such a Bosnia and Herzegovina, as M. Kasapović observes, is a typical divided society that could almost be described as a non-state, for "Bosnia and Herzegovina is above all structured as a state by the will of the international community, which effectively vetoed the partition of the state in 1995. Despite all the contradictions and conflicts among the international actors in their views of the present and future of the state, it is unrealistic to expect them to renounce that veto. As a result, Bosnia and Herzegovina will remain an international state, regardless of the will of its constituent peoples" (Kasapović, 2005: 192).

This political community, that "nobody wants" and "everybody dislikes", in her view, is characterized by the complete lack of any

common political identity of all the national communities. There is no shared view of history, common religion or single culture that could serve as a starting-point, as there is in nation-states. Nor are there any great historic events that might link the members of the different ethnic or cultural communities and serve as the starting point for identity as in some multinational states. There is not one major event in Bosnia and Herzegovina's past that the three main religious and ethnic groups experience in the same way – as has been noted in previous chapters – that might be a source of shared pride. The emergence of the independent state of Bosnia and Herzegovina was not a cause of pride and joy for everyone. Indeed, this decisive event in its modern history gave rise to new 'patriots' and 'traitors' to the country. Building widespread loyalty to the new state of Bosnia and Herzegovina can therefore occur with full respect for its distinct identities, not by repressing or suppressing them. However absurd it may seem, moral astigmatism and politically institutionalized disunity appear to be a more reasonable way to achieve social and state integration than the coercive 'pseudoliberalization' of the principles and forms of the social and political constitution and organization of the state (KASAPOVIĆ, 2005: 199-200).

Seemingly, the most that could be done to preserve such a despised community in which everyone is unhappy (though I see no reason, on the above basis, why we should take the trouble to preserve it at all) is Lovrenović's "civilized nationalism":

> If peace and an integral state are the two fundamental conditions for the possibility of ever achieving social harmony here, it should be pretty clear that the way does not lead through any kind of utopian or – let it not be said! – revolutionary version of the 'melting pot' but rather through an evolutive process of civilizing ethnonationalisms, with all the hesitancies and uncertainties that this entails (LOVRENOVIĆ, 2006).

Indeed, the purpose of a consociational arrangement, at least according to Lijphart, is to create *some kind of* institutional framework that will generate democratic stability or, in Mirjana Kasapović's words, a *stable* democratic state, which for its part will require certain conduct by the political elites. In Lijphart's view", consociational democracy means government by elite cartel designed to turn a democracy with a fragmented culture into a stable democracy" (LIJPHART in LUSTICK, 1997: 94)... "essential characteristic of consociational democracy, not so much any particular institutional arrangement as the deliberate joint effort by the elites to stabilize the system" (LIJPHART in LUSTICK, 1997: 94). So one should immediately perceive that the very definition of consociation lacks any precisely worked-out institutional mechanism to be applied or constructed in order to build a stable democratic society. On the other hand, it is also to be noted that Lijphart emphasizes the "deliberate joint effort by the elites to stabilize the system", on their will to stabilize the system, or society as a whole. Still more accurately, "Lijphart sees a concordat-based[35] democracy as a political technique that leading groups in culturally fragmented political systems, particularly in developing countries, can choose *at their own discretion*" (emphases added). Despite the fact that consociational democracy theories are not prescriptive, most authorities

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[35] The term consociation is the English equivalent of concordat-based democracy, a phrase that originally came into use in Switzerland (See Dieter NOHLEN, *Politološki rječnik*, Osijek, Zagreb, Split: 2001, pp: 163-5).

agree that this arrangement must satisfy four key components: *a broad coalition of the political parties of each of the social groups, the right of veto to protect minority interests, proportionality, and segmented autonomy*.

In the case of Bosnia and Herzegovina, it could be said that we have already fully or partly satisfied the four key elements of a consociational arrangement: since the first multiparty elections in 1990 we have had a broad coalition of national blocks, or of the key social groups – the constituent peoples[36] whose interests are "represented" or articulated by the political parties, initially of *populist* provenance and later, particularly since the 2006 elections, of other provenance as well, such as the "Serbian Social Democrats" or the "civic" Party for Bosnia and Herzegovina which in fact "represents" the Bosniac national block and enjoys the support of the majority of the Islamic ulama. The right of veto to protect minority interests in Bosnia and Herzegovina is interpreted as the right to protect the "national" interests of each of the constituent groups as a constitutional rights, even though, as already noted, just what the term "national interests" might mean has never been clearly defined.[37] The principle of proportionality is clearly developed in the Constitution, and in my view has a long tradition in the political life of Bosnia and Herzegovina, right back to the much-vaunted "national key" applied throughout the Socialist Republic of Bosnia and Herzegovina. Unlike the first three, the final element, *segmented autonomy*, has been achieved only in part, and is the mainstay of Mirjana Kasapović's argument. In the case of the consociation of Bosnia and Herzegovina, it is to do with territorialization, and the main stumbling block to the consociational "democratic stabilization" of Bosnia and Herzegovina's society. The principle of territorialization of the key social

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[36] This coalition expressed itself pathetically by hanging out so-called "national party flags" at political gatherings during the final stages of the 1990 election campaign.

[37] The first attempt to achieve a clear definition of "national interests", which is really about protecting the collective rights of ethnic groups or constituent peoples, featured in the draft amendments to the Constitution of Bosnia and Herzegovina in the first half of 2006, which was rejected by a narrow margin in the Parliament of Bosnia and Herzegovina.

groups in Bosnia and Herzegovina introduced with the constitution of the ethnically Serb entity has been only partly established, since the country's other entity, the Federation of Bosnia and Herzegovina, is at least *de jure* multiethnic, even though it is *de facto* ethnically divided into majority Bosniac and a majority Croat areas. Bosnia and Herzegovina's consociation is thus still incomplete, though it is hard to say, given the absence of prescription in the theory of consociation, that it is not yet a consociation.

Although Lijphart and Kasapović see in consociation a certain institutional arrangement intended to contribute to the democratic stabilization of a complex, divided political community, it is not clear how an essentially undemocratic system such as consociation which, as we have seen from what "remains" of its definition, is based on government by elite cartel, on the domination of elites and at times on oligarchic control, and concomitantly with weak or nonexistent public participation in political life, can lead to democratic consolidation. First, the political elites in Bosnia and Herzegovina, the leaders of our "segments", quite simply cannot generate stability, because they thrive on conflict, while the essence of a consociational democracy, according to Lijphart, is "government by elite cartel designed to turn a democracy with a fragmented culture into a stable democracy" (LUSTICK, 1997: 94). Second, I cannot see how we can arrive at democratic consolidation by nondemocratic behavior such as mutual agreement between elite cartels. In fact, the reduction of democracy has been the key feature of Bosnia and Herzegovina's political life ever since its establishment as a modern republic in 1943. Four decades of socialist reductionism to a single party have been replaced by the next two decades of ethnic reductionism. Bosnia and Herzegovina was a profoundly mixed society, ethnically speaking. The first multiparty elections introduced to the political arena a new project for the construction of the state on the basis of ethnic identity, which as John Gray has observed, proved to be "a recipe for disaster... The rise of democracy in formerly tyrannous regimes has led to the attempt to establish ethnically homogeneous states.... In such circumstances, democracy and ethnic cleansing go together" (GRAY, 2000: 126).

Consociation theorists persistently draw attention to an important factor in the stability of consociational democracies – the behaviour of the political elites. "Lijphart argued that despite tension, instability, and competition among elites, segment leaders can also produce stability, by making '*deliberate efforts to counteract the immobilizing and unstabilizing effects of cultural fragmentation*'" (LIJPHART in LUSTICK, 1997: 94). Bosnia and Hezegovina's political elites, the cartels of our local components, remain in power by encouraging insecurity, low-intensity conflict and instability. The ethnopolitical elites obviously cannot produce stability because they retain their leading positions by virtue of conflict. In other words, Bosnia and Herzegovina's ethnopolitical elites do exactly the opposite of what Lijphart expects; they make deliberate efforts to produce immobilizing and destabilizing effects of cultural fragmentation. According to Lijphart, the elite cartel should satisfy the following demands:

1. [the] ability to accommodate the divergent interests and demands of the subcultures...

2. [the] ability to transcend cleavages and to join in a common effort with the elites of rival subcultures...

3. [a] commitment to the maintenance of the system and to the improvement of its cohesion and stability ...

   a) [an] understand[ing] [of] the perils of political fragmentation (LUSTICK, 1997: 95).

It is obvious that Bosnia and Herzegovina's ethnopolitical elite cartels have so far demonstrated no understanding of any of these proposed criteria. Instead of opting for a practice of self-limiting accommodation, they practice limited aggressivity. One should not lose sight of Lijphart's definition of "accommodation" as "the elaborately specified claim that issues dividing polarized blocs are settled by leaders convinced of the need for settlement" (LUSTICK, 1997: 100). What is more, even the least sign of readiness for self-limiting accommodation, as clearly demonstrated by the 2006 elections, is punished by the loss of political power. Nowadays nobody in Bosnia and Herzegovina with even a shred of political pragmatism will be rewarded with a political mandate if, for

example, he or she publicly expresses any willingness to move towards the accommodation of divergent interests and demands of the country's various subcultures or to overcome disputes with the elites of rival subcultures. The experience of the negotiations on constitutional amendments, when the then leading political forces of the three national blocs in Bosnia and Herzegovina – the SDA, HDZ and SDS – were compelled, under immense pressure, to express their willingness for accommodation, left the conflict narrative momentarily without a title-holder. This was the opportunity for their rivals within the national blocs – the Party for Bosnia and Herzegovina, HDZ 1990 and SNSD – to appropriate this vocabulary, which paid off handsomely at the next elections. In addition, an elementary political culture of consociation requires that every elite embrace a policy of accommodation. In the case of Bosnia and Herzegovina's ethnopolitical elites, the politics of accommodation would mean renouncing the ethnopolitical matrix, because the argument that their respective peoples are existentially vulnerable would be missing. The only "accommodation" currently at work in Bosnia and Herzegovina is a "negative accommodation" – "we all agree that we cannot agree about anything", which leaves room for absolutist rule within "one's own" territory. Properly understood, political accommodation means renouncing one's maximalist national interests, as even Mirjana Kasapović proposes. However, the only interest the ethnopolitical elites in Bosnia and Herzegovina are concerned with is the "survival" of the nation. And how can one give up one's survival?

Despite this, the advocates of consociation happily refer to a number of "successful consociations", with the Netherlands, Belgium, Austria and Switzerland in the front ranks. In so doing, they neglect to mention certain "failed consociations" such as Lebanon and Cyprus. Nor are things that simple in the case of "successful consociations". Brian Barry has studied the accuracy of the description of the cases proposed by Lijphart and other consociation theorists, basing his views on the works of authorities who are themselves the authors of or at least sympathetic towards the consociational model. Referring to the benignity of ethnic conflicts in Switzerland, the use of majority techniques such as

the mandatory referendum and the successful reversals of elite decisions, Barry observes that Switzerland is neither deeply divided nor conflictuous or consociational in its design, nor is it stable because of its unintentional consociational practices, and concludes that "Switzerland does not fit the model of consociational democracy on any basis" (LUSTICK, 1997: 101). And what of Austria? Barry agrees with Lijphart and others that the "Austrian Second Republic (1945-66) did conform closely to the elite cartel model, he challenges their proposition that consociationalism was a necessary condition for Austrian political stability in the Second Republic. According to Barry, the Austrian Catholic and socialist political parties were really not all that divided and conflict prone. Rather, the level of hostility between competing parties (Lijphart calls them 'laagers') was low, and the restraining influence of the masses on their leaders was substantial – the opposite of what is entailed by the consociational model" (LUSTICK, 1997: 101).

As well as Switzerland, another of the favourite models that could be applied in Bosnia and Herzegovina, in the view of 1990's nationalists and today's consociationalists, is the Belgian one. It would seem, though that even this cannot serve the purpose, since in Belgium "the parties involved in consociational arrangements do not represent Flemish and Walloon sentiments; indeed, they actively oppose efforts to mobilize these linguistic/ethnic/regional identities" (LUSTICK, 1997: 102). The lesson Barry draws is that "encouraging the formation of monolithic, politically antagonistic communities as a means of establishing consociationalism in ethnically divided societies" is not a good idea. "Leaders of such ethnically defined groups, he cautions, are likely to be caught in outbidding struggles with rivals within their segments, creating conditions for 'potential war or of civil war averted by effective oppression by one group of the other'" (LUSTICK, 1997: 102). To make matters worse, it seems that Lijphart has even been defeated in the Netherlands, his home ground. The Dutch political scientist M.P.C.M. van Schendelen, speculating along the lines of Barry's enquiry as to whether the Netherlands are really such a worthy illustration in favour of the theory of consociational democracy, largely making use of the findings of studies by Dutch sociologists

such as J. P. Kruyt and H. Verwey-Jonker, as Lustick notes, concludes that the "the 'pillarization' used by Lijphart to establish the segmentation of Dutch society was 'seriously weakening' even in the 1950s, that cross-denominational cooperation was increasingly evident, and that coherent political subcultures were dissolving as 'increasing numbers of people abstained from convergent memberships and preferred cross-cutting memberships'" (LUSTICK, 1997: 103). In addition, van Schendelen points out, says Lustick, that the Netherlands have been stable since 1917, even before one could say that a consociational system had been introduced.

To conclude, according to Lustick one could contest at least three of the key elements of Lijphart's consociationalism:

1. Theorists are extremely skeptical about claiming that group leaders generally prefer some kind of self-limiting accommodation to radicalizing aggressivity;
2. Dissatisfaction with a concept of democracy that calls for a lower level of broad public participation;
3. The collapse or transformation of previously exemplary consociational countries and the confusion over how deeply a society must or should be divided for consociational institutions to work.

Other theorists, such as Benjamin Reilly and Donald Horowitz, express their doubts about the consociational model as one that leads to democratic stability:

> Consociationalism has been accurately described as government by a 'cartel of elites' (LIJPHART 1969), in which there is little or no place for mass publics and mass action as agents of change. Decision-making power tends to be centralized in the hands of a small group of elites. Party leaders are of particular importance due to positions on a party list, and because of their subsequent role as representatives of distinct social and political groups during inter-elite negotiations. This means that consociational bargains can be struck even when linkages between masses and elites are relatively weak. There is little need for most voters to engage in cross-ethnic activity themselves; indeed, most consociational prescriptions presume that such behaviour is both unlikely and unnecessary – whatever deals between different groups are possible will be struck between the

enlightened leaders of ethnic parties, not between voters. Consociational prescriptions for conflict management thus rely on assumptions of elite moderation and good faith, and are undermined by the increasing evidence from many regions of 'elite-initiated conflict': the clear pattern in many deeply divided societies of party leaders themselves being the ones who initiate and fuel inter-ethnic conflicts. This stands in contrast to centripetal approaches, which posit ordinary electors as key actors in the process of conflict management who, by virtue of their decisions on preference allocation, are the ultimate arbiters of centripetalism's success or failure (REILLY, 2001: 177-78).

Instead of the consolidated democracy of a consociational political arrangement in Bosnia and Herzegovina, this would continue to maintain a kind of political apartheid:

> [P]olitical parties in divided societies are normally ethnic parties, and voters are normally ethnic voters, who are no more likely to cast their vote for a member of a rival group than rival ethnic parties are to court their support. Under such conditions of 'polarised pluralism' (SARTORI, 1976), the logic of elections changes from one of convergence on policy positions to one of extreme divergence. Politics becomes a centrifugal game. With no median voters, competition for votes takes place at the extremes rather than at the centre. The result is an increasingly polarized political process, in which strategic incentives for office-seeking politicians often push them in the direction of encouraging ethnic hostilities and perceptions of group insecurity. Terrible communal violence is often the outcome.
>
> Scholars argue that the key to regulating ethnic conflict is thus to change the conditions that encourage it, via alternative institutional designs (REILLY, 2001: 9-10).

The conviction has developed among a fair proportion of the general public and intellectuals in Bosnia and Herzegovina, probably as a result of their resignation with the general state of affairs, that although we can see systematic discrimination and the violation of our elementary human rights and freedoms at work, nonetheless it is the only way for the citizens of Bosnia and Herzegovina to have a state that they can call their own. Although non-democratic

practices are at work, we still have a certain minimal consensus, albeit a negative one; it is still said that there is some kind of agreement, however fragile, between our national representatives, so we need to find a way of making that practice of striking deals between the ethnic alpha males more efficacious. This feeling is most clearly detected by Ivan Lovrenović when he says:

> The fundamental question for Bosnia and Herzegovina, its functioning, its state and political organization, is the question of its national composition... it cannot be denied that it is a commonplace nowadays, and today, perhaps more than ever before, it is dramatically pulsing before us all, demanding to be reconciled in some satisfactory, broadly acceptable political solution (LOVRENOVIĆ, 2007: 19).

Despite resistance to the siren calls of such "discourse of reality", I believe that there is good reason to ask why it is that when considering possible ways out of crisis for Bosnia and Herzegovina – consociation, an ethno-territorial federation, a Bosnian nation – there is such a persistent emphasis on leaving the arena of democracy. Why is the importance of a *just* solution being marginalized – just for *all* citizens of Bosnia and Herzegovina, not just for their ethnopolitical elites? It is tempting to lisen to the "discourse of reality" that claims that our mutual ethnic and cultural differences are to blame, and that any order that did not take sufficiently seriously those differences (ethno-culturo-religious, that is, not class differences, say, or gender, or age) or exercised ethno-cultural blindness would be condemned to failure. But nowadays in Bosnia and Herzegovina no one can claim to be blind to difference; it would be more accurate to say that we have been *blinded* by them – our everyday lives are full to the brim with them; they underlie our world views, insinuate themselves into our families, and shadow every communication, even the most benign, with our acquaintances. Furthermore, the ethnopolitical regime that reigns sovereign over our country is based on the political production and preservation of a maze of differences in which the *citizen* is lost in the scale of individual rights and freedoms – which, regrettably, does not even feature as a problem to most people. But if a problem is not raised, that does not mean it does not exist. In other words, "the political

authority of a group, however, does not justify the oppression of individuals within the group" (GUTMANN, 2003b: 53-54).

Given that the republic, civic model for Bosnia and Herzegovina has been largely rejected as "unrealistic", one gets the impression that some kind of recognition of the ethnically-bounded reality of our political community is our inescapable destiny. As already suggested, would not then the most we could do be to work at preserving a society in which everyone is discontented as some kind of "civilized nationalism" or "evolutive civilized ethnonationalism" (Lovrenović)? I think I have successfully indicated, at least, that ethnonationalism in Bosnia and Herzegovina has already evolved almost to its ultimate limits, and has done so according to the rules of the game that it has itself laid down, and that the only changes that one can expect in future in such a political context is rotating ethno-nationalist oligarchies, with their variations on the same theme of ethnopolitical mobilization that we saw so plainly at the last elections. The true end of the evolutive series for ethnonationalism has to be for the *ethnos to mature into a nation*, forming its own nation-state on "its" national territory, which the legal framework of Bosnia and Herzegovina as a state renders irrelevant. In other words, I believe that ethnonationalism cannot be civilized, since its very survival is based on generating crisis, constant, repeated crystallization, the repetition of symbolic elements for the purpose of performing nationality that entail the negation of other nationalities, and a discourse of "survival" and existential vulnerability. Every attempt at "civilizing" it fails, as did the recent attempt to adopt constitutional amendments, because it creates a vacuum in the bitter rhetoric that proves so irresistible to this inexhaustible reservoir of opponents – pretenders to the privileged position of the leading ethnopolitical elite that acquires the power to manage the articulation of what the "vital interests" of its own ethnic group are.

Hence my suggested conclusion, which is that if we really want to achieve the democratic reconstruction of Bosnia and Herzegovina's political community as soon as possible we must realize that any talk of the ethnos as a substantiality, as a thing-in-the-world the

presence of which necessarily imposes on us a single true description of the state of affairs, compared with which any other description is utopian and unrealistic, meaningless, and what is more, that it is considerably more difficult to classify and describe it, if indeed it does not wholly prevent any plausible democratic transformation of our society. The key question should instead be: *what kind of institutional, legal and political arrangement will encourage coope-ration between opposing groups in divided societies*? In this context, I propose that instead of consociationalism we talk more about centripetalism which "envisages democracy as a continual process of conflict management, a recurring cycle of dispute resolutionin which contentious issues must ultimately be solved via negotiation and reciprocal cooperation, rather than simple majority rule. […] The goal is not consensus but accommodation, via positional shifts that can only be uncovered by the process of active engagement, discussion and negotiation. Under this scenario the role of demo-cratic institutions, as the mediating agents which can process divergent interests and preferences into centripetal outcomes, becomes paramount" (REILLY, 2001: 7).

In any event, "to evaluate an electoral system [or any institution – A.M.] or to choose a new one, it is necessary to ask first what one wants the electoral system to do" (HOROWITZ, 2003: 115). In the case of consociation, it seems to me that the question of what it is we want to achieve by a consociational institutional arrangement could be redescribed as follows: do we want to achieve a peaceful and stable Bosnia of interethnic accommodation, or a Bosnia of ethno-territorial partition confirmed by consensus. I believe I have demonstrated that the first part of the answer cannot be achieved by means of such institutions.

II. Bosnia and Herzegovina as a federal republic

In 2006 the Prime Minister of Republika Srpska and President of the SNSD, Milorad Dodik, spoke several times about the idea of restructuring Bosnia and Herzegovina on the principle of a federation of three ethnic republics and the recognition of the right

of the constituent peoples of this country to self-determination. The idea of the ethnoterritorial federalization of Bosnia and Herzegovina is being put forward as currently the most realistic option, ostensibly reflecting the state of affairs on the ground. Dodik was to explain in a number of passages that "the right of the people to self-determination is a right that derives from a UN Resolution", (DODIK, 2006) while in the case of the desired restructuring of Bosnia and Herzegovina, "In October last year [2005] the SNSD issued a Declaration on the constitutional development of Bosnia and Herzegovina, where Republika Srpska would be one federal entity of the future federal state of Bosnia and Herzegovina" (DODIK, 2006). As well as using the rhetoric of the inalienable right to self-determination, accompanied by implicit or explicit announcements by the Bosnian Serbs of their intention to hold a referendum on secession from Bosnia and Herzegovina[38] for the purpose of ethnonationalist homogenization and mobilizing the Bosnian Serbs during the general election campaign in 2006, it was also skillfully exploited during the election campaign in Serbia in 2007 to "strengthen the Serbian position" ahead of the decision on the future status of Kosovo to be adopted by the international community, where linking the future of Kosovo with that of Republika Srpska was intended to suggest that a "new round" of ethnic compartmentalization could once again sweep across the Balkan faultline regions.[39]

Be that as it may, Dodik says explicitly that "the future of Bosnia and Herzegovina [lies] in a federal polity where RS is one of the federal entities, with equality for its constituent peoples by retaining entity

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[38] Some indicative statements by Dodik made in 2006 include: "If we were allowed to hold a referendum, we would agree to a 90% census" (May 2006); "Every nation in Bosnia and Herzegovina has the right to decide its future democratically by referendum. The fact that Europe will not allow a referendum in Bosnia and Herzegovina at the moment does not mean that there will not be one" (May 2006), from Ž. Marković: "Smjena je iz raja izašla", *Pravda*, 29.1.2007. Bijeljina; 21-22.

[39] "If the people were to ask me about Kosovo, I would invite the international community to say why they can but we cannot", Dodik according to *Slobodna Bosna*, Sarajevo 1.2.2007.

voting", which it is to be assumed also retains that equality. What Dodik needs to make his idea a reality is "ideological differentiation", distancing himself clearly from so-called Sarajevo politicians, by which he obviously means politicians who are ethnically Bosniac: "Sarajevo politicians want a unitary Bosnia and Herzegovina and that is not in dispute, but nor should the fact that we want either a federation or an end be in dispute either" (DODIK, 2007) – while at the same time seeking "allies" among the parties with a Croatian ethnic epithet – "Recalling his earlier statement that the Croats too should gain a federal entity in Bosnia and Herzegovina, Dodik said he needed an ally for his federalization idea" (DODIK, 2007). The fact that Serb and Croat policies concerning the future of Bosnia and Herzegovina are ideologically close has already been adumbrated in Mirjana Kasapović's *Bosna i Hercegovina: podijeljeno društvo i nestabilna država*, where she reflects on the possibility of a so-called consociational restructuring of Bosnia and Herzegovina. In her concluding observations, the author notes that "the Serbs would accept a state federation of three national entities", while "the Croats would agree to an ethnic federation, or a federation of ethnic cantons" (KASAPOVIĆ, 2005: 197). This Serbo-Croat ethnopolitical alliance could prove stronger than the insistence by the Bosniac political block and other "civic" forces on a civic reconstruction of the country,[40] when the political debate would effectively be waged between two essentially ethnopolitical positions, and would come down to whether Bosnia and Herzegovina would be a federation of

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[40] While on the subject of the Bosniac vision of Bosnia and Herzegovina and its similarity to the "civic" option, it should be made clear that this is not some coherent option, particularly the unitarist one, as Dodik often likes to remark. In the broad spectrum of largely unelaborated viewpoints on a civic Bosnia and Herzegovina, among both Bosniacs and "civic" politicians and intellectuals, they appear to share the conviction that Bosnia and Herzegovina should be a highly decentralized civic state – but with non-ethnic regions – with advanced mechanisms for the protection of collective rights. It is worth underlining here that in the case of Bosnia and Herzegovina's restructuring as a federation, this section of the political spectrum of Bosnia and Herzegovina is willing to back the idea in all but its "most important" feature, which both Kasapović and Dodik insist on: ethnoterritorialization.

three ethnic entities or one consisting of a number of ethnic cantons. This is of course a false dilemma, because in both cases one is dealing with what Kasapović calls "the first condition for the creation of a viable democratic state", namely "the free territorial political organization of the three main national communities" (KASAPOVIĆ, 2005: 197). Dodik's notion of an ethno-territorial federation could thus be the first version of a consociational restructuring of the country into three (or more) territories with three political or constituent peoples held together, as Mirjana Kasapović remarks, only by the will of the international community to the dissatisfaction of all three peoples. The fact is that more than ten years after the signing of the Dayton Agreement, the "constitutive" centrifugal forces merely seem to be gaining strength, and a new equilibrium between them needs to be found, going beyond the Dayton balance.

Perhaps this is because "Bosnians and Herzegovinians have never existed as a single, united political nation and have not been willing to defend their republic against their neighbouring enemies. Quite the reverse, more than half of them have been and remain opposed to its survival as an independent state and [for] parts of it being merged with neighbouring states. The Serbs wanted to remain within Serbia in a rump Yugoslavia, and the Croats wanted to join an independent Croatia" (KECMANOVIĆ, 2006: 51-2). Kecmanović's notion of the state of which he was a Presidency member is amplified by that of Kasapović's.

The ideological and intellectualist amplification of Kecmanović and Kasapović in the most "realistic" interpretation of the state of affairs on the ground as a Hobbesian jungle where everybody is at war with everybody else on that long-suffering patch of territory continues as follows:

> This is why, even in western Herzegovina which is already one hundred percent ethnically pure, the Croats have been fighting ever since the end of the war, indeed for a whole decade, for a third entity, and fiercely defending the 'Berlin wall' in nationally divided Mostar. In vain does the UN-EU High Representative for Bosnia and Herzegovina keep sacking their low-ranging but rebellious national

representatives. In vain do the former HDZ supporter Stjepan Mesić and current HDZ primate Ivo Sanader keep telling them that they are just fine as they are. In vain did the father of the nation, Franjo Tuđman, sign up in Dayton, with his own hand, to their living in multiethnic cantons and a united city on the Neretva. This has not brought them a jot closer to Sarajevo, but merely alienated them from Zagreb, so much so that many are even making a show of renouncing the dual nationality they all received from Croatia. Even leading Croat liberal intellectuals in Sarajevo, known in Široki Brijeg as 'Muslim flowers' on account of the years they have spent promoting an integral Bosnian identity, have recently begun to advance the notion that Bosnia and Herzegovina is viable as a state only as a territorial consociation (KECMANOVIĆ, 2006: 52).

1. Some theses on the "right of a nation to self-determination" and the right of secession

Let us first consider the legitimacy of the appeal to the right of peoples to self-determination. What does the self-determination of a nation or people actually mean? How is one to understand the concept of self-determination in general? What is a nation or people? When is the demand for self-determination (to the point of secession) legitimate? It is widely accepted that "[s]elf-determination postulates the right of a people organized in an established territory to determine its collective political destiny in a democratic fashion and is therefore at the core of the democratic entitlement" (FRANCK in HANUM, 1993: 8-9). However, ever since this right was introduced into juristic political discourse by US President Woodrow Wilson just after World War I, during the debates on the future international order, as today during the debate on the future status of Kosovo, the principle has aroused considerable controversery. It is as everyone is forgetting, as Hanum observes, that neither President Wilson himself "nor the other Allied leaders believed that the principle was absolute or universal" (HANUM, 1993: 3). No right is absolute, including the right of a nation to self-determination. Despite the universalist tone in which this right is articulated,[41] the

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[41] "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social

very way in which it is exercised demonstrates that "self-determination has never been considered an absolute right to be exercised irrespective of competing claims or rights, except in the limited context of 'classic' colonialism" (HANUM, 1993: 32).

In other words, "International law recognizes a 'right of peoples to self-determination', which includes the right to choose independent statehood. However, international legal practice has interpreted the right narrowly, restricting it to the most unambiguous cases of decolonization. The consensus among legal scholars at this time is that international law does not recognize a right to secede in other circumstances, but that it does not unequivocally prohibit it either" (HANUM in BUCHANAN, 1997: 33). Outside this undisputed context of "decolonization", the right of peoples to self-determination is being made topical once again with the fall of communism, and particularly in the context of the dissolution of the former Yugoslav state. Appeals to the right of self-determination by the leaderships of the newly-emerged states – the former republics of the socialist multinational federation – have been accompanied by demands for secession. Secession is invoked in the context of the legitimate right to self-defence against the aspirations of the "majority" nation within a collapsing socialist federation (Russians in the USSR, Czechs in the Socialist Republic of Czechoslovakia, and the Serbs in the Socialist Federal Republic of Yugoslavia). In this context, one should also consider the recent tendency of what I regard as the "unexpected" construction of a majority nation in Bosnia and Herzegovina by singling out one of its constituent peoples, in this instance the Bosniacs, by unilaterally ascribing centralist and unitarist pretensions to both national parties with a Bosniac epithet and parties representing the "dangerous" option for the ethnonationalists such as the "civic" Social Democratic Party of Bosnia and Herzegovina. In this way demands for the consociational and

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and cultural development" Article I of the 1966 *International Covenant on Economic, Social and Cultural Rights*, which entered into force in 1976; and "The States Members of the United Nations shall uphold the principle of self-determination of all peoples and nations;" UN General Assembly *Resolution 637A* of 1952. (all examples from H. Hanum, Ibid, 18-21)

federative restructuring of Bosnia and Herzegovina "legitimize" the right to self-defence against the unitarist pretensions of the "majority" Bosniac nation within Bosnia and Herzegovina. Be that as it may, one could conclude with Hanum that "secession is not presently recognized as a right under international law, nor does international law prohibit secession" (HANUM, 1993: 33).

What is of interest, at least in the case of the disintegration of ex-Yugoslavia, is that it would seem at first glance that the "right of peoples to self-determination" has given way to the principle of preserving the "territorial integrity" of newly-emerged states; that is, the "right of peoples to self-determination" is not recognized as pertaining to peoples as ethnic groups, but to nations in the political sense, as citizens of newly-emerged states. With the exception of Serbia and Montenegro, "the republics sought international recognition as nation-states... Croatia did not even raise the issue of the 'right of self-determination' of the Croats living in Serbia, but Serbia did raise it in the case of Serbs in Croatia. Bosnia and Herzegovina did not raise the issue of the 'right of self-determination' of the Bosniacs in Serbia, particularly in the Sandžak, but Serbia did raise it in the case of the Serbs in Bosnia and Herzegovina... Each nation in the former Socialist Federal Republic of Yugoslavia had the same constitutional rights, including the 'right to self-determination', but only within the framework of the republics (federal entities)" (IBRAHIMAGIĆ, 2001: 72-3). Thus on the one hand the emphasis was on the call for "respect for the inviolability of all frontiers which can only be changed by peaceful means and by common agreement;"[42] while on the other hand, ethnic communities such as the Serbs, whose leadership sought clarification on whom the right of peoples to self-determination applied to in the Republic of Croatia and the Republic of Bosnia and Herzegovina,[43] "had 'the

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[42] *Guidelines on the Recognition of New States in Eastern Europe and in the Soviet Union*, adopted by the EEC Council on 16.12.1991, in Hanum, 52.

[43] The Republic of Serbia put a question to the Arbitration Commission of the Conference on the Former Yugoslavia which read: "Does the Serbian population of Croatia and Bosnia and Herzegovina, as one of the constituent peoples of Yugoslavia, have the right to self-determination?" The

right to recognition of their identity under international law' and 'where appropriate, the right to choose their nationality' but not the right to secede'... The EC Arbitration Commission contended that once a new state is recognized the principle of territorial integrity must be observed".[44]

Why are interpretations of peoples as political, not ethnic subjects the prevailing ones? I believe it is because of the extreme significance of the concept of "internal self-determination", which is often overlooked in debates on the right of peoples to self-determination. "by 'internal self-determination' I mean the possibility for citizens to participate in the choice of government and the formulation of their own policies; in other words, the democratic system" (ARCHIBUGI, 2003: 504). If it does not incorporate this important component, conceived to protect citizens' fundamental individual rights and freedoms, the right of peoples to self-determination will fail to meet its intended purpose. Even when it is exercised in its original – decolonizing – sense, without this internal emancipator dimension, the independence gained by former colonies in the essential sense has been characterized by merely exchanging a local, often brutal regime for the former colonial rule. What a politician like Milorad Dodik ought to know is that "it will never be possible to cure a state's maladies merely by redefining its frontiers and modifying the way in which its population is constituted... /but by/ making the state itself a truly mutliethnic and multicultural political community" (ARCHIBUGI, 2003: 493).

Arbitration Commission's response was: "1. The Commission is of the view that at the current stage of development international law does not specify all the implications of the right to self-determination... 2. If within a single state there are one or more constituent groups, one or more ethnic, religious or linguistic communities, these groups have the right, in line with international law, to the recognition of their identity... As a result, the Serbian population of Bosnia-Herzegovina and Croatia is entitled to all the rights concerned to minorities and ethnic groups in international conventions...". Opinion no. 2, in Omer Ibrahimagić, *Politički sistem Bosne i Hercegovine* (Sarajevo: Magistrat, 1999), 264.

[44] *Conference on Yugoslavia Arbitration Commission*, Opinion no. 2, in Hanum, 54.

In this regard, the principle of preserving the territorial integrity of an internationally recognized state is not in fact an obstacle but, particularly in the case of a developed democratic environment, an instrument for the more effective implementation of the right of peoples to self-determination, whether internally or externally. In fact, "the principle of territorial integrity... promotes two morally important goals: (1) the protection of the individual's physical security, the preservation of their rights, and the stability of their expectations; and (2) an incentive structure in which it is reasonable for individuals and groups to invest themselves in participating in the fundamental process of government in a conscientious and cooperative fashion over time" (BUCHANAN, 1997: 46-47). Perhaps this is where the problem lies, when attempts are made to contextualize this right in Bosnia and Herzegovina, for instead of serving the interests of the individual citizen, it serves those of the ethnopolitical oligarchies as a strategy for ethnic homogenization in order to retain power.

What seems confusing, albeit only at first glance, is that once again we are talking of the **individual citizen as the pivotal element of self-determination**. Hard to understand, particularly from the point of view of Bosnia and Herzegovina's ethnonationalists, is: if we are talking about peoples or nations, how is it that we still have to end up with what Dodik calls "academic liberalism", in talk about the citizen, the individual? The answer is simple: **the right of a people to self-determination will acquire legitimacy only if it entails the prior guarantee of the right of citizens to self-determination**. In other words, no right can be legitimate if it is oppressive towards the individual citizen. This is the very reason that the principle of preserving territorial integrity is not in contradiction with the right of a people to self-determination, provided "people" is understood politically, and not exclusively ethnically.

Of course, not even the legitimacy of the principle of territorial integrity is absolute. A state may lose its legitimacy if the principle of territorial integrity threatens the meaningful political participation of its citizens. Questions of the legitimacy of an independent state have become particularly topical today in the light of the

debate over the status of Kosovo. These discussions are still needlessly being politicized and carry over into Bosnia and Herzegovina, with attempts to "internationalize" the problem of Kosovo, particularly as a means of exerting pressure on the international community from Belgrade and Banja Luka, by equating the position of Republika Srpska with that of Kosovo. As a result, what seems at first glance to be a persuasive analogy turns out to be a false dilemma: if Kosovo cannot remain in Serbia, why should Republika Srpska remain in Bosnia and Herzegovina. The answer to **why Republika Srpska is not the same as Kosovo** may lie behind Buchanan's point that "[s]tates are not legitimate if they (1) threaten the lives of significant portions of their populations by a policy of ethnic or religious persecution, or if they (2) exhibit institutional racism that deprives a substantial proportion of the population of basic economic and political rights" (BUCHANAN, 1997: 50).

If we consider Serbia and Bosnia and Herzegovina, and the position of Kosovo and Republika Srpska as their entities, significant differences become apparent. First and foremost, for several decades now Belgrade's nationalist politics have proven to be a threat to a significant sector of its population – the Kosovo Albanians. This threat had already been expressed in the shape of ethnic or religious persecution, and culminated in the late 1990s when the Yugoslav army entirely ethnically cleansed Kosovo of its Albanians, prompting international intervention. What preceded this brutal military action by Belgrade was decades of institutional racism, depriving a significant proportion of the population of the state of its fundamental economic and political rights. The institutions of autonomous Kosovo were to be abolished in the late 1908s, and the total exclusion of Albanians from public and political life in Kosovo, accompanied by an armed campaign, called into question the legitimacy of the state of Serbia on that part of its territory.

And what about the position of Republika Srpska within Bosnia and Herzegovina. It is the very opposite. Republika Srpska cannot therefore enjoy the same status as Kosovo, sinc Serbia meets both conditions for the loss of legitimacy in Kosovo, whereas Bosnia and Herzegovina is in no position to do so in the territory of Republika

Srpska. Bosnia and Herzegovina does not remotely have the capacity to be a threat to a significant proportion of its population, nor is there any marked political platform expressed as a policy of ethnic and religious persecution of the Bosnian Serbs in Republika Srpska, and nor is it in a position to exercise institutional racism depriving the Bosnian Serbs in Republika Srpska of their fundamental economic and political rights. In fact, it is rather the other way about – it is Republika Srpska, or part of it at least, to echo the verdict of the International Court of Justice, that had a policy of ethnic and religious persecution of the non-Serb population during the war and maintains it in peacetime with the help of institutional racism that marginalizes a significant proportion of its population politically and economically – the Bosniacs and Croats (just as institutional racism marginalizes the Bosnian Serbs in the other entity, the Federation of Bosnia and Herzegovina). The real question, then, is not whether Bosnia and Herzegovina has legitimacy as a state,[45] but whether Republika Srpska can be said to have any legitimacy, since we see that on both grounds this entity is delegitimizing itself and that now, following the verdict of the International Court of Justice, we are not questioning the very legitimacy of this entity. If Milorad Dodik's wishes regarding the right to secession in the absence of any injustice towards Republika Srpska were to be met (always supposing the very position of this entity in Bosnia and Herzegovina is not regarded as an "injustice" in the minds of ethnonationalist politicians) by virtue of a false analogy with Kosovo, it would constitute a dangerous precedent, since it "would encourage even just states to act in ways that would prevent groups from becoming claimants to the right to secede, and this might lead to the perpetuation of injustices"... "Clearly, any state that seeks to avoid its own dissolution would have an incentive to implement policies designed to prevent groups from becoming prosperous and politically well-organized enough to satisfy this condition" (BUCHANAN, 1997: 52).

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[45] Although, to tell the truth, despite its international legitimacy, Bosnia and Herzegovina to a considerable degree lacks legitimacy as a state precisely because of the domination of ethnopolitics that rides roughshod over the right of the individual citizen to self-determination throughout its territory.

One might, then, conclude with Hanum that this new "post-colonial norm of self-determination includes the right to be different and to enjoy a meaningful degree of control over one's own life, individually and collectively, as well as the right to participate in the affairs of the larger state" (HANUM, 1993: 67). Ethno-territorialization based on a reductive understanding of the right of peoples to self-determination tends to the very opposite: reducing the right to diversity by imposing uniformity within its ethnic entity and thereby eliminating the possibility of a meaningful level of control over one's own life, individual or collective. Quite the reverse, one has to agree with Ronald Dworkin that the development of democracy is of crucial importance for any legitimizing procedure within a political community. For his part, "Dworkin believes that sufficient popularity for a democratic order could be achieved by insisting not on what divides us but on what unites us" (VUJADINOVIĆ, 2006: 36).

2. Federalist challenges

a. The structural objection:

Heinrich Ott observes that "some kind of federalism is necessary to preserve the form... of multicultural life, which is a great human value" (OTT, 1998: 91). Although this sequence of reflection could be welcomed, it is not impossible to problematize it as follows – what could it contribute to considerations of federalism generally; is there a kind of federalism that could make it harder to sustain, and ultimately might destroy, the form of multicultural life that we agree has great human value? It would seem to the point here to hold that there is also a "destructive" form of federalism – ethno-territorial or so-called national federalism, ethno-territorial administrative organization in a multi-ethnic community, particularly when based on the results of genocide and ethnic cleansing during the 1991-1995 war against Bosnia and Herzegovina. In other words, just as "federalism could be one way of being together", ethno-territorial or **national federalism could be the most serious obstacle to being together**.

In principle one might also agree that one of the main advantages of federalism is that by means of the mechanisms of decentralized government it adds impetus to the ethos of the democratic community by bringing the citizen a "step closer" to the decision-making process. "The right of citizens to participate in the decision-making process at the local level encourages true democracy. In the process, both freedom and fundamental rights are better protected, since local democracy is more accessible to the average person and thus more 'humane' than a remote, powerful central administration. This, however, implies that local societies are organized in a democratic fashion and that the state authorities do not tolerate the creation of autocratic and authoritarian forms at the local level" (KALIN, 1998: 97). The quotation itself suggests that the opposite could also be true; that local self-government, not the central administration, is not now encouraging democracy, human rights and freedoms. What then if it is the units of local self-government that are organized in an undemocratic, authoritarian fashion; if central government (however ironic it may be to suggest that there is such a thing as "central government" in Bosnia and Herzegovina) is much more democratic than local authorities. The same sentence, when uttered by, for instance, a "Serb" politician – in this specific case, by the Chair of the Council of Ministers of Bosnia and Herzegovina, Nikola Špirić – to the effect that "it is time for more state patriotism", has an entirely different meaning if uttered in Sarajevo, from the position of the central institutions, or in Banja Luka, from the position of the entity or local institutions. From a central perspective, however unstable, this sentence could suggest the need for greater cooperation in order to create a more effective political and economic climate. Transferred to the entity context, it suggests irreconcilability, opposition, a deepening of conflict. In short, in a Bosnia and Herzegovina consisting of "ethnic republics", it is local government, not the central administration, that would be powerful and remote. It could then be said that a federal or decentralized form of rule in the shape of a national federation – as the example of Republika Srpska makes so plain – cannot guarantee greater freedom and democracy, since it introduces not only a form of control over effective central government but also the means to

block it. It may sound paradoxical, but **national federalism could bring government closer to its citizens to the extent that it would be remotest from them**.

Since the dilemma "for or against a federal Bosnia and Herzegovina" is a false one, since – to put it in Dodik's vocabulary – the idea of a non-ethnic federation of the kind already present in the Federation of Bosnia and Herzegovina is more acceptable in principle, the true question is whether one is "for or against the ethnic federalization of Bosnia and Herzegovina" or national federalism. How do things stand with the possibility of restructuring the country as an ethnoterritorial federation or "territorial consociation?" To answer this question, we need to answer another and more important one, which is whether we believe an ethnic federation would make our country more effective, would it encourage stability, peace, democracy and mutual trust? In short, would Bosnia and Herzegovina as a federation of ethnically homogeneous republics serve the "common interests" of the country's entire political community – of everyone living in Bosnia and Herzegovina?

b. The legal and security objection:

A careful examination of this "realistic" option reveals that it is, in my view, the least likely and most abstract of all, including the so-called civic option. Why is this? First, the reorganization of Bosnia and Herzegovina on the ethno-territorial principle would mean, above all, abandoning the Dayton constitutional and legal framework within which Republika Srpska in particular functions, and the annulment of which would call into question the existence of this constitutional category. Abandoning the Dayton context could mean dismantling both Republika Srpska and the Federation of Bosnia and Herzegovina, so we would have to be consistent to the extreme in the application of the principle of ethno-territoriality. In his demand for the federalization of Bosnia and Herzegovina, then, Dodik was not being sincere, since he implied that the Dayton constitutional category of Republika Srpska was non-negotiable. If one embarks on negotiations with "non-negotiable" positions, they are not negotiations but ultimata.

The concomitant application of the ethno-territorial principle on which a tri-ethnic federation of Bosnia and Herzegovina would be built would then indeed have to take into consideration the ethnic reality on the ground of Bosnia and Herzegovina as a whole, which would certainly mean of Republika Srpska too, not that I intend once again to go into the "advantages" of ethnically pure territories achieved by the illegal use of force, ethnic cleansing and genocide between 1992 and 1995. If we agree in principle that Bosnia and Herzegovina should be composed of three ethno-territorial federal entities, then it should enable the country's constituent peoples to constitute their own federal entity wherever they form a majority in Bosnia and Herzegovina. That would now mean, for instance, that in what is now Republika Srpska, federal ethno-territorial Bosniac entities would crop up in Kozarac, the Zvornik hinterland, Srebrenica,[46] Janja, Kotorsko, and around Foča and Višegrad. There are ever more frequent Croat demands concerning the Bosnian Posavina – the Sava valley region. This is what the consistent implementation of the principle Milorad Dodik stands for would look like. For each of those ethnic administrative territories to become a single coherent entity, or to be united as one, let us say the Bosniac federal entity, would be the subject of painful negotiations. Serb federal entities would crop up in parts of present-day Drvar, Glamoč, Bosanski Petrovac and Bosansko Grahovo municipalities.[47]

The precedent of the ethnic fragmentation of the city of Mostar would introduce the additional practice of the ethnic territorialization of cities – urban ethnic municipalities could be formed, entirely legitimately in line with ethnic demands. If one adds the non-ethnic Brčko District to this internal ethno-geographical federal reorganization, and the ever more likely Sarajevo District, plus the ethnic reorganization of the central Bosnian and Herzegovina-

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[46] The most recent events concerning the establishment of special status, Srebrenica District, is simply an indication of how far, and on what basis, further conflicts could escalate in Bosnia and Herzegovina, and what carrying out Dodik's idea of the consistent ethno-territorial restructuring of our country would look like in practice.

[47] In early May 2007 came open demands for special status for Grahovo.

Neretva cantons, Bosnia and Herzegovina would end up looking like the political map of the German Empire some two centuries ago. As this caricature demonstrates, the consistent application of the ethnic principle and concomitant federal restructuring would create an even more dysfunctional, expensive and, which is the most important of all, conflictual and insecure country than the one we have now. But perhaps we have to go that far for the absurdity of ethno-territorialization to be still more blatant, and a situation in which everyone is at war with everyone else to become our nightmare reality.

c. The historical objection:

Let us return once more to the concept of Bosnia and Herzegovina restructured as an ethnic federation. On this principle, Bosnia and Herzegovina should be a country consisting of federal entities of which Republika Srpska would be one, and another – in the view of the Prime Minister of Republika Srpska – should be a Croat federal territorial entity. How new is this proposal, in fact, in this part of the world? It is only at first glance that the idea looks like an alternative, a new angle on a way out of the "Dayton dead-end". But is not what Dodik proposes as some kind of novelty – *national federalism* – not merely familiar, but also something that led to the bloody collapse of our former common homeland – the Socialist Federal Republic of Yugoslavia?

My thesis is that such a concept of ethno-territorial federalism is merely a version of *socialist federalism*, a narrow, instrumentalist version, adapted for separatist, nationalist ends, of the Marxist-Leninist recipe for solving the national question. Bringing up once again the story of the national federal restructuring of Bosnia and Herzegovina means recontextualizing it into a broader ideological story of multinational socialist federalism, with its three versions – the USSR, Czechoslovakia and Yugoslavia – all of which fell apart, with more or less bloodshed, between 1990 and 1995. Like the Bosnia and Herzegovina of Dodik's dreams, "the fifteen republics that made up the Soviet Union, six republics that made up Yugoslavia, and the two republics that composed federal Czechoslovakia

were all based on a distinctive national profile" (Bunce, 1999: 46). Each of these entities was based on national and territorial principles. The ethno-territorial entities of "federal Bosnia" would thus be distinctively nationally profiled, and Bosnia and Herzegovina would thereby be redefined in national and territorial terms. The ethno-federalism that Dodik intends to carry out thus comes down to the political institutionalization of ethnic diversity as was, for example, the former Soviet state, which was "based on ethnic political units" (Suny, 1993: 87).

A significant element of Lenin's "deconstruction" of Tsarist Russia through encouraging the "right of peoples to self-determination to the point of secession" "now involved the building of a new federal state that would both nurture the nations within it and forge new loyalties to the ideals of socialists" (Suny, 1993: 97). By characterizing nationalism as concerning only the bourgeois class, the communists expected that the interests of the proletariat, as well as shifting the process of turning the means of production into public property, would achieve satisfaction in proletarian *internationalism*. Lenin "remained convinced that nationalism reflected only the interests of the bourgeoisie, that the proletariat's true interests were supranational, and that the end of colonialism would diminish the power of nationalist sentiments" (Suny, 1993: 87). It was necessary to create a "national proletariat" that, under the leadership of the national communist party, would become a powerful emancipator instrument on the way to creating an international proletariat. Thus began, out of a purely ideological context, dangerous "nation-building" engineering under the eye of the communist party. The ideological shift away from the laws of economics disregarded the importance of cultural identity and the "laws of ethnicity". The new socialist federal state "would lead to the consolidation of ethnicity"... "Rather than a melting pot, the Soviet Union became the incubator of new nations" (Suny, 1993: 87).

After the October revolution the process began of "the creation of national working classes, newly urbanized populations, national intelligentsias, and ethnic political elites contributed to the more complete elaboration of nationhood" (Suny, 1993: 105). This entire

project, that can now be characterized as an ethnopolitial one, turned out to be based on the flawed conviction of the communist centre that projecting federal entities could extend their control over the politicization of ethnicity. "Within each homeland the regime created a cadre of party and state officials drawn from the indigeneous ethnic group" (ROEDER in BUNCE, 1999: 47). In the USSR, as in Czechoslovakia and Yugoslavia, national socialist federalism "institutionalized national distinctions and thereby rendered membership in a nation a key marker of individual and group identity. For example, national identity was a key category in the census;... republics were defined and named by reference to the titular nation" (BUNCE, 1999: 48).

In the context of the "institutionalized diversity" of ethnic collectives, Bunce observes that the *social accord* found its equivalent in the national federation in a "national accord".[48] One should not lose sight of the fact that in our current deliberations on how to emerge from crisis in Bosnia and Herzegovina along the lines of consociational and federal arrangements, there are frequent references to the need for an accord between the nations. Dodik, too, when speaking of the need for the ethnic federalization of Bosnia and Herzegovina, also refers to the need for an "agreement between the peoples". In other words, with the loss of the strong centre personified by Tito, the Yugoslav Communist Party and Communist League, and the Yugoslavia National Army, after 1974 the contractual relationship between the nations that had been characterized

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[48] Omer Ibrahimagić quotes the view of Josip Broz Tito in his "Nacionalno pitanje u svjetlosti narodnooslobodilačke borbe", reflecting the need for a "peoples᾽ accord" but free, this time (like the non-Russian peoples in Russia) of a monarchist repressive regime, to build a "fraternal community of equal peoples". Tito says: "The struggle for national liberation would be only a phrase, and even a fraud, if it did not have not only a general Yugoslav meaning but also a national meaning for each nation individually; that is, if it were not only the liberation of Yugoslavia but also the liberation of the Croats, Slovenes, Serbs, Macedonians, Albanians, Muslims, and if the struggle for national liberation did not also have a content that truly entails the freedom, equality and brotherhood of all the peoples of Yugoslavia". For more details see Omer Ibrahimagić, *Bosanska državnost i nacionalnost* (Sarajevo: VKBI, 2003), p. 72 et. seq.

since the War of National Liberation as one of equal peoples based on brotherhood and unity was faced with redefinition: "Yugoslavia had ceased to be either a regime or a state. Instead, it had become an international system composed of six, relatively autonjomous dictatorial entities of varying political and economic, not to mention national, persuasions" (BUNCE, 1999: 73). Socialist federal Yugoslavia consisted of "five federal entities that had come into being on the national principle – Slovenia, Croatia, Montenegro, Macedonia and Serbia, in which an absolute majority of the population consisted of the eponymous peoples," (IBRAHIMAGIĆ, 2003: 77) whereas Bosnia and Herzegovina, "although it was not a mononational federal entity, also gained the status of a federal entity on the criterion of its economic, cultural and historical distinctiveness" (Ibrahimagić, 2003: 73). Thus, while "national federalism constructed nations at the republican level" (BUNCE, 1999: 84), to the extent that these nations had an ethnic homogeneous "host", in the context of multiethnic Bosnia and Herzegovina without a dominant ethnic host, particularly after the institutionalization of the so-called national key", the opposite process of the deconstruction of the political nation took place. Valerie Bunce concludes that "national federalism was central to the story of state dismemberment in the socialist world"... "many of the nations in each of these cases were geographically concentrated and, thus, optimally positioned to form solidaristic groups promoting a nationalist agenda; and it was precisely those compact nations that did mobilize and tear the state [the USSR, Czechoslovakia and Yugoslavia] asunder" (BUNCE, 1999: 136-37). A feature of all secessionist movements within socialist multinational states, as Bunce observes, is that they "have a national, as well as a geographical base, which speaks to the power of the nation as an organizing symbol and to geographical concentration of the nation as a prime facilitator of the development of group solidarity" (BUNCE, 1999: 138).

And yet the socialist republic of Bosnia and Herzegovina could not easily fit into the unambiguous rise of ethnopolitical institutionalism that took place, almost to a standard formula, in every other federal socialist republic in the socialist world. It lacked that ethno-territorial base, a lack reflected in the vacant post of

"majority nation". One could say, then, that Dodik's proposal for an ethno-territorial federation of Bosnia and Herzegovina is in fact merely a continuation of the process of forming a national and geographical base and group solidarity centered, as Bunce notes, on a national programme. Rather than being a source of freedom, the vacant post of "majority nation" seems to have become a source of frustration in ethnopolitical circles in Bosnia and Herzegovina and its suroundings. From 1974 on, the absence of a point of reference expressed in terms of the "ZAVNOBiH" artifice of "and-and-and" and "neither-nor-nor" sequence of disintegrative processes, which Bunce describes as "the republicanization of sovereignty", encouraged a process of invoking precise delimitation and commensuration by dissolving the plural into a number of compartmentalized – "constituent" – singulars. As Ibrahimagić observes, even the basic principles of the 1963 Constitution of Bosnia and Herzegovina "used the notion of the people or nation in its ethnic and political sense. In the ethnic sense, when speaking of three nations in Bosnia and Herzegovina, while in the political sense the notion of the nation was used in speaking of the nation of Bosnia and Herzegovina by comparison with the other nations of Yugoslavia", (IBRAHIMAGIĆ, 2003: 88) as against the impersonal term "working people" of the 1953 Constitution. It would be better and simpler, when abolishing the "plural" of the majority nation, to demonstrate that there never had been one (the Serbo-Croatian greater-nationalist fantasy) or for it to emerge over time by derivation from a single core ethnic and substantial singular (the Bosniac nationalist fantasy). As against the concept of a plural majority nation in Bosnia and Herzegovina, a dominant, homogeneous and hegemonic ethnic identity is being constructed in its particularly construed political singularity both externally – in regard to the other two projected singularities – and internally: the internal dynamics of the ethnic group within which it is being established, maintaining by force (political, economic and, prior to that, military) the concept of a hegemonic ethnic identity. A singular ethnos now speaks on behalf of the plural majority nation, filling its "empty space" as expressed in the absence of a substantial "majority" nation. The ethnic meaning of the nation or people, used ambiguously in the socialist constitutions of Bosnia and

Herzegovina of 1963 and later, ousted its "political" dimension. In this way, any chance of rehabilitating a kind of state patriotism in Bosnia and Herzegovina, implying in the broadest sense patriotism without the right of primacy, without privileged groups and without any notion of "homeland" that might be closer to its "true" – historical, political, cultural – "essence" than any other group or notion of pretenders to the role, has been cut to shreds.

Do we then believe that an ethnic federation will make our country more efficient, that it will encourage stability, peace, democracy and mutual trust? It is not hard to imagine what ethno-territorial federalism would look like in reality. If one believes that the power of the federal entities should limit the power of central government, in an ethnically territorialized Bosnia and Herzegovina, the federal entities would have a degree of power that would effectively make it impossible to create any kind of meaning central government. Central government would have to be so remote, alien and despised, perhaps just as remote geographically and culturally as the "Teheran" of Dodik's metaphor of Sarajevo. Regrettably, national federalism, as our all-too-rich socialist experience has so amply demonstrated, can survive only in the case of a single strong center – political, military, economic and, at the end of the day, ideological too. One might even more boldly conclude that **national federalism succeeds only within an authoritarian political framework**. And such a framework would seem to be impossible in the Bosnia and Herzegovina of today.

Historically speaking, Bosnia and Herzegovina is a decentralized country, but the only kind of decentralization it could not endure is an ethno-territorial federation. Sol is not national federalism just one of the nationalist stages in the "**Yugoslavization**" of Bosnia and Herzegovina ahead of its final breakup? During the war against Bosnia and Herzegovina, the slogan "Bosnia and Herzegovina is Yugoslavia in little, and if Yugoslavia breaks up, there is no reason for Bosnia and Herzegovina to survive either" was repeated like a kind of mantra in greater-nationalist centers. Historically speaking, Bosnia and Herzegovina certainly is not Yugoslavia in little, but it would seem that promoting the idea of a consociation or territorial

federation is an attempt to make it into just that. So now a territorial consociation or ethno-territorial federation is being proposed for Bosnia and Herzegovina – a complex state of mainly ethnically pure republics; for to become some kind of "mini-Yugoslavia", Bosnia and Herzegovina must be recomposed as a union of national sovereign states, and for that, as a start, each of its constituent peoples needs its own exclusive territory. Nowadays in Bosnia and Herzegovina efforts are being made to install three ethno-territorial republics like the former Yugoslav ethnic republics – with this difference, that the Yugoslav republics did not come into being through the practice of ethnic cleansing, genocide and the illegal use of force – only to recreate the unfortunate Yugoslav (con)federation of 1974, which would lead inexorably to the breakup of that state.

For this reason, the principle of ethnic territoriality in Bosnia and Herzegovina is a threat to individual security and rights, enhances the instability of its citizens' expectations by creating a constant state of uncertainty, and prolongs the state of emergency; further-more, it stands in the way of political participation on the part of its citizens thanks precisely to its discriminatory practices and characteristics.

ANNEX 10:
The ethnic prisoner's dilemma

The million-dollar question of Bosnia and Herzegovina's political community, raised afresh after every multiparty election since 1990, could be stated as follows: "How come a majority of the electorate keeps voting for the political parties that use a markedly nationalist rhetoric?" The experience with "national" parties, or more accurately the ethnopolitical experience of the past two decades, which in its most radical form has proved to be so destructive for Bosnia and Herzegovina's political community, be it through the atrocities and ravages of war or through more or less subtle forms of discriminatory practice, justifies us in rephrasing the question thus: "How come a majority of the electorate keeps choosing the worst political option?" The fact is that from 1990 to 2006, despite their open and often widely expressed contempt for the ethnopolitical elites and, which is particularly interesting, "their own" ethnopolitical elites at that, once in the privacy of the voting booths on election day the citizens of Bosnia and Herzegovina still diligently put a cross beside the name of "their" national leaders. Why is this? I would go so far as to say that there is not one serious citizen of Bosnia and Herzegovina today who would dare to say in all honesty that the ruling nationalist garniture will bring about any crucial changes. If I were to be so bold as to claim that there is a consensus about anything at all in this country, it would be that there is a general consensus that we all know there will be absolutely no changes at all. And yet, at the very next elections those same voters will hasten to the polling station to give their votes to "their" people. All in all, this is just one of a series of paradoxes of the state of

Bosnia and Herzegovina. It is true that the electorate goes to the polls, but they are deeply "convinced that everything is decided somewhere else, which has nothing to do with them. [They] are disillusioned with politics. They are convinced that politicians are involved in politics purely for their own interests and material benefit".[49]

One could answer these questions from several angles. I have written most extensively about the social context from which an answer might come. This answer comes down to the fact that the ethnopolitical context is such that citizens can feature as politically relevant only as members of this or that people or nation. I believe I have demonstrated that ethnic affiliation or national identification is primarily of a performative nature, and as such entails a series of acts in corroboration of ethnic affiliation. In appealing to national sentiment it in fact produces sets of culturally and politically recognized actions recognized in the symbolic universe as the constituent elements of the identity of that collective. These become the "reality" from which one is then supposed to proceed when considering solutions to the crisis in Bosnia and Herzegovina, the "reality" one is supposed to take into account. Ethnopolitics in Bosnia and Herzegovina has evolved just about as far as it can go in terms of the procedures and rules it has itself laid down, and in future, in the 2010, 2014 and subsequent elections, all we can expect is the ethno-national oligarchies rotating power and the entire crisis-generating state and legal context, and hence the need for ethnopolitical organization, remaining intact. Its ultimate objective is for the ethnos tomature into a nation, and the formation of "its own" nation-state, which implies the dissolution of the framework of Bosnia and Herzegovina. What is left, though, is to shed light on the individual perspective of the ordinary citizen of this country. I intend to do this by using the "Prisoner's Dilemma", in the hope of penetrating to some extent at least into the mechanism of ethno-political rule.

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[49] Interview with Valerij Fjodorov, director of the Russian Public Opinion Poll Centre, *Jutarnji list*, Zagreb, 30.9.2006, pp 28-29.

Before I make the experiment, though, I think it is important to consider another issue: what is still left of the individual in Bosnia and Herzegovina? There is no need to observe him or her in isolation from the rest of Eastern Europe, and in particular the peripheral regions which lack the sharp edges of the European political, economic and cultural circle. Valerij Fjodorov describes the individual in these peripheral societies as follows:

> The basic change that is to be seen in post-communist Russia concerns individualism, not as the free choice of the individual but rather as a consequence of the sense of hopelessness... The individualism that has emerged in Russia comes down to 'everyone for himself.' It is not responsible individualism of the kind practiced in the West, and its starting point is not – as the classics of liberalism would have it – that the happiness of the individual derives from the happiness of society as a whole. It is delinquent individualism, just as Russian capitalism is delinquent capitalism. Everyone is working and thinking only of him or herself. All our polls indicate that the majority of people, given the opportunity, defraud the state or steal from it for their own benefit. This, of course, is not because the Russian people are thieves or villains by nature, but because the present version of capitalism has driven them into a corner (FJODOROV, 2006: 28).[50]

I think one could say much the same about the individual in Bosnia and Herzegovina.

The individual in Bosnia and Herzegovina is a delinquent individual, egged on by the delinquent capitalism that is ethno-capitalism, and genuinely regards politics as a kind of fraud where the most important thing is to take others for suckers and make a lucrative business of it. If one analyzes the sector of society that should be most closely in touch with individual preferences, interests and initiatives, the civil sector, the state of affairs is still more devastating. If one agrees that there are two models for the development of civil society, depending on "historical circumstances and traditions of political culture" (HUDSON, 2003: 214) – a "bottom-up" version where "civic groups form spontaneously and influence

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[50] Ibid, 28.

the government, directly or indirectly" (HUDSON, 2003: 215), and a "top-down" version where it is government that "may initiate or otherwise encourage the formation of civic groups by creating policies and procedures that, in turn, yield the conditions for the groups to be established" (HUDSON, 2003: 215), it becomes very difficult to give an unambiguous explanation of the unacceptable weakness of the civil sector in Bosnia and Herzegovina. It is this very weakness that may help to assess the status and strength of the individual in this society. If the bottom-up model is the "natural" model for the formation of a civil society network in a give country, which has helped to strengthen civism and achieve the plurality of its goals, the other model is of a more "interventionist" nature. With a suitable concept of the general welfare, the initiation of civil associations by interventionist means can prove to be a plausible undertaking. Thus, for instance, "[p]ost-World War II West Germany provides a good example, in which the victorious allies imposed a democratic form of government upon Germans, who then became socialized into democratic patterns of operation on national and local levels. This occurred over a long time, of course, but eventuated in the change of German political culture, from one favoring authoritarian patterns of decision making to one considerably more democratic" (HUDSON, 2003: 215). Gorbachov's policy of glasnost is another, albeit less successful example of initiating the civil sector from the top down. Presumably the sudden collapse of the USSR put the brakes on the process of changing the political culture of Russian society. Bosnia and Herzegovina's model of the development of civil society might be regarded as a category in itself. Its nearest equivalent is the model that one might call "from the outside down". It cannot be denied that towards the end of socialism there were attempts to form and develop bottom-up civil initiatives, but the war put a stop to this "natural" development, which was followed even during the war by interventions "from outside" which, in time, created an entire subculture, albeit almost exclusively reduced to NGOs, with very little influence on government on the one hand, and even more modest results as regards changing the political culture on the other. In addition, if "in all this one bears in mind facts that suggest that the majority of the non-

governmental sector receives the major part of its support from foreign donor funds, and as time passes the strategy of local non-governmental organizations is increasingly based on donor-driven strategies and less and less on the real state of affairs and genuine needs, the situation becomes still more pessimistic." (ABAZOVIĆ, 2006: 226).

At the same time, following the post-war consolidation, the ethno-political powers began their own top-down intervention, but the formation of civic associations – particularly those of war victims and veterans, thus became checkpoints of a kind, "forward command posts" for the ethnopolitical authorities and national unity crystallization points, whose operations carried out disciplinary procedures as required against the general public within the desired collective identity context. This practice of manipulating "octroyed" associations is particularly evident during election campaigns. In his survey of the problem of the development of civil society in Russia, George Hudson identifies four key elements for the success of a "top-down" model: "the government should encourage the formation of civic groups; the government should limit its own power to reinforce its potential as a 'carrier of liberalism' – those core values of civil liberties and civil rights within the context of a community that encourage civil society; civic groups should form as a response to government action; and the civic groups themselves should make their decisions democratically, according to commonly agreed rules" (HUDSON, 2003: 216). Of course, it is clear at first glance that the ethnonationalist authorities at all levels in Bosnia and Herzegovina are fairly indifferent to civic groups, to say nothing of how useful it is, in the case of Bosnia and Herzegovina's ethnic segregation, to use the term civic unless it is taken to mean merely *ethno*-civicism. In a country where every public appearance or statement is ethnically codified, where the political relevance of the citizen begins and ends with his or her membership of this or that ethnic group, the civic initiative is utterly meaningless.

Second, the last thing the authorities in Bosnia and Herzegovina have in mind is to encourage the "bearers of liberalism" – a concept that is deeply repugnant to ethnopoliticians as one that does away

with the reason for ethnopolitics to exist at all, although they will tolerate and even welcome an NGO-reduced, donor-driven civil sector as a marginal subculture, as the only stage or "outlet" where a few angry citizens, most of them liberally-inclined intellectuals, can express their "frustration" without hindrance. Third and fourth, with a few exceptions, it is hard to say that a reduced civil sector largely imposed from without can have emerged in response to the actions of the domestic authorities. It comes into being in the projections of "outside" centers, so one may legitimately raise the question: "has not such a reduced framework of civil society, the causes of which should be sought in the almost colonizing character of aid directed from without, irrevocably buried in advance the possibility of the majority of other forms of civil engagement ever developing (any other form, that is, that is not reduced to non-governmental organizations" (ABAZOVIĆ, 2006: 227)?

In this way the problem is located in the arena of individual preferences and options, particularly individual self-understanding in the ethnopolitical context. As I have suggested, I shall attempt to shed light on this "drama" of self-understanding by analogy with the kind of problem that arises in the *prisoner's dilemma*, giving it a specifically Bosnian-Herzegovinian contextualization:

> Suppose you live in a totalitarian society, and one day, to your astonishment, you are arrested and charged with treason. The police say that you have been plotting against the government with a man named Smith, who has also been arrested and is being held in a separate cell. The interrogator demands that you confess. You protest your innocence; you don't even know Smith. But this does no good. It soon becomes clear your captors are not interested in the truth; for reasons of their own, they merely want to convict someone. They offer you the following deal:
>
> • If Smith does not confess, but you confess and testify against him, they will release you. You will go free, whereas Smith, who did not cooperate, will be put away for 10 years.
>
> • If Smith confesses and you do not, the situation will be reversed – he will go free while you get 10 years.
>
> • If you both confess, however, you will each be sentenced to 5 years.

- But if neither of you confesses, there won't be enough evidence to convict either of you. They can hold you for a year; but then they will have to let both of you go.

Finally you are told that Smith is being offered the same deal; but you cannot communicate with him and you have no way of knowing what he will do. The problem is this: Assuming that your only goal is to spend as little time in jail as possible, what should you do? Confess or not confess?... At first glance it may seem that the question cannot be answered unless you know what Smith will do. But that is an illusion. The problem has a perfectly clear solution: No matter what Smith does, you should confess.... That will get you out of jail the soonest, regardless of what Smith does. So far, so good. But there is a catch. Remember that Smith is being offered the same deal. Assuming that he is not stupid, he will also conclude from the very same reasoning that he should confess. Thus the outcome will be that you will both confess, and this means that you will both be given 5-year sentences. *But if you had both done the opposite, each of you could have gotten out in only one year*. That's the catch. By rationally pursuing your own interests, you both end up worse off than if you had acted differently. That is what makes the Prisoner's Dilemma a dilemma. It is a paradoxical situation: You and Smith will both be better off if you simultaneously do what is *not* in your own individual self-interests (RACHELS, 2003: 145-47).[51]

The prisoner's dilemma arises, first, in "a situation in which people's interests are affected not only by what they do but by what other people do as well" (RACHELS, 2003: 147), and second, "a situation a in which, paradoxically, everyone will end up worse off if they individually pursue their own interests than if they simultaneosly do what is not in their own individual interests" (RACHELS, 2003: 148). Although the entire case is a fiction, our daily lives abound instituations in which we have to weigh the possible outcomes of "egoistic action" based on our own interests and "benevolent action" taking into consideration "other people's welfare as well as your own" (RACHELS, 2003: 148).

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[51] James RACHELS, *The Elements of Moral Philosophy*, IV Edition (MCGRAW-HILL, 2003); 145-47.

Purely from the point of view of advancing your own welfare, you might assess the possibilities like this:

- You would be best off in the situation in which you were an egoist while other people were benevolent. You would get the benefit of their generosity, without having to return the favor: (In this situation you would be, in the terminology of decision theory, a 'free rider'.)

- Second-best would be the situation in which everyone was benevolent. You would no longer have the advantage of being able to ignore other people's interests, but at least you would have the advantages that go with considerate treatment by others. (This is the situation of 'ordinary morality'.)

- And finally, you would be worst off in a situation in which you were benevolent while others are egoists. Other people could knife you in the back when it was to their advantage, but you would not be free to do the same. You would come out on the short end every time. (We might say that in this situation you are a 'sucker'.) (RACHELS, 2003: 148-49).[52]

In a situation where everyone follows only their own interests, we arrive at a Hobbesian jungle, a situation in which everyone is "obviously worse off than we would be if we cooperated. To escape the dilemma, we need another enforceable agreement, this time an agreement to obey the rules of mutually respectful social living" (RACHELS, 2003: 149). The Hobbesian jungle is a pre-political state, a state of general distrust or "everyone at war with everyone else", based on the preferences of raw egoism, and is markedly different from Bosnia and Herzegovina's "jungle" as a version of the pre-political based on the egoistic preferences of ethnopolitical entre-preneurs in which, to paraphrase Fjodorov, the citizens of Bosnia and Herzegovina, after any possibility of their articulating them-selves politically as citizens has been stripped of meaning, have been "painted into a corner", into an "ethnically structured prison" in which the only kind of individualism that can manifest itself is in fact egoism. Bosnia and Herzegovina's pre-political state of affairs has been manufactured, and is constantly being renewed by political

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[52] Ibid, 148-49.

means in a broad spectrum of electoral lists, through an institutionalized practice of ethnic diversity which is discriminatory, and with the limited use of force to the point of war itself. That is why one should talk about the "ethnic prisoner's dilemma" in Bosnia and Herzegovina.

The fifteen-year ethnopolitical experience of the citizens of Bosnia and Herzegovina has reduced them, politically speaking, to membership of this or that constituent people. In the political sense, principally ahead of elections, the citizens of Bosnia and Herzegovina do not feature as individuals but as members of a constituent people, a larger collective, and the suspicion and distrust of the other that is in any event a feature of their day-to-day egoistic behaviour, which Fjodorov calls "everyone for himself", is now transferred to the ethnic other. The daily existential struggle is projected into a political struggle for the sheer survival of one's own people. Like a textbook example, then, the citizens of Bosnia and Herzegovina are prisoners of an ethnically-bounded prison the walls of which are built of doubts as to the sincerity of the ethnic other, fear of the other and fear for their own survival (every election since 1990 has a subtext of the "survival" of our people). At the same time, our citizens are aware that they are in a prison, that the warders do not care much about their interests, that it is impossible to have a decent life on that principle, that none of us – whether together or individually – can "progress" in isolation, and that the so-called "national" option cannot foster any significant changes because it is based on incarceration, to our own and others' misfortune. Each time elections are held, the same dilemma troubles the mind of the ethnopolitical prisoner:

1. If A, B and C were to vote against parties with a nationalist programme, we would achieve a first-class outcome: those whom A and B and C hold responsible for their difficult existential situation would fall from power;

2. If A, B and C vote for "their" ethnopolitical elites, a second-class result will follow: everything will remain the same, as we have become accustomed, with no significant flux; though A's position will remain unsatisfactory, so will those of B and C; neither "we"

nor "they" will prosper, so elementary justice is satisfied in a "negative" sense;

3. If A votes for "his" ethnopolitical result, but B and/or C do not, from A's perspective a third-class result will follow: although those who have kept A in an unsatisfactory situation will continue to rule within corpus A, the break-up of ethnic homogeneity in the case of B and/or C, the parties that "began everything" and that are "responsible" for the sufferings and misfortunes that ensued, will arouse hopes of change; in addition, reasons A: "since they began it all, it is quite right and proper that they should be the first to change;"

4. If A does not vote for "his" ethnopolitical elite, but B and/or C do, the outcome will be fourth-class, or the worst of all: in the ethnopolitically structured state, B and C's homogeneity will strengthen, but the ethnic group to which A belongs will fragment, leaving it too weak to oppose the Bs and Cs, and the already poor position in which we As find ourselves could become even worse.

Although the best solution for A, B and C would be the first alternative, with its first-class outcome which could lead to changes in the right direction and a better position for everyone, since abandoning the ethnic framework would also mean leaving the collectivist-based political arena, which in turn would open up a space for citizens and their initiatives, still A, B and C do not have sufficient confidence in one another – let us not forget that the ethnopolitical elites keep inducing distrust, especially ahead of elections. No one can be sure that others will agree to act against "their own political interests", which in an ethnopolitical state are invariably ethnic interests. As in the prisoner's dilemma, citizens would gain far greater benefit if they did not follow their ethnopolitical interests, if they would agree, just for once, "not to survive", but to follow the common interest which takes equal account of the interests of ethnic others, knowing that without progress for their people there can be none for mine either within one and the same political community. However, one is "convinced", and is persuaded ahead of elections, that others' intentions are

destructive, and decides to give them "tit for tat" – to give one's vote to the nationalist policies of one's own group as the least bad but most readily accessible solution; that is the "card" that will result in the least loss, because everyone is equally the loser. Every other alternative is less certain and could make an already bad situation still worse. This kind of rationalization is certainly enhanced by the "secret ballot" which, unfortunately, has become "a good protective device against public criticism, since its secrecy ensures that no one else can know that these attitudes are held" (BARRY, 1995: 291). In addition to this anonymity, yet another factor contributes to this rationalization of the "least bad alternative:" the knowledge that "my vote" is only one vote, after all, just one drop in the ocean of votes and, however I vote, it cannot have any significant impact, or any impact at all, on the outcome of the ballot. What is more, even if the political option directly aimed against my honest preferences were to win the election, it will not make it " irrational, since one vote cannot (normally) affect the outcome" (BARRY, 1995: 291).

One might say at first glance that the political leadership in Bosnia and Herzegovina is in line with the preferences of the electorate, since the election results mainly reaffirm the ethnopolitical regime, but a careful consideration of "individual preferences", which come down to a second-class outcome or, to put it in everyday terms, prolong one's own unsatisfactory position, indicate just how distorted individual preferences are in the public arena. Skilfully conducted election campaigns in a broader context of hate speech and exclusivity, incidents, spreading distrust, and emphasizing that survival itself is at risk, adeptly converts individual into collective preferences. The ethnopolitical oligarchies have perfected the knack of distorting or transforming voters' individual preferences into the desired collective preference, or in dictating their perception of the world. This knack is based on successfully construing the political conflict and crisis as "ethnic" through "prevailing interpretive frames" (BRUBAKER, 2002: 174). It consists of framing or encoding certain procedures, statements and events with the help of prevailing interpretive frames as "ethnicity at work", which for its part "can exercise a powerful feedback effect, shaping subsequent experience and increasing levels of groupness" (BRUBAKER, 2004:

16). Framing as a means of guiding perceptions of and perspectives on the world and interpretation as construing demonstrate that "ethnicity, race, and nationhood are fundamentally ways of perceiving, interpreting and representing the social world. They are not things *in* the world, but perspectives *on* the world. These include ethnicized ways of seeing (and ignoring), of construing (and misconstruing), of inferring (and misinferring), of remembering (and forgetting). They include ethnically oriented frames, schemas, and narratives, and the situational cues – not least those provided by media – that activate them" (BRUBAKER, 2004: 17). In the 2006 elections, the "triggers" of the narratives of an ethnicized way of seeing things were slogans such as "we shall abolish Republika Srpska", "Republika Srpska will secede", or "a third entity is the only way to protect the equal rights of all three constituent peoples".

By locating the political subjectivity of the citizen into the pre-political arena of the "people's critical struggle for survival", the citizen, though necessarily unaware of the fact, does not vote as a citizen but as A, B or C; in other words, the demos becomes the ethnos which, by virtue of the "individual" votes of the electorate, in fact merely confirms its performative nature as a set of acts of self-certification of ethnic affiliation and unity. This is why all the free elections held so far in Bosnia and Herzegovina have been in effect mini population censuses, not political elections. Of course one can deplore this political production of a pre-political community and demonstrate that it would be rational to choose a policy that would strengthen the public interest or general welfare, which requires us to take everyone's interests into account, and that in the case of Bosnia and Herzegovina there can be no prosperity for group A if groups B and C are in an unfavorable position, and vice versa. This is the crux of the prisoner's dilemma – the knowledge that we would all do much better if we work together, if we do not follow our own selfish interests – politically speaking, the interests of "our" group. However, the heightening of tensions, exclusivity and distrust by the ethnopolitical elites distorts the reasoning behind this kind of elementary rationality. Ethnopolitical entrepreneurs – and they are indeed entrepreneurs, since a member of parliament's mandate, or a position in government or the admini-

stration, is a profitable business entailing very little risk – do not address their voters as members of the public, as citizens, but as members of a specific, particular, pre-political group, drawing up programs to maximize this particular interest, not the public welfare. As successful business entrepreneurs, they thus make sure of the safest way to sell their products to their consumers (the voters) on the basis of successful publicity campaigns creating the exact kind of need required for the consumption of their product – by addressing their fears and heightening distrust. It is the presence of the prisoner's dilemma in society that "drives individuals to vote for policies that are not in their interests as members of the public" (BARRY, 1995: 290).

In a situation in which the citizen is "painted into a corner", in which the public arena of civic initiatives has been laid waste, differently focused cognitive perspectives and interpretive frames that might serve as competitive rivals to ethnic framing lose "persuasiveness", are "demobilized",[53] lose strength and are forced to capitulate een before the political battle begins. It is thus a regular occurrence, even when ethnicity plays no major part in the everyday lives of members of groups A, B and C and even though they are "disillusioned with politics" and know where the source of conflict lies, know that it comes from "the top" "and is stirred up by politicians pursuing their own interests" (BRUBAKER, 2004: 23), during the days or, rather, months of conflict of the election campaign, for ethnic categories to become "sharply bounded groups, united by intensely felt collective solidarity and animated by a single

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[53] V. P. Gagnon writes about the strategies to demobilize the population in Serbia and Croatia in these terms: "[T]hese strategies were aimed against those parts of the population that were actively mobilizing against the interests of conservative elites and calling for fundamental changes to the structures of economic and political power within Serbia and Croatia. By constructing images of external threats and by provoking violent conflict along ethnic lines in their strategy of violence, the elites sought to shift the focus of political discourse away from issues of change toward grave injustices purportedly being inflicted on innocents, thus serving to demobilize – by silencing and marginalizing – those who posed the greatest threat to the status quo: the politically mobilized population and the opposition elites who were mobilizing them" (Gagnon, 2004: 180).

overriding distinction between 'us' and 'them'. The violence itself reinforced this sense of groupness, which then subsided gradually as life returned to normal..." (BRUBAKER, 2004: 23). When life returns to normal, with the establishment of the new-old ethnic authorities, the country's citizens are left to themselves and their "private egoism" – their mundane concern to provide for themselves, largely on the margin of existence as they are. Once again, as in every free election so far, ethnic framing is carried out by imposing interpretive formula used strategically by the ethnopolitical elites in order (once again) successfully "to mask the pursuit of clan, clique, or classes" (BRUBAKER, 2004: 17).

APPENDIX I:

The Role of the Humanities and Social Sciences in the Epistemological Armament of Culture in Bosnia and Herzegovina

In his famous book *Pravci razvoja političkog sistema socijalističkog samoupravljanja* Edvard Kardelj offered a crucial *ideological supplement* to the inner dynamics of the research process in the Yugoslav humanities and social sciences. He pointed out that "science without a living and everyday connection with practice will find itself in an empty space and will then, to a large extent, begin to deal with studying merely literature and abstract speculations, thus failing to research the real facts" (KARDELJ, 1977: 215). As a result, scientists became "futile precisely because of their conservative ideological burden, as well as because of their attempts to impose such science onto society as a whole as some kind of political power outside the system" (KARDELJ, 1977: 215). On the one hand, then, the key ideologue of Yugoslav socialism requires from scientists an "autonomous" scientific, "critical" work – "It is not, therefore, enough for our Marxist social science just to share critical analysis and its arguments, though this is also necessary…" (KARDELJ, 1977: 215) – but also this work must be channelled exclusively in the context of "socialist relations among people", that is, "in connection with practice, science also has to take on responsibility for solutions and in this way to test the grounds of its own presuppositions" (KARDELJ, 1977: 215). Kardelj thus made it clear to Yugoslav social scientists and scholars of the humanities that their work should had been conducted within the ideological framework of their society. Socialist science (the social sciences and

the humanities, above all) and the socialist political system are organically interconnected where scientists indeed "emerge as an 'organic layer' of the working class". (Tanović, 1979: 109). This kind of organic connection is unavoidable since "the entire political system needs to be 'equipped' with the necessary scientific and expert apparatus, that is to establish updated communication with scientific and expert institutions on the basis of mutual responsibility for the results of cooperation". (Kardelj, 1977: 217). This reasoning reveals the dominant conception of human knowledge predetermined by class membership, bearing in mind that the content of the notion of "class" was determined by Party ideologues such as Kardelj. Tanović quoted Lenin's rather categorical claim that "an intelligentsia which is not affiliated with a class of its own is nothing". (Tanović, 1979: 108). This analogy implied that if the bourgeois university had been one of the most effective tools for the preservation of a bourgeois regime, then a socialist, "people's" university should serve the purpose of the establishment, the preservation and legitimation of the ideological frontiers of the *dictatorship of the proletariat*. "It is well known that the ruling class always affirms its consciousness as general social consciousness constituted by values in which its interests and needs are articulated. That is why our educational system 'serves' the interests of our working class, and that is why the goals of education in our conditions have been deduced from the historical and concrete interests of our working class". (Tanović, 1974: 101). Viewed in this light, these words reveal a certain matrix within which the social sciences and humanities have functioned ever since, at least in Bosnia and Herzegovina – *socialist ideology is the key initiator of scientific research, and its final goal*.

Thus the crucial characteristic of the social sciences and humanities in Bosnia and Herzegovina has been "ideological limitedness" according to which the ideology is the initiator and the result of all scientific research. This ideologically conditioned circle or matrix of scientific research is its constant feature, marginalizing or wholly excluding the possibility of "non-ideological" scientific work. In this case, "non-ideological" was disqualified on the basis of the gap between "theory and practice", or as the lack of any "consideration

of the real possibilities, concrete historical processes and needs of our working class and of our peoples". (Tanović, 1974: 99). By virtue of its predetermined context, as well as a predetermined methodology, that of "dialectical materialism", this approach utterly disabled the possibility of critical distance, since according to this matrix the verification of scientific or intellectual work was not to be found in, for example, a free community of researchers in terms of classic academic freedom, but rather in something very un-intellectual or vague such as an undifferentiated notion of "socialist relations among people", or in the "concept of associated labour". To be more precise, this very undifferentiated network of ideas was articulated and re-articulated by the Communist Party leaders, to ensure that the ideological circle around the social sciences and humanities was closed. To think beyond this circle, according to this ideological matrix, means the 'enclosure of science in spheres of abstract speculations'. This ideological approach served as a cornerstone of distinction between the "privileged" social sciences and humanities – with the clearly determined role of "meeting the requirements of certain social needs, above all, the education of qualified experts who adopted contemporary knowledge as well as a Marxist worldview" (Tanović, 1974: 102) – and "non-privileged", "elitist and abstract humanism", or "the opponent faction which defends the old auto-nomy of university as it was established in the 19th century, academic freedoms for each and everyone, overclass democracy and humanism without restraints, while failing to take in consideration... the interests of the working class". (Tanović, 1974: 99). A tendency was observed among certain scientists to act "beyond our socialist practice, dealing with reality outside Yugoslavia, that is with foreign literature about that reality". (Kardelj, 1977: 215). The ideological imperative of a 'marriage between theory and practice' whereby practice stood for the arbitrary narrative articulated by Communist Party ideologues in "actual practice" served as a means to the process of devaluing the social sciences and humanities, as a means of producing new dualisms such as the process of differentiating between "honest" and "dishonest" intellectuals – that unfortunate ideological dualism that has overshadowed every intellectual effort in Bosnia for half a century.

The ideological development of Marx's metaphor of "the abolition of philosophy' tended towards the abolition of free intellectual labor. In fact, the humanities and social sciences, or the university in general were understood now as "a segment of associated labor… not as a fully independent, autonomous sphere of labor, but as one equal activity among others within the network of the social division of labor which has its own value and price so that it can be freely exchanged with other forms of labor". (Tanović, 1974: 101). Thus restricted intellectual engagement indeed had "its own value and price", the consequences of which are still being felt today. The ideological limitations imposed on scientific research and argumentation, especially in the humanities and social sciences, which were at times very restrictive and repressive, paved a way for a specific pathology among scientists and the further de-socialization of academia in general.

The imperative of abolishing the dualism between theory and practice resulted in the abolition of the "intellectual". In fact, a personal commitment to intellectual values usually resulted in condemnation and marginalization with the stigma of "elitist" or "abstract humanist". It did indeed mean condemning such people to "working in isolatio" in excommunication, depriving them of the possibility of public debate, which eventually leads such intellectuals to desperation and a somewhat tragic bohemian lifestyle. Any person with scientific, intellectual or academic aspirations who aspired to avoid such marginalization was required to "join the matrix" and become an "abolished intellectual". Such intellectuals are initiated into the "communion" "between philosophy and politics in the workers' movement in which philosophy, ideology and politics, as well as intellectuals and the intelligentsia in general, lose their status as independent, distinct spheres of spirit and practice and become merely diverse forms of unique revolutionary practice. With this as his starting-point, Edgar Morin says: 'That is why there is no such thing as a Marxist *intellectual*. The Marxist ceases to be an intellectual expanding the field of his intellectuality because he becomes simultaneously practitioner and thinker, fighter and scientist'". (Tanović, 1979: 108-109). The "natural" social arena where these diverse simultaneous faculties could be "creatively"

balanced is that of politics. Indeed, the only concept of intellectual engagement – a regrettable heritage which survives to this day in Bosnia – was that of political engagement. That is, "the *theoretical consciousness* (science) is to be corrected, developed to its full completion according to the *practical test of political consciousness* in certain situations". (TODOROVIĆ, 1970: 96). It was only in politics, according to Kardelj, that scientific results and arguments could be tested, and it was only in science that politics could obtain the "tools" it needed to further the political system of socialism. This "organic" connection is established: "The ideological foundation of our society is Marxist science, which we had brought to life in practice and to which theory we had made significant contributions… Marxism is not only a science, it is also an ideology". (TANOVIĆ, 1979: 74). This closed ideological circle resulted, among social scientists and scholars of the humanities, in a specific "Bourdieu's Paradox" – following the line separating the privileged from the non-privileged humanities and social sciences – that is into a "*de facto* division of labor of social production with respect to major varieties of experience. Very often the persons who are able to speak about the social world know nothing about the social world, and the people who do know about the social world are not able to speak about it". (BOURDIEU, 1999: 273).

Like every pre-established, sharp-edged narrative, or context, this ideological matrix resulted in a specific simulacrum or chimaera. It was very often admitted, even with pride, that "we are building social relations as yet unknown to history, in accordance with the principles of Marxism and the most essential historical intentions of the proletariat and other exploited masses. Theoretical and scientific work, as well as ideological and political work is an integral part of this struggle, an irreplaceable precondition of path-making… and opening up perspectives. In this respect, the theoretical thought of the League of Communists and the contributions of the scientific and other intelligentsia have a significant social and historical role and responsibility". (TANOVIĆ, 1979: 73). This kind of term-leveling, where the theoretical, scientific, ideological and political thinking of the League of Communists and the contributions of the scientific and other intelligentsia have become interchangeable terms, gave

birth not only to "social relations as yet unknown to history", but also to "university practice unknown to history". It gave birth to the model of the *professor-politician* (Nenad Kecmanović), or Prof. Dr. politician (Ugo Vlaisavljević). The professor-politician is a university professor (especially of the humanities and social sciences) who is politically engaged through "theoretical work" intended to offer an elaborate apology for the ruling ideology – be it the ideology of Communist Party, or the ideology of ethnopolitical parties after 1990. They offer their "intellectual services" or "theoretical equipment", in Kardelj's words, and the "necessary scientific and expert apparatus", thus developing an arsenal of metaphors of the privileged ideological vocabulary and maintaining the dominant political simulacrum. They are "arming" the ruling epistemology of ideological chimaera with pseudo-scientific (or ideologically constrained scientific) weapons in expectation of personal reward – career advancement, advancement in the network of power, material commodities, etc.

One rather intriguing text of Nenad Kecmanović "Profesori političari i političari profesori" ("Professor-Politicians and Politician-Professors") written in 1980 clearly depicts these important manifestations of the "engaged" professor. Departments of the humanities and social sciences in collectivist authoritarian regimes – communism and ethnonationalism – were constantly under political pressure from the "base" or "constituency" – either "working people" or "my people" – which respectedly divided intellectuals into two groups: *the honest intelligentsia* ("poštena inteligencija") – "engaged" professors, either creators or co-creators of a "scientific" authentification of the ruling ideological worldview, and *the dishonest intelligentsia* ("nepoštena inteligencija") – disengaged professors dealing with "abstractions" and mere theories. Being an honest intellectual meant being with one's people (working people under socialism, or one's ethnic group under ethnonationalism). The intellectual "honesty" usually granted access to the pyramid of political power, and eventually led to collateral material gain – an apartment, serving on various boards and commissions, the diplomatic service, etc. In this respect "the Central Committee, as the highest political institution, and the university, as the highest

institution of learning, functioned as the somewhat complementary institutional bases of the entire Communist regime. The functioning of these institutions presupposed a continuous exchange of politicians and professors, or rather, their metamorphosis while transferring from one institution to another". (VLAISAVLJEVIĆ, 2002: 47).

The general social imperative of "transcending the gap between theory and practice" demanded of the university intellectual and strengthened by his narrowest personal interests and motives contributed to creating one particular model of "university worker" who "acts as a politician at the university, while in politics he acts, above all, as a scientist, professor, doctor". (KECMANOVIĆ, 1986: 230). This voluntary self-instrumentalization governed by personal interests causes the professor-politician to become the living actualization of the ideal man of collectivist ideological science: it is in his person that science and people meet each other in "dialectical" synthesis. It is through him that science reaches the people, and it is he, one of the "wisest" of his people, who leads them towards their full actualization. The professor-politician of socialism and ethnonationalism will always be, for his colleagues, a comrade from politics, or "higher instances", but even so, he will continue to

> highlight his expert competence which makes him equal to his colleagues. Therefore, both expertise and politics are in him, enabling him to become the 'enlightened authority' to who incompetent arbitrariness cannot be now objected. However, what gives his words the power of special authority is his membership of the political forum, for it means that the comrade is at the very source of information with which others are less familiar, that it is he who is in a position to brief instances and individuals in charge about the situation at faculty in full confidentiality. Even when he points out during his discussion that he is giving only his personal view, and not the view of the forum, this is immediately understood as his demagogic modesty, that indeed 'the general social interest' is speaking through him, which means that it is not advisable to confront his views. Of course, he is comfortable with this, so he will not bother to shatter this 'illusion' among his colleagues that he is the one to be consulted and, of course, obeyed. (KECMANOVIĆ, 1986: 230-31).

Our historical experience teaches us that this double professor-politician engagement is utterly futile and counterproductive. The blind apology for the ruling political ideology, its scientific authentication that can no longer tolerate any critical dissent, render the ideology itself inflexible. Its axioms become timeless, transhistorical, incapable of self-recontextualization, they become dogmas and thus pave the way to its certain eventual destruction. It is almost amazing how the "engaged" Marxians" of socialist universities managed to forget the Marxist view itself of the "ideologically engaged intellectual". Tanović points that "the intellectual earns his bread, for the most part, by perfecting the illusion of the class about itself, the illusion that all of its interests are at the same time the common interests of all members of society... In fact, ideologues, whether conscious of it or not, formulate only the interests of a particular class by distorting the image of reality, by building an illusion of the rule of principles and ideas and thus articulating the particular as the universal..." (TANOVIĆ, 1979: 107). Among the achievements of the professor-politicians was indeed 'to perfect the illusion of the ruling class about itself', they developed the illusion that the interests of their imagined class were indeed the common interests of all members of society. The socialism they developed was indeed, according to William English Walling, "state socialism" which was "simply a new form of class rule". (WESTBROOK, 1992: 190). The apparatus they served intellectually was merely, in this author's view, "a new set of masters". (WESTBROOK, 1992: 191). Back in 1913, Walling offered a refreshing reconstruction of the concept of class "which unlike that of conventional Marxism, divided society not into capitalists and workers but into the privileged and the non-privileged. This definition of class was based on wealth and power rather than on the relationship to the means of production, and it set as its goal the end of class rule by the privileged in whatever form – capitalist or pseudo-socialist – it might take and its replacement by a self-governing industrial democracy, a new 'higher' form of individualism. State socialism sacrificed the individual and his need for creative political action to a specious belief in the inevitability of centralization and bureaucratic control". (WESTBROOK, 1991: 190-91)

From this perspective, then, the death of Yugoslav socialism was actually the death of "one set of masters" and its elaborate comprehensive doctrine. Entire teams or "think tanks" of professors-politicians enclosed within this simulacrum of an ideological matrix designed to maintain one particular set of masters in power, could not have prevented this death. Their "intellectual" tools and weapons became outdated, their metaphors too worn out, too petrified, too closed to recontextualize, to give any meaningful interpretations whatsoever. If this apologist role of the professor-politician was to prove fatal to the very politics it had armed, even more fatal is his role to science. The politically engaged professor did appalling damage to the university through its political instrumentalization. With his authoritarian perspective he continuously discouraged dialogue among the members of the scientific community, thus preventing any possibility of establishing a "free community of researchers;" in the end he usually ceased to be a scientist, as well as a teacher. He indeed paralyzed and devalued university life by his role improving that the university was only the initial, almost irrelevant starting point for any other "more serious" engagements. In other words, he was a bad politician, and an even worse scientist.

Unfortunately, "with the fall of communism and rejection of Marxism as the science of all sciences, the political role of the university" has not "changed, although the reform of higher education has been projected in an allegedly completely depoliticized context". (VLAISAVLJEVIĆ, 2002: 47). It seems that the key metaphors of the collectivist grand narrative have merely been replaced by new ones. Old, worn out, unconvincing metaphors have been replaced by new "convincing" metaphors of mobilization as a basis for restructuring the power pyramid. Metaphors emerged of the "natural state of affairs" – ethnicity, blood origin, religious tradition, culture in general. In that regard another replacement among the "privileged" took place. Obviously, Marxism as the "science of sciences" with its methodology of "dialectical materialism" preferred the social sciences to the humanities. Ethnonationalism, however, positions itself ideologically among the terminology and metaphors of humanities. The vocabulary of the humanities was, to

paraphrase William James, a new way of talking about a new set of masters designed to provide them with what they had in mind. The new grand narrative shifted from the "economy" to "culture" as the new center of the ethnonationalist epistemology of power. The ethnonationalist humanities are desperately trying to establish a vocabulary for the social construction of "our community's" subject. It replaces the role of the social sciences, its privileged position in determining the key terminology of the new matrix, this time as the foundational source of elementary "national" or "ethnic" concepts. Thus the "people's university" has slowly transformed itself into "our-people's-university;" in Bosnia and Herzegovina, within the imposed ethnopolitical Dayton Constitution this meant the transformation of local people's universities in Sarajevo, Banja Luka and Mostar into three our-people's universities – Bosniac, Serb, and Croat. The same apologetic pattern of the epistemology of power has helped most professor-politicians, now joined by professors of the humanities, to remain close to the newly established ethnonationalist political forums. Now, instead of intellectually developing a model of social relations "unknown to history", they have turned to "history", or indeed to *archeology*. This is archeology in the literal sense of "excavating" the authentic elements of the imaginary (once again, a simulacrum or chimera) subject of their collective, "our people", i.e. ethnicity. This archeology as a new apology "in the dawn of national awakening" has been taken over by departments of literature, art, history, national language, philosophy and, to some extent, political science. The archaeological vocabularies of these privileged humanities have become fields of gravity for new comprehensive ethnonationalist doctrines and ideologies. Literally over night, the "awakened" Bosnian peoples were offered "manuals" of the key elements of their distinctive collective "consciousness": anthologies of "their" literature, "their" official, authorized histories, vocabularies and dictionaries of "their" languages. Thus processed "knowledge" was articulated as authentic history, authentic poetry, authentic literature. The professor-politicians of the ethnonationalist era have offered their intellectual weaponry by articulating what is "distinctively ours", what were the most elementary words or concepts constitutive of our particular distinctiveness, concepts that

call for our people's homogenization "in these crucial moments of their existence". Following the socialist patter, the circle of ideologized knowledge is closed once again. Once again, "honest intellectuals" are coming forward to lead their "beheaded" peoples by stepping outside the walls of "sterile, alienated academia" to share political responsibility, that is, once again, to wed theory and practice.

Collectivism grounded in the humanities of this kind, being offered as a foundation for the ethnopolitical political agenda and imposed and popularized into the public arena, especially through the network of ethnopolitical media, reveals itself, as did the collectivism of the socialist period, as dismissive of other groups, as well as of individualist tendencies within its own group, which it views as a disintegrative threat. As a matter of fact, all the new nation states of ex-Yugoslavia are to a certain extent engaged in constructing the foundations of their respective ethnic-national spirit, mobilizing and homogenizing vocabularies – and as already noted, histories are being rewritten, entire new literary and poetic genres are being created to "reflect" the true, authentic *vox populi*. Viewed in the light of its consequences, one could draw the conclusion that the central characteristic of most of the social sciences and humanities in Bosnia and Herzegovina has been an apology for the dominant political concentration around a collectivist metanarrative.

Is there a second option – let us call it *non-privileged*, subversive, or "leftist", "weak" humanities? Is it possible in such a rigid ethnopolitical context of the humanities and social sciences as *ancilla* to politics to expect such an option? Is it possible to expect the humanities placed in the context of what Lyotard describes as "disbelief toward metanarratives"?

Practising "disbelief toward metanarratives" is possible in the context of "old fashioned" *academic freedom*. Any reform of higher education in Bosnia and Herzegovina would be impossible without making the institutionalization of academic freedom a precondition. Otherwise, the simple imposition of the "Bologna-Declaration process" that has been announced would eventually replace one ideologized epistemology of power (communism and ethnonationalism)

with another, that of neo-liberalism. The "Bologna humanities and social sciences" would maintain Kardelj's epistemological paradigm – only the most basic vocabulary would change. Bosnian intellectuals from the humanities and social sciences would be required to offer their apologetic services to a new ideological master – the "free market". Academic freedom, not the freedom of the ideological market, is the key prerequisite or generator of emancipatory imagination, of metaphorical prescriptions of new, refreshing modes of self-understanding through an open dialogue of "free" minds – either living or dead – thanks to which we humans once stepped down from the cosy primordial tree of ignorance. If we in Bosnia, in the context of academic freedom, finally pave the way for a community of public debate, critical inquiry, free research, and continuous critical dialogue, there is a good chance we may expect that the essentialist intentions of the overall commensurability of ideologized knowledge would be dropped. Only then could the preconditions be met for a **democratized** discourse that might liberate the badly needed space for imagination and self-creation as the presupposition for the growth of the humanities. With the "loss" of human essence, or in Bosnian context, the "loss" of Serbhood, Croathood, or Bosniachood, we, in fact, do not lose "humanity", nor the feeling of belonging to a certain culture or ethnic group such as Serbs, Croats and Bosniacs, as is often suggested of this view. What we really lose is the concept of "humanity in itself", or "ethnicity" in itself – perennial concepts taken out of social interactions. In other words, we are losing a concept which has been claimed from the beginning of human thought to exist, yet no one has ever proved it as such. What remains, however, is a concept of humanity as selfhood with and endless plurality of relations, interactions and interpretations. What has been lost is, in fact, a very small portion of this plurality, which is the world of the essentialist, foundational, or ideological imagination that had been privileged to the detriment of the rest of our imaginative intentions. Thus, the necessary process of rehabilitation of the humanities and social sciences in Bosnia and Herzegovina is a process of de-essentialization, or the anti-essentialist *epistemological disarmament of culture*, that might pave the way for a general ethical and political disarmament, since

it is not apologetic but subversive of the legitimacy of narratives with absolutist intentions. If we agree not to speak about the all-commensurable metanarrative of our culture(s), we also agree not to reduce our individuality to certain metanarratives or to other collectivistic public vocabularies.

Furthermore, we accept that both selfhood and community, within which we socialize, are contingent, historical, interactive entities. It means that within a framework of what we traditionally call a "subject" (individual or collective), there could exist simultaneously a plurality of different, even mutually conflicting selfhoods. The voice of plurality of these different voices is the de-essentialized humanities. The same applies to the community. Each selfhood or "group of justification" develops its vocabularies as it copes with reality, constantly constructing – *poiesis* – meaning. This constant construction of a network of vocabularies or language games additionally enriches cultural diversity in its constant expansion. The key to this expansion, in terms both of individual vocabularies designed for individual self-understanding and self-improvement, and of vocabularies of sociological groups designed for inter-subjective understanding is emancipatory *imagination*. Renouncing the quest for or, as shown above, the construction of a privileged social-linguistic construction is the first step towards the possibility of a free and imaginative construction of language games of our self-understanding in a community of equals. In other words, this might be called a "would-be-metanarrative" of civil society.

APPENDIX II:
(CLUELESS)

No state can claim legitimacy if it systematically rides roughshod over the dignity of the free citizen, if its constitutional foundation means not only that it lives in a permanent state of crisis provoked by nationalism, but that its very constitution generates crisis that stands in the way of any kin d of rational state organization, revealing a continued absence of the need for acting for the "general good". What is at work in Bosnia and Herzegovina is the denigratory ethnic abuse of the citizen, perpetrated in union by the ethnopolitics focused around the so-called national parties and representatives of the international community and enacted into law by the Constitution, along with the devastating knowledge that Dayton Bosnia and Herzegovina is based on the crudest form of discrimination deriving from the collectivist features of ethnic affiliation construed as biological. As a result, the much-vaunted collectivist right of a people to self-determination has completely wiped out a civilizationally older right, the right of the citizen to self-definition.

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Concluding Statement

"General Framework Agreement on the Dissolution of Bosnia and Herzegovina" is a text written in 2004, and proofread and commented by Professor Richard Rorty.

Annexes 1-6: Twelve Years of Illiberal Democracy: General Overview; The Liberal-Democratic Epistemology of Disarmament; Religion and Politics: Bosniacs, Serbs and Croats; A Contribution to the Critique of Ethnic Selfhood; Ethnic Group-Making Processes; Bosnia and Herzegovina between Ethnic and Ethic Equality, as well as Page Zero, and Appendix II are slightly modified versions of texts that had previously appeared in Asim Mujkić, *Mi, građani Etnopolisa* (Sarajevo: Šahinpašić, 2007).

Annex 7: Bosnia and Herzegovina – A Community of (Un)Equal Peoples and Discriminated Citizens is modified version of a text that was published in *Pregled*: Asim Mujkić: "Bosna i Hercegovina između etičke i etničke jednakosti: zajednica (ne)ravnopravnih naroda i diskriminiranih građana", *Pregled*, br. 1-2; Sarajevo, januar-april 2006; 33-46;

Annex 8: Bosnia and Herzegovina between Centrifugal Nationalisms and Centripetal Citizenship is published for the first time.

Annex 9: Bosnia and Herzegovina and the Challenges of Consociation and Federalization consists of the two texts previously published in *Odjek*: Asim Mujkić: "Bosna i Hercegovina i izazovi konsocijacije", *Odjek*, br. 1, proljeće 2007, 6 -13.

Asim Mujkić: "BiH kao etno-teritorijalna federacija: Federativna Narodna Republika BiH", *Odjek*, br. 2, ljeto 2007, 3-13.

Annex 10: The Ethnic Prisoner's Dilemma, and Appendix I: The Role of the Humanities and Social Sciences in the Epistemological Armament of Culture in Bosnia and Herzegovina are published for the first time.

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