

## CHAPTER 2

### HISTORICAL BACKGROUND TO THE DAYTON AGREEMENT<sup>1</sup>

The prime framework for determining the process and pattern for returning refugees and displaced persons was set by the Dayton Agreement which ended the Bosnian War. But in order to understand the terms for Dayton, a brief sketch of the historical and theoretical background to Dayton is in order. Without rehearsing the onset and progress of the war in any detail, this chapter will focus on the historical background which will include an outline of the early warnings about the onset of the war and the diplomacy used to prevent it and then conducted during the war to end it. As with the rest of the book, the focus will be on the internationals rather than on the participants to the conflict itself.

In the fourteenth century war between San Gimignano and Lucca in what is now Italy, the fierce condottiere of Lucca, Castruccio Castracani, gave protection to the merchants of San Gimignano exiled by its rulers. The war began in 1322 when the rulers of San Gimignano refused to repatriate the exiles. Refusal to repatriate refugees was a *casus belli*. The war with Lucca should have ended on 23 September in 1325 with the decimation of the San Gimignano army at Altopascio. Four years later, exhausted by war, the city states with overlapping jurisdictions and parties within each state loyal to or siding with the enemy, and each side financially and militarily bankrupt from the long extended war, signed a peace agreement on 29 July 1329. Out of that exhaustion and inter-city warfare, Florence, whose involvement began with its role as arbitrator, emerged as the party who imposed peace and under whose imperial power and shadow San Gimignano and Lucca fell for two centuries. Thus do states in the assertion of their independence lose their absolute independence and become protectorates of larger empires.

The issue of repatriating refugees under the benevolence of an external power with its own agenda is as old as human history. However, America as the single remaining superpower after the demise of the Cold War became involved with the Yugoslav crisis, and the conflict in Bosnia and Herzegovina more particularly, with the greatest reluctance.<sup>2</sup>

Two superpowers had emerged at the end of WWII. Each believed it had a special mission in history that had global dimensions. America, the power that celebrated free enterprise, democracy and technological progress, emerged victorious. The Soviet Union disintegrated even though its muscle power and armaments remained largely intact, for its vascular system was clogged by mismanagement and an economic system that could not support its role in the arms race, and its ideological nervous system was shattered by the collapse of its legitimacy in the eyes of its own people. In the aftermath, the former Yugoslavia also disintegrated, but in a bloodier and more physically devastating way than in even Chechnya, Georgia, Azerbaijan and Armenia.

This is not as surprising as it might seem. I remembered reading an account Arthur Miller gave of his meeting with two Yugoslav United Nations delegates at Lillian Hellman's apartment just after Tito's break with Stalin and Yugoslavia's expulsion from the Comintern. In Miller's account, the Yugoslav rebellion was viewed by him as an expression of 'gut-nationalism' in opposition to the precepts of both

Marxism and the instrumental rationalism of capitalism.<sup>3</sup> But the nationalism that Miller recognized was a gut nationalism still controlled and limited by state nationalism. In the early nineties, that gut nationalism would be turned against the Yugoslav state itself as old communist apparatchniks manipulated that nationalism to consolidate and expand their own power once the Communist idol had totally disintegrated as the Slovenes, Croats, Serbs and, in the end, even the Bosniacs, sought to forge a state that would protect and enhance their ethnic nationalism.

It was this reawakened power of ethnicity that complicated the problem in the Balkans when, during the Cold War, ethnic expression had been suppressed in the Eastern Block as the American and Russian empires rivaled for supremacy.

Yugoslavia had historically played the nationalist card to keep some distance from the predatory Soviet empire as it tried to forge an independent path to a communist utopia. When I first visited Yugoslavia in the early seventies and also had my first (and last) wonderful massage, I asked the masseur his opinion of socialism in Yugoslavia. He replied, "Socialism! You want socialism. Go to Denmark." It would be no surprise that in the collapse of communism in Yugoslavia, nationalism dissolved from the civic nationalism of Yugoslavia to its lowest common denominator, the ethnic nationalism that characterized the conflicts in the nineties once the official ideology of the civic state had become an empty shell without any legitimacy. It was as if the politically ambitious leaders who had been indoctrinated to believe in nationalism had also become convinced that any ideology was a matter of empty rhetoric and a fraud. They seemed to be out to demonstrate that ethnic nationalism was the irrationally dangerous force which the West believed it to be. Civil war, an extremely violent one, ensued.<sup>4</sup>

As is widely acknowledged, wars against proximate others, that is people with whom we are close but who are branded as different, are frequently the most vicious and intemperate. According to Charles Dickens, this occurred because wars against proximate others were unnatural, so the cruelty involved was equally unnatural.<sup>5</sup> According to Freud, it was not so much a matter of what could be regarded as unnatural as much as the fact that conflicts over minor matters are so much more intense than conflicts over the major issues of the day which few understand.<sup>6</sup> But whether it is Freud's narcissism of minor differences or Dickens' unnatural acts, or some other explanation altogether, whether in reference to the genocide in Rwanda, the Holocaust against Ashkenazi Jews who spoke a Yiddish version of German, or the ethnic cleansing in the Balkans, wars against proximate others can be horrific.<sup>7</sup>

However, the West in general, and America as its leader, failed to act on this general knowledge or the more specific knowledge that ethnic knowledge was about to split Yugoslavia apart not only into different political entities, but entities which would largely be cleansed of their ethnic minorities dominating the polities in the other units. The West failed to act effectively even when the degree of violence was clearly demonstrated.<sup>8</sup>

The failure of the West to act cannot be attributed to any failure to anticipate the violent eruptions that would convulse Yugoslavia and the fragments onto which it fractured during the nineties. The war in Yugoslavia did not take the world by surprise. There were many early warnings.<sup>9</sup> Intellectuals had anticipated the self-immolation of Yugoslavia in 1987, the CIA had done so officially in September 1990, and the American embassy in Belgrade had echoed that prediction. Yugoslavia as an integral entity would

not survive was the constant refrain. Nationalism, manipulated by ambitious politicians, would bring about that disintegration. Worst of all, according to most prognostications, that self-destruction would not occur without violence and tremendous destruction.

Why, then, did no one act to prevent the war? Why were all diplomatic efforts focused on retaining what many, if not most, observers saw as an unsustainable unified entity? Why was the use of force as a threat to back up whatever policy was adopted not ever seriously considered by the politicians? Why, after the Gulf War, was the specter of the Vietnam War still haunting the White House, not simply as a fear of being involved in a sinkhole from which the US would not be able to extract itself, but from the mind-set of Vietnam which still thought in terms of dominoes, this time, not that one domino would lead to another - which, in this case, was the war with Croatia leading directly to the war in Bosnia and then to Kosovo, but that one tender step into the Yugoslav quagmire in the use of troops for enforcement purposes would lead down the slippery slope to total and irreversible American commitment? Why were the US and the Europeans unwilling to threaten Milosevic with war for invading a foreign country as Saddam Hussein had been? Why did the Americans view any commitment, beyond the use of diplomacy and the threat of economic sanctions, as a commitment of prestige and credibility which would entail total military involvement is a situation that would quickly spiral out of control?

The answer includes a number of contiguous elements. First, American policy was governed by *realpolitik*. With the end of the Cold War, the fate of Yugoslavia was not a critical matter for US self interest, or so it seemed at the time for those who defined self-interest narrowly. As Mark Danner summarized it in one of the six series of review articles he wrote for *The New York Review of Books*, "In 1990 and 1991, when vigorous early diplomacy should have been brought to bear, the 'principals' had their hands full preparing and directing the Gulf War; then, having triumphed in the Gulf with an ease none had anticipated, they had little interest in risking the victory's political rewards by undertaking what appeared certain to be a much more risky engagement in a country that seemed plainly to have outlived its importance."<sup>10</sup> US foreign policy was described as characterized by "distracted powerlessness". If the narrative of the Yugoslav conflict can be summarized, in Zimmerman's memorable phrase, as a "story of villains - villains guilty of destroying the multi-ethnic state of Yugoslavia", it is also a story of cowards, cowards afraid to risk lives, afraid to risk the wrath of a domestic political backlash, afraid of losing the sense of invincibility resulting from the victory in the Gulf War earlier that year.

But what about the war itself? Why was it so inevitable? The causes of the Yugoslav War were many and included the collapse of one belief system and the resurrection of nationalism, manipulated by ambitious and power-driven politicians; the economic legacy of communism itself which left Yugoslavia 20 billion in debt with state-owned industries that were inefficient, over-manned and under-financed; the imposition on Yugoslavia of a structural adjustment program which undermined Prime Minister Ante Markovic's modernization and democratization program with its narrow economic obsessiveness which took politics into account as only a factor that affected economic risks when the post-Washington doctrine of the Wolfson World Bank had not yet been proclaimed; the large unemployment that resulted that helped fuel the nationalist fervour and the search for scapegoats.

But that simply explains the forces at work at dissolving the union. It does not explain the resort to

violence. After all, Czechoslovakia had fractured into Slovakia and the Czech Republic without war. Why could that not have been the root of Yugoslavia. Because, with the exception of Slovenia and Serbia, Croatia had and Bosnia/Herzegovina had significant Serb minorities. And Bosnia had a significant Croatian minority as well. Though the right of each unit was legally built into the Yugoslav constitution, the principle of secession could be extended from one political unit of the Yugoslav republic to one minority within any unit if the basis of secession was nationalism. For what minority wanted to be ruled by a state in which a nationalist movement held power.

These were the reasons close observers saw the breakup of Yugoslavia as inevitable and that it would take place violently. If it was foreseen, why did outsiders not intervene to stop it? Because they were not willing to risk the lives of their own soldiers for a cause that did not appear to be in their vital nation interest. They had not understood that with immediate coverage by satellite TV, no event anywhere around the world covered in this way could stay out of the hearts and minds of the citizens of each and every country in the west.

Why did the European states not intervene? European leaders did not have Vietnam as an albatross around their necks. Each had his own cross to bear. Germany faced the complications and costs of reunification. France still had its economic colonies in Africa to worry about. Great Britain was still struggling with the “troubles” in northern Ireland. In any case, Europe may have been an economic giant, but, on its own, it was a military pygmy. In any case, the Europeans were not able to forge a coherent policy, let alone one that would the threat of the use of force to back it up. Without American leadership, NATO could not be used, and George Bush was unwilling to commit forces even as a potential use for that which was perceived to be remote from American interests.

What about Bill Clinton? Had he not tried shame Bush for his failure to do anything about Yugoslavia in the 1992 elections. After all, during the election campaign, the full force of the Serb army had been used to bolster the Croatian Serb separatists in the Krajina region to wrest control of that area, produce 80,000 Croatian refugees and declare a separate Serb republic. It was during the election campaign that viewers were voyeurs of a modern siege as Vukovar withstood the Serb assault for almost four months until it fell one week after Bill Clinton was elected as President of the United States.<sup>11</sup> After the capture of Vukovar, the American public would learn of the atrocities committed by the Serbs against the residents of one hospital and then against Croats in general, military and civilian alike.

Clinton in his presidential campaign in 1992 had repeatedly said: “ethnic cleansing will not stand”. Why did Bill Clinton not intervene after he took office? It may have been too late for Croatia. But it was not too late to save Bosnia from violent conflict and the creation of more refugees and displaced persons from Serb aggression. Warren Zimmerman had faulted the Bush administration for inaction. Now Clinton would have his chance to demonstrate he was no more capable of undertaking any effective initiative than Bush.

Of course, he had some excuse. Initiative for Yugoslavian policy had already been transferred to the Europeans. But the real reasons were internal. The realists within the Clinton administration were no more willing to subordinate other policy interests considered to be central to American interests to ex-Yugoslavia. And the liberal internationalists such as Vice-President Al Gore and UN Ambassador,

Madelaine Albright, who wanted to punish, or, at the very least, limit the victories of the Serb aggressors, never could devise a plan that would not entail a potential risk of American troops. This was long before the Somalia fiasco of late 1993 and PDD 25 of the Spring of 1994. And in Yugoslavia, the military had not yet ridden into the conflict zone on the coattails of the humanitarians. The Clinton administration was not yet prepared to undertake a foreign policy initiative that would entail a willingness to commit troops or significant resources. And a Yugoslav initiative, to be effective, would require both.

What about the Europeans? Surely after the dismemberment of Croatia, they understood the importance of preventing a far worse tragedy in Bosnia. Again, the key was a willingness to back diplomacy with the threat of force, a threat that had to be credible. For Serbian President Slobodan Milosovic, who had called the initial shots on both Croatia and Bosnia, was not about to be swayed by diplomatic niceties even though he did not go out of his way to throw the callow behaviour of the Europeans in their face. So the Europeans backed a diplomatic initiative led by Cyrus Vance and David Owen for formalizing the process of ethnic cleansing while retaining the semblance of a multicultural unified state with the ethnic division of Bosnia into ten cantons within a weak central government. But Srebrenika was the key city in the narrow neck which joined western and eastern Serb controlled areas of Bosnia. And Vance and Owen had included Srebrenika within the Muslim-dominated canton of Tuzla.

Even though Milosevic had endorsed the plan, the Bosnian Serbs rejected it and officials of the incoming Clinton administration did not give the plan the support it required for it met neither the objectives of the liberal internationalists who wanted ethnic cleansing reversed and its perpetrators punished, nor the goals of the realists who wanted further conflict avoided only if it did not involve any US commitments. Thus, for all the talk of reversing ethnic cleansing, the Clinton administration was as impotent as the Bush administration had been, while carrying the added burden of being hypocrites.

In the meanwhile, the political realists in the region were dealing with realities and had now accepted ethnic cleansing as a *fait accompli*. By the summer of 1993, the Bosnian Prime Minister, Haris Silajdic, had agreed to accept the Serb held suburbs in Sarajevo for Srebrenika.<sup>12</sup> At the same time, the Europeans, and, to a lesser degree at the time, use humanitarian assistance to cover up diplomatic failure. Humanitarianism was not just a substitute for politics; it was a cover up for diplomatic failure, a vacuum in policy and moral cowardice. Aid had prevented the Bosnians from being totally decimated, but it also did nothing to reverse ethnic cleansing or deny the Serbs their ultimate victory.

Srebrenika had been declared a UN “safe area” in April 1993. By 1994, the US had reversed its earlier policy and assumed a leadership role on Croatia and Bosnia. The Contact Group [diplomats from US, UK, France, Germany and Russia] had by now accepted the reality of ethnic division and drew up plans to award the Serbs 49% of the territory of Bosnia and allot the Croats and Bosniacs 51% of the territory. In March, the Washington Agreement ended the Croat-Bosniac war and establish a federation of two different ethnically dominated areas within a single federation. At the same time, it began to ensure that the Croats and Bosnians had the muscle to back the political initiatives with force. The arms embargo to the Bosnians was lifted and Serb artillery areas and ammunition dumps were targeted by NATO fighter planes. This “lift and strike” policy was not intended to reverse ethnic cleansing so much as to set the conditions for ending the war.

The first eight months of 1995 would indeed produce this result by reversing the Serb gains in Croatia and acceding off-setting Serb gains in Bosnia. In February, now with a large and reasonably well-equipped army facing the Serbs who were spread out over the territory of Bosnia, President Tudjman of Croatia demanded the withdrawal of UN troops separating the two sides in the Krajina area and, in August, launched his strike force which quickly recaptured the area and sent approximately 250,000 of its Serb inhabitants into exile into eastern Bosnia and the Federal republic of Yugoslavia. More refugees had been produced. But Croatia's gain would come at Bosnia's loss.

In February, faced with a losing hand, President Slobodan Milosevic reached a tentative deal with the Americans to accept a unified Bosnia, cut off supplies for the Bosnian Serbs and agreed to recognize Bosnia in return for lifting the economic sanctions against Serbia and Montenegro as well as granting almost complete autonomy to the Bosnian Serbs. Clinton, however, rejected the deal. He did not trust Milosovic who had rhetorically assented to many agreements while so-called 'irregulars' were supposedly responsible for all breaches in security. The US had not been given the levers to control the outcome as any decision to reimpose sanctions would be taken by the whole of the Security Council. Further, the agreement made no provision for saving face and reversing the results of ethnic cleansing.

Then events became dramatic. On the 25<sup>th</sup> and 26<sup>th</sup> of May, NATO planes bombed an important arms depot near Pale. General Mladic seized 300 UN troops as hostages in retaliation. In June, a Serb surface-to-air rocket knocked down a US F-16 fighter. The feeble attempts to use force to bring the Serbs to heel had backfired and panicked Clinton's European allies who had the majority of troops on the ground. By mid-June, the West had capitulated to the Serbs. There would be strict new guidelines on air strikes - that is, there would be none, except for the most direct and overwhelming assault against UN peacekeepers. General Ratko Mladic then released the UN soldiers he held captive.

This was almost immediately followed by a full scale assault on the safe area of Srebrenica, its capture on the 11<sup>th</sup> of July, the rape of its women and the massacre of its adult males. Thus, when Srebrenica fell, the illusion of reversing ethnic cleansing presumably should also have collapsed. But it did not even as General Mladic ordered the women and children of Srebrenica to board the 60 buses he had ready. Forty-five thousand Muslims of Srebrenica had been misled by the UN guarantee of a safe area, but this was only one year after one million Tutsis in Rwanda had been misled by the presence of UN peacekeepers there who withdrew as soon as their lives were shown to be at risk when ten Belgian peacekeepers were killed followed the 6 April 1994 coup against President Habyarimana.

The UN military commanders were no more able to undercut the misconceived policy in Bosnia that they were able a year earlier to do anything about the slaughter of civilians in Rwanda. Any robust response was always vetoed by their political bosses in New York or undercut by political compromises that were merely disguised surrenders to the demonstration of force. As in Rwanda where the prime interest had been the safety of the peacekeepers and of the ex-pat humanitarian volunteers, the prime interest in Yugoslavia had been the safety of the Dutch peacekeepers in their observer post in Srebrenica and not the inhabitants of the city.

Instead of political policy backed by force, we had public rhetoric and gestures backed by retreats.

Instead of speaking softly and carrying a big stick, Americans spoke loudly and carried a twig. Unable to accept a deployment that would surrender the illusion of protecting safe cities by withdrawing vulnerable UN peacekeepers on the ground, the West was also unwilling to deploy force to make the promised safety of the areas secure.<sup>13</sup>

With no further gains to be made, the Dayton peace agreement was signed between Croatia and FR Yugoslavia, and a General Framework agreement was initialed in Dayton, Ohio to end the civil war in Bosnia and Herzegovina.

1. For readers familiar with the diplomatic history in dealing with the Yugoslav crisis, this chapter can be skimmed or even skipped.

2. For a very detailed account of this reluctant involvement, cf. Wayne Bert, *The Reluctant Superpower: United States' Policy in Bosnia, 1991-95* (New York: St. Martin's Press). See also James Gow, *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (New York: Columbia University Press); Robert L. Hutchings, *American Diplomacy and the End of the Cold War: An Insider's Account of U.S. Policy in Europe, 1980-1992* (Woodrow Wilson Center Press/John Hopkins University Press); Richard H. Ullmann, ed., *The World and Yugoslavia's Wars* (New York: Council on Foreign Relations); Warren Zimmerman, "Yugoslavia: 1989-1996," in Jeremy R. Azrael and Emil A. Pagan, eds., *US and Russian Policymaking with Respect to the Use of Force*, Rand and his book-length account, *Origins of a Catastrophe: Yugoslavia and its Destroyers - America's Last Ambassador Tells What Happened and Why* (New York: Times Books).

3. Cf. Arthur Miller, *Timebends: A Life*, London: Methuen, 1987. What Miller actually said was that, "The assumption on both pro- and anti-Soviet sides had been that all Communists were joined by a kind of blood bond to Stalin, a Lucifer in absolute control of his warlocks, who would go up in smoke should an anti-Russian thought so much as cross their servile minds. Instead, gut-nationalism, a force all but read out of existence by both Marxist and capitalist rationalism, was now taking the stage." (p. 254)

4. For three complementary accounts of the war itself, cf. Tim Judah, *The Serbs: History, Myth and the Destruction of Yugoslavia* (New Haven: Yale University Press); Ed Vulliamy, *Seasons in Hell: Understanding Bosnia's War* (New York: Simon and Schuster); and, Susan L. Woodward, *Balkan Tragedy: Chaos and Dissolution After the Cold War* (Washington: Brookings).

5. "When men unnaturally fight against their own countrymen, they are always observed to be more unnaturally cruel and filled with rage than they are against any other enemy." This quote of Charles Dickens appears in Michael Ignatieff's book, *The Warrior's Honor: Ethnic War and the Modern Conscience*, Metropolitan Books/Henry Holt, 1998, 38.

6. Sigmund Freud wrote that, "it is precisely the minor differences in people who are otherwise alike that form the basis of feelings of strangeness and hostility between them." Ignatieff, op. cit.

7. For three accounts which provide vivid portrayals of the horror of the genocide that occurred, cf. Beverley Allen, *Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia*, Minneapolis: University of Minnesota Press; Norman Cigar, *Genocide in Bosnia: The Policy of Ethnic Cleansing*, Austin: Texas A & M University Press; and Roy Gutman, *Witness to Genocide*, New York: Macmillan.

8. A dominant theme in analyzing Western involvement is not only failure but betrayal. For example, a selection of five of the books in a selected bibliography on the Yugoslav wars of the nineties all have one or both of these themes running through the accounts. Cf. Stjepan Mestrovic, ed. *The Conceit of Innocence: Losing the Conscience of the West in the War Against Bosnia*; (Austin: Texas A & M University Press); David Owen, *Balkan Odyssey: An*

*Uncompromising Personal Account of the International Peace Efforts Following the Breakup of the Former Yugoslavia*, (London: Harcourt Brace, 1995); David Rieff, *Slaughterhouse: Bosnia and the Failure of the West* (Touchstone ); David Rohde, *Endgames: The Betrayal and Fall of Srebrenica, Europe's Worst Massacre Since World War II* (New York: Farrar, Straus and Giroux); and Michael A. Sells, *The Bridge Betrayed: Religion and Genocide in Bosnia* (Berkeley and Los Angeles: University of California Press).

9. Cf. Thomas Cushman and Stjepan Mestrovic, *This Time We Knew: Western Responses to genocide in Bosnia* (New York: New York University Press).

10. Mark Danner, "The US and the Yugoslav Catastrophe," *New York Review of Books*, XLIV:18, 20 November 1997, 58.

11. For Mark Danner, Vukovar was the critical turning point. "As it happened, that point in the autumn of the sieges (1991) - was probably the last chance for the United States to halt the war in Croatia at relatively low cost, and thereby to prevent the outbreak of the much more savage war in Bosnia in March 1992." (Mark Danner, "The US and the Yugoslav Catastrophe," *New York Review of Books*, XLIV:18, 20 November 1997, 63) But Danner is in love with critical turning points and last chances revolving around the siege of cities. For if Vukovar was the last chance to prevent the Bosnian war, the siege of Srebrenica was the last chance to reverse the process of ethnic cleansing. (Cf. Mark Danner, "Bosnia: The Great Betrayal," *New York Review of Books*, XLV:5, 26 March 1998, 41.

12. Cf. Honig and Both, *Srebrenics: Record of a War Crime*.

13. This was also a major theme of the series of six articles by Mark Danner. When Madelaine Albright rejected General Smith's plan to reduce UN forces in the safe areas and endorse the plan to employ air strikes, Danner summarized the situation as follows: "The Americans wished to go on 'talking tough' and demanding air strikes but were still unwilling to take any political risks to make such a step possible." (Mark Danner, "Bosnia: Breaking the Machine," *New York Review of Books*, XLV:3, 19 February 1998, 44.) More generally, Danner had written in the previous article: "Like many of their 'policies' in the Bosnian war, Western leaders had constructed this one solely of words." (Mark Danner, "Bosnia's Turning Point," *New York Review of Books*, XLV:2, 5 February 1998, 34) What Danner did not recognize was how this situation was an improvement on Rwanda a year earlier where even the wrong words - such as *genocide* - were to be avoided.