

Building state capacity in post-conflict Bosnia and Herzegovina: The case of Brčko District

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Abstract

When the Dayton Peace Accords brought to an end three and a half years of conflict in Bosnia, Brčko municipality was not included in the agreement due to its strategic significance to all sides. The subsequent solution, to create a multi-ethnic District, was unique in Bosnia and involved an intensification of international intervention. Drawing on ethnographic field data, this paper examines the emergence of new local state institutions in Brčko District between 1995 and 2004. This historical narrative is divided into two: the first part examines the approach taken by the international community to resolve the dispute over Brčko municipality between 1995 and 1999. The second section draws on primary evidence to explore how these interventions have shaped local state institutions between 2000 and 2004. The paper highlights the partial successes of Brčko District, most notably high levels of refugee return and the creation of multi-ethnic institutions of governance. But these reforms have required close management by intervening agencies, provoking questions as to the sustainability of the Brčko model in the absence of international supervision. This paper therefore provides a case study of how democratization works in a specific regional setting and with careful attention to questions of power.

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Introduction

The concept of ‘building state capacity’ conjures an image of construction, where external structural assistance may strengthen institutions of government. Recent scholarship examining

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the state has questioned such an instrumental metaphor, drawing attention to the wealth of social, cultural and political mechanisms that serve to reproduce the power of the state (Edkins, 2003; Marston, 2004). Supporting empirical accounts have illustrated the mundane or prosaic nature of such mechanisms, from the organising public of commemoration to the policing of anti-social behaviour (Navaro-Yashin, 2002; Painter, 2005). In doing so, the state appears not as a set of pre-existing institutions, distinct from society, but rather as a series of practices that reproduce the ‘idea of the state’ (Abrams, 1988; Marston, 2004; Trouillot, 2001). Within this optic, questions concerning strengthening state capacity relate to how the idea of a state can be recreated and communicated following periods of breakdown, instability or conflict.

This paper will examine a process of state re-creation in Brčko *opština* (municipality), Bosnia–Herzegovina,¹ since the conflict of 1992–1995. Brčko offers a valuable insight into attempts to communicate the idea of a multi-ethnic local state within post-conflict Bosnia. In particular, the paper explores the substantive content of international policies of ‘democratization’ as a strategy for encouraging refugee return and repairing the cultural landscape. This example contributes to discussions of how local state institutions articulate with non-state actors following conflict, whether local political parties and non-governmental organisations (NGOs) (Belloni, 2001; Evans-Kent, 2002; Evans-Kent & Bleiker, 2003; Fowler, 1996; Øberg, 2000) or international organisations such as the Organisation for Security and Cooperation in Europe (OSCE), the agencies of the United Nations or, in the case of Bosnia, the Office of the High Representative (OHR) (Bieber, 2005; Chopra, 2000; Cramer & Goodhand, 2002; Woodward, 1996, 2001). The experience of Brčko encourages reflection on the ways through which international and local state organisations have worked together to create sustainable practices of multi-ethnic government in post-conflict Bosnia.

The Brčko municipality covers 493 square kilometres of northeast Bosnia, from the slopes of the Mount Majeveica in the south to Brčko town beside the Sava River in the north (see Fig. 1). The municipality largely consists of rich agricultural land and the town benefits from a port on the Sava providing a trade connection along the Danube to Belgrade and further to the Black Sea Basin. The town was bitterly contested during the Bosnian war, as Serb paramilitaries and the *Jugoslovenska Narodna Armija* (Yugoslav Peoples’ Army or JNA) occupied the town for the duration of the conflict. This aggression was part of the wider attempt by Serb forces led by the *Srpska Demokratska Stranka* (Serb Democratic Party or SDS) to establish security for their minority population within Bosnia through the creation of an ethnically homogenous Republika Srpska (RS). As Dahlman and Ó Tuathail (2005) point out, this philosophy of assuring national security through homogenous territory contradicted the “actually existing fabric of everyday life and the ordinary domicile security of a functioning multi-ethnic Bosnia” (Dahlman & Ó Tuathail, 2005: 9 drawing on Bringa, 1995). Prior to the conflict Brčko exemplified this multi-ethnicity: the 1991 census states that the Brčko municipality had a population of 87 627, of which 44.1% were Bosniak, 20.7% were Serb, 25.4% were Croat, 6.5% declared themselves Yugoslav and 3.3% others. The town had a population of 41 406, of which 55.5% were Bosniak, 19.9% were Serb, 7.0% were Croat, 12.6% declared themselves Yugoslav and 5.0% others (Kadric, 1998: 21). As these data suggest, Brčko was consistent with other areas of Yugoslavia in having a strong representation of ‘Yugoslavs’ in the urban area, denoting individuals that felt their strongest affiliation not to a national group but to a multi-ethnic identity. The data also illustrates that the town, though multi-ethnic, had a majority Bosniak population, while the rural areas consisted of a tapestry of Serb, Bosniak and Croat villages.

¹ In line with accepted abbreviation ‘Bosnia–Herzegovina’ is referred to as ‘Bosnia’ for the remainder of the paper.

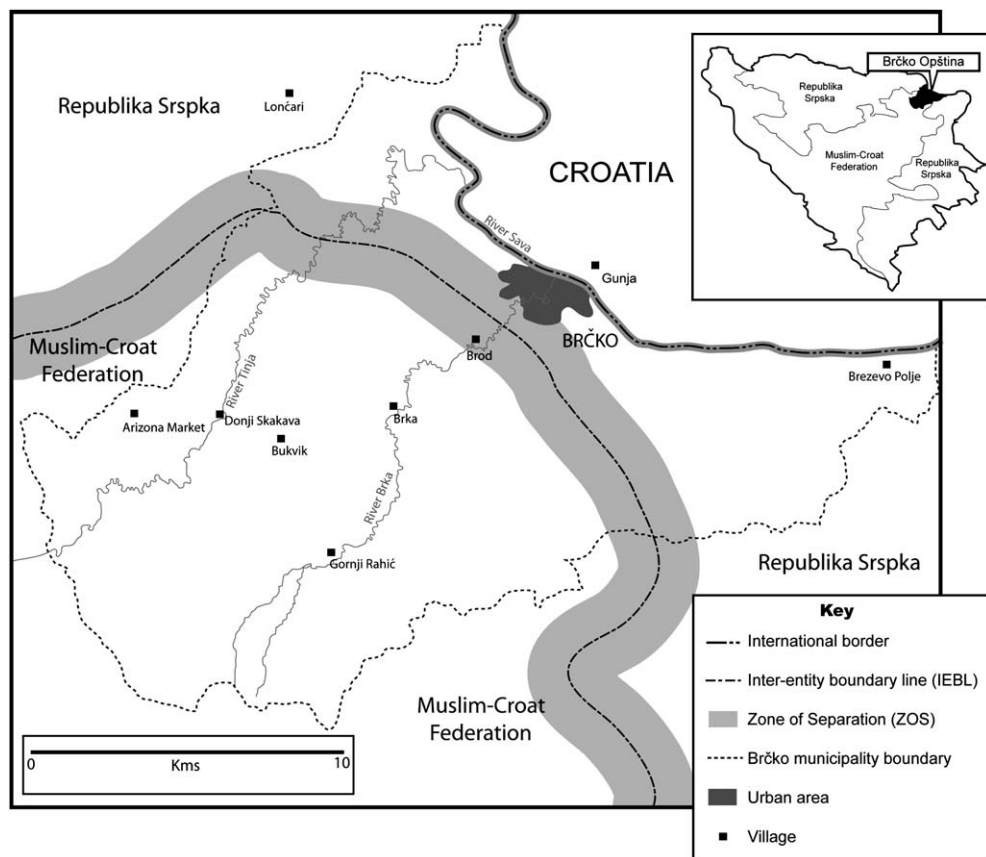


Fig. 1. Brčko *opština* following the 1992–1995 conflict.

The demographic configuration of Brčko municipality changed dramatically during the conflict. The position of Brčko as a link point between the two halves of the RS, as well as providing a supply route to the Serb Krajina region of Croatia, gave the town a particular strategic significance for Serb forces. The importance of Brčko to the logistic success of a 'greater Serbia' translated to a series of atrocities against the Bosniak and Croat inhabitants of the town over the period of Serbian occupation. Following the Serb invasion in April 1992, Bosniak and Croat women and children were forcibly expelled from Brčko, with Bosniaks seeking refuge in the villages of Brka and Gornji Rahić and Croats in Dornji Skakava. From these locations Brčko residents re-established their *mjesne zajednice*² (local communities or MZs) 'in exile' to continue to function as focal points for the community. As a consequence of these

² *Mjesne zajednice* (MZs) were introduced in the 1974 Yugoslav Constitution as the lowest strata of socialist government, enabling citizens to participate directly in the management of society (Singleton, 1976: 312). MZs are arranged territorially, they traditionally had no inherent ethno-national affiliation (at least in urban areas) and, reflecting the patriarchal nature of Bosnian society, their participants are primarily men (Bojicic-Dzelilovic, 2003: 296; Dahlman & Ó Tuathail, 2005; Pusić, 1975). Though MZs have lost official government competences in post-conflict Brčko on account of the 2003 Law of Local Communities of Brčko District of Bosnia and Herzegovina, they continue to act as important sites of communal participation and have been crucial within the returns process (see Jeffrey, 2004).

expulsions, Brčko municipality split into three sub-municipalities: 'Brčko Grad' (Brčko town) housing an exclusively Serb population and, south of the frontline, the Croat 'Ravne-Brčko' and the Bosniak 'Brčko-Rahić'. Many Bosniak and Croat men and boys were unable to leave Brčko town and were instead held in informal collection areas such as the central police station, the headquarters of the bus company 'Laser', the hospital, the Džedid Mosque and at the Brčko luka (port) (Human Rights Watch, 1992; Kadric, 1998). A number of testimonies exist suggesting war crimes took place at each of these sites,³ though the most brutal massacres were carried out at the luka camp, leading to two men (Goran Jelisić and Ranko Češić) being indicted by the International Criminal Tribunal for the Former Yugoslavia (ICTY) for crimes against humanity.

In addition to targeting the population, the Serb forces in Brčko also attacked the urban fabric of the town as symbols and spaces of cultural heterogeneity were destroyed. Described variously as 'domicide' (Porteous & Smith, 2001) or 'urbicide' (Coward, 2004; Graham, 2002), this process of targeting urban spaces has been seen as part of the ethno-nationalist program to "eradicate difference in order to create and naturalise the idea of separate, antagonistic sovereign territorial identities" (Coward, 2004: 266). The most explicit examples of urbicide in Brčko were the destruction of the large hotel in the centre of town, the removal of numerous Yugoslav monuments, the razing of all four mosques within the town limits and the renaming of the street network to reflect the Serb occupation of the town. For example, the main traffic route through Brčko was renamed as 'Bulevar Đenerala Draže Mihajlovića' (after the World War Two Četnik leader Draža Mihajlović), the central shopping street as 'Srpskih Oslobođilaca Brčkog' ('The Serb Liberation of Brčko') and the road out of town towards the western RS and the Krajina as 'Krajiški Put' ('Krajina Road'). Thus many historical connections between Bosniaks or Yugoslavs and the town were either obscured or removed as a reconfigured landscape celebrated newly invented connections with Serbian history and mythology.

In the context of the Bosnian war the experiences of Brčko are not unique. From a pre-war Bosnian population of 4.4 million, 1.5 million people became refugees across a total of 25 countries and around one million were internally displaced over the period of the conflict (Dahlman & Ó Tuathail, 2005: 14; UNHCR, 1997a: 30). In addition, many urban areas across Bosnia were subjected to similar processes of urbicide, targeting heterogeneity and the cultural symbols of victim populations (see Bose, 2002; Coward, 2002, 2004; Grodach, 2002; Robinson, Engelstift, & Pobric, 2001). The importance of Brčko emerges in the distinctive approach taken by international mediators resolving the conflict in the municipality both during and after the DPA negotiations. This paper will examine how the dispute over the future of Brčko municipality was resolved between 1995 and 2004, a time period that is divided into two sections. In the first section, from 1995 to 1999, I use institutional literature and secondary sources to examine in detail the conditions in Brčko in the immediate post-conflict period and how these shaped the negotiations of international mediators. The second section, from 2000 to 2004, draws on interview-based fieldwork undertaken over 10 months from August 2002 to June 2003 to examine the strategies through which international agencies have attempted to recreate a cohesive local state across the fractured and divided post-conflict Brčko municipality. Through such an ethnographic focus the multiple practices of municipal level statecraft emerge, as local and international actors have collaborated to communicate the 'idea' of a unified and

³ See in particular Kadric (1998) *Brčko: Genocide and Testimony*, Human Rights Watch (1992) *War Crimes in Bosnia–Hercegovina*, and indictment documents and witness statements at www.un.org/icty/indictment/english/jel-2ai981019e.htm and www.un.org/icty/indictment/english/ces-3ai021126e.htm. For an account of the life of Goran Jelisić see Drakulić (2004).

multi-ethnic Brčko. These historical narratives of intervention in Brčko, however, can only be understood in the context of the wider international response to the conflict in Bosnia.

International intervention in Bosnia

Much has been written about the failure of the international community to intervene decisively in the Bosnian conflict (Annan, 1999; Burg & Shoup, 1999; Rieff, 2002; Simms, 2001). Indeed, international intervention is often cited as a catalyst in the wars of Yugoslav secession through the premature recognition of Croatia and, to a lesser extent, Slovenia by the European Community (EC) prior to receiving appropriate guarantees of minority rights (Binder, 1995; Meyr, 2004). The question of minority rights appears emblematic of a stark clash of ideologies between the politicians of Western Europe and the emergent Yugoslav states over the issue of ‘national security’. Newly elected politicians such as Croatia’s Franjo Tudjman and Serbia’s Slobodan Milošević promoted a discourse of assuring national security through the creation of exclusive ethno-national territories (see Campbell, 1998: 80). This alignment of identity to territory was enacted on a series of scales within Yugoslavia between 1990 and 1995, and in the examples of the Republic of Serbian Krajina in Croatia, the Croatian Herceg–Bosna in southern Bosnia and the RS these enactments did not coincide with the boundaries of existing Yugoslav Republics.⁴ International onlookers espoused more civic conceptions of citizenship structured around the borders of either Yugoslavia or the boundaries of the six republics (Owen, 1998). These objectives were enshrined within the criteria of statehood set out by the Badinter Commission, a body established by the EC in August 1991 to arbitrate on independence claims of Yugoslav Republics (Rich, 1993; Terrett, 2000).

Following the military violence of Croatian independence between 1990 and 1991, the international community faced a more complex series of territorial claims in ethnically heterogeneous Bosnia. In line with the criteria set by the Badinter Commission, Bosnia held an independence referendum on the 29th February and 1st March 1992. The result was an overwhelming vote in favour of independence, though the turnout was only 63% as Bosnian Serbs had boycotted the vote branding it “illegal” (Zimmerman, 1996: 188). One month earlier Serbian politicians, led by Radovan Karadžić’s SDS, had declared the creation of the Republika Srpska, proclaiming it part of Yugoslavia (Silber & Little, 1996: 218). Following the declaration of independence their strategy militarised, as Serb forces, assisted by the JNA, erected barriers around Serb villages in Bosnia and demarcated Serb areas in Sarajevo. One month later the United States and the EC recognised Bosnia’s independence, citing the majority vote at the referendum. This act played into the hands of Radovan Karadžić who claimed that, as in the past, the outside powers were bent against Serbian sovereignty (Udovicki & Stitkovac, 2000: 179). Through discourses of victimhood and threats to Serb national security, violence spread as paramilitaries and the JNA combined to expel non-Serb residents from the newly created RS.

In the shadow of growing violence in Bosnia, international interventions coalesced around two interlinked foreign policy strategies. The first was to brand the conflict a ‘humanitarian nightmare’, thereby drawing attention to the outcome of the military violence rather than its political causes (Ó Tuathail, 2002; Rieff, 2002). As Ó Tuathail (2002) has argued, this approach accommodated two contradictory imaginative geographies. The first involved an Orientalist placing of Bosnia as part of an imagined ‘Balkans’ (Drakulić, 1996; Goldsworthy, 1998; Said, 1978;

⁴ Yugoslavia consisted of six republics (Macedonia, Serbia, Montenegro, Bosnia and Herzegovina, Croatia and Slovenia) and two autonomous provinces (Vojvodina and Kosovo).

Todorova, 1997). Within this framework, Western politicians described the conflict as “bewildering” or a “moral sickness”, as the events in Bosnia were attributed to “ancient ethnic hatreds” or “primordial evil” (Dodds, 1998; Major, 1999; Owen, 1998; Robinson, 2004). In addition to this ‘distancing script’ (Ó Tuathail, 1996a: 182), a contrasting imaginative geography mobilised by Western politicians during the conflict was to stress Bosnia’s proximity: as the site of the 1984 Winter Olympics, as a past holiday destination — and as part of Europe. The ‘humanitarian nightmare’ discourse accommodated both these imaginaries: the mystified causes of the conflict supported the notion that decisive military intervention in Bosnia was impossible (on account of there being no clear aggressor or victim), and consequently the only option that was deemed viable was to assist fellow human suffering through the distribution of emergency relief.⁵

In parallel with the framing of Bosnia as a ‘humanitarian disaster’, the second foreign policy strategy employed during the Bosnian conflict involved seeking a cartographic solution to the crisis. From the initial attempts at the Lisbon Conference of February 1992, through the Vance Owen Plan 1993 to the Dayton Peace Accords (DPA) in 1995, international diplomats based their interventions on the possibility of finding the ‘correct’ division of Bosnian territory that would prove acceptable to all sides in the conflict. This approach represented a paradox: negotiators were willing to accept the internal division of Bosnia into ethno-national regions but were, at the same time, committed to retaining the boundaries of the Bosnian Republic as the official borders of a multi-ethnic state.

Following a ceasefire arrangement in 1994, Bosniaks and Croats had grudgingly agreed to create a Federation, a move that simplified the efforts to establish a universally acceptable division of Bosnian territory (see Morrison, 1996). The pace of negotiation was further increased over 1995 as NATO air strikes against Serbian military positions led to territorial gains for Bosniak and Croat forces, thereby encouraging Serb representatives back to the negotiating table (Holbrooke, 1999). The DPA, negotiated over late 1995 by US Ambassador Richard Holbrooke, involved the partition of Bosnia into two sub-state ‘Entities’ divided by the inter-entity boundary line (IEBL): the Muslim-Croat Federation⁶ (with 51% of Bosnian territory) and the RS (with 49% of the territory). The civilian implementation of the DPA was to be overseen by internationally-led Office of the High Representative (OHR), with military implementation provided by a 60 000 strong NATO implementation force (I-For). Bosnian government competencies were largely devolved to the Entity level (and from there below to local *opštine*),⁷ the central state institutions were left weak and suffered from complex power sharing arrangements between the three main ethnic groups⁸ (Bojicic-Dzelilovic, 2003). Despite the centrifugal nature of the DPA constitution, Annex VII of the agreement called for the return of all displaced persons (DPs) and refugees to their pre-war homes (see Dahlman & Ó Tuathail, 2005). This demonstrates the paradox at the heart of the DPA: nationalist cartographies were sanctioned

⁵ This is a broad overview of the heterogeneous and shifting international responses to the Bosnia conflict. See Ó Tuathail (1996b) for a detailed discussion of the competing discourses of US foreign policy during the Bosnian conflict and Simms (2001) for a meticulous (and highly critical) account of British foreign policy interventions.

⁶ Despite the unity of the Federation on paper, to a certain extent its division into 10 ‘kantons’ acknowledged the de facto existence of a Croatian third entity of Herceg-Bosna, stretching west from the Herzegovinian town of Mostar to the border of Croatia (Klemencic & Schofield, 1996).

⁷ As Ó Tuathail (2005a: 3) notes, the DPA “saddled [Bosnia] with an unwieldy bureaucratic structure of governance” which has since been cited as a reason for its slow implementation (Cox, 2003; UNDP, 2002). Aspects of this governance structure will be discussed where relevant to Brčko, for broad overviews see Bose (2002: 60–89), Chandler (2000: 66–69) and Friedman (2000).

⁸ One exception to this was the Constitutional Court of Bosnia and Herzegovina, which retained a significant role in mediating in disputes between the two Entities (see Bose, 2002: 61–68).

through the creation of ethno-national spaces, while coexistence and multi-ethnicity were simultaneously endorsed through the promise of refugee return.

While the Dayton negotiations had involved a painstaking process of assigning land to either of the Entities, in the carefully balanced ratio of 51:49, the fate of Brčko remained a source of strong disagreement between the negotiating parties. Within the geography of the Dayton state, Brčko municipality had accrued a political significance that eclipsed its previous commercial and economic importance (International Crisis Group, 2003: 2). Bosniak and Croat delegates argued that giving Brčko to the Serbs would reward the ethnic cleansing while also denying access for the Federation to the Sava River. Serb negotiators countered that the RS would not be viable in two parts, arguing that a continuous and defensible Serb territory was a condition of their signature (Klemencic & Schofield, 1998). Consequently, resolving the fate of the town became the “toughest of all issues at Dayton” (Holbrooke, 1999: 296). Following intense negotiation, the stalemate was finally broken when Slobodan Milošević agreed to put Brčko under international arbitration with a decision reached within one year (Silber & Little, 1996: 376). This proved an ambitious timetable. The arbitration process ultimately took over four years and was shaped by shifting local, regional and international political contexts.

The Brčko arbitration 1995–2000

The International Arbitral Tribunal for Brčko was led by a former legal advisor to the US State Department, Roberts Owen, with Professor Čazim Sadiković representing the Federation and Dr. Vitomir Popović representing the RS. Though Annex II of the DPA stated that the area under arbitration was illustrated on an attached map, no map had in fact been drawn, and consequently the first task for the Arbitral Tribunal was to decide on its territorial remit. The Tribunal decided to arbitrate over the entire pre-war Brčko *opština*, fractured as it had been since 1992 into three sub-municipalities. Similar to the various negotiations during the Bosnian conflict, the arbitration process between 1996 and 1999 was shaped both by events ‘on the ground’ in Brčko, as well as the broader geopolitical context of international intervention in Bosnia. The pronouncements of the tribunal were directly influenced by the progress of DPA implementation in Brčko and to this end the negotiations seemed to focus on two main indicators: the return of refugees and the holding of democratic elections.

The return of refugees

At the end of the Bosnian conflict the United Nations High Commission for Refugees (UNHCR) estimated that there were 52 333 DPs in Brčko *opština*: 35 073 in Federation parts (Ravne-Brčko and Brčko-Rahić) and 17 261 in the RS part (Brčko Grad) (UNHCR, 1997b). Over the initial post-war period the displacement of the population continued in Brčko, as RS authorities drew on the vacant housing stock to house displaced Serbs from Sarajevo, Glamoč, Jajce, Sanski Most, Bihać and the Croatian Krajina. As with other areas of Bosnia, it was the 2 km of territory either side of the IEBL, known following Dayton as the Zone of Separation (ZOS), which proved most contentious in Brčko (see Dahlman & Ó Tuathail, 2005). The ZOS covered a significant area of the Brčko suburbs (see Fig. 1 above), including neighbourhoods such as Omebegovaća, Dizdaruša, Gajevi and Broduša that had previously been home to majority of Bosniak and Croat populations. There was concern among the RS authorities in Brčko that the demographic alterations brought about by returns to the ZOS could weaken their claim to the municipality within the arbitration process: they were “reluctant to alter the facts

on the ground”.⁹ This concern provoked a two-way reconstruction effort over summer of 1996, with both Federation and RS authorities attempting to fill the vacant housing in the Brčko ZOS with members of ‘their’ ethnic group (Griffiths, 1998). In addition to this race to fill vacant houses, tactics of “micro-level humiliation and contempt” (Dahlman & Ó Tuathail, 2005: 21) were mobilised against returnees, such as the obligation to hold a RS identity card with the Serbian military symbol of the twin-headed eagle.

As the returns process threatened the fragile peace within the Brčko area, American I-For, located in the new ‘Camp McGovern’ army base in the ZOS, declared a two-week moratorium on construction in the ZOS over July 1996. In this period, the OHR (in conjunction with the UNHCR, IPTF¹⁰ and I-For) established the International Housing Commission (IHC) to screen return applications to ensure the rights of the claimants to the properties. While there was a clear need to oversee the return of families to their pre-war homes, the complex bureaucracy of IHC coupled with the explicit lack of a guarantee of security to returning families undermined the international efforts. Consequently, incidents of damage to property or individuals were common over this period of the IHC, as documented by the International Crisis Group (ICG):

On the 11th November 1996, 9 reconstructed houses were dynamited in Brod and Omerbegovača. Between the 28th of February and 11th March 1997, 11 newly pre-fabricated houses were destroyed in Gajevi. In all, 200 houses owned by displaced Bosniaks were either blown up or burnt down before the IHC programme was halted (ICG, 1997: 2).

The Arbitral Tribunal took particular interest in these events as the activities of RS officials were deemed to have failed to comply with their obligations as laid out at the DPA. The focus of the tribunal on these events led Gojko Kličević, then Prime Minister of RS, to pull out of the arbitration proceedings in December 1996 (ICG, 1998: 3). However, when the formal arbitration hearing began in Rome in January 1997, the RS changed its mind, perhaps concerned that the entire Brčko Municipality would be handed over to the Federation. The outcome of the Rome negotiations, issued on February 14th 1997, was an interim decision (a final resolution was deferred for another year) with the delay blamed on ongoing failures on both sides of the ZOS concerning “freedom of movement and the return of former residents to their Brčko homes” (Arbitral Tribunal, Article I in OHR, 2001a).

The strategy selected for ensuring Dayton implementation in the future was a radical scaling-up of international intervention in Brčko. The cornerstone of this approach was the formation of a new OHR office in Brčko (OHR-North), headed by a Deputy High Representative for Brčko, otherwise known as the ‘Brčko Supervisor’.¹¹ In order to break the stalemate that surrounded the political, economic and legal realms in Brčko, the Supervisor was granted a wide-ranging set of powers at the February 1997 Rome Declaration “to supervise Dayton implementation [and] strengthen local democratic institutions” (Rome Award in OHR, 2000: 258). In March 1997, in a further supplementary award published at a Peace Implementation Council (PIC) meeting in Vienna, High Representative Carl Bildt appointed US diplomat Robert Farrand as Supervisor of Brčko for one year, with deputies from Russia and the UK. The first significant declaration by Ambassador Farrand was a ‘Procedure for Return to Brčko’, a document that established a new Returns Commission in Brčko. This new commission had a positive

⁹ Interview with former OHR Official, 20th February 2003.

¹⁰ The UN-led International Police Task Force changed on January 1st 2003 to the European Union Police Mission (EUPM).

¹¹ Referred to as simply ‘the Supervisor’ for the remainder of the paper.

impact on the rate of returns, in particular speeding up the processing of claims and, more importantly, introducing a new Brčko ID card without Serb symbols on the front cover. By January 1998, the Returns Commission had approved the return of 2461 families, the majority of which were Bosniak. Of those, 710 had actually ‘returned’, the criterion of which was spending at least one night at the property (ICG, 1998: 8).

Despite these achievements, during 1997 a series of symbolic barriers to returning Bosniak and Croat families appeared within the Brčko townscape. On September 8th 1997, a concrete statue of Draža Mihajlović was unveiled in the centre of Brčko (fittingly on *Bulevar Đenerala Draže Mihajlovca*), though he had no connection with the town during his lifetime. Two weeks later, a twelve-foot memorial dedicated to the ‘Serb Liberators of Brčko’ was unveiled in an adjacent park (see Fig. 2). These strategies were clear attempts to continue the ‘Serbianisation’ of Brčko and use any means necessary to forge an historical link between the Serbian people and the



Fig. 2. Monument to the ‘Serb Liberators of Brčko’.

townscape (a tactic that had been deployed during the DPA negotiations¹²). In comparison to violent intimidation or the imagery of the RS ID cards, the OHR initially found these intangible symbolic aspects of the Brčko landscape difficult to legislate against. As with earlier infringements, these attempts at ‘non-military ethnic cleansing’ were taken into consideration by the Arbitral Tribunal.

Presidential and municipal elections

The DPA stated that elections would take place in Bosnia no later than nine months after the agreements came into force (DPA, Annex III article III in OHR, 2000: 39). Considering the political, economic and social conditions in Bosnia, as described above, this was an extremely ambitious timetable. A number of commentators have suggested the reason for this compressed electoral timetable was that the Bosnia elections would coincide with the US presidential election and consequently allow a tangible demonstration of Bosnia’s democratization (Donais, 2000; Øberg, 1997; Williams, 1996). Despite this opportunity for a foreign policy triumph, the early elections suited the nationalist political parties as their control over the key domestic institutions and agencies such as police and media ensured that they “determined the agenda and discourse of the election campaign in 1996” (Griffiths, 1998: 61). In the RS, the reporting by official Serb media was deemed so offensive and biased to the ruling SDS party that High Representative Carl Bildt accused them of broadcasting propaganda that “even Stalin would be ashamed of” (ICG, 1996 in Donais, 2000: 240; see also Human Rights Watch, 1996).

In addition to the dominance of the wartime nationalist parties, the dispersed population meant voter registration was a central problem, since voters had the option of either voting where they resided in 1991, where they resided after ethnic cleansing in mid-1996 or where they intended to reside in the future. This principle granted opportunities for electoral fraud, as electoral registers within the RS were manipulated (through the media and incentives of humanitarian aid) to include the maximum number of Serbs. Indeed, radio broadcasts in the RS suggested that those who planned to vote in their pre-war places of residence were “directly attacking the Serbian nation” (Campbell, 1998: 222). This strategy was also employed within Serbia itself, where some 31 000 were ‘assigned’ to vote in Brčko, while an additional 20 000 were registered in the formerly Bosniak-majority town of Srebrenica (Donais, 2000: 241). Within this context, it was not surprising that the 1996 elections simply “gave the democratic stamp of approval to the three nationalist parties that had waged the war” (Woodward, 1997: 97).

Despite the pro-nationalist results in the 1996 elections, events in Brčko began to suggest a fracturing within the formerly united Serb political set up. In late August 1997 a simmering confrontation within the RS between ‘reformists’ based in Banja Luka (led by Biljana Plavšić) and ‘hardliners’ based in Pale (led by Radovan Karadžić) resulted in violent civil unrest on the streets of Brčko. Amongst the sound of air raid sirens Karadžić supporters took to the streets, directing their anger at international agencies such as the OHR and OSCE, which they labelled “the occupying army” (ICG, 1998: 6). A small IPTF police station was ransacked, and a number of S-For, OHR and UN vehicles were destroyed, resulting in the injury of several international workers. Following the riots, the SDS continued to threaten a boycott of the September Municipal elections, aware that their hegemony within the political administration of Brčko town was under threat. Their final participation in the election was secured at the last minute when the OSCE

¹² During a meeting of Croat and Serb forces in 1994, Croat forces asked for control of Brčko. Radovan Karadžić erroneously reported “the Serbs refused because they built it and it was completely Serb” (Silber & Little, 1996: 308).

discovered an ‘error’ that boosted the electoral register of the Municipality by 2660 names. This irregularity has never had adequate explanation by the OSCE or the OHR, and there was widespread suspicion of the events surrounding the ‘lost voters’. The ICG (1997: 1) reflected the attitudes of many international observers:

Deals struck in smoke-filled rooms to “save” this weekend’s poll may have compromised the integrity of Bosnia–Herzegovina’s first post-war municipal election. Unless the elections supervisory body can provide a full and transparent explanation of these 11th hour agreements, the election must be considered flawed.

While it is difficult to speculate on the motivations behind these “11th hour agreements”, the result certainly helped the SDS maintain control of Brčko, albeit sharing power with representatives from the Bosniak *Stranka Demokratska Akcije* (Party for Democratic Action or SDA), the multi-ethnic *Socijaldemokratska Partija* (Social Democratic Party or SDP) and Croat *Hrvatska Demokratska Zajednica* (Croatian Democratic Community or HDZ). This avoided the security-threatening situation of an outright SDA victory, and left the OHR claiming a victory for a multi-ethnic democratic Brčko (OHR, 1997a). Following the election, the Supervisor issued a Supervisory Order outlining the structure of the new Brčko Municipal Government (OHR, 1997b). At its heart was the declaration that the Brčko Municipal Assembly would have a president, vice president and secretary, with all three posts held by individuals of different nationalities. Similarly, the president of the executive board of the municipality (the Mayor) would have two deputies, again all three of different nationalities. This structure and multi-ethnic weighting would be replicated in future multi-ethnic administrations in Brčko (OHR, 1997c).

Following the election results, the rift between Karadžić’s hardliners and Plavšić’s reformists grew within the authorities of the RS, offering the OHR an opportunity of developing a more moderate Serb political force in the RS. In November 1997, Ambassador Farrand met Plavšić in Banja Luka to seek endorsement for the new administration in Brčko. Plavšić, apparently reluctantly, endorsed the parliament and suggested candidates for the Serb executive positions that were loyal to her and willing to cooperate with the OHR (ICG, 1998: 7). In January 1998, Plavšić went further in establishing a new pro-Dayton political party *Srpske Narodne Stranke* (the Serb People’s Party or SNS) and appointing Milorad Dodik, a political moderate, as Prime Minister of the RS. During a speech on the night of his appointment Dodik rejected the philosophy of the SDS, called upon the RS to comply with the Dayton agreement, and espoused the democratization of RS society (Supplementary Award March 15th 1998 in OHR, 2000: 269).

These developments within the RS had a significant impact on the arbitration process. A final announcement was scheduled for March 1998 and, in light of the continued Dayton non-compliance by the RS in Brčko, there were predictions that the entire municipality would be handed over to the Federation. While recognising the moral arguments to making this shift, the Arbitral Tribunal resisted, citing the new political climate in the RS and the prospect of future returns and freedom of movement. Prior to the declaration of March 1998, Dodik had outlined in a highly influential testimony to the Arbitral Tribunal that he felt that in the future the “IEBL will be an irrelevant issue” in Brčko (Supplementary Award March 15th 1998 in OHR, 2000: 265).

This was a crucial intervention. The dismantling of the political relevance of the IEBL was a central aim of the DPA and the Arbitral Tribunal saw that a final decision on Brčko could destabilise the fledgling administration of Dodik and thus undermine his moderate politics. The Brčko decision provided the OHR with important leverage over the RS, and to lose it could jeopardise the implementation of Dayton in other parts of Bosnia. This was also true of the Federation, where the dismal returns situation in Sarajevo was cited as a reason why a final decision

in their favour was inappropriate at that time (ICG, 2003: 6). Following this award, the Bonn Peace Implementation Conference granted the same executive and legislative authority to the Brčko Supervisor that had been previously granted to the High Representative in Sarajevo. This comprised the power to sack any public official who obstructed Dayton implementation (that is, the returns process, the strengthening of democratic institutions and the revival of the economy) and the ability to pass any law that was perceived to help such implementation.

The final award

By the time of the arbitration meeting of March 1999, it was increasingly apparent that in addition to the intransigence of the local politicians, the uncertainty regarding Brčko's future was itself acting as a barrier to the implementation of the Dayton agreement. The 'new political dawn' in the RS, much anticipated by the March 1998 supplementary award, was thwarted at the next electoral opportunity as the ultra-nationalist Nikola Poplašen defeated Biljana Plavšić's SNS party at the September presidential elections. This result placed Milorad Dodik in a difficult position as RS Prime Minister, and Poplašen set about attempting to destabilise his government. These actions led to the High Representative, then Carlos Westendorp, to sack Poplašen for abuse of power, coincidentally on the same day (March 5th 1999) as the Arbitral Tribunal announced the Final Award.

The Final Award unified the former Brčko *opština* in a neutral and multi-ethnic "Brčko District of Bosnia and Herzegovina". At the heart of the award was the unification of the pre-war Brčko municipality, to which each entity delegated all of its powers of governance (Final Award, paragraph 9 in OHR, 2000: 284). This decision meant that Brčko would nominally be part of both Entities, their territory uniquely overlapping, while the Bosnian state-level institutions would protect the interests of the District itself. This solution meant that the Entities would both 'gain' territory even as they 'lost' administrative authority (ICG, 2003: 7). This consolation was not enough to stop the resignation of Milorad Dodik in protest at what was perceived by many in the RS as the division of Serb territory in Bosnia. Serb discontent was exacerbated by the NATO air strikes in the Federal Republic of Yugoslavia (FRY) in late March 1999 at the culmination of the Kosovo crisis.

In the context of Serb anger at the perceived injustice of the arbitration decision and NATO military action, the Final Award's reliance upon the protective role of the Bosnian state over the independence of Brčko was optimistic. In reality, with the central state institutions left so weak following the Dayton Agreement, the Final Award was underwritten by a commitment for intensified international supervision to defend the interests of the District from incursions from either entity until such time that the state can take over this role. The District Supervisor at the time of my research, US Ambassador Henry Clarke, saw entity encroachments as one of the key future threats to Brčko: he felt that a strong District was a necessity "otherwise the Entities will eat Brčko alive when the Supervisor is gone. It sounds a little dramatic but if you knew how much time I spent worrying about RS encroachments on Brčko in particular then you would know why I am inclined to use strong words".¹³

The role of the Supervisor, and that of the Brčko OHR more broadly, has been to implement the Final Award (indeed, in September 2002 the OHR Brčko office, formerly 'OHR-North', changed its name to 'The Office of the Final Award'). When interviewed, the Supervisor was clear about his duty, while attending to criticisms of his comprehensive powers (see Chandler, 2000):

¹³ Interview with Ambassador Clarke, Brčko 24th March 2003.

I try not to appear dictatorial but everyone knows my agenda: it is the Final Award, you can go and read it. It says basically change everything, and my predecessors and I think that you cannot change everything at its present level but you have to improve it as you go along (Interview with Ambassador Clarke, Brčko 24th March 2003).

On March 8th 2000 the Brčko Supervisor released a ‘Supervisory Order’, no more than a few sentences in length, declaring the creation of Brčko District. The implementation of the Final Award has since been a process of creating Brčko as a single administrative unit. In contrast to the partition sanctioned at the DPA, this process of unification has involved establishing shared multi-ethnic practices of government over the pre-war *opština*. An examination of democratization following the Final Award serves to highlight how the development of a unified local state encouraged the return of refugees and DPs whilst also promoting foreign direct investment and economic regeneration. In addition to demonstrating these partial successes, this analysis illustrates the ways in which the practice of democratization has reproduced the authority of international agencies within contemporary Brčko, as they performed the role of the local state in order to fulfil the mandate set at the Final Award.

Democratization in Brčko 2000–2004

The creation of a “multi-ethnic democratic government” was at the heart of the Final Award (see OHR, 2000: 277). As discussed above, ‘democratization’ in Bosnia following the DPA had been structured around demonstrating electoral competition, a strategy which has since been described “unwise and dangerous” on account of the nationalist outcome of the 1996 elections (Ashdown, 2003; Donais, 2000; Øberg, 1997; Williams, 1996). Rather than this ‘procedural’ model of democracy (based around rules and actions), the Supervisor appeared to focus on a more ‘substantive’ democracy in Brčko following the Final Award (focussing on normative aspects of equality and fairness) (see Bell & Staeheli, 2001). Consequently, ‘democratization’ in these early stages was orientated around protecting minority rights rather than establishing majority rule. By focussing on the return of DPs and refugees, this model of democratization marks an attempt to detach the alignment of territory and identity that had characterised Bosnian party politics since independence and had subsequently been endorsed at the DPA.

Reuniting the District

The first task for the Supervisor was to establish a single architecture of government over Brčko District. The Supervisor dissolved the former municipal assemblies of Brčko Grad, Ravne-Brčko and Brčko-Rahić and reformed them into a District Government and Assembly. The new government and assembly members were chosen from these dissolved administrations, in addition to picking certain members from the fledgling civil society organisations in the town. One former OHR employee recounted how an individual had been ‘awarded’ a place on the District Assembly because of their efforts in establishing an NGO.¹⁴ As suggested in the Final Award (and much like the interim Brčko Grad government of 1997), the composition of the new structures of governance within Brčko District followed a strict “ethnic formula” (see OHR, 2000: 285), with a Serb Mayor, a Bosniak speaker in the Assembly and a Croat deputy speaker (reflecting the weightings of the 1991 Yugoslav census). To assist the running of the new District institutions a USAID funded ‘District Management Team’ (DMT) was established,

¹⁴ Interview with former Brčko OHR Official, Brčko 19th May 2003.

drawing on development consultancy firms from the US to assist in establishing executive and legislative functions.

The power of the Supervisor to intervene in policy making was instrumental in the functioning of Brčko District government, as politically sensitive decisions often ended in deadlock, with all sides acknowledging that if a decision could not be reached through the Assembly voting system then the Supervisor would impose it.¹⁵ This was the case in the example of the integration of the District education systems, a top priority for the Supervisor, where he successfully imposed multi-ethnic schooling in September 2001 despite determined opposition from nationalist political parties¹⁶ (see Bieber, 2005). A former Brčko OHR Official described this decision-making system as an important catalyst to the integration of the new District:

Ninety percent of the success of Brčko District specifically has been because there is no democracy here. That is why it has been successful. It is a purely pragmatic point of view [...] Right from the very beginning certainly from the beginning of the supervisory regime we did not seek to do things by consensus. It was just imposed. You know, ‘democracy’ came fairly low down the list of what was required in terms of getting the job done (former Brčko OHR Official, 2nd June 2003).

As indicated by these remarks, popular participation in the reform of Brčko was deliberately limited in the period after the Final Award. Consequently, District elections were not held until October 2004, seven years after the last municipal vote.¹⁷ The reason given for the delay in District elections was that the Supervisor was waiting for “the emergence of political parties with ‘Brčko-based agendas’”.¹⁸ Considering that three of the four main political parties in Brčko exhibited ethno-national affiliations,¹⁹ this was an ambitious demand. However, this attitude demonstrates the desire that existed to shift political debate away from viewing Brčko District as a divisible or annexable territory, towards focussing attention on the specific needs of the local population.

The delay in calling elections provided the time to establish a single District administration; an early vote would almost certainly have advantaged nationalist political parties and perhaps led to a robust challenge to the tenets of the Final Award. This outcomes-based model of democratization has afforded significant accomplishments in terms of integrating the fractured District and encouraging sustainable refugee and DP returns both to the town and to the rural areas. The process of tax harmonisation and new laws of privatisation increased the pace of economic development (Brčko Development Agency, 2002). As a consequence, 16 enterprises had been privatised across Brčko District by January 2004. The process of privatisation had also drawn Arizona Market into the gaze of the Brčko institutions, one of Europe’s largest illegal markets located in the south of the District which was originally established by American I-For troops as a secure trading area during the conflict (Andreas, 2004; Cucolo, 1999). In December 2001, Arizona market was privatised by an Italian–Bosnian company *ItalProjekt* and reopened in 2004 as out-of-town mall and tourist attraction. On account of these changing conditions, Brčko has seen a dramatic

¹⁵ Ambassador Clarke, Brčko 24th April 2003; the OHR Democratization Officer, Brčko 24th May 2003 and the Brčko Mayor, 8th May 2003, discussed this aspect of Supervisory power.

¹⁶ Interview with Ambassador Clarke, Brčko 24th April 2003.

¹⁷ Over this period, residents of Brčko municipality continued to vote in state level presidential elections.

¹⁸ Interview with OHR Democratization Officer, Brčko 24th May 2003.

¹⁹ In contrast to the Serb SDS, Croat HDZ and the Bosniak SDA, the SDP is committed to a multi-ethnic Bosnia (and consequently benefits from a strong Bosniak backing) and is well represented in industrial areas and amongst the military (see European Forum, 1999).

increase in refugee and DP returns: between 2000 and 2004 there were 19 418 returns to Brčko District, nearly twice the Bosnia average as a proportion of pre-war population (UNHCR, 2005). The increased refugee returns and successful integration of the police, schools and judiciary have made Brčko District a pioneer in terms of establishing multi-ethnic institutions in post-conflict Bosnia.²⁰

Despite the reforms that had been achieved in Brčko, the exercising of supervisory powers appeared to have a lasting impact on the popular perception of the OHR (and wider international community). On several occasions over the fieldwork period Government officials referred to the power of the Supervisor, and even the appointed Mayor moved off a sensitive topic by exclaiming that he had to stop talking “or the Supervisor will replace me!”²¹ The Supervisor himself alluded to his control over individual careers by stating that he could find out any information he wished from the District Government “as the guy would be in fear of his job [laughs]”.²² This fear seemed to have a profound influence on the conduct of the District Assembly, where debate shifted between poles of deadlock and agreement. When discussing key reforms there was little to gain for representatives of parties in opposition to the Final Award in attempting to reach consensus, and thus offering concessions to other nationalities and potentially face removal from party lists.²³ In these instances stalemate would be reached and the Supervisor would have to step in to impose the law in question (as occurred with the integration of the District schools). In contrast, less important political decisions were regularly made with complete consensus and little debate, as individual members of the Assembly did not want to “put their heads above the parapet”²⁴ and risk the wrath of the Supervisor.

In addition to these strategies of deadlock or acquiescence, a third strategy used by political actors in Brčko was to withdraw altogether from the new District institutions. The SDS employed this approach in October 2001 as they staged a boycott of the District Assembly as a protest over the reintegration of schools (OHR, 2001b). When I asked an SDS representative about the boycott he shrugged and said “people don’t want to be mixed, they want to be separate”.²⁵ From this position outside the new District institutions the SDS were able to openly criticise the “internationally-run”²⁶ District Government and Assembly with relative impunity. Thus, both the Supervisor and the SDS shared a concern for Brčko being run ‘externally’, either by Entity-level nationalist politicians or the geopolitical concerns of the United States. There were fears, in particular by a representative from the American National Democratic Institute²⁷ in Brčko, that the boycott could benefit the SDS in a future election, though these were partially allayed when the SDS came second to the moderate SDP in the October 2004 municipal elections.

The limited debate (both in terms of content and participants) within the District Assembly led to cynicism amongst Brčko civil society organisations as to the possibility for political debate to deviate from an internationally preconfigured path. As one NGO worker explained

²⁰ Bosnia has yet to establish a multi-ethnic state police force. The RS have rejected the creation of Local Police Authorities (LPAs) since their borders crossed the IEBL (see Prienda, 2005).

²¹ Interview with the Brčko Mayor, 8th May 2003. Ironically, this mayor was replaced in 2004 following an indictment for abuse of office connected to constructing extra-floors on government buildings (see OHR, 2004).

²² Interview with Ambassador Clarke, Brčko 24th April 2003.

²³ The lack of confrontation within the District Government was discussed by the OHR Democratization Officer, Brčko 24th May 2003; Ambassador Clarke, Brčko 24th April 2003 and a representative from the SDS, Brčko 14th April 2003.

²⁴ Interview with OHR Official, Brčko 2nd June 2003.

²⁵ Interview with SDS representative, Brčko 14th April 2003.

²⁶ Interview with SDS representative, Brčko 14th April 2003.

²⁷ Interview with Brčko representative for the National Democratic Institute, Brčko 3rd June 2003.

“there does not seem to be much at stake”.²⁸ Given the delay in holding a District-wide election, this lack of public participation with the affairs of the Assembly was a concern for the Supervisor:

The Assembly meetings are open and most of them are recorded more or less endlessly, well at least by Brčko Radio and sometimes by others. I mean, I don't go over there all the time because it would make them look like more of a rubber stamp than they already are [laughs]. But when I do go over there do I see business representatives and NGO representatives sitting in the audience watching what is going on? No I don't. Do I hear councillors discussing their meetings with people representing groups of citizens other than party meetings? Not much (Interview with Ambassador Clarke, 24th April 2003).

As a consequence of the lack of an “agonistic politics” (Amin, 2002), comprising open and critical debate and mutual awareness, political contestation and struggle seemed to move out of the new Assembly chamber to other institutional spaces in Brčko District. In avoiding antagonism, the supervisory regime also served to distance civil society organisations from the Brčko Government and Assembly. Key members of Brčko's NGOs and MZs saw greatest political capital in lobbying members of the OHR rather than councillors in the Assembly, seeing these international actors as gatekeepers to funding and legitimacy.²⁹ Consequently, in establishing a coherent institutional structure across Brčko municipality, the OHR reaffirmed its own status as a key actor within the local state.

These powers to define what it is to ‘be democratic’ in post-conflict Bosnia have been the subject of criticism in the past, amid suggestions that ‘democracy’ has become “a moral as opposed to a political category” and democratization now concerns “societal values and attitudes rather than political process” (Chandler, 2000: 28). In the case of Brčko, this power has been instrumental in unifying the architecture of government and providing protection to minority communities returning to both the urban and rural parts of the District. However, to achieve this end the OHR has often been required to perform the role of the local state in Brčko, defending the new District institutions from incursions from either the Federation or the RS. In doing so it does not remove itself from the political realm, but rather demonstrates its own authority to govern the conduct of Brčko's political life. In addition to the unification of the institutions of government, these powers were also reflected in the reorganisation of the symbolic landscape in Brčko.

Reconstructing the symbolic landscape

A former executive advisor to the Brčko Supervisor remarked that the greatest challenge of implementing the Final Award was “making people think in terms of Brčko District”.³⁰ In light of the urbicide committed during the conflict, an attempt to create a coherent social container out of the fragmented urban and rural landscape of Brčko District was an extremely difficult undertaking. Following the harmonisation of the institutions of government and fiscal regimes, the task for the Assembly and OHR was to ensure that the symbols of Brčko District were “politically and ethnically neutral” (Final Award in OHR, 2000: 286). The unification of the symbols of the District is a vital aspect of reducing the “micro-level humiliation and contempt”

²⁸ Interview with Environmental NGO worker, Brčko 15th May 2003.

²⁹ Interview with a representative from Klanac MZ, Brčko 14th April 2003; interview with official from Counterpart NGO, Brčko 22nd May 2003; interview with representative from *Omladinski Projekt Svitac*, Brčko 27th March 2003.

³⁰ Interview with former OHR Official, Brčko 20th February 2003.



Fig. 3. Dual script road sign, Klanac, Brčko District February 2003.

(Dahlman & Ó Tuathail, 2005: 21) suffered by returning refugees and DPs to the District. An examination of practices such as relabelling houses, renaming the streets and shaping public commemoration draws attention to the important role that reintegrating the symbols of the District has played in building local state capacity.

This process of symbolic ‘neutralisation’ was begun before the creation of the District with the allocation of new identity cards to Brčko residents, without the Serb insignia of the twin-headed eagle (see above). The Final Award increased the pace of neutralisation by declaring three official languages across the District (Serbian, Bosnian and Croatian³¹) and two official scripts (Serb Cyrillic script and Bosniak and Croat Latinic script). Since this equalisation applied to all public signage, Brčko District became, in 2000, the only place in Bosnia to have road signs in both Cyrillic and Latinic scripts (see Fig. 3).

Following the equalisation of Serbian and Cyrillic scripts, the Assembly passed a resolution declaring the renaming of Brčko’s streets to remove the names given during Serb occupation in 1992. As new street names were allocated, each building was given a uniform yellow and blue house number plate displaying the name of the street in both Cyrillic and Latinic scripts (see Fig. 4). This colour scheme is derived from the Bosnian flag imposed by High Representative Carlos Westendorp in February 1998 (see Ó Tuathail, 2005b; OHR, 1998). The new street names aimed to conjure a shared Yugoslav past; hence ‘*Bulevar Đenerala Draže Mihajlovća*’ was changed to ‘*Bulevar Mira*’ (‘Boulevard of Peace’) and ‘*Srpskih Oslobođilaca Brčkog*’ (‘the Serb Liberation of Brčko’) to ‘*Bosne Srebrenе*’ (‘Silver Bosnia’). Specific strategic objectives were also written out of the landscape, as the road to the Croatian Krajina (‘*Krajiški Put*’)

³¹ The grammatical differences between these languages are only slight, though Croatian differs in many of its nouns from Serbian and Bosnia (for the politicised nature of Bosnian linguistics see Holbrooke, 1999: 232; Stankovic, 2000: 59).

was renamed *Dejtonska* (after the DPA). This example demonstrates the shift in power relations following the creation of Brčko District: the vision of ‘Greater Serbia’ (seen as dependent upon a connection with the Croatian Krajina region) was literally erased, only to be reinscribed with the new vision for Bosnia, that of the DPA. This procedure seems to exemplify the assertion of Azaryahu (1996: 318) that the act of renaming “asserts that a radical restructuring of power relations in society has indeed been accomplished, or is underway, and it indicates a profound reconstruction of social and political institutions”.

There are, however, spaces where the uniformity of Brčko District’s symbolic landscape has been disrupted, as nationalist scripts and alterations have subverted the new street signs, house number plates and place names. One tactic used across the District was to obscure with paint the script of other nationalities, thus Bosniak and Croat villages or houses erased the Cyrillic script while Serbian villages erased the Latinic script. These practices gave a visceral illustration of the struggle between the new state institutions and those who wished to protest against the renaming process, as the District authorities would repeatedly clean place name signs only for paint to reappear over the Cyrillic or Latinic script. In addition, graffiti covers many of the buildings, bridges and walls in Brčko, including ‘tags’ of particular graffiti artists, rap and rock band names, and nationalist messages. In a series of places across the District the word “ЛУКА” (“Luka”) has been daubed on buildings, in Cyrillic to situate its national affiliation, to act as a haunting reminder of the wartime atrocities committed at Brčko port. Other anti-OHR messages were often communicated in the graffiti: for example, a wall near the centre of town had been daubed with the words “ЈЕБЕМ ВАМ ДИСТРИКТ” (“Fuck your District”). In addition to the use of Cyrillic script, it is instructive that the word used for the District



Fig. 4. New house number, Brčko July 2003.

is not *opština*, but rather ‘*Distrikt*’, a localised spelling of the English word used to stress the foreign nature of this political unit. This use of graffiti was not restricted to the urban areas of the District; Serb farms whose owners had been evicted during the war were often daubed with an Islamic crescent insignia as a way of taunting returnee families (Fig. 5 shows a Serb farmer’s well in the village of Bukvik).

Other examples from Brčko town demonstrate the learnt nationalisms within contemporary Brčko District, as antagonist political slogans have been used to intimidate returnees and claim urban territory. In an example from central Brčko a graffiti artist wrote “*БОГ И РАДОВАХ*” (“God and Radovan”). This comment suggests a battle cry, with reference to the Bosnian Serb leader and founder of the SDS, Radovan Karadžić. The interesting point in this example is that the Cyrillic has been corrected, as the author originally wrote a Latinic ‘D’ as opposed to Cyrillic ‘Д’ (see the picture on the left of Fig. 6). A similar mistake can be seen in the picture on the right of Fig. 6, where the graffiti simply reads “*СРБИЈА*” (“Serbia”), though again the author has corrected their Cyrillic, mistakenly writing a Latinic ‘I’ instead of a Cyrillic ‘И’. One plausible reading of these error-strewn examples is that they demonstrate the urgency in Brčko town to embrace linguistic difference, as Cyrillic has been rapidly learnt in order to embrace its nation-defining qualities.

It is not my intention here to engage in a textual analysis of Brčko’s graffiti but rather to demonstrate how the obscuring of road signs and the use of nationalist slogans have interrupted and unsettled the mechanisms deployed by the new state institutions to reorder the symbolic landscape in the towns and villages of Brčko District. While ‘neutral’ place names have reversed the practices of nationalist naming during the conflict, the strategic placement of graffiti has allowed the District to continue to be haunted by the violence and division of its past. These practices seem to echo Cresswell’s (1996) contention that graffiti acts as a “tactic” of the



Fig. 5. Farm well in Bukvik, Brčko District June 2003.



Fig. 6. Examples of Graffiti, Brčko town centre December 2002.

dispossessed — “a mobile and temporary set of meanings that insert themselves into the interstices of formal spatial structure” (Cresswell, 1996: 47, see also Ross, Mirowsky, & Pribesh, 2001). In doing so, the connections between territory and identity are (temporarily) reinscribed, as sites within the urban and rural areas are reconnected with particular nationalist projects.

This process of reconnection is also evident in the commemoration of the 1992–1995 conflict. During the fieldwork period, the Supervisor (Ambassador Clarke) had used the absence of a specific mandate in the Final Award to “to avoid most cultural, historical and purely national issues altogether” (Clarke, 2004). This attitude was also reflected in the responses from other OHR officials who described memorialisation as a “soft issue”.³² However, in place of a cross-national memorial to acknowledge the events of the conflict, a range of monuments stood as testament to specific mythologised historical narratives, such as the statue of Draža Mihajlović and the ‘Serb liberators of Brčko’ (see above). These examples became rallying points for the Serb community across Brčko District, sites where sporting victories are celebrated, wedding photos taken and the Battle of Kosovo marked with the laying of wreaths and the reading of Serb epic poetry. Efforts to remove these monuments by the OHR have been limited, acknowledging that such actions would “stir nationalist sentiments”.³³ Despite this, following lobbying by Bosniak returnee groups and with the assistance of the OHR, in 2004 the statue of Draža Mihajlović was moved to an Orthodox Cemetery on the outskirts of Brčko.

The partial commemoration in Brčko guides the popular consciousness away from remembering the events of genocide and ‘ethnic cleansing’ that scarred the town in 1992 and dramatically changed its demographic constitution. While the street names stimulate a communal memory of Yugoslav heroes such as Ivo Andrić or Nikola Tesla, collective commemoration of the conflict itself had not, at the time of the research, been attempted. Echoing Tito’s approach to interethnic reconciliation following World War II, the Brčko community has been encouraged to collectively forget (Judah, 2000: 136). This process of ‘forgetting’ has been assisted through the invention of District-specific traditions, such as ‘Brčko District Day’, which was established by the OHR and is celebrated on March 8th each year. As the OHR has exercised the power to legitimise certain public celebrations over others it again demonstrates its enrolment into the performance of the local state in Brčko (see Bourdieu, 1989; Edkins, 2003; Engler, 2003). While this practice has served to strengthen state capacity in a unified Brčko District by presenting a unified geography, its silence on issues of war crimes

³² Interview with OHR Democratization Officer, Brčko 24th May 2003.

³³ Interview with OHR Democratization Officer, Brčko 24th May 2003.

and culpability has permitted the continued recycling of fractured nationalist histories amongst the three main ethnic groups.

Conclusions

The partition of Bosnia into two sub-state ‘Entities’ at the Dayton Peace Accords was a cartography of convenience drawn to carefully appease each side in the conflict, whilst accommodating the geopolitical concerns of Europe and the United States. At the convergence point of the new internal borders and divisions of Bosnia lay Brčko *opština*, brutally scarred by conflict and too strategically important to all sides to incorporate within the polarised logic of the Dayton map. This paper has explored how this complex territorial problem was resolved through the creation of a unique multi-ethnic local state institution: Brčko District. This process has required intense international supervision through the OHR, as a functioning multi-ethnic judiciary, schools and police force have been created despite lingering ethno-national rivalries. The paper argues that these reforms were based around a conception of ‘democratization’ that prioritised minority rights over majority rule, and its achievements have been demonstrated in the advanced returnee figures, the improved economic outlook and the removal of nationalist street names across the District. In doing so, these practices have asserted the ‘idea’ of a coherent local state in Brčko, operating to guarantee rights for all citizens and protecting minority groups.

Despite these partial successes, the reform in Brčko District has also posed a series of challenges. Though there were few other options for the OHR, the presence of a mediating force such as the Supervisor appeared to change the character of political debate, as difficult decisions could be transcended rather than reaching a negotiated conclusion. Consequently, many local civil society actors (such as returnee associations, youth NGOs and pensioner groups) viewed the OHR as the local state on account of its authority to pass and implement laws and shape the conduct of the new District institutions. The political role of the OHR was echoed in the process of unifying the names and symbols of the District landscape. This example demonstrated once more the central role played by international agencies in performing state practices in post-conflict Bosnia. This leaves important political questions as to how the supervisory role is phased out in Brčko. Many of its competences have been moved to local agencies as the capacity of the Government and Assembly have strengthened in the wake of municipal elections in October 2004 and the physical presence of OHR has been significantly reduced. However, further research is required on the enduring mechanisms through which international authority continues to be exercised in Brčko, as OHR duties have been delegated to advisors and experts such as the District Management Team.

The fact that Brčko is no longer a central election issue for Bosnian political parties is a signal of the achievements of the District approach.³⁴ Stripped of this political significance, the attention of international agencies stands as an anachronism, with many other economically deprived or politically fragmented Bosnian municipalities claiming they have greater need for the resources. Protecting the reforms of Brčko, and building on them, will require close articulation with strengthened state-level Bosnian institutions. Strengthening the Bosnian state is a strategic objective of the High Representative and constitutes a significant part of the requirements for Bosnia’s accession to the EU. It is the nature of this relationship between Brčko and the Bosnian state (and the state and the EU) that will determine whether Brčko becomes a model of

³⁴ Interview with Political Officer and advisor to the High Representative, Sarajevo 28th May 2003.

peace-building for the next 10 years after Dayton, or an anomalous territory which has only succeeded through intense international intervention and the suspension of antagonistic politics.

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