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**THE 2005 BOSNIAN LAW ON DEFENSE
A POLICY CHANGE CASE STUDY**

by

GREGORY D. VUKSICH

B.S., General Engineering, United States Military Academy, 1970
M.A., Political Science, Vanderbilt University, 1974
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DISSERTATION

Submitted in Partial Fulfillment of the
Requirements for the Degree of
Doctor of Philosophy

Political Science

The University of New Mexico
Albuquerque, New Mexico

December, 2023

DEDICATION

To Mom

Who never quit asking how the dissertation was going

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As in any undertaking of this duration and scale, many individuals have contributed to my doctoral quest and this dissertation. Professor Deborah MacFarlane mentored me through the public policy focus of my studies at UNM while Professor Michael Rocca gave me the opportunity to pull together the various threads of scholarship that converged on an understanding of the Serbian policy change. My dissertation committee, Professors Sergio Ascencio, John Mearsheimer, Mark Peceny and William Stanley, contributed unparalleled insight into various aspects of the study.

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2023

ABSTRACT

The Dayton Peace Accord (DPA) in 1995 ended the civil war in Bosnia and Hercegovina and established a constitution for the newly institutionalizing state. It permitted the three ethnicities – Bosniaks, Croats and Serbs – to retain their wartime armed forces in place under ethnic command, a prerogative the Serbs guarded strenuously. International organizations, however, sought a single, multiethnic military institution for the whole of the country. In 2005, however, the Serbs reversed their opposition and agreed to the international organization preference. This study explores why Bosnia's Serbian community reversed its earlier and acceded to the creation of a single multiethnic armed force. A qualitative analysis, the case applies the Advocacy Coalition Framework from public policy's theoretical literature and scholarship on state building, military power sharing, coercion analyses and veto theory.

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ABBREVIATIONS

ABiH – Army of Bosnia and Hercegovina (Bosniak wartime ethnic force)

ACF – Advocacy Coalition Framework

AF/ADB – Air Force/Air Defense Brigade

AFBiH – Armed Forces of Bosnia and Hercegovina (Bosnian state force)

ANP – Annual National Plan

BiH – Bosnia and Hercegovina

BY – Bosniak Yes Coalition

DNS-SNS – Demokratska Narodna Savez – Srpska Narodna Savez (Democratic People's Alliance – Serbian Peoples Alliance)

DPA – Dayton Peace Accord

DRC – Defense Reform Commission

DRC 2003/ DRC 1 – Defense Reform Commission of 2003

DRC 2005/ DRC 2 – Defense Reform Commission of 2005

EC – European Community

EU – European Community

EUFOR – European Union Force

FBiH – Federation of Bosnia and Hercegovina

HDZ – Hrvatska Demokratska Zajednica (Croatian Democratic Union)

HR – High Representative

HVO – Hrvatska Vijece Obrane (Croatian Defense Council)

IFOR – Implementation Force

ICTY – International Criminal Tribunal for the Former Yugoslavia

IO – International organization

IPP – Individual Partnership Plan

ISAF – International Security Assistance Force

JMC – a joint Military Commission

JS – Joint Staff

Jt Com on Sec/Def – Joint Parliamentary Committee on Security and Defense

LC – Logistics Command

LoD – Law on Defense

MAP – Membership Action Plan

MPRI – Military Personnel Resources Inc.

MoD – Ministry of Defense

NATO – North Atlantic Treaty Organization

NAC – North Atlantic Council

NCO – Noncommissioned Officer

NGO – Nongovernmental Organization

NSRS – Narodna Skupstina Republika Srpska (National Assembly of Republika Srpska)

OHR – Office of the High Representative

OSCE – Organization for Security and Cooperation in Europe

PABiH – Parliamentary Assembly of Bosnia and Hercegovina

PaRP – NATO Planning and Review Process

PDP – Partija Demokratska Progressa (Party for Democratic Progress)

PfP – Partnership for Peace

PIC – Peace Implementation Council

RS – Republika Srpska

SBiH -- Stranka za BiH – (Party for BiH)

SCMM – Standing Commission for Military Matters

SDA – Stranka Demokratska Akcija (Party of Democratic Action)

SDS – Srpska Demokratska Stranka (Serbian Democratic Party)

SFOR – Stabilization Force

SFRJ – Socialist Federal Republic of Yugoslavia

SN – Serbian No Coalition

SNS – Serbian Peoples Union

SNSD – Savez Nezavisnih Socijaldemokrata (Alliance of Independent Social Democrats)

SRS (VS) Srpska Radikalna Stranka (Vojislav Seselj) (Serbian Radical Party-Vojislav Seselj)

SY – Serbian Yes Coalition

TDC – Training and Doctrine Command

TSB – Tactical Support Command

UN – United Nations

US – United States

VF – Vojska Federacija (Army of the Federation of Bosnia and Hercegovina)

VRS – Vojska Republika Srpska (Army of the Republika Srpska)

INTRODUCTION

Why?

The 1992–1995 ethnic civil war in Bosnia and Hercegovina¹ (hereafter Bosnia or BiH) that killed as many as 100,000 people was followed by 10 years of legislative veto threats that created a stalemate impeding the development of institutions essential to state building in the newly founded republic. But something remarkable happened in August 2005. The Serbian community reversed its vehemently held opposition to the creation of a single, multiethnic military institution for all of BiH and agreed to the 2005 Law on Defense (LoD) that scrapped the Army of the Republika Srpska (VRS). Thus, Serbs turned their backs on the strongest symbol of their claim to extreme autonomy if not sovereignty, ignored their constitutionally mandated veto powers, and acceded to the international preference for a single armed force. The puzzle: Why?

The new law was hailed as a landmark achievement, a crucial milestone in overcoming ethnically based veto powers enshrined in the constitution created by the Dayton Accord² that ended Bosnia's interethnic slaughter. The new constitution also left in place the three ethnic armies that had battled one another for over three years.

Participants in the development of the law asserted contradictory explanations for Serbian submission to the international organization (IO) drive for an integrated armed

¹ Two spellings are in use for Hercegovina—the local spelling using “c” (indicating a “ts” sound in the local dialects) as in Hercegovina and the Germanized spelling using “z” as in Herzegovina. This study uses the indigenous spelling, Hercegovina, throughout.

² The General Framework Agreement for Peace in Bosnia and Hercegovina, commonly known as the Dayton Accord, ended the 1992–1995 civil war in Bosnia. Signed in Paris in December 1995, the agreement established, among other aspects, the process for disengagement of forces, the creation of two separate territorial entities in a federal Bosnian state, the roles of IOs, and a constitution for the country.

force. International actors generally characterized the law as a consensus result of the common interest among all parties—Bosniaks, Croats, Serbs, and IOs—for an effective and efficient military structure (Defense Reform Commission [DRC] 2005). Serbs, on the other hand, asserted that their compliance was the result of extraordinary coercion by international overlords employing proconsul-like powers (Kesic 2017). These included removal without recourse of legitimately elected and appointed officials; sanction of political parties and commercial organizations; and the unilateral proclamation, modification, or cancelation of any law or regulation except for provisions of the new state-level constitution (Smajic 2011, 378–478).

The puzzle for this study asks why the Serbian community in Bosnia adopted such a dramatic policy reversal. It leverages public policy’s Advocacy Coalition Framework (ACF) to challenge both the Office of the High Representative’s (OHR) explanation and the Serbian community’s asserted bases for the policy change. It hypothesizes that the policy change grew out of Serbian concern for a steadily deteriorating military balance vis-à-vis its former civil war antagonists—the Bosniaks and Croats—imposed by IOs implementing the reform in a strongly coercive manner.

This study is about state building. The study demonstrates the enormous challenge of state building absent a national identity when the process involves communities with differing, especially contentious, post-civil war allegiances and delves into two increasingly apparent conundrums confronting contemporary reality: (1) the progressively expanding engagement of IOs in new and transitioning societies and (2) the need to develop functioning institutions in deeply divided, post-civil war societies lacking a common identity (Huntington 1968, 1991). The analysis goes to the extreme edge of

IO authority inside a foreign society that may suggest the limits of institution building that external actors can impose, and it identifies techniques more or less likely to succeed in an ethnically splintered polity. Perhaps most importantly, however, the study peers into realities through the eyes of one of the local populations—Bosnia’s Serbs in the autonomous territorial political entity of Republika Srpska (RS)—rather than from other culturally defined perspectives.

This is a qualitative research effort employing a mixture of documentary, archival, and interview methods. The National Assembly of Republika Srpska (NSRS) took the final action to reverse the previous RS policy and agreed to the creation of a single, multiethnic military institution. As a result, the study relies heavily on two types of data derived from party positions and legislative debates in the NSRS (the legislature of the Serbian entity created by the Dayton Accord). First, documentary sources and consultations with professors from the faculty of Political Sciences at the University of Banja Luka and nongovernmental organization (NGO) leadership in RS provided the basis for understanding the context of the policy process and delivered preliminary insights on the structure of coalitions and the policy positions of key individual actors. Further insights from archival data were then acquired from transcripts of legislative debates and, in one case, from a six-party declaration on the future structure of the Bosnian military institution.

Second, based on the data developed through this archival discovery and faculty/NGO insight, the author identified and then conducted semi-structured interviews with a cross-section of the most relevant legislative, executive, and civic players in the policy process, including leaders of the principal parliamentary parties, whether members

of the NSRS or holding senior executive mandates. Those interviewed included Serbian members of the state-level presidency; presidents and cabinet members of RS; presidents, commission (committee) chairmen, and members of the NSRS; Serbian members of the state-level Parliamentary Assembly of Bosnia and Hercegovina (PABiH); VRS generals; leaders of the major parliamentary parties; significant members of the media and academia; leaders of veteran, prisoner of war, and refugee/displaced persons organizations; and other significant community persons.³

Data acquisition efforts encountered mixed results. Attempts to find news reports from the period proved difficult as the major newspapers and journals in RS from the period were neither digitized nor indexed. Archivists from the RS government and the NSRS were very responsive to requests for specific items. Interlocutors in the RS and from the Croatian community made themselves available, were generally frank, and provided strong insights. The Bosniak community was less accessible. While several Bosniak military leaders from the period were responsive, none of the political leadership from that time could be interviewed. Disappointing, however, was the denial of access to archives held by OHR, North Atlantic Treaty Organization (NATO), or the Organization for Security and CAdvocacy Coalition Frameworkooperation in Europe (OSCE), even including summaries of open-source press reports by local media.

This research essentially asks if ends justify means; in this case, if undemocratic means—techniques fundamentally at odds with accepted democratic practice—can be justified by the end of a democratic state. It reveals that in a case of extreme international

³ Due to restrictions imposed on the approved Institutional Review Board proposal at the University of New Mexico, all interviewees were assured of nonattribution.

domination of the political and social aspects of a state using direct and indirect coercion, the issue of justification is at least temporarily moot. Almost three decades later, no truly democratic state has emerged in BiH as a result of the undemocratic means applied by international overseers. The techniques applied by the leadership of IOs directing the political and social realities on the ground, most prominently High Representative (HR) Lord Ashdown and several commanders of the NATO force, to date have simply failed. At the military level, they created a “hollow” military institution, a “Potemkin” army incapable of performing its most significant constitutional missions, the defense of the state from external threats to its territory and sovereignty and protection of its citizens from internal instability.

With its focus on conditions under which fundamental institutions of a modern, democratic polity emerge—or don’t—this research is immediately relevant in 2023 for students of comparative politics as well as scholars and practitioners of public policy. The study addresses a society that is on a political and social downward spiral, reinforced by great power interests that are leading to further ethnic polarization, possible violence, and even the very remote potential for renewed interethnic war. It is a historically contentious region and the catalyst for an earlier world war. It is set in a contemporary context in which neighboring co-ethnics in Croatia and Serbia could engage, where Islamic factors have already emerged, and where great powers have self-servingly descended into proxy competition, a competition that has intensified significantly since the end of the civil war.⁴ Taken together, these realities now argue strongly for this

⁴ During the civil war and still today, international actors have pushed a narrative of secession as an aim of Bosnia's Serbs in a drive either for a separate Serbian state in what is now the RS or for amalgamation into a greater Serbia. Serbs at the time of the defense

scholarly study of the creation of Bosnia's military institution as an initial step toward broader academic and policy insights.⁵

The dissertation consists of 10 parts. After an introduction, the study briefly describes the research design and then the historical background of the Bosnian political and social context. It then reviews the relevant literature on state building, power sharing, the coercive nature of IOs and the role of vetoes in new, post-civil war polities. Next, the dissertation outlines the basic tenets of the ACF and suggests how the framework may be applied to establish a minimally sufficient explanation for the Serbian policy change. The discussion then outlines the perspectives of the four major players—the Bosniak, Croatian, Serbian, and international participants—and subsequently describes the process by which the participants developed the 2005 LoD. The dissertation then describes the longer-term outcome of the defense reform process and concludes with a review of the findings on the Serbian policy change, examination of the

reform process were fixated on protecting the political, social, and cultural autonomy of RS as an authoritarian HR used methods of questionable legitimacy and authority against the entity. Further, secession is not a serious consideration today. Bosnia's Serbs are willing to remain in an RS within Bosnia and Hercegovina as defined by the letter of the Dayton Accord and its consociational structure. They will not concur with constitutional modifications that international bureaucrats push, based on the so-called "spirit of Dayton," that Americans claim everyone realized and agreed to in 1995. Serbs argue that the secession narrative has been an American effort to create an atmosphere of crisis that can be exploited in an effort to counter Russian influence in the region. They point, most recently, to the United States Air Force on May 30, 2023, flying two nuclear-capable B1 bombers low over Sarajevo and several other Bosnian cities as a "message" to Bosnia's Serbs against attempts at secession. The issues in Bosnia are political, social, and cultural. Serbs see the May 30 incident as the USA expanding the military dimension to Bosnia's lingering internal challenges.

⁵ This paper focuses on a situation in which communities with different identities must create a state and its institutions by agreement among them. It does not address the development of states that are created by one civil war community vanquishing the other or, as in the post-World War II cases of Japan and Germany, capitulation to a foreign military conquest.

implications for continuing research, and thoughts about the political and social future of BiH.

RESEARCH DESIGN

This dissertation examines the Serbian policy change decision to accept a single multiethnic military institution for the entire country as a qualitative within-case study. To accomplish the task, the author invested 10 months in BiH collecting data designed to explain why Bosnia's Serbian community reversed its vehement commitment to the VRS and acceded to the creation of a single, multiethnic military institution for the entire country. Subsequently, findings and conclusions were generated via process tracing analysis (Beach and Pedersen 2016; George and Bennett 2005; Gerring 2007; Mahoney 2012, 2015; Ragin 2000) and application of necessary condition counterfactuals analysis (Goertz and Levy 2007).

Data Collection

Data were collected between October 2021 and September 2022. The effort was based in Banja Luka, the capital of the predominantly RS, but ranged throughout the country, especially in Sarajevo and Mostar. Initially, the focus was on primary source documentation and secondary sources including conversations with academic and journalism experts in the field. Based on those insights, primary source interviews were conducted with individuals who were directly involved in the defense reform processes during the period 2002–2006. Because the NSRS took the final action to reverse the previous RS policy, the definitive analysis focused on data taken from that legislative body, the political parties involved in its debates and their senior members.

The study relies on two types of data. Initially, documentary sources and consultations with professors from the faculty of Political Sciences at the University of Banja Luka and NGO leadership provided understanding of the context in which the policy change occurred and delivered preliminary insights on the structure of coalitions

and the positions of key individual actors. Further insights from documentary data were then acquired from transcripts of NSRS debates and, in one case, from a six-party declaration that included provisions on the future structure of the Bosnian military institution.

Based on the data generated through documentary discovery and faculty/NGO insight, the author identified and then conducted semi-structured interviews with a cross-section of the most relevant Serbian legislative, executive, civic, and military players in the policy process. Those interviewed included Serbian members of the state-level presidency; presidents and cabinet members of RS; presidents, commission (committee) chairmen, and members of the NSRS; Serbian members of the state-level PABiH; former VRS generals; leaders of the major parliamentary parties; significant members of the media and academia; leaders of veteran, prisoner of war, and refugee/displaced persons organizations; and other significant community persons.⁶

Data collection efforts encountered mixed results. Efforts to find news reports from the period proved difficult as the major newspapers and journals RS were neither digitized nor indexed. Archivists from the RS government and the NSRS were very responsive to requests for specific items, but general searches were extremely labor intensive due to the absence of contemporary document management technologies. Interlocutors in the RS and from the Croatian community made themselves available for semi-structured interviews, were generally frank, and provided strong insights. Participation by former members of the IO community was mixed, with senior members

⁶ Due to restrictions imposed on the approved Institutional Review Board proposal at the University of New Mexico, all interviewees were assured of nonattribution.

and those no longer present in Sarajevo more available. The Bosniak community was less accessible. While several Bosniak military leaders from the period were responsive, none of the political leadership from that time could be interviewed. Most disappointing was the denial of access to archives held by the OHR, NATO, and OSCE, denying even unclassified daily press summaries of open-source reporting by local media.⁷

Data Analysis

Analysis of the acquired data was conducted using a process tracing derivative technique, “explaining-outcomes” as defined by Beach and Pedersen (2016, 18–21). This was supplemented by necessary condition counterfactual applications (Goertz and Levy 2007). In the “explaining-outcomes” process tracing approach, scholars employing qualitative methods look for mechanisms that demonstrate, in an unbroken chain, a logical explanatory sequence of activities leading to a “minimally sufficient explanation” of the outcome (Beach and Pedersen 2016).

The approach follows the interaction of actors and activities over time and space in which a mechanism, “transmits either a physical force or information that influences the behavior of other agents or entities” (Waldner 2012, 18).⁸ The goal is to develop a minimally sufficient explanation for the Serbian policy change, one “that accounts for all

⁷ The NATO office in Sarajevo released several months’ worth of press summaries online that included items from the three major Serbian newspapers in BiH: *Nezavisna Novine*, *Glas Srpske*, and *Blic*. While each summary provided a brief synopsis of the article, more importantly, each item provided the name of the newspaper, the date, and page. This information would have allowed researchers to immediately locate relevant articles rather than having to drudge through day after day, page by page searching for relevant commentary.

⁸ The literature is replete with definitions of a “mechanism.” Among them, Bennett (2008, 207) defines a mechanism as process, Glennan (1996, 52) as “a complex system,” and Hernes (1998, 78) as a “set of interacting parts.”

the important aspects of an outcome with no redundant parts being present” (Beach and Pedersen 2016, 18). For this study, a mechanism is a “force” working through an activity to modify the behavior of the actor upon which the force is targeted.

Beach and Pedersen (2016, 99–100) cite four types of evidence with which to gauge the explanatory power of mechanisms. These include evidence demonstrated by patterns of behavior change while sequence evidence is derived from the chronological impact of mechanisms over time and space. Trace evidence “is evidence whose mere existence provides proof that a part of the hypothesized mechanism exists” while account evidence derives from “the content of empirical material” such as the archives of legislative sessions (Beach and Pedersen 2016, 99). The explanatory value of such evidence was evaluated in the context of the impact it implied for the power of each potential mechanism, either to provide alone a univariate minimally sufficient explanation of the outcome or a multivariate explanation (Beach and Pedersen 2016, 19). Application of a necessary condition counterfactual assessment then confirmed or discounted the presence of the mechanism undergoing test (Goertz and Levy 2007, 39–43). Beach and Pedersen (2016, 122–124) then suggest four criteria to evaluate potential explanations: whether there is a sufficient amount of data; whether the content of those data fit the contextual setting of the study; whether the data can be trusted; and, from a Bayesian perspective, whether the evidence suggested by those data are relatively unlikely.

Based on this research design, 10 months were invested in Bosnia collecting the data required to execute an analysis resulting in a minimally sufficient explanation of the Serbian decision. The following year saw the analysis leading to findings and

conclusions based on techniques defined by explaining outcomes, process tracing, and necessary condition counterfactuals. The dissertation now turns to a discussion of the background in which the Serbian policy change output occurred.

BACKGROUND

Evolution of the Bosnian Context

The end of the Balkan Wars and defeat of the Central Powers during World War I led to the creation of a south Slav union incorporating the Slovenian and Croatian areas of the former Austro-Hungarian Empire, the Bosnian and Macedonian components of what had earlier been the Ottoman Empire, plus Serbia and Montenegro. Between the two world wars, the Kingdom of Serbs, Croats, and Slovenes—later renamed the Kingdom of Yugoslavia⁹—never overcame interethnic contention, particularly between Serbs and Croats (Banac 2015). The country fell into a brutal interethnic “civil war within a war” from 1941–1945 among (1) royalist Serbian “Chetniks” embracing the pre-war order, (2) Croatian “Ustache” of the fascist Independent State of Croatia aligned with the German Nazi regime, (3) various units such as the 13th Waffen SS Handschar Division commanded by German officers but manned by Bosnian Muslims,¹⁰ and (4) the Allied-aligned, multiethnic Partisan forces, their communist ideology and commitment to a communist-led post-World War II order notwithstanding (Djilas 1977, Roberts 1987; Tomasevich 1975, 2002).

The World War II victory of the Allied powers led to the Partisan communists taking control of Yugoslavia. They implemented an ethnically-based internal structure; its stability founded on four pillars. A committed and increasingly respected leader, Josip

⁹ Labeling of the region has recently assumed a new characterization: Western Balkans. Use of the term “Former Yugoslavia,” however, retains its relevance in the immediate post-civil war context in which this study is set. Both will be used as appropriate.

¹⁰ The Islamic population in Bosnia was referred to for centuries as “Bosnian Muslims.” During the 1992–1995 civil war, western authorities substituted the name “Bosniaks” for narrative purposes. Both labels remain in common usage and both are used as appropriate.

Broz (Tito),¹¹ controlled an effective internal security force and managed an independent, nonaligned foreign policy by which Yugoslavia dodged the Soviet domination under which neighboring Warsaw Pact states existed (Djilas 1977, Lampe 2000, Lees 1997). All of this occurred in the context of an increasingly prosperous economy seen as something of an economic miracle among socialist states (Woodward 1995).¹²

By 1989, however, each pillar had collapsed, seriously diminishing the strength of Yugoslavia's central government. The 1974 constitution codified the devolution of substantial powers, including police and territorial defense forces, to the ethnic republics and autonomous provinces. In May 1980, Tito died. He was replaced by a dysfunctional territorial/ethnic and party-based collegial presidency. While the country had thrived in the 1960s and 1970s, by the 1980s the economy faltered with increasing differences in wealth between the more prosperous northwest (Slovenia and Croatia) resentful of the diversion of state resources to the poorer southeast (Serbia, Kosovo, and Macedonia). In November 1989, the Berlin Wall fell and, with it, the threat of Soviet domination evaporated. Finally, in June 1991, economic disputes overwhelmed a weak federal government and led to Slovenian and Croatian secession declarations. Antagonized by

¹¹ Josip Broz, also known as "Tito," led the pre-World War II underground communist movement in Yugoslavia, commanded the communist Partisan army during World War II, and was the country's president for life afterward. His two most prominent accomplishments for which he received both domestic and international acclaim were the 1948 defiance of Stalin in a confrontation over the Yugoslav role in the COMINFORM organization and the 1961 creation at a conference in Belgrade, Yugoslavia, of the International Nonaligned Movement with Prime Minister Nehru of India and Presidents Nasser of Egypt, Nkrumah of Ghana, and Sukarno of Indonesia.

¹² For histories of Yugoslavia see Lampe 2000, Pavlowitch 1971; for a general regional history see Stavrianos 1958; for a history of the Serbs see Judah 2009; for the impact of political economy see Woodward 1995.

the intermixed nature of the ethnic demography and the legacy of World War II,¹³ the secessions incited tragic violence, first in Croatia and then BiH.

The civil war of the 1990s ultimately led to the dissolution of the Socialist Federal Republic of Yugoslavia (SFRJ) and the secession and transition of the former Yugoslav Republic of BiH into an international protectorate inside the geographical bounds established by the previous communist regime. Each of the participants within the territory—Bosniaks, Bosnian Croats, and Bosnian Serbs¹⁴—strove for geographical control of their areas of interest and full authority, if not sovereignty, within them. In the cases of Bosnia's Croats and Serbs, this included linkages with their respective co-ethnics in Croatia and Serbia.¹⁵ For Bosniaks, it included maintenance of the whole of Bosnia's previously defined territory in one state and relations with the broader Islamic world.¹⁶

¹³ While the disintegration was principally a manifestation of economic factors (reinforced by heated political discourse between Zagreb/Ljubljana and Belgrade set in the context of a dysfunctional collegial presidency and weak central government), violence was the result of fear rather than the more simplistic argument of centuries of hatred among the religiously based ethnicities. A reality infrequently acknowledged in the West is that Bosnians of all ethnicities who were about 65 years of age when the fighting started in Bosnia in 1992 were about 18 years old in the last stages of World War II. They were personal witnesses to, if not victims of or contributors to, the brutality of World War II and endured staggering tragedies and life-long traumatic memories. When minority Serbs and Croats in Bosnia lost the security provided by co-ethnics in a wider Yugoslavia, they remembered that horror, feared its return and were bound to repeat it.

¹⁴ The distinctions among the three contending ethnic communities are built on religious heritage and the centuries-long political, social, and economic interaction among them. Bosniaks, until the mid-1990s referred to as Bosnian Muslims, identify with Islam, Croats adhere to Roman Catholicism and Serbs are Eastern Orthodox Christians akin to the Greek and Russian traditions.

¹⁵ Alternatives for the division of Bosnia between Croats and Serbs occurred on two levels: beginning in 1991 in Karadjordjevo, Yugoslavia, between the presidents of Croatia and Serbia, respectively Franjo Tudjman and Slobodan Milosevic (Lučić 2003), and in 1992 in Graz, Austria, between the Bosnian Croat and Bosnian Serb leaders, respectively Mate Boban and Radovan Karadzic (Williams 1992).

¹⁶ The "Islamic Declaration" by the leader of the Bosnian Muslim community, Alija Izetbegovic, was first printed in 1970 and republished in 1990 in the run-up to the civil

The Dayton Peace Accord (DPA) of 1995 (formally the General Framework Agreement for Peace in BiH) ended the bloodshed in BiH and established a constitution for the new state. The outcome was a post-hostilities consociational¹⁷ structure that included two subordinate geographical entities—the conjoined Bosniak/Croatian Federation of Bosnia and Hercegovina (FBiH) with 51% of the territory dominated by its majority Bosniak community and the Serbian majority RS encompassing 49% (see Figure 1).¹⁸ The DPA created an HR as the “final authority in theater regarding interpretation of this Agreement on the civilian implementation of the peace settlement” (OHR 2022a) and a NATO-led Implementation Force (IFOR) whose commander was designated “the final authority in theatre regarding interpretation of this agreement on the military aspects of the peace settlement” (OHR 2022a). The HR’s DPA authorities were vastly enhanced in 1997 by the Peace Implementation Council’s (PIC)¹⁹ “Bonn Powers”

war. Croats and Serbs point to selected passages from the 77-page document confirming a Bosnian Muslim intent to impose an Islamic culture (“The Islamic movement must start taking power as soon as it is morally and numerically strong enough to do so”) and political structure (“There is no peace or coexistence between the Islamic faith and non-Islamic social and political institutions”; Izetbegovic 1970). In a sovereign Bosnian state as bounded by the previous Yugoslav regime “I would sacrifice peace in order to win sovereignty for Bosnia, but for that peace in Bosnia, I would not sacrifice sovereignty” (Izetbegovic 2021).

¹⁷ As conceptualized by Lijphart (1968, 1977, 2004) and Andeweg (2000), a consociational polity is one in which there are significant internal divisions along ethnic, religious, or linguistic lines, but that remains stable due to coordination among the elites of these groups. Four key components are: a grand coalition; mutual veto powers; proportionality among the ethnicities; and segmental autonomy (Lijphart 1977).

¹⁸ In the context of Bosnia and Hercegovina, the term “state” refers to the entirety of BiH, what in an American context would be the federal or national level of government encompassing all 50 US states. The term “entity” refers to the two subordinate components of BiH—the FBiH and the RS. These are roughly equivalent to American states such as New Mexico. The term “federation” when used refers exclusively to the Croat/Bosniak FBiH.

¹⁹ The PIC is an ad hoc group of 55 countries and agencies intended to support implementation of the Dayton Accord. A steering board chaired by the HR provides

that gave virtually unlimited authority to the HR to establish or cancel any law or regulation other than state-level constitutional provisions, to remove elected or appointed government or commercial officials, and to sanction any organization deemed solely by international bureaucrats to be obstructing implementation of the accord. The HR could implement all of this by unilateral fiat and without recourse, election mandates notwithstanding. However, the DPA also gave full responsibility for Bosnia's defense function to the two entities and left the three ethnic armies in place under control of the three ethnic communities. Further, the constitution provided profound legislative and executive veto powers by which each ethnicity could block virtually any political initiative at the state level, including the integration of the three wartime military formations (OHR 2022a, 2022b, 2022c, 2022d).

political guidance to the HR (OHR 2015). The legal basis of the PIC and its legitimacy have increasingly been questioned.



Figure 1. Federation of Bosnia and Hercegovina and Republika Srpska Since 1995

Note: This map depicts the FBiH (in purple) and RS (in orange) immediately following the Dayton Agreement. Map sourced from the Library of Congress, available at <https://www.loc.gov/item/2009584228/>

Dayton ended the fighting, but from 1996 to 2002 and beyond, tensions pervaded the society. These were manifested particularly between the Serbian and Croatian communities against IOs as well as disputes among Serbs, Croats, and Bosniaks. While the implementation of military priorities in the immediate post-civil war period focused mainly on IFOR and SFOR implementation of DPA-mandated disengagement of forces

and restructuring the relative combat power of the competing armies, political and social relationships were fraught. Among a wide range of issues, tensions arose around the role of executive and legislative vetoes, electoral processes, party development, and the general top-down approach of international bureaucrats. Frustration, particularly from the Bosniak community, characterized Serbian use of the veto as “hijacking” the capability of the state-level Parliament to execute its legitimate legislative role (Bahtic-Kunrath 2011) while Serbs and Croats argued that the legislative and executive veto provisions in the Constitution accomplished what at least two of the three ethnicities intended (Hayden 2011). Electorally, Manning and Antic (2004, 53) note that the OSCE-led Provisional Election Commission unilaterally imposed “power sharing” requirements within the entities, instituted preferential voting for the president of the RS designed to hamper the continued Serbian Democratic Party’s (SDS) hold on that office, and modified the process for electing members of the House of Peoples in the FBiH. Further, tensions around party development arose from “enforced” democratization imposed by international entities (Nenadovic 2010, 1153). The most dramatic events were the 1999 summary dismissal of the legitimately elected president of RS who refused to appoint the HR’s preferred candidate as the entity prime minister and the 2001 firing of the legitimately elected Croatian member of the state presidency, Ante Jelavic, due to his affiliation with the party that had sponsored a referendum deemed illegal by the OSCE on Croat ethnic rights in the country (Bieber 2001).

While profound tensions permeated the political and social dimensions of Bosnian society in the early years after the civil war, few and very minor concrete steps toward military integration occurred prior to 2002. These were limited to basic technical military

standards, initial combat training programs, infantry skill requirements and other minimally controversial details. Almost from the outset, however, international actors were dissatisfied with what they considered a constitutional failure to integrate all armed organizations into a single, multiethnic, state-level military institution for all of BiH (DRC 2003). This changed when Lord Jeremy Ashdown, the HR during the entire 2002–2006 defense reform period, signaled shortly after his arrival an intent to create a single army under the state as a precursor to NATO membership. In parallel, the initiative would eliminate the two entity military institutions and three ethnic armed forces, ostensibly a requirement for accession to the NATO military alliance (Ashdown 2013, 135).²⁰ Serbs, on the other hand, saw their autonomous ethnic armed force as a guarantor in the event of renewed combat but, also, as a symbol of their community’s virtually full autonomy if not a claim to independence from a Bosniak-dominated and internationally propped-up pseudo-state. Hence, Serbs could frustrate initiatives that would challenge their armed force by threatened or actual use of their constitutionally provided legislative and executive veto powers.

But in 2003, Serbs partially reversed course when the RS parliament, the NSRS, acquiesced to a “hybrid” military structure in which a state-level Ministry of Defense (MoD) and Joint Staff (JS) controlled essentially inconsequential operational matters while the important structural functions including personnel, finance, training, logistics,

²⁰ The former HR’s assertion that creation of a single BiH military institution was a precondition for NATO membership took the alliance’s position further than alliance staff would require. NATO’s director for the Balkans, Robert Serry, did not consider abolition of the ethnic armies to be a prerequisite for membership and opined that the DPA-authorized existence of the ethnically based forces provided adequate coordination through a Standing Committee for Military Matters (SCMM; Short 2022, 135).

and acquisition were left to entity military institutions. Two years later, with its acquiescence to the passage of the 2005 LoD, the RS abandoned all competencies in the defense domain, renounced the symbolism of the VRS, forewent its constitutional veto powers, and acquiesced to the integration of a single, multiethnic state-level military institution in BiH on the first day of 2006 (DRC 2005, 10).

LITERATURE REVIEW

Five literatures underpin this study. Scholarship on state building provides the broader context for the analysis while postulates on power sharing address the military aspects of the case. Literature on coercion by international actors sets the background for Serbian explanations of their defense reform policy change while scholarship on the potential for Serbs to trigger their veto authority during the defense reform process establishes the contextual “elephant in the room” for the study. Finally, policy science provides a lens on the dynamics of the RS change process by way of the ACF. The applicability of the first four literatures is described in this chapter, the ACF in the chapter on theory to follow.

The Challenge of State Building

The quintessential challenge in the building of a modern state is the development of core institutions, among the most fundamental being the military establishment. State building literature is bifurcated by a post-World War II discontinuity that, during the earlier era, focused to a great extent on the interaction of war and resource accumulation. This scholarship focused most strongly on the European experience (Downing 1993; Ertman 1997; Hintze 1975; Levi 1998; Spruyt 1994a, 1994b; Tilly 1992) and China (Dincecco and Wang 2018; Fukuyama 2011). Less prominently, scholars have examined experiences from South Asia (Fukuyama 2011; Scott 2009), to the Middle East (Barkey 1994; Batalas 2003); Africa (Herbst 1989, 2000); and Latin America (Centeno 2002; Theis 2005). Examination of Bosnia’s 2005 LoD extends these classical treatments in two ways: it builds on earlier studies of the military institution central to state building, and it is set in a heretofore rarely studied Balkan geographical context.

Samuel Huntington provides a starting point for post-World War II state and institution building analyses with his conceptualization of “waves of democratization” (Huntington 1968, 13–30). In three waves forward and two waves backward, Huntington, later supplemented by O’Donnell, Schmitter, and Whitehead (1986) and Przeworski (1991), suggests two factors increasingly salient after 1945—the expanding role of IOs in the development of new or transitioning polities and the need for a common domestic identity within the society (Huntington 1968, 85–100). Dankwart Rustow then adds that elites must have an agreement on state borders for democratic governance endure (Rustow 1970). In the Bosnian case all three factors apply: an IO role approaching the proconsul level exists and neither a common domestic identity nor accepted internal or external boundaries prevail.

Events over the past seven decades have validated Huntington’s predictions as both aspects have become increasingly core to attempts at post-civil war state and institution building by IOs. Early peacekeeping efforts after 1945 by international actors aimed only at mitigating violence through observation or “interpositional” missions. During the 1990s, however, “multidimensional” missions assumed basic institution and state building functions—election management, judicial processes, human rights, economic development, etc. Moreover, with the loosening of Cold War lines of opposition and mitigation of near-automatic vetoes in the Security Council, “peace enforcement” missions emerged, no longer contingent on the consent of the warring parties (Fortna 2008). By the turn of the millennium, IOs had established several *de facto* trusteeships, dominating essentially all governmental and broader civil functions in

Timor L'este, Kosovo and BiH (Paris and Sisk 2009, 2-9).²¹ These most intrusive external interventions have been fraught with significant shortcomings, lasting for unanticipated durations, and questioning the legitimacy and limits of internationally imposed state building efforts.

The research that this study undertakes fits into Huntington's (1968, 1991) post-civil war, third wave era. He identifies three contexts for these processes—post-colonial state formation (Bates 2015; Gause 1992; Jackson 1987, 1990), resource-rich state formation (Reno 1998), and post-communist state formation relevant to the 2005 LoD (Bunce 1999; Frye 2010; McFaul 2002; Pevehouse 2005). Applicable to the Bosnian case, McFaul (2002) further conceptualizes post-communist state formation as a “fourth wave” of democratization, arguing that a key factor operational in the third wave, the effect of stalemated “pacting” as a process toward democratization, is reversed in the transitions of formerly communist states that emerged from the collapse of the Soviet Union, Czechoslovakia, and Yugoslavia.

While concurring with Huntington on the imperative for a society's agreement on a common identity and territorial boundaries, McFaul argues that a key factor in Huntington's third wave is reversed in the transitions of formerly communist polities.

The third wave theorizes that transitions from authoritarian to democratic regimes occur

²¹ The literature generally locates two additional cases, Timor L'este and Kosovo, in the category of extreme international engagement in the development of new or transitioning post-civil war states. While the situation in Timor L'este has substantially stabilized, Kosovo remains under western tutelage that has lasted longer than anticipated, failed to win the acceptance of the populations, retains a large foreign military force on the ground including a major American base, Camp Bondsteel, that supports US activities across the region, and has no identifiable exit strategy. All that said, however, Bosnia represents an even more fractured society along three ethnic cleavage lines and where, for the longest time, international proconsuls have been the most dictatorial.

in situations in which there is a stalemated, relative balance between legacy authoritarians and reform minded democrats. This standoff results in a “pacting” process that, over time, evolves to a pluralist form. McFaul sees a converse process as the distinguishing characteristic of the post-communist fourth wave. When a balance exists between contending visions in a formerly communist polity, it results not in a relatively rapid and stable evolution but rather in a protracted confrontation yielding unconsolidated, unstable partial democracies at best and autocracies at worst (McFaul 2002, 214 and 223).

McFaul’s fourth wave argument delivered a prediction consistent with the observed reality in Bosnia, but it may have done so for the wrong reason. McFaul distinguishes players across an ideological spectrum from autocratic to democratic dispositions. He explicitly characterizes Bosnia as a society with an electoral preponderance of over 60% favoring a liberal transition that should result in the creation of a democratic polity. Yet, he avers that BiH only achieves “partial democracy.” Later in the article, he ascribes theoretical “anomalies” to border disputes that spill over into questions of ethnicity. It is on this ethnic axis, not the ideological continuum, that the Bosnian demographics had a balance among contending interests—minority Croats and Serbs vice Bosniaks and the IOs—with no clearly preponderant side. Hence, it is on ethnicity and not ideology that BiH meets the fourth wave criterion for a balance among the contending interests that delivers Bosnia’s political reality—the protracted confrontation yielding an unconsolidated, unstable partial democracy (McFaul 2002). And, the future remains unclear.

The Promise of Power Sharing

Since the 1990s, scholars have increasingly incorporated power sharing techniques into post-civil war institution and state building literature. The objective of this technique is to mitigate uncertainties among combatants in order to enhance the probability of an enduring termination of hostilities and support for democratization. Sambanis (2020) argues that power sharing is a mechanism to assure inclusion of minority groups such as Croats and Serbs and accommodation of their interests into the political structure of the state. Jarstad and Nilsson (2008) suggest that perceptions of levels of commitment to the power sharing agreement are key to reduction of the risk of renewed violence. Those perceptions are enhanced by “costly signaling”—when parties make concessions difficult or expensive to reverse (Roeder and Rothchild 2005; Rothchild 2005).

Incorporation of veto powers among the parties is inherent to the various types of power sharing regimes. As noted above, the Dayton Accord established a consociational political structure for BiH, a framework to which Lijphart (1977) ascribes four characteristics including mutual veto powers distributed on the basis of segmented (geographic) autonomy. The constitutionally granted state-level mandate providing extensive veto powers to each of the three ethnicities is a core dimension of Bosnia’s political life. A variant of Tsebelis’s (2002) theoretical treatment of veto powers plays a key role in visualizing how locations of and changes in ideal points, indifference curves, and winsets interacting with one another impact policy outcomes including the Serbian decision to acquiesce to the IO preference for the 2005 LoD on Bosnia’s military power sharing regime.

Types of power sharing have been categorized in two ways, both of which apply to the case at hand. First, Graham, Miller, and Strom (2017) propose a three-category nominal-level typology of power allocation arrangements. Inclusive structures allocate the power to influence outputs inside the central government. They generally lead to more stable political environments and development of democratic institutions. Dispersive arrangements share power among territorially concentrated groups. They tend to harden cleavage lines and impede the development of effective central institutions. Finally, constraining arrangements limit the overall political authority of governments (Graham et al. 2017). In a second type of categorization, authors divide power sharing types by functional domain (Jarstad and Nilsson 2008; Martin 2013). Typical is the distinction among political, military, and territorial power sharing approaches with an economic type occasionally included (Hartzell and Hoddie 2007, 2020; Mattes and Savun 2009, 741).

The literature frequently presents the military variant, the most relevant to this study, as the most significant power sharing technique. Synchronizing Graham et al. and Jarstad and Nilsson, Martin (2013, 340) addresses two ideal types of military power sharing. In the first, dispersive type, separate military institutions are retained within the larger state system after the fighting subsides. Prior to the implementation of Bosnia's 2003 LoD, the military institution in BiH fell under this dispersive approach, allowing the RS to retain its armed force on territory that Serbs controlled after the fighting ended. The second, inclusive type, occurs when two contending military forces are brought together on a spectrum ranging from integration limited to the senior leadership levels of the command-and-control structure—Bosnia's 2003 model—to integration across the full

extent of the force—the 2005 final result (Hartzell and Hoddie 2007, 32, 2020, 49–50; Zilian 1999).

Sambanis (2020), however, warns of ambiguities and the “equivocal” status of some power sharing scholarship in the field. Several premises drawn from this literature do, however, seem applicable to the Bosnian case, even if not found consistently significant from a quantitative perspective. First, the military, among all of the power sharing domains, is suggested to make a relatively greater contribution to continued stability and democratic development in the post-civil war polity than the remaining three, although some research has found the territorial type more significant than the political or economic (Jarstad and Nilsson 2008; Hoddie and Hartzell 2005; Martin 2013). Second, inclusive allocation arrangements are thought to support stability and longer-term evolution toward a democratic society whereas dispersive allocation arrangements are believed to negatively impact peace and democratic survival (Graham et al. 2017, 699; Martin 2013, 333; Sambanis 2020, 19). Third, efforts to centralize a previously dispersed polity are seen as more likely to lead to the return of violence among the ethnic communities as a minority population is required to cede already existing autonomy to the majority. Taken together, these hypotheses imply that to optimize the potential for stability and democratization, the most desirable outcome is a negotiated structure employing military power sharing in an inclusive structure from the start of the institution building processes, a vision only partly institutionalized in the 2005 LoD.

But some postulates in the power sharing literature do raise questions about what should be anticipated in the future of the Bosnian case (Hartzell and Hoddie 2007, 2020;

Hoddie and Hartzell 2005). Power sharing is built on the presumption that parties to a negotiated settlement have willingly entered into an agreement. Was the 2005 military power-sharing outcome really entered into willingly by all parties? Next, successful power sharing requires explicit signaling by the parties of their commitment to a negotiated outcome's faithful implementation, the degree of commitment directly proportional to the financial and political costs that the contending parties incur. In the case of Bosnia's 2005 LoD, were the financial and personal costs incurred by RS and its political and military leaders sufficient to preclude RS turning its back on the single multiethnic force? Answers are located in the findings.

The Question of Coercion

The Serbian narrative emphasizes the role that IO coercion in various forms played in the RS policy change concerning the creation of the single, multiethnic military institution. As a political science term, "coercion"—an effort via threats or actions by one party to get another party to change its behavior—is traced from Thomas Schelling's ([1966] 2008) *Arms and Influence*, in which it is conceptualized as a bargaining structure based upon the power to hurt. Although widely used and variously conceptualized in the literature since, coercion has become a term with uncertain boundaries (Anderson 2008, 17). Most basically it is "the imposition of external regulation and control on persons by threat or use of force and power" as drawing from the *Dictionary of the Social Sciences* (Pennock 1972) and involving the deliberate and purposive use of overt threats (Freedman and Raghavan 2023). Anderson (2008) adds that coercion can be manifested in multiple ways including "physical force, violence, threats, positional authority, and

social pressure,” all of which IOs directed at the Serbian community during the defense reform effort.

While academic conceptualization provides alternative angles from which to think abstractly about coercion, for current purposes, more important is Bosnian Serb decision makers’ perception of IO behavior impacting Serbian policy choices on defense reform. For operational application in this case, coercion has occurred when interlocutors see IO behavior as such.

Assessments of IO behavior in the Bosnian context vary markedly, some characterizing the use of coercion as generally positive “when necessary,” while others see this type of behavior as negative, even dysfunctional. Defenders of IO comportment argue that Dayton was not intended to be an end state but, rather, a mechanism to stop the carnage with a multicultural state the longer-term goal. Characterizing Dayton’s constitutional framework as dysfunctional for post-civil war re-creation of a multicultural society administratively and legislatively hampered by complexity and ethnic veto mechanisms, defenders insist that the international community had no other option but to impose state-level institutions on the society (DRC 2003, 2005; Gow 1997, Maxwell and Olsen 2013; Tuathail 2006; Tuathail, O’Loughlin & Djipa 2006).

Straddling the fence, Rory Domm (2007) ascribes positive international efforts based on criteria of efficiency, effectiveness, and centralization of authority in the pursuit of “Europeanization.” His negative assessments, however, derive from what he characterizes as polarizing, dysfunctional, illegitimate, and legally and ethically inappropriate behavior of the international hierarchy (Domm 2007).

Abundant criticisms of IOs and individual actors, however, are captured by a wide range of authors (Chandler 2006; Juncos 2011; Keranen 2013; Knaus and Martin 2003; Stewart 2006). Juncos (2011, 382–386) evaluates the European community’s role in police reform based on conditionality, socialization, and external imposition and concludes that the EU failed on all three counts. Stewart characterizes international behavior as having been illegitimate, even questioning the legitimacy of the Dayton Accord (Stewart, 2006, 754, 756–758). Outi Keranen carries the argument further, challenging “hegemonic international policies imposed upon passive local subjects” that miss the real sources of contention, “national and personal interest, ethnic manipulation and genuine inter-ethnic post-war grievance” (Keranen 2013, 355). Bernhard Knoll, writing as an official of the OSCE’s own Office for Democratic Institutions and Human Rights, details Ashdown’s “rule by command,” describing several provocative cases of very aggressive OHR behavior (Knoll 2007, 357).

While compulsion directed at Serbs had the greatest impact on the RS’s perceptions of the environment in which the defense reform process was being executed, the heavy-handed measures directed at the other minority ethnicity, the Croatian community, reinforced the Serbian conviction that HRs would be unrestrained in measures to achieve the single multiethnic force. Zlatan Begic (2017), Aleksandra Zdeb (2016) and Florian Bieber (2001) point out that Croats struggled in the political structure in which they were less than half the size of the Bosniak majority in Federation institutions. Zdeb notes that the Croatian minority lost what it had initially perceived as constitutional protection at the state level through ethnic veto prerogatives by its five-member ethnic delegation in the House of Peoples and, especially, the Croatian member

of the state presidency elected exclusively by Croats (Zdeb 2016). Ethnic confidence in the veto potential of the Croatian community's member of the state presidency was shaken when, in 2001, the HR summarily relieved the legitimately elected Croatian presidency member Ante Jelavic for sponsoring a referendum, deemed illegal by the OSCE, on Croatian ethnic rights. In 2005, HR Ashdown again summarily dismissed the Croatian member, Dragan Covic, from the tripartite state presidency (Nenadovic 2010, 1163). Subsequent changes in electoral law now allow the Bosniak majority in the FBiH to elect the nominally Croatian representative in the tripartite state presidency while international and Bosniak challenges to Croatian control of the Croatian membership in the House of Peoples continue in 2023.

The Role of Veto Powers

The fundamental question for this dissertation asks why the RS's military policy after the implementation of the Dayton Accord changed from uncompromising rejection of any integration of its military structure into willing support for a single multiethnic force less than 10 years later. As noted above, inherent is the puzzle of why Serbs did not activate their constitutionally mandated ethnic and territorial veto powers to preempt such an amalgamation. This becomes particularly salient given Lord Ashdown's recognition that his Bonn Powers could not be used to achieve the target of a single military institution and that his path to the goal would be vulnerable to veto by any of the three ethnicities.

George Tsebelis inspires²² a perspective for visualizing the implications of evolving potential veto structures in the context of the state building, power sharing, and coercion literatures. It captures the policy dynamics as this case moves from an unyielding Serbian determination to maintain the ethnic VRS, through a “hybrid” institution dividing the defense competency between the state-level regime in Sarajevo and the entity government in Banja Luka in 2003 to a single, multiethnic military institution for all of BiH in 2005. Core is the notion that, in any decision process, specific players may have veto power over policy alternatives. Each such player has an “ideal point” along a spectrum of potential policy outputs and around that ideal point an “indifference curve” defining for each player—individual or group—the boundary between acceptable and unacceptable alternative options in the policy debate. Within the indifference curve are policy options acceptable to the veto player and outside of which they are not. Policy outputs become possible where indifference curves of veto players overlap creating a “winset,” a zone within which mutually acceptable policy alternatives exist. But ideal points and indifference curves are dynamic. As interests change, information proliferates and environments evolve; ideal points and indifference curves of both individuals and coalitions along a policy spectrum can change. This, in turn, can result in new and different winsets emerging (Tsebelis 2002). Figure 2 is an illustrative display of a simplified generic graphic inspired by the Tsebelis conceptualization.

²² Tsebelis’s treatment of veto players and his attendant graphics are based on a multi-dimensional policy trade-off where $n \geq 2$. This study is unidimensional and, therefore, varies from a pure Tsebelis treatment of the topic. Hence, the analysis and graphics herein have been inspired by Tsebelis if not completely reflective of his work, but they argue illustratively to demonstrate the evolution of the defense reform process in Bosnia and Herzegovina in four stages.

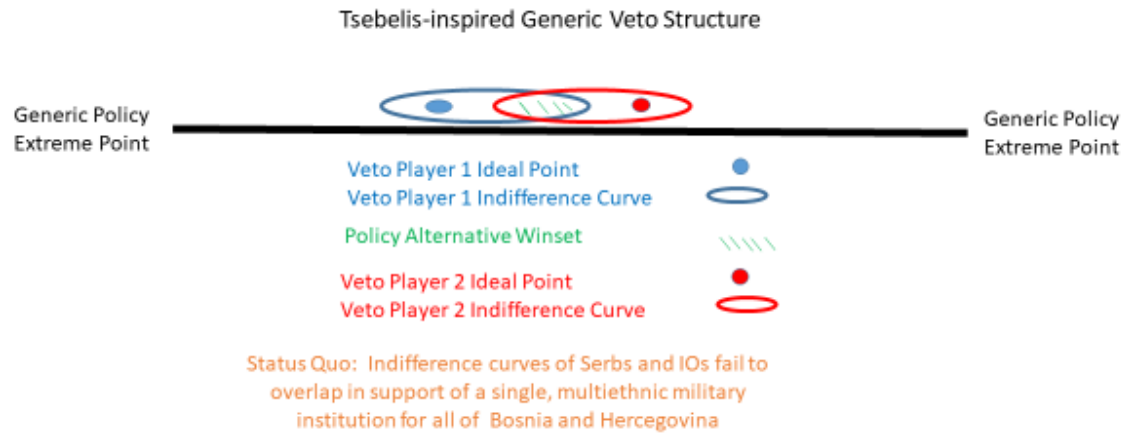


Figure 2. Tsebelis-Inspired Generic Veto Structure (adapted from Tsebelis 2002)

THEORY

Approaching Bosnia's 2005 Law of Defense Through the ACF

Contention among the three Bosnian ethnicities and IOs leading up to the 2005 enactment of the LoD describes well the environment in which contending Serbian advocates interacted on the future Serbian policy toward the VRS versus a single multiethnic military institution in the country. In Bosnia, the United Nations (UN), OSCE, and NATO and individual countries aggressively pushed for creation of all-inclusive, state-wide institutions, including a single multiethnic Bosnian military force, centralized financial and tax authority, and a national police capability. Essential to realization of those institutions was overcoming or avoiding legislative and executive veto powers at state and entity levels that, for the first 10 years after the cessation of armed hostilities, frustrated IO efforts to integrate the ethnic armies. But in a heretofore unique manifestation in 2005, all three contending ethnicities acquiesced to the IO preference for the establishment of an all-Bosnian, multiethnic, state-level military institution that represented the most significant step to that date toward state institution building in the former Yugoslav republic. The study turns now to a theoretical foundation to guide the dissertation's effort to explain the research question.

Approval of the 2005 LoD was perceived as a dramatic policy change over the previous 10-year period given RS's immediate post-Dayton policy status quo regarding military institutions in the country. Political science generally would suspect that the change resulted from complex bargaining among multiple interest groups influenced by a range of internal and external actors and factors. In the lead up to 2005, influences inside and beyond the RS appear to have combined to create a window of opportunity in which the interaction of Serbian policy coalitions with competing interests made policy change

possible at the end of the 10-year time frame. This included an interim policy output—the 2003 LoD—driven by coercion that created a hybrid military institution dividing defense competencies between the two entities and the central state MoD and JS. The hostile political environment altered the immediate constraints around Serbian strategies. These realities point to public policy’s ACF as the appropriate theoretical foundation to apply to this study.²³

The Generic Framework

ACF analysis focuses on the decision-making role of like-minded individuals aggregated into coalitions who seek changes in public policies based on shared common beliefs on three levels. “Deep core beliefs” comprise the basic worldviews of coalitions. They are foundational, generally unchangeable, and can be shared by multiple coalitions (Jenkins-Smith et al. 2014; Jenkins-Smith et al. 2017; Pierce et al. 2017; Pierce et al. 2020; Smith and Larimer 2017). At the next level, “policy core beliefs” drive the policy preferences of coalitions on specific policy issues. Differing “policy core beliefs” distinguish one advocacy coalition from the others on a given topic. Policy change happens when the modification of preferences of coalitions at the policy core beliefs level occurs among the contending coalitions that leads to a consensus based on converged preferences and the subsequent realignment of relative coalition power (Jenkins-Smith et al. 2017, 147).²⁴ Third level “secondary beliefs” are generally administrative, technical,

²³ Scholars have used ACF to understand a wide variety of similar dynamics, from domestic policies such as U.S. fracking (Pierce 2016) and drug law (Ritter et al. 2018) to international topics such as Swedish signals intelligence (Nohrstedt, 2011) and Dutch coastal flooding policies (Meijernik 2005).

²⁴ Shifts in policy core beliefs and, hence, policy change have been central to ACF analyses of international defense, foreign relations, and national security research. In public policy literature during the period 2007–2014, Pierce et al. (2017) found 161

or scientific in nature. They can be accommodated across coalition lines although changes in secondary beliefs can only drive minor policy change (Jenkins-Smith et al. 2014; Jenkins-Smith et al. 2017; Pierce et al. 2017; Pierce et al. 2020; Smith and Larimer 2017).

The ACF places the policy discourse among coalitions in a “subsystem” that defines the topic, the actors and scope of the interaction. Change is driven along four “pathways”: external and internal stimuli, policy learning, and negotiated settlement. “Stable” subsystems generally evolve incrementally through negotiation and policy learning based on modification of secondary beliefs. “Dynamic” change, as in this defense reform case, arises from significant external or internal events that drive extensive modifications of policy core beliefs among the competing coalitions and results in “major” policy modifications. While external or internal shocks are necessary for major policy change, they are insufficient unless accompanied by enabling factors “including heightened public and political attention, agenda change and, most

articles applying the paradigm in 54 countries. For example, Pierce (2011) examines how shifts in policy core beliefs of three coalitions—pro-Arab, pro-Zionist, and anti-Zionist—in what might have been labeled America’s “Palestine Policy Subsystem” led to changes in the core policy beliefs of the coalitions and, thus, to American recognition of an independent Jewish state. Comparable defense and foreign policy studies of domestic US policy change include the George W. Bush administration’s adoption of the neoconservative coalition position after the terrorist strikes of September 11, 2001 (Haar 2010) and changes in US foreign policy concerning the Iran nuclear deal (Lantis 2019). International security applications of the ACF include policy change following the German failure in an international police training mission, and later, German participation in Afghanistan that disoriented German security policy (Schroer 2014); Canadian climate change policy (Litfin 2000); and policy shifts in Swedish signals policy (Nohrstedt 2011).

importantly, redistribution of coalition resources and the opening and closing of policy venues” (Jenkins-Smith et al. 2017, 145).

The framework generates two general ACF policy change hypotheses applicable across the paradigm (Jenkins-Smith et al. 2017, 147):

H_{g1}: Significant perturbations external to the subsystem, a significant perturbation internal to the subsystem, policy-oriented learning, negotiated agreement, or some combination thereof is a *necessary, but not sufficient*, source of change in the policy core attributes of a governmental program.

H_{g2}: The policy core attributes of a government program in a specific jurisdiction will not be significantly revised as long as the subsystem advocacy coalition that instated the program remains in power within that jurisdiction—except when the change is imposed by a hierarchically superior jurisdiction.

ACF and the Bosnian Case

What does the ACF suggest that researchers will learn about Bosnia’s defense reform process as data are uncovered? This study is set in the RS’s defense policy subsystem. Because Bosnian Serb submission to the 2005 LoD was a major policy change, ACF would have scholars anticipate divergent policy core beliefs underpinning the emergence of contending coalitions evolving until an alliance of coalitions achieves a dispositive position in the decision mechanism of the policy subsystem. Players would include: senior Serbian politicians in the BiH state and RS executive branches; members of the NSRS and Serbian members of the all-Bosnia PABiH; senior members of the RS Ministries of Defense, Finance and Interior; VRS generals; leaders of legislative parties; important members of the media and academia; wartime veterans; and other significant community persons.

Assessing the relevant belief structures, the framework suggests that the nonnegotiable Serbian deep core belief was the imperative to assure security and maximum autonomy of RS in a Bosnian state demographically dominated by a near or

slight majority Bosniak population,²⁵ propped up by what Serbs perceived as inimical IOs. ACF disciples would anticipate alternative approaches to defense reform based on differing coalition policy core beliefs on how best to secure the deep core imperative. Competing beliefs would include whether or not a multiethnic force could remain ethnically agnostic, would assure a higher level of security and autonomy for the RS rather than retention of the ethnically Serbian VRS, and would not be subject to further modifications by IOs inimical to Serbian interests in the future. At the third level, secondary beliefs, the framework predicts technical military details of the proposed new law would impact to a limited extent the Serbian decision and subsequent implementation of the policy. These might focus on: the ethnic structure of the proposed military personnel system; the ethnic nature of staffs and tactical units and their locations; and the maintenance of ethnic identity within the nominally multiethnic force, among others. However, reconciliation of coalition differences at this level would be more susceptible to negotiated resolution.

Through the explanatory lens of the ACF, all four generic pathways—external and internal stimuli, policy learning, and negotiated settlement—may have been operational during the interaction of Bosnian Serb coalitions, but two seem paramount. External stimuli, both positive and negative, would have included the efforts of both IOs within Bosnia and foreign patrons in Moscow and Belgrade to influence the Serbian output. The clear IO intent was Serbian acquiescence to a change in the military institutions of the country. Currently available documentary sources indicate a

²⁵ Arguments over demographic statistics are endemic to the Balkan Peninsula and regularly cited to justify partisan political claims.

predominantly negative IO incentive structure aimed at the Serbs in the RS capital of Banja Luka (Smajic 2011, 379–480). Additionally, the Serbian policy choice could have been influenced by the strength of support from Moscow and Belgrade.

Further, ACF would anticipate that the internal pathway would have been definitive as well. The decapitation of SDS (DRC 2003, 35–36) would undercut the relative power of the previously dominant SDS-led coalition that had instated support for retention of the ethnic Serbian armed force and open the way for an opposition coalition to weigh more heavily on subsystem outputs. As Jenkins-Smith et al. (2017, 146–147) point out, internal events of these sorts heighten attention of the public and the media to government programs and, most importantly, confirm the policy core beliefs of opposition minority coalitions while casting doubt on the position of the dominant coalition.

These suggestions by the paradigm are consistent with the ACF's first general hypothesis, H_{1g} above, and lead the study to establish three case hypotheses:

H_{c1} : The need for a combat effective armed force is necessary to explain the Bosnian Serb policy change.

H_{c2} : The shift in the balance of combat capability against the RS from 1995 to 2005 is necessary to explain the Bosnian Serb policy change.

H_{c3} : The coercion of RS political, military, and civilian elites and political parties is necessary to explain the Bosnian Serb policy change.

The ACF's second general hypothesis, H_{2g} above, suggests that Bosnian Serb acceptance of the 2005 LoD could be explained by the shift in relative power of the previously dominant advocacy coalition—the SDS-led coalition opposing integration—flowing from two enabling factors. First, the widely known coercion and the increasing awareness of the tactical vulnerability of the RS increased attention on the implications of the issue, casting doubt on the policy core beliefs of the previously dominant SDS-led

coalition and confirming for the opposing coalitions that the deep policy belief would be best served by a single military institution. Second, the ensuing redistribution of political resources by which the newly diminished SDS lost its previous political power reversed the relative strength of the two Serbian advocacy coalitions leading to the unprecedented policy change. This is captured in the fourth case hypothesis:²⁶

H_{c4}: Together, the shift in the balance of combat capability against RS and IO coercion of RS leaders and parties provide a “minimally sufficient” explanation of the RS policy change.

²⁶ Minimally sufficient explanations are theories in which there are no redundant factors in the explanation. Sufficiency is confirmed when it can be substantiated that there are no important aspects of the outcome for which the explanation does not account (Beach and Pedersen 2016, 180).

INTERNATIONAL PERSPECTIVES²⁷

The context in which public issues are addressed impacts policy creation, change and termination in substantive areas that proponents seek to influence. Each competitor—individual or group—acts to maximize its agenda given its perception of the environment. Hence, in order to understand fully why RS reversed its long and strongly held commitment to retain its ethnic army, it is essential to understand the distinct perceptions of that environment by all four players—I/Os, Bosniaks, Croats, and Serbs. The study now turns its attention to the perspectives of the key international policy participants.

IO perspectives on the creation of a single multiethnic military institution in BiH evolved on several levels. Multiple governmental and NGOs played directly into the defense reform process. Common motivations among their logic of choices included avoiding recourse to renewed interethnic violence, creation of institutions essential to a viable Bosnian state and undercutting Serbian separatism.²⁸

The driving force, however, was the HR charged with implementation of the civilian aspects of the agreement under Annex 10 of the DPA. The most prominent HR during the defense reform period was Lord Jeremy Ashdown (UK), who served from 2002 to 2006, essentially the full duration of the process that pulled three armies into one institution. In key support roles, Annex 1A of the DPA gave NATO primacy for

²⁷ The next two chapters present information, essentially findings, on the perspectives of the IOs and Bosniak and Croatian communities with regard to defense reform and issues around it. Because the question of this research deals with the Serbian policy change on the nature of Bosnia's military institution, the "Findings" chapter of this paper incorporates only findings relevant to the Serbian community.

²⁸ While understanding of IO logic of choices and evaluation of the impacts are of great interest, a full analysis thereof is beyond the scope of this dissertation.

implementation of the military aspects of the agreement, and Annex 1B gave the OSCE responsibility for developing the framework for military stability both in Bosnia and in the region previously encompassed by former Yugoslavia (OHR 2022a).²⁹ Both acted hand-in-glove with the HR.

The High Representative

Annex 10 of the DPA provides for an appointed HR consistent with UN Security Council resolutions³⁰ to coordinate all civilian aspects of the agreement including: humanitarian aid, infrastructure, and economic reconstruction; political institutions; human rights; return of displaced persons and refugees; and electoral processes. The Annex mandates, as the HR deems appropriate, promoting compliance with and coordinating the activities of institutions involved in the civilian aspects of the agreement, working with donors on rehabilitation and reconstruction, reporting implementation progress, facilitating resolution of difficulties arising from civilian implementation and coordinating closely with the commander of the international military force to facilitate the execution of the responsibilities of each. Annex 10 concludes by specifying that “the High Representative is the final authority in theater regarding interpretation of this Agreement on the civilian implementation of the peace settlement” (OHR 2022a).

²⁹ Other DPA annexes define additional OSCE tasks including election process management, financial review, and multiple human rights initiatives (OHR 2022a).

³⁰ The relationship between the HR and the UN Security Council is ambiguous. The DPA specifies the appointment of an HR “consistent with UN Security Council resolutions” and that the HR implements the civilian aspects of the agreement by carrying out tasks “as entrusted by a UN Security Council resolution” (OHR 2022a). Gregorian asserts, however, that the HR is not a UN position, noting that PIC invites the Security Council to vote on the position although not all HRs have had such a vote (Gregorian 2015).

In 1997, the PIC³¹ meeting in Bonn, Germany, significantly augmented the power of the HR to unilaterally effect change in the political, economic, and social structures of the country. The enhanced authority, referred to as the “Bonn Powers,” stated that:

The Council welcomes the High Representative’s intention to use his final authority in theatre regarding interpretation of the Agreement on the Civilian Implementation of the Peace Settlement in order to facilitate the resolution of difficulties *by making binding decisions, as he judges necessary* on the following issues:

- a. timing, location and chairmanship of meetings of the common institutions;
- b. *interim measures to take effect when parties are unable to reach agreement*, which will remain in force until the Presidency or Council of Ministers has adopted a decision consistent with the Peace Agreement on the issue concerned;
- c. other measures to ensure implementation of the Peace Agreement throughout Bosnia and Hercegovina and its Entities, as well as the smooth running of the common institutions. *Such measures may include actions against persons holding public office or officials who are absent from meetings without good cause or who are found by the High Representative to be in violation of legal commitments made under the Peace Agreement or the terms for its implementation.* (OHR 2022d³²; Emphasis added by author)

Lord Ashdown was the HR throughout the period during which the legal foundations and constitutional adaptations of defense reform developed. In his

³¹ Independent of the provisions of the agreement in Dayton, a post-Dayton “Peace Implementation Conference” held in London in December 1995 established PIC to mobilize support for the DPA. Composed of 55 countries and agencies, members gathered to support the peace process in ways ranging from financial and material contributions to commitment of troops for the international military force, and multiple political, social, and economic operations in country. Further, the conference designated a Steering Board composed of Canada, France, Germany, Italy, Japan, Russia, United Kingdom, US, the EU, the European Commission, and Turkey representing the Organization of the Islamic Conference. Chaired by the HR, as announced by the PIC, the Steering Board, in turn, provides political guidance to the HR (OHR 2022b).

³² The legal basis of the PIC has been challenged by scholars and legal experts, thus casting uncertainty on the legitimacy of the Bonn Powers and the authorities allegedly provided to the HR. Additional criticism has arisen that the powers have been broadly over-interpreted and over-applied since 1997 (Banning 2014).

autobiography, he acknowledges having been deeply affected during several trips into civil war-torn Bosnia prior to assuming his role as the HR, a predisposition he notes that even some of his friends saw “as obsessive” (Ashdown 2009, 267). Describing Croatian president Tudjman as one of the most unpleasant people he had ever come across, Serbian president Milosevic as a modern-day fascist (Ashdown 2009, 280–281), and Bosnian Muslim wartime leader Alija Izetbegovic as a friend (Ashdown 2009, 365), the new HR characterized the civil war as Serb-initiated and the shelling of Sarajevo as the greatest crime on European soil since World War II (Ashdown 2009, 267). He described Croats as unsure if they were Germanic or Slavic and fearing that they might be the latter, Serbs as capable of terrible things who would fight bravely against the world if convinced it necessary for national survival, and Bosnian Muslims as uncertain of their identity other than as victims (Ashdown 2009, 344).

Ashdown became the HR on May 27, 2002, bringing with him an increasingly aggressive approach to a mandate he interpreted more broadly than his predecessors.³³ A former officer in the British Royal Marines and later the leader of the Liberal Democratic Party in the United Kingdom, he asserted his mission was not to create peace since that had occurred years before. Rather, his target was to set in motion political processes that would build a modern European state (Ashdown 2009, 338). State building would focus on three key aspects of a democratic civil society: establishing the rule of law; fostering economic growth; and thwarting high-level corruption (Ashdown 2009, 338). To do this, however, Lord Ashdown acknowledged that building these new institutions would

³³ From a Bosniak perspective, momentum accelerated for defense reform with the arrival of HR Lord Ashdown in 2002 and the 2003 creation of the DRC (Bosniak politician 4, 2022, 24:15).

require dismantling structures established by the DPA (Ashdown 2009, 352). He claimed to have, over the ensuing four years, revised the national tax system, created an all-Bosnian judiciary, unified custom services, created an effective FBI equivalent, made significant headway in capturing war crimes indictees, and liberalized the Bosnian economy. But listed first was the integration of the three ethnic armies into a single multiethnic military institution under the control of the state government and bound for NATO membership via the Partnership for Peace program (PfP; Ashdown 2009, 351).

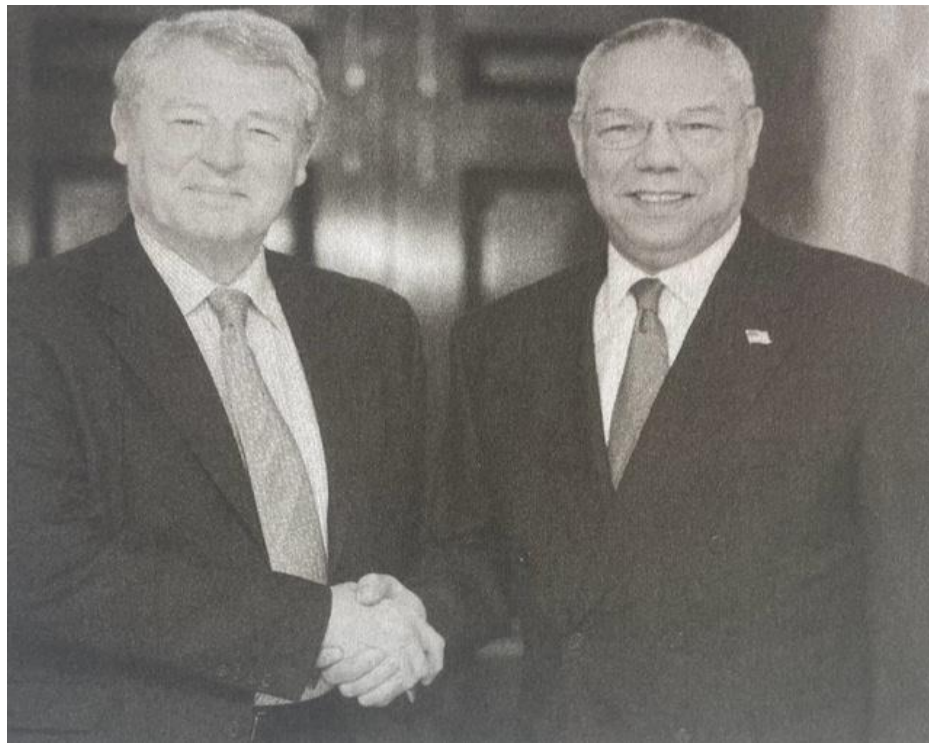


Figure 3. HR Ashdown with Secretary of State Powell 2004

Note: US Secretary of State: Powell (R) shakes hands with Lord Ashdown, HR of the International Community for Bosnia-Herzegovina, at the State Department in Washington on March 5, 2004. Courtesy of Reuters/Jason JIR via Alamy (Short 2022, 145).

HR Ashdown operated in the general context of setting up Bosnian institutions such that the country would move forward toward EU and NATO accession (Gregorian 2015; NATO senior officer 2, 2022). The more aggressive nature and broader interpretation of his mandate was clearly shown in the HR's plans for military reform. As early as October 2002, he signaled an intent to create a single army under the state and eliminate the two entity military institutions and three ethnic armed forces, arguing that only a single army would be acceptable for full admission to the alliance (Ashdown 2013, 135).³⁴ Most explicitly, in a 2013 interview, the former HR recalled,

that the process of creating the peace was over, the job was now to put BiH irreversibly onto a path to sustainable peace as a member of the European institutions. Note the word European institutions, it doesn't just mean the EU, it means Brussels-based institutions which include NATO. In making that the aim of my mandate, I was clear that in order to become a member of NATO they would have to create a united army, a single army. It was contained within the framework of what I thought the aim of my mandate was. (Ashdown 2013)

When challenged on the requirement for a single army given NATO's own willingness to accept multiple forces on Bosnian territory, Ashdown responded, "Mostly I decided I was a better judge of what was possible in Bosnia than they who were sitting in Brussels." In response to a question about the genesis of defense reform, he allowed that, "it started with me. I saw my job was to build in BiH the framework for a 'light level' state. One of the parts of that framework was a single army under control of the Presidency" (Ashdown 2013). The deputy HR added that, "Going in, I don't remember

³⁴ The former HR's assertion that creation of a single BiH military institution was a precondition for NATO membership took the Alliance's requirement further than Alliance staff would require. Reportedly, NATO's director for the Balkans, Robert Serry, did not consider abolition of the ethnic armies to be a prerequisite for PfP membership and that the DPA-authorized existence of the ethnically-based forces provided adequate coordination through the Standing Committee for Military Matters (SCMM; Short 2022, 135).

Ashdown saying anything about reforming the Army. It came up as a target of opportunity that we drove an entire division through” (OHR 1 2022, 3). But the HR also acknowledged that, constitutionally, this could not simply be proclaimed under the Bonn Powers and that some sort of civic reform process would be needed (OHR 1 2022).³⁵

North Atlantic Treaty Organization

Annexes 1A (Agreement on Military Aspects of the Peace Settlement) and 1B (Agreement on Regional Stabilization) of the DPA establish the military aspects of the Bosnian peace settlement. Annex 1A directs a NATO-led multinational IFOR “to assist in the implementation of the territorial and other militarily related provisions of the agreement.” It states that IFOR will “operate under the authority and subject to the direction and political control of the North Atlantic Council (NAC) through the NATO chain of command.”

The Annex creates a Joint Military Commission (JMC) as the single mechanism to address military issues arising under the DPA. Members included the senior leaders of each ethnic army and the HR or his designee. The commander of the international military force chairs the Commission that meets on his call with the chairman having final decision authority on all military matters related to the DPA. The Annex goes on to establish the obligations of the ethnicities and local governments toward IFOR and subsequently the Stabilization Force (SFOR) and to specify an extensive list of tasks, rights, and authorizations accorded to the NATO-led force. Among the most prominent are assuring: compliance of the ethnicities with the Annex; implementation of a cease fire

³⁵ Maxwell citing Haupt and Fitzgerald asserts that the HR could impose Ashdown’s desired legislation based on the Bonn Powers. This point remains unresolved, if not moot (NATO senior officer 2, 2022).

and internal boundary lines between the entities; withdrawal of heavy weapons; cantonment of manpower; creation of conditions for other tasks including free and fair elections; assistance to humanitarian missions; monitoring of minefield and obstacle clearing; supporting civilian, refugee and displaced persons movement; responding appropriately to deliberate violence; and assuming additional duties and responsibilities as may be directed by the NAC (OHR 2022a). Annex 1A, “authorize(s) the IFOR to take such actions as required, including the use of necessary force, to ensure compliance with this Annex”, and, ultimately, makes the NATO commander “the final authority in theatre regarding interpretation of this agreement on the military aspects of the peace settlement” (OHR 2022a).



Figure 4. SFOR Change of Command October 2002

Note: Outgoing SFOR commander LTG John Sylvester and incoming commander LTG William Ward arrive at the Butmir base for the change of command ceremony on October 2002. <https://www.alamy.com/stock-photo/nato-commander-in-bosnia.html>
Downloaded 15 October 2022.

Over the period of 2002 through 2006, the composition of SFOR constantly changed personalities and structures. Individual tours varied from a few months to a year (although very few cases saw durations of up to several years) and key positions were filled by officers varying from country to country as individual tour lengths required (NATO senior officer 3 2022, 16:00). The most important continuity, however, was the US Army general officers assigned for year-long tours as the SFOR commander. Each had individual perceptions of various aspects of their tours in BiH although some common perceptions were dominant.

SFOR commanders took the explicit, more traditional, military missions specified in Annex 1A as the foundation for operations under the DPA (NATO senior officer 4 2022, 06:00; NATO senior officer 5 2022; NATO senior officer 3 2022, 23:45, 25:00). However, the less traditional explicit missions to “help create conditions for other tasks including free and fair elections; assist humanitarian missions; monitor minefield and obstacle clearing; support civilian, refugee and displaced persons movement” coupled with the emphasis in Annex 10 to assure close coordination between SFOR and the OHR on the mandates of each created a broader set of implied tasks for the international force (OHR 2022a).³⁶ The SFOR role well exceeded just the implementation of the military

³⁶ While disparate country priorities and biases among the various national military contingents frustrated NATO commanders, the ambiguities in the mission statements allowed a common single view of the policy direction at the senior levels of the OHR, NATO, OSCE, and the American embassy. This led to the synchronization of integrated actions across the civilian and military mandates of the DPA that is frequently absent in multinational undertakings such as the EU-led effort to create a national police force. Foundational was the American senior presence in each of these major organizations reflecting the general US narrative that framed the violence of 1992–1995 and subsequent obstruction of western efforts to create a preferred political and social structure in Bosnia as the result of Serbian malfeasance.

aspects of the DPA given the interdependent need for military and civilian efforts to be synchronized (NATO senior officer 5 2022, 2:00). “There was almost no limit to what SFOR would do when asked by OHR.” Effectively, the NATO mandate was “whatever SFOR said it was” (NATO senior officer 2, 2022). As long as a tasking could be interpreted as consistent with the DPA, supporting civilian IO initiatives would be approved (NATO senior officer 4 2022, 03:00, 06:00, 32:00, 43:00; NATO senior officer 3 2022, 23:45) and Lord Ashdown appreciated that (NATO senior officer 5 2022, 19:30). As examples, the HR asked the NATO-led force to do a “weapons check” while actually intending to find indicators of complicity of an RS factory in illicit supply of weapons components to Iraq in violation of UN sanctions when the OSCE contingent was incapable (NATO senior officer 5 2022, 59:45). Further, Gregorian cites SFOR suppression of the Croat desire for a third entity comparable to RS and the NATO impact on the Bosnian Serb decision to move of the RS capital from Pale to Banja Luka (Gregorian 2015, 88). Perhaps most directly, NATO created a special, multi-national joint task force—Amber Star—to capture those indicted by the International Criminal Tribunal for the Former Yugoslavia (ICTY) for alleged war crimes (Gregorian 2015, 88).

While the SFOR was nominally a traditional military hierarchy of subordinate to senior organizations, the multinational aspect created complications. Noting that each national component of the force had a bias toward one of the three ethnicities, execution of missions was frequently implemented with national priorities foremost. Germans were decidedly pro-Croat and French and Russian contingents supportive of Bosnian Serb interests. Americans and Turks, on the other hand, were pro-Bosniak with the Americans providing heavy weapons and training to the Bosnian Muslim force (NATO senior officer

4 2022, 14:00, 17:00). As a result, one SFOR commander concluded that he did not command anything (NATO senior officer 4 2022, 37:00) and a second had to remind national contingents that they were in BiH as part of the NATO commitment, not as a national force (NATO senior officer 5 2022, 43:30). Further disrupting the unity of command principle of war, American commanders found themselves responding to as many as four 4-star American superiors: NATO's Supreme Allied Commander Europe, the commander of US European Command, the commander of U.S. Army Europe, and the commander of NATO's Allied Forces South (NATO senior officer 3 2022, 12:00; NATO senior officer 4 2022, 07:15). And the American ambassador in Sarajevo considered himself to be in charge (NATO senior officer 3 2022, 19:15).

Typically, officers in the international force were skeptical of all three of the ethnicities (NATO senior officer 5 2022, 1:08:00). Each community was seen as adversarial toward the other two and generally behaved "immaturely," with a goal of maximizing respective entity desires while perpetuating their respective communities' interests in that dysfunctional society (NATO senior officer 4 2022, 21:00, 24:00; NATO senior officer 3 2022, 29:00). The consensus was that the biggest obstacle to defense reform was the RS (NATO senior officer 5 2022, 11:15), but skepticism surrounded the goodwill of each of the three ethnicities. In an example, one commander related visits to three schools. At the Bosnian Muslim school in Zenica, while accompanied by the commander of the Turkish contingent, children sang of taking up arms to slay the serpent Serbs. Bosnian Serb school artwork featured tanks marked with USA destroying a Serbian town. In Mostar, at the Croat controlled school, Bosnian Muslim children were sent to classrooms taking them by illustrations of the Stations of the Cross (NATO senior

officer 4 2022, 01:00). Interestingly, one of the commanders reported having the greatest trust in the three religious leaders in Bosnia with whom he met monthly: the Roman Catholic cardinal, the Jewish community leader, and the Serbian Orthodox bishop (NATO senior officer 5 2022, 1:13:15).

A senior NATO officer best summed up the alliance's role as follows:

It's true there was almost no limit to what SFOR would do when asked by OHR. The relationship was good back then. From my low level I think there was a working relationship between the SFOR commanders and the high rep. I think under Ashdown it was a particularly blunt relationship and they could talk to each other with no BS in the way. That was the first thing I observed at that level. The other thing is that their mandate, even now, was whatever SFOR said it was. It wasn't just a matter of troop strength either, it was a matter of having a three star who said, matter of factly, I believe it is necessary for the two entity armies to come together and talk to each other next Wednesday at 4 o'clock at Camp Butmir. You will be there. I saw quite a bit of that. And if they didn't appear he would have removed them. Whoever didn't cooperate he would've kicked them out of the Armed Forces. That happened for the last time in 2005. The commander of NATO, because we had inherited the authority, on the strong advice from Raffi (Gregorian) removed the Chief of Staff of the VRS from his position over an incident involving the recruit class thing. You could not have gotten away with that two years later but back then if the NATO commander says that it's going to happen, no one had lifted up the rock to see that we didn't have any troops. (NATO senior officer 2 2022, 11).

Organization for Security and Cooperation in Europe

Annex 1B (Agreement on Regional Stabilization) establishes OSCE to lead the regional military aspects of the peace settlement (OHR 2022a). The DPA also assigned the organization several tasks beyond its role in the defense reform arena.³⁷

From a military perspective internal to BiH, OSCE was charged to lead negotiations between the FBiH and the RS, "to agree on measures to enhance mutual

³⁷ Annex 3 of the DPA tasks OSCE with general supervision of electoral processes and elections in BiH, while Annex 4 assigns to the Organization a role in the human rights field.

confidence and reduce the risk of conflict.” This was to be supplemented by a sub-regional convention limiting the numbers of active military personnel and heavy weapons systems, establishing a 2:1 ratio in favor of the Army of the Federation of BiH (VF) versus the VRS and maintaining the 2.3:1 ratio favoring the Bosniak force versus the Croatian force in the Federation. OSCE was also to assist negotiations toward a regional arms control agreement creating a military balance among the new states of former Yugoslavia—Bosnia, Croatia, and Serbia (OHR 2022a).

OSCE engagement in military reform preceded the defense reform effort. Based on its mandate to enhance confidence and reduce risk of conflict in Europe, the organization established military liaison missions that met regularly with the VRS and the VF. The organization used seminars and workshops dealing with substantive issues to bring the two entity armies together. Just the fact that representatives of each ethnicity participated was considered a success in those early days (DRC senior staff 4 2022, 9:30).

By the early 2000s, OSCE expanded its work in two areas, a focus on the financial aspects of the defense budgets of both RS and the FBiH and a second focus on development of state-level parliamentary oversight responsibilities in the defense domain (DRC 2003, 267). At the request of the HR, OSCE audited the two entity military budgets, finding that the one-line financial allocations provided no detail but revealed that actual spending on the military structures was double the budgeted amounts (OSCE 1, 2022, 14:00). The findings served as a foundation for several successes: the first major downsizing of both the VRS and the VF (OSCE 1 2022, 15:00), adoption of a “treasury system” of payments to contractors from the Ministry of Finance that precluded spending

beyond budgeted quantities (OSCE 1 2022, 19:00), and the implementation of more rigorous auditing systems (OSCE 1 2022, 23:00).³⁸

While the constitutions of both RS and the Federation established parliamentary responsibilities for the oversight of the respective military forces (DRC 2003 67–70), neither the Constitution of BiH nor the rules of the state-level PABiH provided a basis for legislative supervision of the military institutions (DRC 2003, 66–67). Prior to the invigoration of defense reform in 2002, OSCE had started the development of parliamentary oversight based upon its Europe-wide responsibilities captured in the Code of Conduct on Politico-Military Aspects of Security (DRC 2003, 265–269). The organization engaged parliamentarians in all three parliaments, initially with informal dinners and roundtables that included representatives from each of the entities and moved on to joint meetings of the entity defense committees on a quarterly basis. This multi-year process laid an important foundation for later work by the respective legislatures themselves. Both in 2003 and 2005 working groups refined the legislative and constitutional aspects of parliamentary oversight at both the state and entity-levels, each with OSCE representation and, in the former case, co-chaired by an OSCE member (DRC 2003, v; OSCE 2 2022b). More importantly, the interaction between the parliamentary oversight working groups and legislative committee members assured that senior parliamentarians were already aware of what was coming in defense reform and

³⁸ A fourth effort, creation of a single, all-Bosnian military pension fund suggested by the organization was not adopted and distinctly different military pension systems remain to this writing the competencies of the respective entities (OSCE 1 2022, 59:00).

generally supportive of the required legislative changes to pass the 2005 LoD (OSCE 1 2022, 52:00; 55:45; 01:10:00).

OSCE also contributed directly to the defense reform process by seconding staff assets to the effort. These included the OSCE Director for Security and Cooperation, the Deputy Chief of Staff, the Senior Report Writer, and the Political Advisor as well as multiple members of the various working groups (DRC 2003, 2005). Moreover, the organization assumed much of the technical work supporting the effort. This included compiling information, preparing documents for consideration, taking notes, drafting minutes, and finalizing reports (Serbian state-level politician 1 2021a, 2).

BOSNIAK AND CROATIAN PERSPECTIVES

Bosniak Perspective

Bosniak interlocutors frequently began interviews by describing a broader historical context for defense reform in the country that they considered relevant to the process initiated by HR Ashdown in 2003. These included varying interpretations of the historical record among the three ethnicities, the inability of foreign actors to understand the history of the region, and the implications for progress in the defense reform process.

Bosniaks stressed the relevance of history on the post-civil war polity and the attendant difficulty in undertaking defense reforms. They presented interpretations of the region's history different from Croatian and Serbian perceptions and explain the most recent conflict as the source of the seemingly irreconcilable differences as to the character of and responsibility for the violence.³⁹ This, in turn, led to contradictory visions of the new state and the appropriate paths forward for the development of its institutions (Bosniak politician 1 2022, 00:10; Bosniak DRC 1 2022, 13:00). These

³⁹ A prominent member of the dominant Bosniak party since 1995, the SDA, noted that regional history is extremely relevant to the civil war from 1992 to 1995 and, at root, that the ethnicities cannot agree even on the character of that war. He then asserts that Bosnians (Bosniaks, Croats, and Serbs) have together fought invaders including Ottomans, Germans, and Hungarians and that the recent civil war was the first instance in which ethnicities turned on one another (Bosniak politician 1 2022, 00:10, 00:45). This tack plays neatly into the Bosniak narrative that the interethnic violence between 1992 and 1995 was a historical aberration and that creation of strong, centralized governmental institutions would be a natural manifestation in contemporary Bosnia and Hercegovina if the impact of nationalist demagogues could be mitigated. Serbs, however, note that this characterization ignores the experiences of 1942–1945, during which the Croatian fascist state launched genocidal attacks on Serbian, Jewish, and Roma populations in the area known as the Austro-Hungarian military frontier and Hitler's Germany organized units up to the level of an SS division commanded by Nazi officers and manned by Bosnian Muslim soldiers that cleansed Serbs in Bosnia and Hercegovina as well.

competing visions, both within BiH as well as among co-ethnics in Croatia and Serbia, proved highly resistant to change (Bosniak DRC 1 2022, 12:40) to the extent that strong influences continued for partition of the country (Bosniak politician 1 2022, 02:30).

From a historical perspective, Bosniaks also point out that the defense reform process actually began during the civil war with the integration of the Bosniak and Croatian armies following the 1994 Washington Agreement. This was most apparent in the American assistance provided via a “Train and Equip” program that created a more capable Bosniak/Croat fighting force during the war and continued in its immediate aftermath with the VF (Bosniak DRC 1 2022, 00:45, 02:45). As will be discussed below, Bosnian Croat interlocutors have a different view of the Washington Agreement and its practical implications for Croatian military and broader political and social interests.

Bosniaks raise two additional contextual points. First, since its signing, a fundamental disagreement between the IOs and Bosniaks on one hand and Serbs and Croats on the other is the nature of the DPA. IOs and Bosniaks define the DPA generally and the Constitution specifically merely as instruments to stop the fighting with the expectation for further evolution in “the spirit”—beyond the letter—in which Dayton concluded. Bosniak interlocutors look at the 2005 LoD as constitutional reform that fundamentally changed the constitutional order of the country and, therefore, an example of Dayton as an instrument of transition and not as an end state for the society (Bosniak politician 1 2022, 04:00). The two minority ethnic communities, on the other hand, see Dayton and its constitution as the end state for the new polity. Second, Bosniaks acknowledge the limitations that financial considerations placed on the structure of the new multiethnic military institution—particularly with regard to a Navy and Air Force—

but argued that increased financial burdens had to be accepted in order to create a foundation for a modern European army (Bosniak politician 1 2022, 41:00; Bosniak DRC 3 2022; Bosniak DRC 2 2022).

The overall Bosniak goal was to have all institutions focused at the state level. They, therefore, supported anything that created a stronger central government (Bosniak politician 4 2022, 22:00; DRC senior staff 1 2022, 00:08). In the military domain, strengthening state institutions became a major tenet calling for a single president and a single minister of defense. They rejected the alternative of a principal and two deputies at each senior leadership level based on ethnicity and opposed institutions subject to ethnic veto on key social and political issues (Bosniak DRC 3 2022, 1:20:00). Further, Bosniaks and the IOs argued that the single military institution was the key requisite for NATO membership, a prerequisite for membership in the EU (Bosniak politician 1 2022, 05:30, 23:45) and that three armies challenged the symbolism of a unitary state (Bosniak DRC 3 2022, 1:20:00; Bosniak politician 1 2022, 32:30).

Each ethnicity initially feared the loss of its autonomous military capability. Later, however, Bosniaks alone argued for a single force to defend the entire country in order to protect their ethnic community, noting that since Croats and Serbs could rely on adjacent co-ethnic states for support in the event of a return to violence (Bosniak DRC 1 2022, 21:00). As a result, Bosniaks pushed for a full range of capabilities inherent to a modern European military institution including both air and naval components under a single chain of command (Bosniak DRC 3 2022, 1:20:00; DRC senior staff 1 2022, 01:00; Bosniak DRC 2 2022). They opposed requirements for ethnic consensus on decision making within the Armed Forces of the BiH (AFBiH), and particularly objected

to monoethnic units (Bosniak DRC 3 2022, 1:20:00). Recognizing the financial constraints placed on defense reform, Bosniaks accepted the downsizing of the active force to 10,000 active military, 5,000 reservists,⁴⁰ and 1,000 civilians (Bosniak politician 4 2022, 1:01:30, 1:02:46) but reluctantly relented on their insistence to retain conscription. They argued that Bosnia's Croats and Serbs could turn to Croatia and Serbia for support in the event violence reignited, but that Bosniaks would have no such option (Bosniak politician 4 2022, 50:45 56:15, 1:07:45; Bosniak DRC 3 2022, 1:20:00; Bosniak DRC 2 2022). Applying a similar logic, Bosniaks rejected the Serbian alternative structure for the military institution that called for demilitarization of the country. Citing Iceland as a NATO member with no military structure as a precedent for a demilitarized Bosnia joining the alliance, Serbs built on the IO perception that Bosnia faced no external threat⁴¹ and, therefore, had no need for a military infrastructure to counter an external attack. Bosniaks responded that they would agree to demilitarization of BiH once Serbia and Croatia both demilitarized (DRC senior staff 1 2022, 33:45, 36:45).

The location of headquarters, units, and facilities was a key question for all participants in the defense reform process. Issues, especially those involving ownership of immovable or real property, were complex and required months for resolution (Bosniak politician 4 2022, 1:00:00; 1:05:00; Bosniak DRC 3 2022). While technical

⁴⁰ BiH even today has not implemented the reserve capabilities provided by statute given the lack of financial resources to sustain even the active force at the projected 10,000-soldier level (Bosnian DRC 3 2022, 1:20:00).

⁴¹ Joseph Parent (2011, 16) asserts in four cases of attempts at unification—the US, Switzerland, Sweden and Norway, and Gran Columbia—that, "states come together because they foresee facing the same problems" and hypothesizes (2011, 23) that "Threats cause union. There must be an optimally intense indefinite external threat, symmetrically shared among states."

military logic played a role at lower tactical levels, regional, ethnic, and entity considerations impacted at the higher levels. Interest of regions such as Bihac, Mostar, Banja Luka, and Sarajevo received due attention and the internal ratios of 2:1 between the Federation and RS and of 2.3:1 within the Federation between Bosniaks and Croats continued as the parameters for specific allocations (Bosniak politician 1 2022, 15:30). As a result, 23 locations of the 69 previously identified military sites were allocated to the RS, although the most senior state-level functions were consolidated in Sarajevo, including the MoD, the JS, and the Operational Command (Bosniak politician 1 2022, 15:30).⁴² At the tactical level, units were located in such a way as to preempt renewed internal violence. For instance, Bosniaks objected to the concentration of armor elements in the RS at Banja Luka. A relocation later moved the tank battalion into the Tuzla region, to the chagrin of Bosnian Serbs. Efforts were made to separate munitions from heavy weapons, in one case the ammunition for artillery in the RS was stored at Capljina in the Croatian portion of the FBiH (Bosniak DRC 1 2022, 32:00, Bosniak politician 1 2022, 23:00; Bosniak DRC 2 2022).

How to deal with the legacy of the wartime armies became a DRC issue. Strongly supported by senior IO members, a “regimental” system was established that would maintain the wartime symbols, decorations, alphabets, and other distinctive accoutrements of the warring parties. Consistent with their insistence on the removal of ethnicity from the single multiethnic military institution, Bosniaks objected to anything that would honor the VRS that Bosniaks characterized as a criminal organization. They

⁴² While the Operational Command is located in the Butmir section of Sarajevo, it is in that part of the city that is a portion of the RS.

specifically opposed regiments created on the basis of ethnicity rather than regiments defined only by a military branch specialty and lobbied for regimental headquarters to be very small with competencies limited to unit histories and social activities (Bosniak DRC 1 2022, 35:30; Bosniak DRC 2 2022; Bosniak DRC 3 2022, 1:20:00; Bosniak politician 4 2022, 50:45, 1:07:00).

Bosniak interlocutors also pushed in social areas. First, Bosniaks sought for military topics to be added to school curricula throughout the country as part of the mission statement for the new military institution. The intent was to teach topics such as state structure, the NATO alliance, and other civic issues, but this was defeated by the two minority communities (Bosniak DRC 3 2022). However, Bosniaks supported and received the establishment of a religious component of the armed services, generally copying the experience of the US Army (Bosniak DRC 1 2022, 36:15).

Croatian Perspective

The Croatian perspective on state-level defense reform was driven by the ethnicity's minority status in both the state of BiH and the FBiH. At both levels, Croats sought to reduce the risk of renewed violence, to protect their community's identity, to assure equality with the two larger ethnic constituencies on major issues, to retain access to decision making and veto capabilities, to protect the Croatian community on issues of extreme national importance, and to maintain, as a minimum, proportionality in the manning by Croats in the military and in state and entity governmental structures.

Perhaps most succinctly summarized in concrete terms and at the highest political level, the Croatian member of Bosnia's state presidency during the defense reform period sought Croatian decision-making power equality within the military structure in two

ways. Croatian politician 2 (2021) pushed to limit the number of general officers on active duty in the armed forces to 12, divided equally, 4/4/4, among the three ethnicities.⁴³ Second, he sought equal distribution via rotation by ethnicity of the four most senior offices of the new military institution: the MoD, the chief of the JS, and the commanders of the Operational Command and Support Command. To assure interethnic awareness and consensus, each principal would have two deputies, each from ethnicities different from the principal with the deputies wielding veto power on policy decisions. Additionally, he prioritized Croatian participation in the structure of the armed forces at 20%, an increase above proportionality otherwise driven by the actual Croatian population in the country (Croatian politician 2 2021; Bosniak politician 4 2022, 58:00).

The foundation for the Croatian community's post-civil war presence was initially constrained by the Washington Accord of 1994 that established the parameters of a Bosniak-Croat Federation in Bosnia's peacetime structure. Limited by an approximate 2.3:1 advantage to the Bosniaks based on demographic proportionality (Croatian politician 3 2022), Croats chafed under perceived decision-making exclusion in the military domain by the dominant Bosniak constituency despite bifurcation of authority at the minister/deputy minister and military commander/deputy commander levels (Croatian politician 1 2022). Foreshadowing future steps on military reorganization, at Washington, Croats received provisions maintaining an ethnically-based Croatian military structure within the FBiH. While the force was nominally subordinated to a common MoD and Joint Command at the Federation level, an autonomous Croatian presence within the FBiH ministry and an essentially parallel chain of command to a monoethnically manned

⁴³ A 13th general officer mandate, the Inspector General, was established in MoD.

Croatian brigade served as a hedge in the event of violent recidivism (Croatian military 2 2022; Croatian military 3 2022; Croatian politician 4 2022; Fitzgerald 2001).

By the early 2000s, Croats believed that there had been only limited coordination between Croatian and Bosniak defense and military leaders and that Croats had *de facto* been excluded from substantive participation in FBiH military policy and operational decisions. A senior Croatian military officer noted that, while at a personal level some could work together, Croats and Bosniaks were generally at odds with little interaction occurring among officers from the different ethnicities because of a lack of trust (Croatian military 2 2022; Croatian military 3 2022). But, by 2002, discussion of a multiethnic armed force had appeared in the local Croatian media (Nikolic 2002). While suggesting that the single military institution would further reduce the potential for violent recidivism, Croats argued that defense reform at the state level presented an opportunity not only to enhance the security of the Croatian population and autonomy in the Croatian majority cantons, but also to redress the perceived military structural shortcomings of the Washington Accord. This included provisions of concern to Croats that they perceived had been ignored in practice and, therefore, undermined Croatian confidence in international and US commitments (Croatian politician 3 2022).

The most detailed statements of Croatian aims were spelled out in documents approved by the then-Croatian member of the BiH presidency, the “Vision of the Defense System of BiH” (Croatian politician 2 2002; Jelavic 2000) and the “Statute and Programmatic Declaration” of the dominant Croatian political party, the Croatian Democratic Union (Hrvatska Demokratska Zajednica [HDZ], 2000). The vision

statement, promulgated in 2000, identifies foundational perspectives that carry through the defense reform period to the 2005 LoD. Its introduction lays out the general thrust:

...preserving the defense identify and creating mechanisms to protect equal peoples from abuse of decision-making (leadership and command) and majoritarianism.⁴⁴(Jelavic 2000)

The document lists the overarching obligations and goals of a “re-dimensioned” military institution including: stabilization of the BiH; respect for the three constituent peoples; absence of “majoritarianism”; reduced conscription; a defined reserve; and civilian oversight, including transparency of the military budget. Specific provisions included: a small professional force; alignment with financial realities; resolution by consensus of issues of national (ethnic) interest; a single MoD and chain of command; rotation by ethnicity of the most senior military institution positions; manning by proportionality of the population; and civilian control manifest through the BiH presidency, the MoD, and the PABiH (Jelavic 2000).

Interview research among Croatian political, military, and academic participants revealed additional preferences after political leaders turned decisions on technical military matters to civilian defense personnel and military officers (Croatian military 3 2022; Croatian politician 4 2022). These included: initially retaining parallel ethnic chains of command (Croatian politician 3 2022; Croatian military 1, 2022) under a common ministry and joint staff and maintaining the identity and traditions of the wartime ethnic forces via a regimental system (Croatian politician 5 2022), locating in proportion to population major monoethnic and multiethnic units and infrastructure in Croatian populated areas, assuring civilian control and parliamentary oversight,

⁴⁴ Use of the word “majoritarianism” in this context is a synonym for “the tyranny of the majority.”

addressing insufficient financial support to the VF (Croatian politician 4 2022), and securing NATO and EU membership (Croatian DRC 1 2022; Croatian politician 3 2022).⁴⁵ Above all, however, defense reform was imperative because “there would be a threat of renewed violence if it were not executed” (Croatian DRC 1 2022; Croatian military 1 2022).

While acknowledging the essential role of international pressure, Croats were shocked at the speed with which defense reform occurred given the obstructionism, real or implied, that ethnic veto powers portended (Croatian politician 4 2022). While the HDZ was the uniquely dominant Croatian party and hence faced no political challenges, support for defense reform was broad (Croatian politician 4 2022). In the background, however, there was the recognition that “...Ashdown came as the High Representative and any law could be imposed. We had to accept everything and we couldn’t say anything against it” (Croatian politician 5 2022).

In the end, Croats, almost unanimously (Croatian politician 4 2022), supported the Laws on Defense of 2003 and 2005 believing that, without a single, multiethnic military institution for the whole of BiH, Croatian interests in the armed forces would continue to be unsatisfactory (Croatian DRC 1 2022). Moreover, although initially skeptical of a regimental system to preserve the history and traditions of the wartime Croatian military structure, the Croatian Defense Council (HVO), Croats reversed position (Croatian DRC 1 2022), ultimately pushing for all branches to have regiments (Croatian politician 3 2022). The only negative implication was the reduced support available to Croatian civil

⁴⁵ Initially in 2000, the Croats did not have an interest in a single military force or in joining NATO. After 2001, the Croats changed their approach because Croatia started to join NATO (Bosniak politician 4 2022, 28:45).

war veterans (Croatian politician 3 2022). But, were war to return, either internally or from an external attacker, there was a clear understanding that this multiethnic institution would rapidly disintegrate, with soldiers returning to their respective ethnic roots (Croatian military 3 2022).

SERBIAN PERSPECTIVES

Provisions of the DPA were established based on the political and military environment existing in Bosnia and the region during the second half of 1995. At that time, RS, supported by co-ethnics in Serbia proper, maintained a substantial military advantage in the numbers of trained personnel and heavy weapons over Croatian and Bosniak forces. Moreover, with the DPA, the territorial autonomy of Serbs within BiH was not threatened either by internal forces or international military pressure. Serbs widely recognized that animosity of international overlords was directed overwhelmingly at the RS. While the International Force had strictly enforced its Article 1A authorities, coercion was not directed at the civilian or military leadership of the VRS. Politically, the SDS retained its wartime leadership into the post-Dayton period as did SDA among the Bosniak community and the HDZ among the Croatian community. However, a comparison of the 1995 military, coercion and political realities in the environment confronting the Bosnian Serbs between 2002 and 2006 reveals fundamentally altered aspects with significant implications for Serbian perceptions of the context in which their decision on military reform would occur.

The Military Aspect

Annexes 1A and 1B of the DPA established the military aspects of the agreement. Annex 1A specified the post-conflict process for separation of forces and the establishment of an interethnic boundary. More significantly in the longer term, Annex 1B outlined what appeared in 1995 to be a comprehensive balance of forces. Regionally, the DPA established an overall 5/2/2 balance in combat capabilities among Serbia,

Croatia, and Bosnia. However, inside Bosnia's boundaries, the ratio of VF to the VRS was set at 2:1 in terms of both personnel and equipment (OHR 2022a).

By the turn of the millennium, both the 1995 internal and regional force equilibria negotiated at Dayton by Serbia's President Slobodan Milosevic (not by the Bosnian Serb leader Radovan Karadjic) looked dramatically different. First, the VRS gave up its absolute wartime preponderance in heavy weapons—armor, artillery, and aviation. This put the Serbian entity at a numerical materiel disadvantage inside BiH given the mandated 2:1 ratio between the two entity military institutions. Moreover, the earlier Bosnian Serb training advantage, derived from the Serb-predominated Yugoslav National Army (JNA), from which a larger proportion of the wartime VRS leadership came, began to evaporate as the older generation of VRS soldiers passed from the active ranks. Simultaneously, the relative Serbian materiel and personnel training advantages diminished further as a result of the American “Train and Equip” program implemented by civilian contractor Military Personnel Resources, Inc. (MPRI).⁴⁵ Focused exclusively on the VF, this effort raised the professional military training levels of the Bosniak and Croatian forces and enhanced the existing VF 2:1 materiel advantage over the VRS, delivering new and more capable American and western equipment to Bosniak and Croat forces (Lamb, Arkin, and Scudder 2014).⁴⁶

While the military balance inside Bosnia's boundaries had deteriorated in RS eyes, the regional aspects of the balance darkened the picture further. In 1999, the

⁴⁵ If the US had also engaged the Serbs in the Train and Equip program, there would have been a benefit to the defense reform process (DRC senior staff 3 2022, 38:45).

⁴⁶ Lamb et al. 2014 provide an excellent, comprehensive analysis of the Train and Equip program executed in BiH by MPRI from 1994 through 2014.

American-led NATO bombing of Serbia during the insurrection by Albanians in Serbia's autonomous province of Kosovo and executed without the expected authorization by the UN Security Council, supplemented memories of the NATO air attacks on Serbs during Bosnia's civil war. This reinforced the existing RS perception that the western military alliance and its principal patron were anti-Serb. Alarm increased as the political situation in Belgrade turned unstable. With the collapse of the Milosevic regime, his war crimes indictment and transfer to the ICTY, the RS lost confidence that Serbia could be counted on to fulfill the regional balancing role. The internal collapse of the Russian regime and subsequent political volatility there added to Bosnian Serb apprehension that Russian support would not be forthcoming. Indeed, members of IOs reported that Russian officials divulged that Moscow wanted the defense reform process to succeed and pressed reluctant RS officials to conform to the international community preference for the single armed force (DRC senior staff 3 2022, 06:00, 47:15). At the same time, Croatia's path to NATO membership was in motion, adding yet another doubt on the tactical viability of the RS should armed conflict reignite (NATO 2009).⁴⁷ Hence, from the perspective of Banja Luka, the military dilemma, both internally and regionally, became increasingly daunting.

Panning the horizon, however, RS leaders recognized what international overseers already understood—there were no external threats to the territorial integrity and

⁴⁷ Since 2000, Croatia took the following steps toward its ultimate 2009 accession into the western military pact: 2000 joins NATO PfP and NATO Planning and Review Process (PaRP); 2001 submits an Individual Partnership Plan (IPP); 2002 submits a Membership Action Plan (MAP) and an Annual National Plan (ANP); 2003 sends a contingent to the ISAF in Afghanistan; 2004–2006 hosts various NATO-level seminars and conferences; 2009 becomes a full member of the western alliance.

sovereignty of BiH from conventional combat operations. A military institution designed solely for peacekeeping operations, de-mining, and support to civil authorities need not be equipped with heavy weapons for those tasks. Moreover, Serbs, Croats, and even some members of IOs foresaw the collapse of a multiethnic force should any challenge to Bosnia's sovereignty arise. Each saw potential, whether in a return to civil war or invasion by one or both of Bosnia's only neighbors, Croatia and (formally) the State Union of Serbia and Montenegro, that Bosnian soldiers and civilians would revert to their identity as Bosniaks, Croats, or Serbs.

If there were a bright spot in the military context for Bosnia's Serbs, it was the gradual withdrawal of the NATO-run IFOR and then SFOR from approximately 60,000 troops in 1996 to about 7,000 in 2004. By the end of that year, the military mission under the Dayton Accord was turned over to a force under the European Union (EUFOR) and commanded by a British general, although a residual NATO operation under an American general remained on the ground to assist training the new armed force and apprehending those indicted for war crimes by The Hague tribunal.

The Coercion Aspect

The RS leadership saw coercion by international actors as one aspect of an existential threat to RS. From 1996 through 2006, Serbs witnessed a succession of HRs become increasingly aggressive in compelling the ethnicities—especially Serbs but also Croats—to acquiesce to IO preferences across a wide range of issues: military, electoral, political, and social. Coercion took many forms⁴⁸ and reached its apogee with the arrival

⁴⁸ While Serbs defined the coercion imposed upon them by international overseers in direct terms of sanctions on persons, parties, and organizations, American efforts to upset the immediate postwar balance of power between the Bosniak-dominated VF and the

of Lord Ashdown in 2002. While not directed exclusively at the RS, Serbs perceived that sanctions imposed on Serbian persons, parties, and organizations significantly exceeded those directed toward the Croatian community with relatively negligible pressure directed toward Bosniaks (NATO senior officer 5 2022, 14:45).

The foundation for the coercive powers of the HR is found in Annexes 1A, 1B, and 10 of the Dayton Accord. Annex 10 makes HR “the final authority regarding interpretation of the agreement on the civilian implementation of the peace settlement” but defines that role only as,

to facilitate the Parties’ *own efforts* and to mobilize and, as appropriate, coordinate the activities of the organizations and agencies involved in the civilian aspects of the peace settlement by carrying out, as entrusted by a UN Security Council resolution, the tasks listed below.⁴⁹ (OHR 2022a; emphasis added by author)

The teeth of those powers were sharpened to an unprecedented level in 1997 by the PIC.⁵⁰ Referred to as the “Bonn Powers,” they are cited as the basis for the HR to

Serbian VRS by way of the US Train and Equip program, discussed in the earlier section, can be looked on as an indirect form of coercion.

⁴⁹ Tasks for the HR in Annex 10 of the DPA, paraphrased here, include: monitor implementation of the peace settlement; maintain close contact with the parties to promote their full compliance with all civilian aspects of the agreement; coordinate activities of civilian organizations to ensure efficient implementation of the civilian aspects; facilitate the resolution of any difficulties arising in the civilian implementation; participate in meetings of donor organizations; report periodically on progress on implementation of the DPA; and provide guidance to and receive reports from the commissioner of the International Police Task Force.

⁵⁰ The PIC was not established under the DPA but rather by an unrelated Peace Implementation Conference held in London December 8–9, 1995. It was an *ad hoc* meeting of representatives of over 50 states, IOs, and NGOs that assumed for itself a role to “mobilize the international community behind a new start for the people of Bosnia and Hercegovina.” While the formation of the PIC and its conclusions were “welcomed” by the Security Council, literature challenges the basis that creates the Council or provides it authority to impact the explicit provisions of the DPA constitution including presumed authority to empower the “Bonn Powers,” “approve” the appointment of the HR and

take whatever measures he felt were required to implement the provisions of Dayton as he saw them, including the proclamation, modification or termination of laws and constitutions up to but not including the Article IV Constitution of the Accord, dismissal and appointment of officials and censure of parties and organizations deemed, in the exclusive judgment of the HR and without recourse, to impede the provisions of Dayton (Maxwell and Olsen 2013, 21; OHR 2022d).⁵¹

The commander of the IFOR and its successor, the SFOR, derived additional coercive power from the authority to assure implementation of the military aspects of the agreement in Annexes 1A and 1B. This included full control of all military activities within the country including removal of noncompliant personnel accused of obstructing implementation of the military provisions of the accord and the authority to use force to execute required actions (Maxwell and Olsen 2013, 21). While in theory, distinct portfolios, pursuant to Annex 10, HRs and commanders of the IFOR acknowledged their mutual support to and synchronization of pressure well beyond the specified mandate of Article 1B (Gregorian 2015, 97; Maxwell and Olsen 2013, 39n; OHR 1 2022; NATO senior officer 1 2022, 18:00; NATO senior officer 4 2022; NATO senior officer 5 2022, 11:15, 14:45, 19:30).

Tracing an increasingly aggressive process, Serbs saw synchronized coercion undertaken by the civilian HR and IFOR/SFOR as disproportionately directed at the RS. The watershed events in Serbian eyes were the dramatic HR's responses to the arms-to-

establish a Steering Board chaired by the HR that in turn provides political guidance back to him and to which the HR is presumed accountable (OHR 2022c, 2022).

⁵¹ The legitimacy of the PIC and the resulting Bonn Powers is increasingly questioned as is its relationship to the UN and the Security Council in the appointment of the HR (Maxwell and Olsen 2013, 21n; Stewart, 2006, 754, 756–758).

Iraq scandal beginning in 2002 followed by reports in 2004 that RS officials obstructed the apprehension of individuals indicted on war crimes allegations by the ICTY.

The first event, known as the “Orao Affair,”⁵² was based on Lord Ashdown’s assertion that a defense industry in the RS, the Orao Aviation Institute (hereafter Orao), had illegally transferred military equipment—refurbished aircraft engines—to Iraq, in violation of UN sanctions. Using the Orao Affair as justification, the HR forced the resignation of the legitimately elected Serbian member of the Bosnian state presidency, Mirko Sarovic, and summarily dismissed, barred from government employment, and, in some cases, closed the financial accounts of numerous military and civilian personnel including the RS minister of defense, chief of the VRS General Staff, and commander of the RS Air Force (Short 2022, 139–140, 148). Ashdown then used his finding to justify the creation of the 2003 DRC (Locher 2013) and the transfer of operational competencies to the state government in Sarajevo in order to resolve the “inadequate control” of the VRS by the legitimate state authorities of BiH. At root, Orao became the forcing function to kick off defense reform, and Ashdown was the force behind it (NATO senior officer 5 2022, 7:30).⁵³

⁵² For a more comprehensive discussion of the Orao Affair from the IO perspective, see Short 2022, 140–150 and OHR 1 2022.

⁵³ The Serbian Orao story differs markedly from that of the IOs’. Serbian interlocutors allege that the repair of the aircraft engines was made at the Orao plant in the RS but that they were delivered on contract to the Serbian company “Jugoimport ZDP” in Serbia. Officials in Montenegro documented the engines shipboard in the harbor of Bar and that the ship on which they were loaded was not apprehended sea. Managers at Jugoimport ZDP further stated that they had also exported to Iraq mortars and similar systems manufactured in Travnik and explosives manufactured in Vitez in the Federation of BiH. There is no account citing that IOs took action on those reported Bosniak transgressions of UN sanctions to which the RS was held to account (Serbian RS politician 1 2022).

The second event, arising from the determination by the HR that RS officials were obstructing the apprehension of individuals indicted by the ICTY, resulted in the decapitation of the entity's major political party, the SDS. In applying his Bonn Powers, Ashdown on one day fired and barred from public office 57 party and entity elected and appointed leaders. These included the SDS president and the presiding officer of the National Assembly as well as numerous SDS parliamentarians, police officials, and directors of prominent companies. Financial accounts of some individuals were frozen. The funds of the SDS were transferred to the Bosnian state treasury and the SDS was denied further resources routinely provided to political parties (Bideleux 2007, 390–392). As in 2003, HR Ashdown in 2004 used this allegation of malfeasance as the justification for the creation of a second DRC and the final transfer of military competencies to the state government in Sarajevo.

Ashdown's coercion impacted the behavior of individuals and organizations in two ways, intimidating Serbian participants in the defense reform process and redefining who would be at the table as advocacy coalitions reconciled the Serbian path forward when they reconsidered the country's military structure. Dismissal in 2002 of senior civilian and uniformed military personnel in the RS defense institution and the HR's public campaign leading to the resignation of Mirko Sarovic as the Serbian member of the state-level collegial presidency as a result of the "Orao Affair" made a clear statement that resistance to defense reform would not be tolerated at the technical military level. Taking intimidation to a new level in 2004, Ashdown demonstrated that there were no boundaries on individuals and organizations from coercion after IO allegations of Serbian obstruction of efforts to capture individuals indicted by the ICTY. Among these later

targets were the most senior political ranks of the RS policy structure, including the president of the SDS and the speaker of the NSRS, as well as the removal of the leadership and impounding of the financial assets of the entity's most powerful political party. From an ACF perspective, even more importantly, the decapitation of political parties prior to the 2005 defense reform process changed the makeup of those most significant participants in the subsequent coalition deliberations on the structure of a new military institution for BiH. It removed individuals already committed to rejection of the centralization of all military competencies at the state level and substituted a new wave of individuals less likely to contest the preferences of the international community.

The Political Aspect

Political dynamics in RS between the end of the civil war and the passage of the 2005 LoD influenced the context for policy developments. During that period, the entity saw increasing fractionalization of its party structure and an initially obscure, nominally moderate party begin its rise, the Party of Independent Social Democrats (SNSD) led by Milorad Dodik.

The wartime SDS continued to dominate RS politics at the beginning of the entity's constitutional existence in 1995, but its base unraveled quickly after the 1996 election. A major SDS faction split away and formed the Serbian Peoples Union (SNS). Simultaneously, the more nationalist Serbian Radical Party (SRS), and later, the more moderate Party of Democratic Progress (PDP) gained ground. See Table 1 and Figure 5 below.

Republika Srpska National Assembly Seats by Party 1996–2006 Elections										
	1996		1997		1998		2000		2002	
SDS	45	54%	24	29%	19	23%	31	37%	26	31%
SRS	6	7%	15	18%	11	13%	0	0%	4	5%
SNS	0	0%	15	18%	11	13%	2	2%	1	1%
PDPi	0	0%	0	0%	0	0%	11	13%	9	11%
SNSD	0	0%	2	2%	6	7%	11	13%	19	23%
Other Serbian	4	5%	9	11%	15	18%	13	16%	8	10%
Bosniak	16	19%	16	19%	15	18%	10	12%	10	12%
Other (Croat, multiethnic)	12	14%	2	2%	6	7%	5	6%	6	7%
	83	100%	83	100%	83	100%	83	100%	83	100%

Legend

SDS - Serbian Democratic Party (Serbian, nationalist)
SRS - Serbian Radical Party (Serbian, ultra-nationalist)
SNS - Serbian People's Union (Serbian, nationalist - SDS breakaway)
PDPi - Party of Democratic Progress (Serbian, moderate)
SNSD - Party of Independent Social Democrats (Serbian, moderate)
Other Serbian
Bosniak
Other

Table 1. Seats and Vote Percentage by Party in RS National Assembly 1996–2006⁵⁴

Note: Table adapted from data taken from website “National Assembly of Republika Srpska/National Assembly/Convocations /2-7” at <https://www.narodnaskupstinars.net/> Downloaded July 1, 2023.⁵⁵

⁵⁴ Ideological characterizations up to 2006. Since 2006, the Party of Independent Social Democrats is generally considered to have become nationalist.

⁵⁵ OSCE administered elections in Bosnia in 1996 and 1997 and allowed Bosnians to vote in either their current homes or, if displaced, in their pre-civil war residences. The SDA and SBiH, the two Bosnia-wide principal Bosniak parties, encouraged their co-ethnics displaced from what had become RS to vote in their pre-war districts even though not residing there. As a result, the proportion of RS National Assembly seats won by the two Bosniak parties exaggerated the actual Bosniak presence in the entity but, in any case, provided no meaningful political leverage.

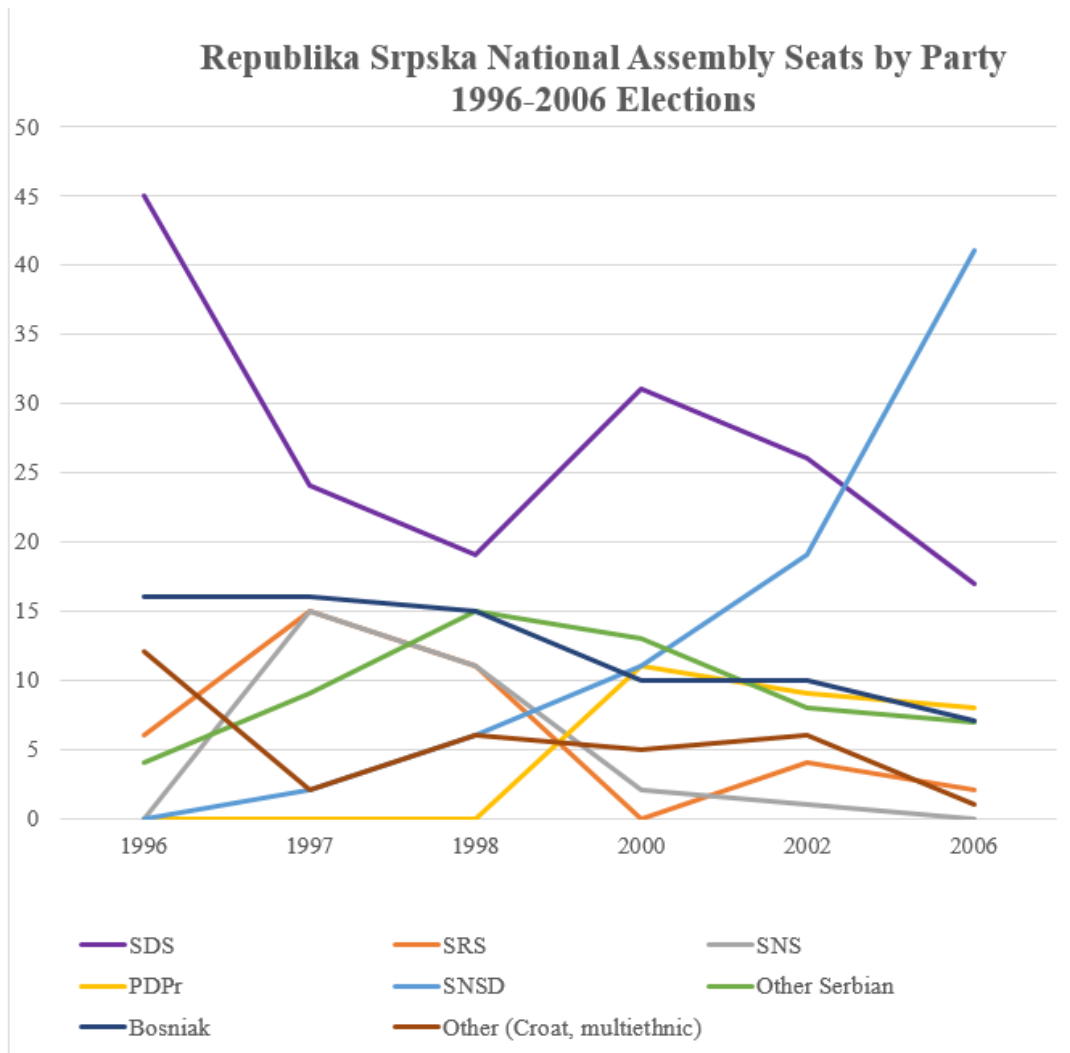


Figure 5. Trends in Seats by Party in RS National Assembly 1996–2006

Note: Figure adapted from data taken from website “National Assembly of Republika Srpska/National Assembly/Convocations /2-7” at <https://www.narodnaskupstinars.net/> Downloaded July 1, 2023.

By 2002, the seats held by the two nominally moderate major parties, SNSD and PDP, together eclipsed SDS in the NSRS, although the PDP associated itself with the governing coalition as the *de facto* junior partner thus keeping the nationalist SDS in

power (Serbian state-level politician 1 2021a).⁵⁶ In 2006, however, SNSD took control of the political structure in the RS while, about that same time, it began a transformation to a much more nationalist platform, responding to the increasingly polarized political environment in the country. See Figure 5 above.

Despite a progressive reduction of the Serbian wartime force after Dayton, the RS leadership across the political spectrum recognized from the outset that financing the VRS was problematic. Successive RS ministers of finance argued that continued spending on the VRS was unsustainable given the allocation of over 7% of the entity GDP to the army in 2000, and even then, the government was still unable to pay two thirds of the active force (Serbian RS minister 1; Bosniak politician 1 2022; Serbian RS politician 14 2022; Maxwell and Olsen 2013, 31). Moreover, while international personnel projected large cost savings to RS of a unified armed force as a logic for defense reform, the same RS ministers advised that amalgamation of the VRS into a state-level military institution without further force reductions would provide the RS no overall financial benefit (Serbian RS minister 1 2022; Serbian RS politician 14 2022).⁵⁷

While in the west it was assumed that both Serbia and Russia would provide support to the RS, the perspectives of Serb political elites looking east was markedly different. Belgrade had sealed its Drina River border with the RS in the latter stages of the civil war. The Serbian government had turned President Milosevic over to The Hague for trial, and with the ensuing economic and political instability and international

⁵⁶ Serbian state-level politician 1 explained that PDP was not a formal member of the ruling coalition in the RS, but rather had associated itself with SDS for voting purposes (Serbian state-level politician 1 2021).

⁵⁷ These same ministers pointed out that their warnings to the RS political leadership went unheeded (Serbian RS minister 1 2022; Serbian RS politician 14 2022).

pressure, expectations of political and diplomatic support from co-ethnics seemed unlikely at best. Further, support from Russia, still reeling after the collapse of the Soviet Union and seeking accommodation with the west, seemed at least as unlikely. Indeed, the Russian observer to the defense reform process stated that Moscow wanted the drive for a single multiethnic military to succeed and pressed reluctant Serbian authorities to conform to international community preferences (DRC senior staff 3 2022, 06:00, 47:15).⁵⁸

The Dayton Accord called for the future Bosnian state ultimately to join both NATO and the EU (OHR 2022a). Looking west, however, the RS noted that NATO had imposed new and unprecedented caveats on membership in the pre-accession program (DRC 2005, 185; Maxwell and Olsen 2013, 29). International bureaucrats argued that Bosnia would have to restructure its military institution in such a way as to have a single MoD and chain of command (Ashdown 2013, 135) with the new minister of defense and all newly appointed generals vetted by the commanding general of SFOR (NATO senior officer 3 2022, 34:00). More importantly, the Alliance demanded that the RS apprehend and deliver to The Hague war crimes tribunal the two most significant Serbian leaders

⁵⁸ Senior Serbian political interlocutors stressed the impact of the absence of external support from Serbia and Russia on two levels. Most obviously, Serbian and Russian support in local interaction with the IOs and Russian support, given its seat on the DRC, could have mitigated the more extensive concessions demanded within Bosnia of the RS. More importantly, the lack of support from an advocate with international standing limited the ability of the Serbian community to challenge IO dictates from outside the country. Unlike the Bosniak-led government in Sarajevo that had been given the status of a state in international fora such as the UN (notwithstanding the absence of meeting statehood requirements specified in the Montevideo structure), the Serbian and Croatian communities were characterized as "insurrectionist" and thus had no such independent international standing. The reluctance of Serbia and especially Russia to challenge IO behavior in international fora preempted Bosnian Serb potential to "end run" foreign bureaucrats and mitigate from the outside the coercive effects directed at them.

during the civil war, former RS and SDS president Radovan Karadjic and the wartime commander of the VRS, General Ratko Mladic (NATO senior officer 2 2022, 6). Only marginally interested in PfP program and opposed to full NATO membership given the Alliance's air attacks on Serbian forces during the Bosnian civil war and its subsequent bombing of Serbia during the 1998–1999 insurrection of Kosovo Albanians; complicity in handing over men that many Serbs saw as national heroes to a court unanimously seen as anti-Serb was a political third rail. Senior international bureaucrats and Bosniak politicians continuously pressured the RS to support the ICTY process, accusing the entity of holding the entire state captive on progress to Euro-Atlantic integration based on the Serbian refusal to apprehend the two Hague indictees (DRC 2005, 179–184). In the prolonged quest to arrest the senior wartime and immediate postwar Serb leaders, the residual NATO presence conducted repeated attempts at capture, frequently in stridently oppressive, sometimes violent, ways that backfired (NATO senior officer 3 2022, 1:03:00).

Summing up, again by NATO senior officer 2:

The Serbs decided to participate in the DRC because they had no choice. The machine was rolling and, if they weren't sitting in the room, none of their interests would be represented. And this is at a time when the Bonn Powers were being widely used and there were still large numbers of troops in the country. This was only going to go in one direction and people should cooperate.⁵⁹ (NATO senior officer 2 2022, 1, 6)

⁵⁹ As one Serbian interlocutor put it, "If you aren't at the table, you're on the menu."

THE PROCESS

The Initial Post-Dayton Defense Structure — 1996

The DPA stopped the bloodshed, freezing the competing armies behind the disengagement line of forces and the interethnic boundary between RS and the FBiH. Direct contact among the three ethnic forces was minimal. Between the indigenous forces and the international military overseers, interaction was manifest only through the formal JMC run by the commander of IFOR and the constitutionally-provided but functionally weak Standing Commission on Military Matters (SCMM). IFOR's principal focus was on implementation of the Annex 1A provisions of the agreement and the separation and cantonment of forces. The potential integration of the three forces into one was not considered a near-term task, at the time thought to be impossible to achieve.

Immediately post-DPA, legislative and territorial veto considerations were irrelevant because military reform and the distribution of defense competencies between the entities and the central government had not made it onto the agenda of either the RS military institution policy subsystem or the broader Bosnian/IO subsystem. In Tsebelis-inspired terms, the Serbs and the international community retained latent ideal points and indifference curves close to the extremes of the potential policy options. The absence of overlapping indifference curves and, hence, no viable available winset, produced initial stagnation. This is graphically reflected in Figure 6 shown below.

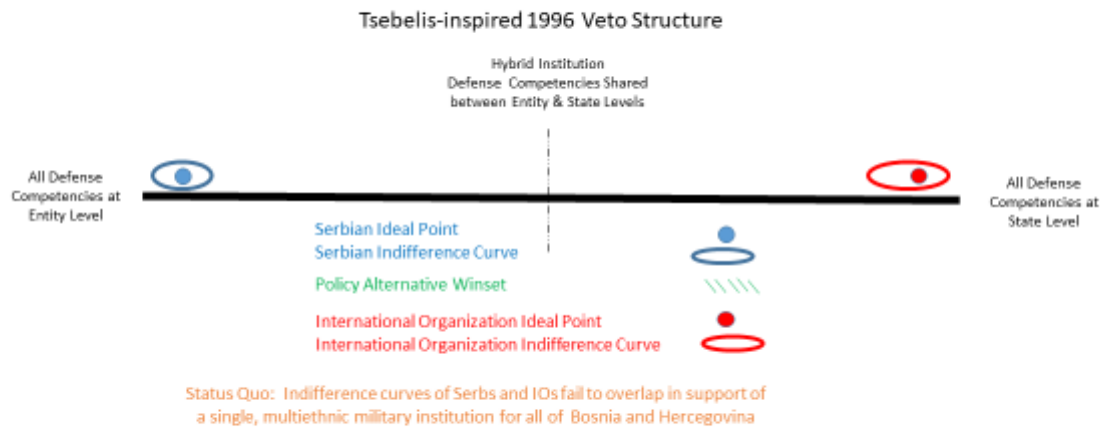


Figure 6. Tsebelis-Inspired 1996 Veto Structure (adapted from Tsebelis 2002)

The Post-Dayton Defense Structure — 1996–2003

The Bosnian military structure, in the absence of constitutional state-level authority for defense, left competency for the military function almost exclusively to the two entities. Two separate chains of command descended from the RS and FBiH presidents through the two entity ministries of defense and General Staff (VRS) or Joint Command (VF), to the VRS and the VF, respectively. Adding to the complexity, the VF was bifurcated between Bosniak and Croatian factions in which principals at the FBiH MoD and Joint Command (JC) were selected from different ethnicities, each of those principals with a deputy from the other ethnicity who could wield essentially veto power. *De facto* chains of command ran to monoethnic tactical units, the Bosniak community's ABiH and the Croatian community's HVO. The line to the ABiH combat units ran from the senior Bosniak official in the JC, while the line to the HVO combat units ran from the

senior Croatian official in JC. At the state level, the collegial, three-member, ethnically-defined BiH presidency played little more than a symbolic role given the requirement for consensus for action among its three ethnic representatives. Only a small SCMM existed at the state level to coordinate military interactions between the military institutions of the two entities (DRC 2003, 45–54). See Figure 7 below.

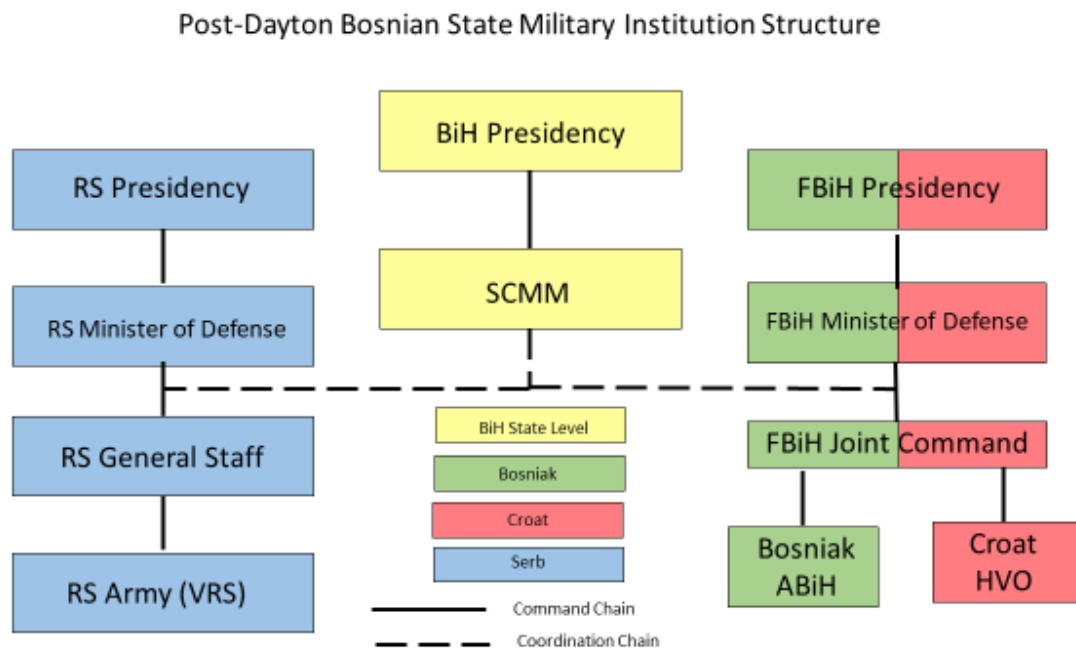


Figure 7. Post-Dayton Bosnian State Military Institution Structure⁶⁰

Note: Figure 7 is derived from a figure in “Destination NATO” (Maxwell and Olsen 2013, 22).

Parallel to the formal government structure, IOs engaged in military related functions as well. The DPA established a JMC under the commander of the NATO-led peacekeeping force, initially the IFOR, later rebranded the SFOR. Able and willing to compel VRS and VF leaders to participate in its initiatives, the JMC focused on

⁶⁰ This author has supplemented the original to show the bifurcation of the FBiH military institution between Bosniak and Croatian components with separate chains of command for the Bosniak (ABiH) and Croatian (Croatian Defense Council or HVO) tactical units.

establishing technical standards, basic training programs, infantry skill requirements, and other minimally controversial details. The combination of suggested and actual coercion of Serbian JMC participants coupled with the non-threatening nature of the topics led to Serb participation in and nominal acquiescence to these institutional outputs. Further, the OSCE and the Military Cell in the OHR created defense policy documents, doctrine and security guidance (Maxwell and Olsen 2013, 24–25).

Between 1996 and 2002, OHR, NATO, and OSCE had no expectations that any of the three ethnicities would abandon their wartime armies. RS most strongly continued its insistence that the VRS was a legitimate, constitutionally condoned component of the tripartite military structure in the country and that the force would continue to be an asset of the entity. Both the RS and the IOs retained their preferences for the location of defense competencies inside BIH. However, the IFOR and SFOR commanders incrementally extended their efforts to “encourage” participation by the Serbian armed force in NATO-led initiatives along with Bosniak and Croatian Army representatives. Serbs gradually acquiesced to meet the minimal demands placed in front of them.

Drawing from Tsebelis’s conceptualization as diagrammed in Figure 8 below, the IO and Serbian veto structures migrated between 1996 and 2002. The ideal points for each antagonist remained at the ends of the spectrum allocating defense competencies between the RS and the state. However, the foreign military commanders extended their indifference curves to include initiatives ranging from informal social events to discussions of low-level tactical standards and limited participation of individual officers from the various ethnicities in international observation missions. Serbs marginally extended their indifference curve under implied or actual pressure creating a small winset

that permitted the implementation of very limited steps toward institutional commonality but only at the most basic individual tactical level. While this winset sat slightly closer to but not at a shared, hybrid institution, it remained far from a single, multiethnic military force that Lord Ashdown sought for all of the country. Pending analysis of empirical data in the “Findings” and “Conclusions” chapters of this dissertation, it is here that the first indication appears that this study’s hypothesis H_{c2}—that coercion played a major part in the Serbian policy change—may be supported.



Figure 8. Tsebelis-Inspired 2002 Veto Structure (adapted from Tsebelis 2002)

Defense Reform Commission I, 2003

Creation of a reformed military institution in BiH occurred in two phases. The initial step placed defense reform on the agenda, heretofore considered impossible, and set the terms for an intermediate structure enroute to full integration of a single military

institution. HR Ashdown convoked the first DRC on May 8, 2003 (DRC 2003, 255–259), in the aftermath of an arms export scandal in which he asserted that RS had violated UN sanctions on shipments of military equipment to Iraq and the dramatic sanctions he placed on military and political leaders in the RS. The Commission’s mandate was to draft a state-level LoD and identify conforming revisions of entity law and constitutional provisions to be enacted by the respective entity legislatures. The findings would assure state-level command-and-control of the military institution, provide democratic oversight of the armed forces, create defense structures consistent with the political-military strictures of the OSCE, and meet Euro-Atlantic standards. Commission membership would be composed of senior Bosnian state and entity leaders, the commander of SFOR and representatives of NATO and OSCE. A permanent observer would represent the US, Turkey, Russia, and the EU (OHR 2022e).

Former US Senate Armed Services Committee Staff Director James Locher chaired the initial DRC. The commission was chartered to create a “shared” or “hybrid” military institution with a state-level MoD and JS commanding the operational aspects of the three ethnically-defined armed forces. RS and FBiH ministries of defense and General Staff/JC⁶¹ would continue to control the administrative, personnel, training, logistics, and acquisition functions of state-level operations. However, DRC I decided to acknowledge publicly only an intent to create this hybrid composition but be ambiguous as to the ultimate size and structure of a finally reformed state-level institution (Maxwell

⁶¹ The RS designated its senior military echelon as the "General Staff," the traditional nomenclature for this senior military body. The FBiH designated the highest uniformed level as the "Joint Command," reflecting the joint nature of the two parallel Bosniak and Croatian armed forces within the AFBiH.

2013, 39). Discussion of a single armed force was, therefore, a “massive redline” (DRC senior staff 2 2022, 8:40) even though, from the outset, international participants intended to move to a fully integrated, multiethnic force no later than 2007 (DRC senior staff 3 2022, 5:15; DRC senior staff 2 2022, 8:40; Maxwell and Olsen 2013, 38; NATO senior officer 5 2022, 34:30).⁶²

The “guardrail” (OHR1, 2022) for DRC I was to structure a military institution as a precursor for BiH admission to NATO’s PfP program (DRC senior staff 3 2022, 27:00; DRC senior staff 2 2022, 1:51, 3:08, 5:10; NATO senior officer 5 2022, 26:15)⁶³ that was organizationally sound, politically acceptable, and capable of full and timely implementation (DRC 2003, 1). The 2003 Commission cited nine deficiencies for resolution. These included: inadequate state-level command-and-control; ambiguity between state and entity defense competencies; insufficient parliamentary oversight; lack of transparency; noncompliance with international political-military agreements; excessive numbers of reservists; waste of human and financial resources; and allocation of resources for inappropriate missions (DRC 2003, 2).

For DRC I, the key was to enhance the state role in the defense function and, thus, eliminate the ambiguity between state and entity responsibilities. Achieving membership

⁶² There appeared to be little interest in 2003 and 2004 among the Bosnians, and particularly the Bosnian Serbs, to take defense reform beyond the “hybrid” military institution established by DRC I. The revelation at a senior event at the NATO training center in Oberammergau, Germany, by an SFOR staff officer in a slide showing the three ethnic armies ultimately integrated into a single military institution created a strong reaction among Serb participants who asserted never having agreed to anything of that nature (NATO senior officer 2 2022, 3).

⁶³ While the explicit focus of the 2003 DRC was on accession to the NATO PfP program, senior international members of the Commission saw an even more important function of the integrated military as a hedge against violent recidivism among the three ethnicities based on the theoretical notion of military power sharing (DRC senior staff 2 2022).

of NATO's PfP became the vector that would end in Sarajevo's competency over a single multiethnic military institution for the country (NATO senior officer 5 2022, 5:45). The 2003 target was to establish national-level operational control of all forces while deferring administrative control (man, train, maintain, and equip) for subsequent efforts. To accomplish this, DRC Chairman Locher established six objectives: create urgency in the Bosnian public; earn the trust of the Bosnian members of the DRC; build a network of strong supporters in the Bosnian government and international community; identify changes in entity constitutions and law required to support a state-level LoD and Law on Service; prioritize communications; and produce a high-quality explanatory document (Locher 2013). Some participants claimed that by the end of 2003 there was already a well-defined path to a single military institution—step by step in stages (NATO senior officer 5 2022, 1:08:00).

Connected to the goal of state-level command-and-control were several subordinate objectives for the commission. Foremost among them was the need for parliamentary oversight and democratic transparency in a newly structured military institution (DRC senior staff 2 2022, 35:30; DRC senior staff 3 2022, 50:00). Despite being a precondition for PfP membership and obligations incurred from OSCE's European standards, the Commission determined that no legal basis existed for legislative oversight by the state-level PABiH. Further, oversight of the three entity armed forces by the two entity-level legislatures was determined inadequate (DRC 2003, 84). As a remedy, the DRC proposed an *ad hoc* state-level Joint Parliamentary Committee on Security and Defense (Jt Com on Sec/Def). Composed of members drawn from both houses of Bosnia's state legislature, the committee would monitor policy implementation,

the work of security and defense agencies, and cooperation with the IOs (DRC 2003, 66). During the process, DRC I defined the role of legislatures in defense oversight and showed parliamentarians that oversight could be carried out (DRC senior staff 3 2022, 18:00).

Reducing the excessive number of reservists and conscripts was another challenge on the path to a viable armed force. The two entity MoDs accrued debts three to four times their annual budgets yet could not support basic housing and feeding standards for active-duty soldiers. With personnel costs consuming the preponderance of funding for the two armies, the defense reform process reduced overall manpower, cut bloated headquarters staffs, and ended conscription—initially reduced by half, subsequently totally eliminated (DRC senior staff 3 2022, 29:15).

Additional outputs evolved from the defense reform process (DRC senior staff 3 2022, 27:00). First, establishment of a multiethnic military force would reduce the potential for a return to civil war. Recognizing that no external threat existed to Bosnian sovereignty and territorial integrity and that the biggest danger was internal (DRC senior staff 3 2022, 09:45; DRC senior staff 2 2022, 14:45), IOs in general, and the DRC specifically, perceived a multiethnic integrated armed force based on military power sharing as an important hedge against violent recidivism among the three ethnicities (DRC senior staff 3 2022, 11:00; DRC senior staff 2 2022, 14:45, 18:00).⁶⁴ Moreover, the international community perceived benefit in undercutting the Bosnian Serb symbolism of the VRS as an aspect of RS claims to extreme autonomy or practical

⁶⁴ An additional interest raised outside of the DRC was the goal of officer corps professionalization as a means to separate the legitimate military personnel from the criminal paramilitary element (NATO senior officer 1 2022, 3:45).

sovereignty (NATO senior officer 1 2022, 01:45). By 2003, DRC leaders characterized symbolism as a significant target of the defense reform process (DRC senior staff 1 2022, 38:15) as “the symbolism of the VRS was a barrier to the creation of a single Army for sure — definitely a hard point for the Serbs” (DRC senior staff 2 2022, 24:15). In the end, the DRC leadership concluded that creation of a state-level MoD and JS sufficiently mitigated the symbolism of the Bosnian Serb military institution (DRC senior staff 3 2022, 25:20; DRC senior staff 1 2022, 38:15, 42:00, 44:30, 45:00).

At the outset, neither the international community nor the Bosnians⁶⁵ believed that a defense reform process could succeed given the strong attachments on tactical, cultural, and political levels that the ethnicities had for their armies. Moreover, IOs were reluctant to support the effort. Before the arms export scandal occurred, the most that the international community hoped for was to put in place a coordination structure around the original SCMM Secretariat based on an agreement to expand that Secretariat to 80-odd people (NATO senior officer 2 2022, 7). No budget support was initially provided beyond US government funding for Locher and several other staff (DRC senior staff 3 2022, 00:45). Only with initial successes were essential financial and personnel resources committed (DRC senior staff 3 2022, 00:05) but even then, the personnel structure was chaotic with international personnel rotating in and out on irregular bases and the nationality of staff officers in key positions changing from one country to another (DRC senior staff 3 2022, 00:45).

⁶⁵ When the term “Bosnians” is used, it implies the aggregate population of Bosnia, regardless of ethnicity. “Bosniaks” is used when referring to the population in the country previously referred to as “Bosnian Muslims.” It is critical in evaluating presentations to determine when the broader characterization is used whether in fact all of the ethnicities agree with the premises being offered.

The Commission functioned on two levels, full members supported by working groups, the latter to address specific topics such as policy and parliamentary oversight, legal and technical issues, and entity and implementation questions (DRC 2003, v). Decisions reportedly were made on a “consensus” basis although the consensus “was not a vote but rather an attitude that all would coalesce around. Locher and Ashdown made that happen” (NATO senior officer 5 2022, 12:00). NATO senior officer 2 observed that,

Jim (Locher) never put anything to a vote. He would talk and talk around them, at them, with them and eventually he would get to a point and his voice would change and say do we have a consensus on this issue. And nine times out of ten, people just looked kind of like okay. (NATO senior officer 2 2022)

The output of the defense reform process had to be consistent with the DPA-created Constitution that gave all powers to the entities not explicitly granted to the central government. Explicitly leaving out defense as a state-level role allowed the three wartime armies to remain in place in the country. The DRC legal staff concluded that the Bonn Powers could not be used to override this constitutional criterion, hence, an alternative route to constitutionality had to be created. Absent consultation with the Bosnian Constitutional Court (DRC senior staff 1 2022, 20:30), the Commission applied two theories to underwrite the legitimacy of the move to a single, multiethnic military institution. First, the legal staff argued under the constitution’s Article III.5 that the state may assume “un-enumerated powers”—presumably including defense—that are necessary for basic statehood. Second, it argued that each entity could constitutionally transfer its authorities, including in the defense area, voluntarily to the central government (DRC senior staff 1 2022, 02:20–08:00; DRC 2005, 37–39).

International members of the commission perceived similarities and differences among the three ethnicities. They were generally skeptical that Serbian and, to an extent,

Croatian entity members wanted to see defense reform happen (NATO senior officer 5 2022, 14:45) and frequently questioned the commitment of individual members that varied from truly believing in the concept of a multiethnic force to serving on the Commission because they were sent. The two smaller constituent peoples, having decided to participate on the DRC because they had no viable alternative, were seen as the major stumbling blocks to IO preferences on virtually any topic (NATO senior officer 2 2022). Serbs, the most stridently committed to retaining their ethnic force, were much more difficult to bring on board (DRC senior staff 2 2022, 24:15) and frequently complained about the imbalance of the international actors, a result particularly created by the US Equip and Train program that delivered more advanced training and equipment exclusively to the VF (NATO senior officer 2 2022). Croats were seen as primarily concerned for parity in institutions and keeping some level of decision-making influence. Bosniaks, as the largest Bosnian community and aligned with IO preferences, were consistently in favor of any step to create a strong central government, and particularly an army with a single chain of command (DRC senior staff 1 2022, 00:08, 01:00).

Among the permanent observers, Moscow's presence was critical. The Russian brigade operating under SFOR in the American-led zone was seen as obstructionist in the execution of the Dayton Accord although the Russian observers at the DRC, the Russian embassy's deputy chiefs of mission, Ambassadors Shuvalov and Grishchenko, prodded the Serbs (Locher 2013; NATO senior officer 2 2013, 33).⁶⁶

⁶⁶ Grishchenko reportedly stated that Moscow wanted defense reform resolved due to its drain on Russian resources and told DRC Chairman Locher that he should not "pay any attention to assertions to the contrary as Moscow wants the DRC to be a success" (DRC senior staff 3 2022, 46:45).

The commission published its recommendations in, “The Path to the Partnership for Peace,” in September 2003; its findings subsequently codified into the LoD of 2003.⁶⁷ The law established state supremacy in military matters with the state presidency exercising civilian control and, as a collective body, acting as the commander-in-chief. Although action at the presidential level required unanimity among the three members, presidency competencies were to include: operational and administrative command of the armed forces; responsibility for strategy and policy; mobilization, deployment, and employment of forces; appointment of general officers; and oversight of strategic and operational military intelligence.

Subordinate to the presidency, the law defined a “hybrid” military institution that divided defense competencies between the state-level government in Sarajevo and the two entity governments in Banja Luka and Sarajevo. At the state level, DRC I established an MoD and JS with responsibility for all BiH military operations. The multi-ethnically manned MoD with a minister and two deputies, each from a different ethnic community, would support the multiethnic presidency. The multi-ethnically manned JS would establish policies as directed by the presidency, advise the presidency on military matters, and transmit orders to an Operational Command headquarters that controlled all operational VRS and VF units. Administrative and support competencies,

⁶⁷ In parallel with the 2003 LoD, the state enacted a partner Law on Service that established a common personnel system based on a comprehensive personnel management strategy, guidelines, and policies. It applied to all professional military and reserve personnel as well as civilians employed by the Armed Forces. The most significant topics included: accession processes; rights, duties, and responsibilities of personnel; healthcare; pensions and disability; salaries, allowances, and other benefits; standards of conduct; records management; personnel occupation classification; career management and promotion; evaluation; decorations, awards, and commendations; disciplinary responsibility; and termination of military service (DRC 2003, 91–114).

however, stayed with the two entity ministries of defense and their General Staff/JC, each responsible for personnel, training, logistics, and acquisition (DRC 2003, 7–25; Maxwell and Olsen 2013, 33–40). In reality, however, operations commanded at the state level were few and of little significance. The real power in the military domain remained with the two entities that kept the support functions under their respective civilian ministries of defense and principal uniformed staffs. The structure is reflected in Figure 9 below.

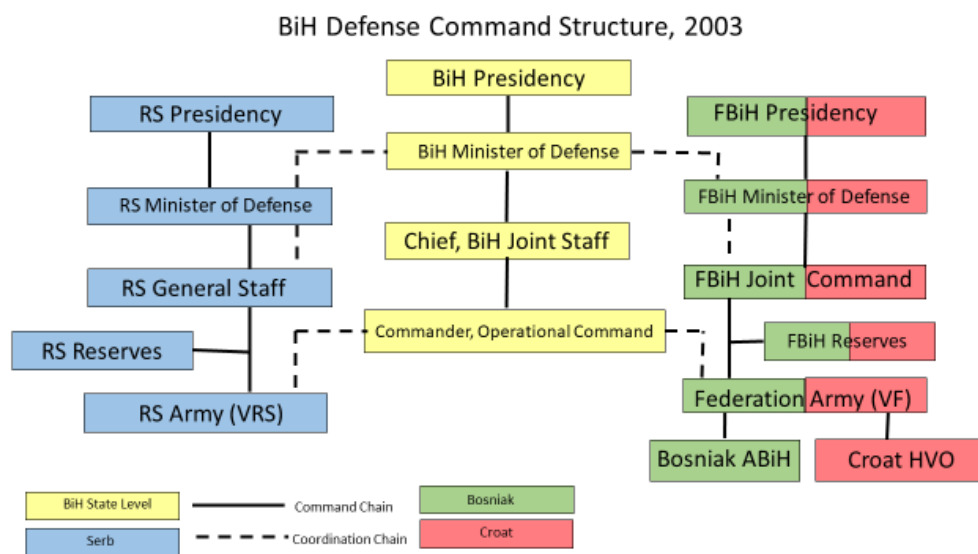


Figure 9. BiH Defense Command Structure, 2003⁶⁸

Note: It is derived from a figure in “Destination NATO” (Maxwell and Olsen 2013, 40).

Given the apparent success of the 2003 DRC against a perceived insurmountable challenge, defense reform became the institutional development model in BiH, suggesting what might be possible in other areas, including police reform (DRC senior staff 3 20 22, 15:45, 24:00; DRC senior staff 1 2022, 31:30).

⁶⁸ This author has supplemented the original to show the bifurcation of the FBiH military institution between Bosniak and Croatian components with separate chains of command for the Bosniak (ABiH) and Croatian (HVO) tactical units. The command and coordination relationships shown here reflect a non-operational structure.

Turning again to Tsebelis-inspired graphics synthesizing this phase, the arrival of Lord Ashdown as the HR in 2002 created a discontinuity, as shown in Figure 10 below, in the IO priority for establishing a single multiethnic army in Bosnia. Ashdown's intent from the beginning was to create a single multiethnic military in Bosnia. Achieving success, however, would be a multi-step process originally expected to complete in 2007. The first step was to establish a hybrid institution in 2003 that would divide defense competencies between the entities and the state. While the IO ideal point for the long term remained at the right extreme of their indifference curve near "all defense competencies at state level," with the 2003 DRC, a short-term IO ideal point moved substantially toward the hybrid institution locale while the left bound of the IO indifference curve was withdrawn to encompass options immediately in the vicinity of the hybrid institution position.

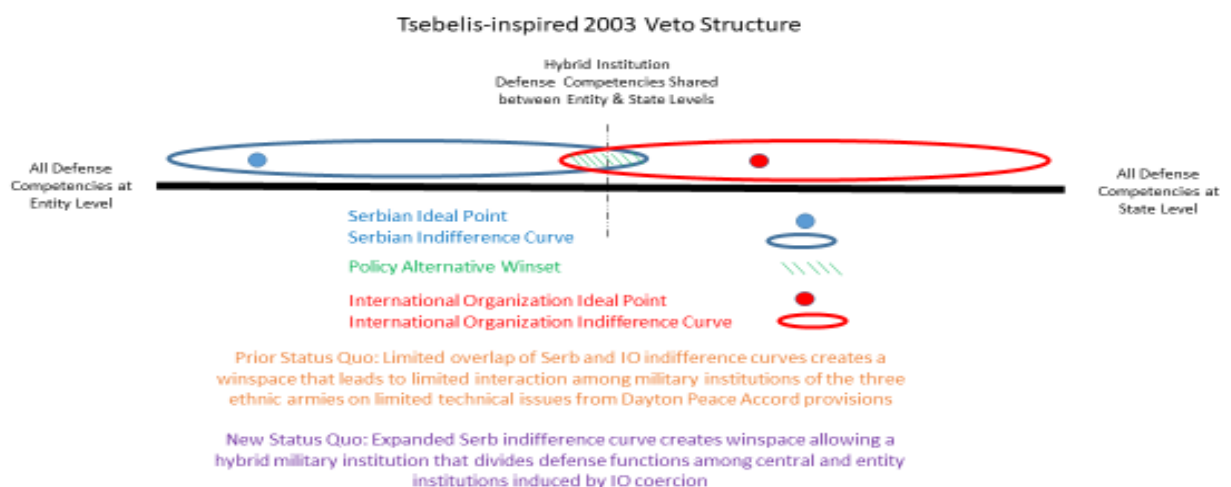


Figure 10. Tsebelis-Inspired 2003 Veto Structure (adapted from Tsebelis 2002)

Serbs, on the other hand, continued to resist loss of the VRS and kept their ideal point close to the point of “all defense competencies at entity level.” Drawing from the earlier discussion on coercion and given the enormous sanctions imposed by Lord Ashdown on military and civilian individuals accused in the Orao scandal, the RS political leadership extended its indifference curve beyond the point at which a hybrid defense institution could be realized and a range of options appeared in the resulting winset. The output of that veto structure emerged as the 2003 LoD. As in the assessment of the 1996–2002 period, events around the 2003 DRC process provide additional indications that this study’s hypothesis H_{c2}—that coercion was part of the “why” in this puzzle of the Serbian policy change—may be supported.

Prologue to Defense Reform Commission II

The IO push in 2003 aimed to get the LoD of 2003 through the PABiH. Serbs believed that the 2003 process was the final phase of the defense reform effort. They had a deal that would reduce the number of people on active duty and create a state level operational structure but the real control of the military remained with the entity ministries of defense managing the administrative structure responsible for personnel, training, logistics, and acquisition (Serbian RS politician 10 2022).

After passage of the 2003 bill, little progress was made toward implementation (NATO senior officer 2 2022, 4). Reform of the personnel structure was a significant challenge. Manning of military positions took most of 2004, complicated by the ethnically defined distribution of the key leadership positions, the presidential decision to retire all currently serving general officers and replace them with quickly promoted colonels (Bosniak politician 4 2022, 36:15), and the imposed requirement for vetting by

the NATO commander of candidates for all significant defense-related positions (NATO senior officer 3 2022). Establishing the civilian presence in the military institution dragged on even more. Further frustrating international authorities, ambiguities arose over the scope of state-level control of operations—did the Operations Command have responsibility for all tactical units in the armed forces or rather just the honor guard and a few minor elements actually operating in the field (UN observers in several peacekeeping missions, a platoon in Iraq, etc.; Maxwell and Olsen 2013, 38–43)?

Challenges notwithstanding, limited progress did occur. The multiethnic honor guard and a multiethnic explosive ordnance disposal platoon were created, the VF and VRS significantly reduced manning levels, important concepts and analyses were developed for further implementation, and earlier commitments were reiterated to join PfP and NATO. But, despite these accomplishments, NATO did not invite BiH to the PfP at its 2004 summit as expected, citing the failure of the country, and especially RS, to apprehend and transfer to The Hague individuals indicted for war crimes by the ICTY. This led to the HR's assertions that the diffused structure of the military institution was still inadequate and that creating complete state-level competency in the defense domain was essential (Maxwell and Olsen 2013, 44–45).

Defense Reform Commission II

Lord Ashdown created DRC II on December, 31 2004, as a continuation of DRC I (DRC 2005, 173–178). Serbs, however, argued that they had been deceived, that a second phase that would abolish the entity ministries of defense and centralize all aspects of the military institution at the state level had never been on the table (Serbian RS

politician 10 2022; Stankovic 2005a). In fact, the follow-on commission's formal mandate going in was to,

examine and propose the legal and institutional measures necessary to enhance state-level command-and-control, promote cooperation with the ICTY, achieve fiscal sustainability, strengthen parliamentary oversight, and promote development of a single military force by *transferring the competencies of the entity ministries of defense to the level of the State of Bosnia and Hercegovina* and implement further the Commission's recommendations. (DRC 2005, 175; emphasis added by author)

In executing this mandate, the Commission's output was preordained and impossible to reconcile with the DPA Annex 10 definition of the HR's authorities, or even with the so-called "Bonn Powers," as members were explicitly enjoined, among other direction, to,

transfer all entity defense competencies to the state and dissolve the entity ministries of defense and chains of command, to monitor all senior-level personnel appointments in the military institution, to draft and implement a single defense budget, to complete and implement a single personnel system, and to identify any other reforms needed to develop a single military force. (DRC 2005, 175–177)

While the public catalyst for the initial phase of defense reform was the Orao scandal, the HR used as the public rationale for the second phase the alleged collusion by RS officials assisting individuals indicted on war crimes charges by the ICTY to avoid apprehension (DRC 2005, 179–184; Maxwell and Olsen 2013, 45n).

The "Decision Extending the Mandate of the Defense Reform Commission" (DRC 2005, 175–178) provided that DRC II would be co-chaired by the DRC I-created state-level Minister of Defense, Bosnian Serb Nikola Radovanovic, and Raffi Gregorian, an American from NATO Headquarters in Sarajevo (Serbian state-level politician 5 2021a). The Commission would be vice-chaired by British MG (Retired) John Drewienkiewicz, the OSCE Director of Security Cooperation (DRC 2005, iii). Additional DRC II membership consisted of senior Bosnian state and entity leaders, the commander

of the EUFOR that had replaced NATO's SFOR, and representatives of NATO, the European Union and OSCE. Permanent observers from the US, Turkey and Russia were again invited (DRC 2005, 177).

Although it generally maintained the earlier structure, DRC II began with much more robust personnel and resources than had been the case for DRC I, although the quality of the members differed, particularly on the international side (NATO senior officer 2 2022, 4). Once again, the Commission functioned on two levels, full members supported by working groups focused on eleven topic areas. The major change was the introduction of additional international experts into the working groups, the most significant of which were from the American consulting firm MPRI that contracted out the services of former American military personnel for tasks worldwide. Staffed by subject matter experts framed in American processes, MPRI provided initial draft documents to the working groups. While criticized as "US centric" in its prescriptions, MPRI's advance preparation established the baseline for working group deliberations on alternatives to be debated and taken forward (NATO senior officer 2 2022, 10-11).⁶⁹ Even Bosniaks, however, chafed at what appeared to be a predefined process in which documents were initiated by IO staff with even state presidency members able only to

⁶⁹ From a Serbian perspective, MPRI did not come into the defense reform process without baggage. During the latter stages of the Bosnian civil war, MPRI played a major organizing and planning role for the Croatian Army in its preparation and execution of Operation Storm, the major assault that drove the Serbian population out of the "Krajina" regions of Croatia where these Serbs had been the preponderant majority for centuries. During and after the civil war, the company executed a Train and Equip program funded by the US government that brought more modern equipment and effective training exclusively to the VF and to the exclusion of the VRS. This program played a major role in realigning the balance of combat power among the three ethnicities and was cited repeatedly by Serbs as a manifestation of the biases of IOs toward the three ethnicities.

make small, cosmetic changes (Bosniak DRC 3 2022) and unresolved issues delegated to the DRC president who became the arbiter to “balance the level of frustration rather than the level of satisfaction” (Bosniak politician 1 2022, 07:15).

While indigenous members of the Commission reflected the interests and perceptions of their respective communities, international members again shared generally similar views of each ethnic delegation. All acknowledged that the value contributed by individual members varied within each ethnic group, some present only having been directed to participate by superiors whereas others felt they were contributing to a worthwhile effort (Serbian state-level politician 1 2021b, 2). Serbs continued to be seen as recalcitrant. Unhappy because they considered the second phase of the DRC to have been imposed upon them by Ashdown, they threatened not to cooperate,⁷⁰ but ultimately engaged, given the positive predisposition of RS President Cavic (OHR 1 2022, 3). On the other hand, Serbs provided professional insights given that most had received pre-civil war military education and experience as officers in the JNA, and once Serbs agreed to a resolution, they generally stuck to it (DRC senior staff 3 2022, 46:45). Bosnian Croats, seeing Croatia’s effort to join NATO and their own desire to throw off the limitations imposed upon them by the Washington Agreement, stuck to their goals of equality among the ethnicities in decision-making authority, designation of positions by ethnicity, and proportional location of units and installations in areas populated predominantly by Croats (NATO senior officer 2, 2022, 7 OHR 1 2022, 4, 8–

⁷⁰ OHR 1 states that RS President Cavic concluded that, since the RS acceding to anything short of a single, multiethnic military institution would come at a significant political price, he might as well agree to go all the way to a state level military institution (OHR 1 2022, 3).

9). Croatian negotiating style, however, was characterized as “North Korean,” waiting for the other parties to agree on a topic and then raising a new issue prior to consenting (OHR 1 2022, 4). Bosniaks, on the other hand, were seen as the only ethnicity with a real interest in centralized institutions, including a unified and robust armed force. Given the demographic trends in the BiH, however, Bosniak insistence that “unified states are democratic states” only created further mistrust among the other two ethnicities (NATO senior officer 2 2022, 4).

The issues around capabilities, personnel, and physical infrastructures of the new military institution raised the most contentious issues. From a capability perspective, Bosniaks strove for a robust military mimicking full-capability European force structures with tight command-and-control and a substantial conscript cadre (NATO senior officer 3 2022, 52:00). The major hurdle to this vision was always the position of how the two smaller constituent peoples would be protected, assuring their share of personnel and the location of capabilities (NATO senior officer 2 2022, 4). Croats and Serbs remained skeptical of a robust military with a rigorous chain of command given concern for domination by a much larger Bosniak demography and reflecting the Croat experience following the Washington Agreement. At the extreme, Serbs pushed for demilitarization of the country, citing the absence of any external threat to the territorial integrity or sovereignty of the Bosnian state.

From a personnel perspective, two issues predominated. The first questioned how organizational levels and chains of command would be restructured, accounting for the ethnic makeup of the institution. The international community and Bosniaks supported direct and unambiguous lines of command among closely integrated echelons and

emphasizing “state-level” considerations in military decision-making. The minority populations argued for numerical equality and position parity in representation among the ethnicities. Core was the requirement for “consensus”—essentially veto power—at each level of command. Ultimately, the Commission directed that the three most senior positions—the minister, chief of the JS and commander of the Operational Command—would come from different ethnicities. In addition, each principal would have deputies from the other two ethnicities and that decisions at each level would require agreement among the principal and two deputies. Surprisingly, the main holdouts turned out to be the Bosniaks (OHR 1 2022, 5). In the end, DRC II established a single line of command originating at the BiH presidency that proceeded through the MoD and JS to the commander of the Operational Command controlling the operational forces through the infantry, Tactical Support (TSB), and Air Force and Air Defense (AF/ADB) brigades and to the commander of the Support Command directing the personnel, training, logistics, and acquisition functions of the force.

The second personnel issue was the extent to which units would be monoethnic or multiethnic. While international and Bosniak Commission members argued for increased multi-ethnicity, Serbs envisioned some level of monoethnic elements, particularly for the infantry, the most significant combat capability given the terrain over which most of a renewed civil war would be fought. The Serb argument for monoethnic infantry brigades would essentially continue the status quo (Serbian RS politician 11 2021). Ultimately, the Commission agreed to the creation of three monoethnic infantry battalions from each ethnicity that would be consolidated into three multiethnic infantry brigades each

composed of one monoethnic infantry battalion from each community. All other branches and services would be composed of mixed ethnicities.⁷¹

Physical infrastructure issues arose over how capabilities and equipment would be distributed. Most basic was the question of which services would be created. Naval and air components were contentious. With only a nine-kilometer littoral on the Adriatic Sea, creation of a Bosnian navy was rejected as was acquisition of fixed-wing jet aircraft given their associated costs. The commission, instead decided in favor of small maritime patrol capabilities housed in the border police and an aviation component limited to rotary-wing helicopter aircraft (NATO senior officer 3 2022, 50:00; OHR 1 2022). Within the ground force, questions arose as to the types and sources of equipment that the new institution would adopt (Serbian state-level politician 5 2022). While most of the equipment at the end of the civil war was of Soviet heritage from the former Yugoslav People's Army (JNA), the influx of western equipment, particularly from the American Equip and Train program, raised questions. This was most apparent in the armored force where the US supplied upgraded M-60 tanks to the Federation Army whereas the VRS employed older and less capable Soviet-era T-72/M-84 systems. The resolution, that retained the 2:1 ratio, was a multiethnic, single tank battalion composed of two thirds M-60 tanks and one third T-72/M-84 systems (Serbian state-level politician 5 2021b).

Geographical distribution of capabilities and equipment formed the second level of physical infrastructure concern (OHR 1 2022). At the most senior level, the issue was

⁷¹ Some observers speculated that, in the case of renewed civil war, mixed units would, in any case, quickly dissolve with individual personnel returning to their ethnic communities and, thus, facilitating the rapid recreation of three antagonistic armies (NATO senior officer 2 2022, 4).

where to place the MoD, JS, and Operational Command, while maintaining the 2:1 ratio between the FBiH and the RS. While locating the MoD and JS in the Federation portion of Sarajevo was straightforward, placement of the Operational Command in RS was problematic. Serbs lobbied for Banja Luka, but the distance from the other two headquarters portended significant command-and-control problems. Ultimately, the Operational Command was established barely inside the portion of Sarajevo that is part of the RS, co-located at Camp Butmir with the then-SFOR (now EUFOR) headquarters (NATO senior officer 2 2022, 2). See Figure 11 on the next page. A fourth command, the Support Command, was located in Banja Luka, in the heart of the RS and far removed from the Sarajevo core of the senior-level institutional leadership.

Distribution of the brigade-size elements and tactical units also had to conform to the approximate 2:1 ratio. The three major tactical commands, the infantry brigades, were divided with one in the RS and two in the Federation, although the Federation brigades were headquartered with one in predominantly Bosniak Tuzla and the other in predominantly Croatian Capljina. The TSB and Training and Doctrine Command (TDC) headquarters were located in the Federation and the Logistics Command (LC) and AF/ABD headquarters in the RS, although the latter with only one helicopter battalion.



Figure 11. Placement of the Operational Command in the RS

Note: https://satellites.pro/Google_plan/East_New_Sarajevo_map Downloaded October 15, 2022.

The approximate 2:1 ratio continued at the tactical level inside the Operational Command. The armor,⁷² de-mining, military intelligence, and military police battalions, and the chemical/biological/radiological/nuclear company were placed in the Federation

⁷² While not shown in the structure of the Operational Command, a mechanized infantry battalion equipped with light-skinned armored personnel carriers that provide some limited mounted and armored balance against the armor battalion in the Federation was assigned to the TDC but located at the Manjaca training site in RS (author's personal observation).

while the engineer and signal battalions were placed in RS, as shown in Figure 12 below.⁷³

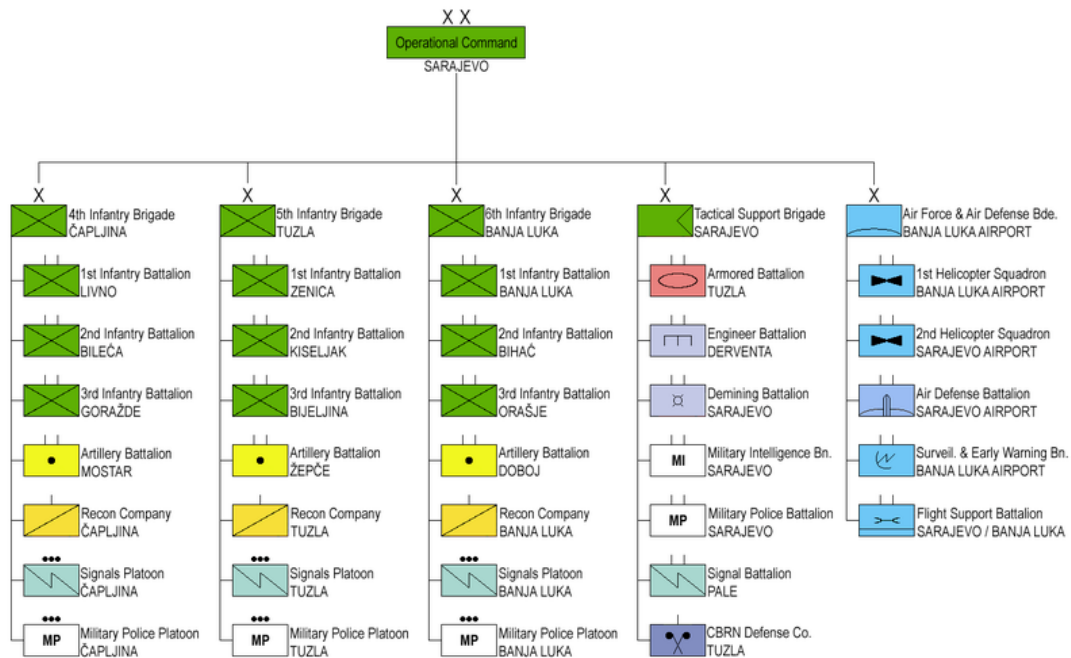


Figure 12. Locations and Organizations of Brigade and Below Elements

Note: https://commons.wikimedia.org/wiki/File:Armed_Forces_Bosnia_Hercegovina_-_Operational_Command.png. Downloaded December 5, 2022

Defense reform and support of ICTY efforts were independent of one another during the first step of the defense reform process (NATO senior officer 5 2022, 1:17:00). By the end of 2004, however, NATO's rejection of the BiH application for PfP membership, the letter of the NATO Secretary-General emphasizing the requirement for full cooperation with The Hague process, and the HR statement that alleged RS officials

⁷³ The distribution of storage/warehouse locations was an unresolved concern for the Croats. With only two such sites in the country, one in the RS and one in the Bosniak portion of the Federation, in the event of renewed interethnic violence, Croat access to ammunition and other critical supplies would require Croats to cross predominantly Bosniak territory and engage predominantly Bosniak security elements at those storage locations (NATO senior officer 2 2022, 4).

abetting the obstruction of apprehension of those indicted by the ICTY tied the two efforts into requirements for PfP membership and served as the basis for the extension of DRC II (DRC 2005, 179–186).⁷⁴

An additional question arose, questioning if or how the legacy of the three ethnic armies would or would not be preserved in the multiethnic military institution. Serbs saw the VRS as a legitimate fighting force protecting the Serbian population in the country, a heritage to be preserved and protected. Bosniaks, on the other hand, characterized the VRS as a criminal organization (Serbian state-level politician 5 2021a). Establishment of a regimental system, although limited only to infantry elements,⁷⁵ resolved the issue among the three ethnicities. The output was the creation of three “ceremonial” monoethnic “regiments” with no operational, training, or administrative authority other than protecting the heritage of each of the three civil war armies. Manned by a headquarters staff of 10 or fewer personnel, the regiment would be responsible only for maintaining the regimental history and museum, preserving artifacts, coordinating ceremonies, managing the regimental fund, protecting regimental customs, and operating officer, noncommissioned (NCO), and junior rank messes (DRC 2005, 25–28).

⁷⁴ While initially not a precondition for accession to NATO’s PfP program, by 2004 cooperation with the ICTY and the capture of persons indicted for possible war crimes became the principal impediment to PfP membership. “The indicted war criminals issue was what held everything back. If there were a resolution of this, the rest would have fallen in line” (NATO senior officer 5 2022, 1:17:00). Nonetheless, BiH was admitted to full PfP membership in 2006 despite not meeting the ICTY cooperation criterion (Gregorian 2015, 99).

⁷⁵ While the 2005 LoD also calls for regiments for other branches beside the infantry, these regiments would be multiethnic. As of this writing, only the monoethnic infantry regiments have been established.

In the end, the 2005 LoD⁷⁶ established the legal framework for the single, multiethnic military institution in BiH. It transferred all defense related competencies to the state level, closed the entity ministries of defense and military commands and established a single chain of command from the tripartite presidency of the BIH through an MoD and JS to Operational and Support Commands. The law required equal representation among the ethnicities at senior decision-making levels. Twelve general officer positions were established and divided 4/4/4 among the ethnic groups. The three most senior civilian and uniformed officials would come from different ethnicities with the principal and two deputies at each level from the different constituent peoples.

⁷⁶ In 2005, as in 2003, the state and entity legislatures enacted a parallel Law on Service. Supplementing the LoD, the Law on Service established a common personnel system based on a comprehensive personnel management strategy, personnel management guidelines, and personnel management policies (DRC 2005, 91–158; Maxwell and Olsen 2013, 46–51).

BiH Defense Command Structure, 2005

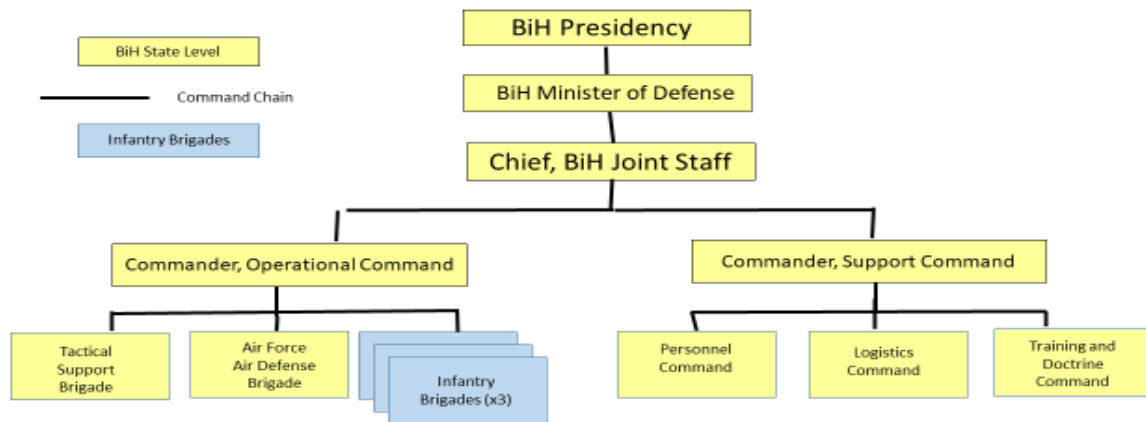


Figure 13. BiH Defense Command Structure, 2005

Note: Figure 13 is derived from a figure in “Destination NATO” (Maxwell and Olsen 2013, 70).

DRC II was trumpeted as a signal success. IOs considered the outcome critical for national security, both internal and external, and a precedent in the region (Gregorian 2015, 98–102).

For years afterward, politicians in Bosnia would point to it as an example and say this is the way institutional reform ought to be done because of its publicly visible nature, and the fact that the Armed Forces are the most trusted institution, government institution, in Bosnia [Gregorian 2020, 10]. “All things considered, defense reform was the most dramatic success by NATO in the Balkans. (Gregorian 2015, 98–102)

Turning again to a synthesis applying a graphic inspired by Tsebelis, the final phase of military reform in BiH saw dramatic changes in the veto structure of both the IOs and the Serbian community. Having achieved the desired interim output with the 2003 LoD, Lord Ashdown mandated a second extension of the DRC that fully defined all competencies of the intended military institution at the state level. In so doing the HR returned the IO ideal point to the extreme right of the defense competency spectrum,

placing all competencies with the state-level government in Sarajevo. Moreover, he further withdrew the leftmost extent of the IO indifference curve back toward a single multiethnic military institution from its previous location bounding across the point where a hybrid institution would be acceptable. This is shown in Figure 14 below.

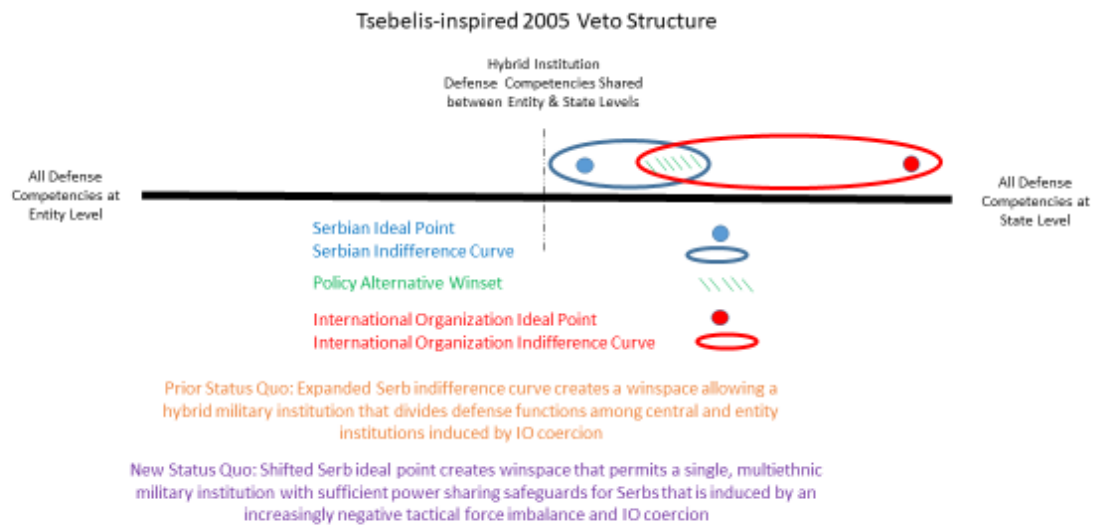


Figure 14. Tsebelis-Inspired 2005 Veto Structure (adapted from Tsebelis 2002)

Drawing from the earlier discussion of Serbian perceptions of a dangerously modified tactical balance of power, it seems reasonable that the RS political leadership recognized the impossibility of improving the tactical capability of the ethnic Serbian army to match its potential opponent and determined that it must instead take steps to eliminate, at least mitigate, VF capabilities. The mechanism to accomplish this would be the creation of a single, multiethnic force structured with military power sharing provisions that would provide the RS with both insights to and vetoes over any Bosniak or Croatian military initiatives that could threaten RS while retaining a substantial purely

Serbian combat capability. While this option would lead to the elimination of the VRS, it also led to the demise of an ever more threatening VF. Based on this, it could be argued that the Serbian leadership moved its ideal point from the extreme location at which all defense competencies would be at the entity level to a point beyond a hybrid military institution, one that would accept solutions based on the single multiethnic force. Further, the extreme coercion applied by Ashdown that decapitated SDS reinforced Serbian willingness to extend its indifference curve and agree to previously unacceptable provisions within the newly established winset. The output of that veto structure emerged as the 2005 LoD. As revealed in the earlier three stages of defense reform in Bosnia, the processes by which the 2005 DRC came to its findings provide indications that three of the hypotheses of this research— H_{c2} , H_{c3} , and H_{c4} —may be supported. Examination of the acquired data analyzed in the following “Findings” and “Conclusions” chapters.

FINDINGS

The Definitive Phase of the Defense Reform Process

Lead-Up to the Decision

The definitive phase of the defense reform process began on December 31, 2004, when Lord Ashdown extended the DRC mandate through 2005. Three numbered paragraphs of Article 2 of the OHR decision laid out the DRC's direction and defined the structure of an all-Bosnian military institution even before the Commission's first meeting. Paragraph 1 directed the DRC to develop measures that assured comprehensive state-level command-and-control of the armed force. Paragraph 2 established cooperation with the ICTY as a priority. Paragraph 4 *de facto* defined the architecture of the reformed military institution that would supersede the "hybrid" structure established by the DRC in 2003. All responsibilities of the RS and the FBiH defense institutions for administrative and support functions would transfer to the state-level MoD and JS that already exercised control over operational matters. The ministries of defense and commands of both entities would then dissolve (DRC 2005, 175–176).

On December 25, 2004,⁷⁷ a week prior to Ashdown's directive specifying his intended outcomes, the six major Bosnian Serb parliamentary parties signed an "Agreement on the Principles of Coordinated Political Action." Therein, the leaders of the parties controlling 64 seats in the 83-seat NSRS established a broad platform for the creation of a new entity government. Articles 3 and 4 of the declaration specified a six-party front on defense matters. Among other provisions, the agreement provided for

⁷⁷ Serbian Orthodox Christians celebrate religious holidays according to the Julian calendar, which puts Serbian Orthodox Christmas on January 7.

professionalization of the force, demilitarization of the country and the abolition of conscription. Most important, and in direct conflict with HR's directive, the declaration asserted that entity ministries of defense and commands would continue their constitutional roles (NSRS 2005).

Three months later, the NSRS addressed Lord Ashdown's extension of the defense reform process at its March 18, 2005 session. The vast majority of speakers supported the most significant provision of December's six-party declaration, that the ethnic communities would maintain their "hybrid" structure competencies in the defense domain and, specifically, that the RS would retain its MoD and General Staff. The president of the RS and president of the largest parliamentary party, the SDS, Dragan Cavic, opposed the abolition of the RS military institution, noting that the "reforms must not be a means to change" the current constitutional structure (OHR 2005). Milan Lazic speaking for the Serbian Radical Party (SRS VS) characterized Ashdown's initiative not as defense reform but rather as an effort to eliminate RS as an autonomous entity within BiH. Milorad Dodik, president of the Alliance of Independent Social Democrats (SNSD), challenged the HR to prove that his claim of RS obstruction of the ICTY process was something other than a pretext for suppression of RS (OHR 2005). At the close of the March 18 session, NSRS parliamentarians directed RS members of the DRC *inter alia* to argue that there was no requirement to disband entity military institutions and to transfer their RS defense competencies to the state level (OHR 2005).

Decision in the National Assembly

The NSRS met on August 30, 2005 to vote on changes to the RS constitution, and law required for consistency with the proposed new state-level 2005 LoD. Examination

of written party positions submitted to the NSRS in advance of the meeting, transcripts of the session, and comments by party leaders revealed three advocacy coalitions active in the RS 2005 military policy subsystem. These were: a coalition composed of Serbian parties supporting the single, minimalist multiethnic military institution, ultimately leading to demilitarization (hereafter the Serbian Yes, or SY, coalition); a coalition composed of Bosniak-aligned parties supporting a single, but robust multiethnic military institution opposed to demilitarization (hereafter the Bosniak Yes, or BY, coalition); and a coalition composed of Serbian parties and interest groups opposed to the creation of a single multiethnic military institution but nonetheless supportive of demilitarization (hereafter the Serbian No, or SN, coalition; See Table 2)

The SY coalition, composed of the three largest Serbian parties, reversed course from the commitments they undertook on December 25, 2004, and March 18, 2005, to retain the entity ministries of defense and commands and the competencies left to them in the “hybrid” military institution defined by the 2003 LoD. With control of a majority of seats in the NSRS (54 of the 83 mandates), approval by the RS legislature of changes to the entity’s law and constitution required for the single multiethnic military institution was a given (Sakan 2005; Stankovic 2005b). The SY coalition rejected opposition arguments that processes being employed by the international community to achieve its preferred single military institution were unconstitutional and opposed calls by opponents for a referendum on the issue (See the “Support the Process” column in Table 2). SY parties argued in response that the state-level structure would deal more positively with considerations of internal stability and endorsed three key aspects of the proposed force structure: demilitarization as the ultimate end state for the military institution; termination

of both conscription and extensive reserve forces; and location of one third of military assets in the RS (See the “Nature of the Force and Economic Factors” columns in Table 2). From a political perspective, SY parties rejected the opposition position that defense reform would be a precursor to a much more sinister centralization of police functions and a threat to the continued autonomy of the RS. Finally, the SY advocacy coalition looked to a single reduced, professional force moving toward demilitarization to mitigate unsustainable financial burdens but with entity retention of ownership of military installations on their territory (See the “Nature of the Force,” “Political Factors,” and “Economic Factors” columns in Table 2).

Party Position on Category		Voting Criteria by Party & Coalition					
Support							
Oppose							
Ambiguous							
No position detected							
	Multiethnic Force	Support the Process	Tactical Factors	Nature of the Force	Political Factors	Economic Factors	
Party	Serbian Minimal Multiethnic Military Institution (SY) Coalition						
SDS	Support						
PDP							
SNSD							
	Bosniak Robust Multiethnic Military Institution (BY) Coalition						
SDA	Support			Oppose	Ambiguous	Oppose	
SBiH	Ambiguous			Oppose	Ambiguous	Support	
	Serbian Coalition Opposed to Multiethnic Military Institution (SN)						
SRS -VS	Oppose			Support		Ambiguous	
SRS -RS							
Center Group	Ambiguous			Support		Support	
SP RS							
DNS-SNS	Oppose			Ambiguous		Ambiguous	
Veterans				Support			
Prisoners				Support			
Refugees				Support			
Aggregate characterizations of party positions are determined by the relative significance of factors in a category of variables							

Table 2. Voting Criteria by Party and Coalition⁷⁸

⁷⁸ Table created by author based on interview and documentary sources. A more detailed breakdown of voting criteria by party and coalition is shown in Appendix 1.

The BY coalition, with a similar policy disposition to many aspects of the SY coalition positions, differed fundamentally from both Serbian advocacy coalitions on the most critical features. The SDA and the SBiH that controlled 10 of the 83 seats in the NSRS were, in fact, appendages of the broader, statewide Bosnian Muslim SDA and SBiH party structures. They honed rigorously to the Bosniak-centered policies of the Sarajevo-based Bosnia-wide political organizations pushing for ever-stronger central institutions. In the defense domain, this led to the BY coalition advocating alternatives that would have created a formidable state-level military institution in three key ways but fundamentally at odds with the Serbian coalitions. Bosniak representatives fervently opposed demilitarization, insisting on a robust and technologically modern military institution. BY called for a significant pool of conscripts and reservists as backup to the active force. Moreover, SDA and SBiH legislators argued for all RS military installations to be turned over to and owned by the state-level MoD (See the “Nature of the Force” and “Economic Factors” columns in Table 2).

The SN coalition aligned with the SY coalition on several policy choices. The differences between the two on other questions, however, were wide and strong. SN and SY agreed that Bosnia’s armed forces should evolve over a few years from a small, professional force to full demilitarization. Conscription would terminate and the reserve structure would be severely limited. Further, the Serbian portion of the force would be located on RS territory and existing military installations would remain the property of the respective entities, although components of the new state-level MoD and AFBiH could use them on a tenant basis (See the “Nature of the Force and Economic Factors” column in Table 2). On the other hand, the SN coalition flatly opposed the DRC

preference for a single, multiethnic military institution, contending that the “hybrid” institution defined in the LoD of 2003 was the least inappropriate for the political realities in the country and met the prerequisites for membership in the NATO PfP (See the “Multiethnic Force” column in Table 2). SN representatives characterized the defense reform process imposed by the IOs as unconstitutional and called for a referendum in the RS on the legitimacy of the proposed new structure. Serious concerns were raised for the future of the RS as an autonomous political institution and the Serbian population within it. Internal and external security of the entity would be undermined were the VRS disbanded and security for Serbs placed in the hands of a domestic military force dominated by the Bosnian Muslim population that Serbs had fought in a brutal civil war a decade earlier or given over to an international military alliance that had demonstrated its hostility to the Serbian population onward from 1995. SN parties challenged SY acquiescence to international preferences with political concerns: the state-level military institution might be further “reformed” arbitrarily to RS detriment after 2005; symbolism of the entity’s autonomy enhanced by the presence of an ethnic standing army would be lost; and Serbian acquiescence to a major structural modification of the military institution would lead to a more dangerous structural change with state-level centralization of the police function (See “Nature of the Force,” “Tactical Factors,” and “Political Factors” columns in Table 2).

Reflecting through the lens of the ACF on coalition interaction at the legislative party level, how do the aforementioned realities align with theory? The SY and SN coalitions shared the deep core belief or normative value placed on retention of RS and the protection of its Serbian constituents. The two Serbian coalitions differed, however, at

the policy core and secondary belief levels that defined how the normative deep core value would best be achieved. On the other hand, while the BY coalition could agree with the SY coalition at the policy core and secondary belief levels on many specific aspects of the proposed legislation, the Bosniak coalition differed profoundly from both Serbian advocacy coalitions at the deep core belief level, with BY valuing the creation of a highly centralized military institution over the Serbian deep core preference valuing the autonomy of RS above a state-level military force.

Additional Decision Insight from Party Leaders

The perspectives of individual senior party leaders provide additional granularity, explaining the Serbian acquiescence to the DRC-developed 2005 LoD. Table 3, on the following page, shows the positions taken by key leaders in each of the major parties in both of the Serbian advocacy coalitions. Most of those decision criteria are reflected in the previous discussion of the legislative interactions leading to the August 30, 2005 policy output. However, several additional decision criteria arise from the perspectives of the party elites.

The most obvious additional insight was the significance of coercion by IO officials on the RS elite decision process. As reflected in the column labeled “Coercion” in Table 3, of the 14 Serbian party leaders interviewed,⁷⁹ only two failed to mention the coercion factor, and a third, from one of the lesser Serbian parties, provided an ambiguous response, saying that he had not been subject to coercion but knew that many other prominent leaders had been. The first of the most prominently mentioned cases was

⁷⁹ One party leader was not available for interview. His personal positions were derived from NSRS transcripts.

the HR's unilateral dismissal of senior civilian and military personnel in the Serbian defense institution and military-related industries following the Orao Affair in 2002/2003 that was used as the justification for creation of the 2003 DRC. The second, used as the justification for extension of the DRC through 2005, was the decapitation of the SDS for alleged obstruction of the apprehension of individuals indicted on war crimes charges by the ICTY.

Voting Criteria by Party Elites												
Scale: Degree of Impact on Decision												
			Negative	Ambiguous	No Mention	Mentioned as non-factor	Very Minor	Minor	Nominal	Significant	Decisive	
	Party	Coercion	Tactical Vulnerability	Internal Stability	Military Power Sharing	International Vulnerability	Budget	No threat to RS Future (Police)	Symbolism loss unimportant	Euro-Atlantic Factors	Effectiveness	Support from Serbia/Russia
Pro-Single Force	SDS											
	PDP											
Coalition	SNSD											
Anti-Single Force	SRS											
	DNS											
	SP RS											

Table 3. Voting Criteria by Party Elites⁸⁰

⁸⁰ Table created by author based on interview and documentary sources. Cells shaded in blue indicate the relative importance an interlocutor gave to his decision in support of the 2005 LoD. White cells indicate that the interlocutor did not mention the criteria while criteria in gray were mentioned but explicitly described as non-factors. Green cells indicate that an interlocutor provided an ambiguous response that defied characterization as either support for or opposition to the integration of the three ethnic armies. Cells colored red and characterized as “negative” indicate that, based on that criterion, the respondent opposed approval of 2005 LoD. A detailed breakdown of voting criteria by individual party elite is shown in Appendix 2.

Leaders from all six Serbian parties also reinforced conclusions drawn from insights taken from the party and coalition perspectives above. They observed that neither Serbia nor Russia played a role in the RS acquiescence to the proposed 2005 LoD as shown in the column labeled “Support from Serbia/Russia.” Further, as shown in the column labeled “Effectiveness,” the elites from the three parties of the SY coalition, without dissent from the SN coalition leadership, reinforced that effectiveness of the proposed new force to conduct modern, conventional combat operations including defense of BiH borders was a non-factor, particularly given the absence of an external military threat from the neighboring states, Croatia, Serbia, and Montenegro.⁸¹ Further, Serbian supporters and opponents of the proposed institutional structure cited the profoundly different tactical balance that had evolved between the end of the civil war in 1995 and consideration of the 2005 LoD. These elites noted the increasingly negative capability of the VRS relative to the VF, particularly given the American “Equip and Train” program supporting the Federation military (see the column “Tactical Vulnerability”), as well as the regional imbalance resulting from the political upheaval in Serbia and Russia and Croatia’s move toward full NATO membership (see the column labeled “International Vulnerability”).

Serbian party leaders, as the parties and coalitions in the legislative setting, differed markedly on disbanding the RS MoD and VRS in favor of the single multiethnic

⁸¹ There was agreement among all three coalitions that the proposed single military institution would be effective in missions including international peacekeeping efforts, explosive ordnance disposal/de-mining, disaster relief operations, and assistance to civil authorities. Only the Bosniak coalition argued for a contemporary combat force designed for effective maneuver operations that included heavy weapons, mechanized and armored forces, sophisticated fixed-wing combat aircraft, and a naval capability.

military institution. The “Military Power Sharing” column reveals that, among SY coalition parties, SDS and PDP leaders cited military power-sharing aspects of the proposed new structure as a mechanism to increase the security of the entity and its population. Most prominent was the veto power over any defense related issue by any of the three ethnic members of the state presidency. Further, the law distributed on a rotating basis by ethnicity the most senior positions in the new structure—the minister of defense, chief of the JS and commanders of the Operational and Support Commands—each with two deputies from the remaining ethnicities. This arrangement assured to each ethnicity insight into any military moves that might be anticipated by another ethnic community and gave a veto at each level by requiring unanimity for decisions among the principal and both deputies. The AFBiH would be limited to 12 generals, four from each of the three ethnicities. All units except the infantry would be multiethnic further assuring that unilateral military operations by any ethnicity would be detected early and frustrated by the withdrawal of Serbian personnel from the multiethnic formations. A third of all military capabilities would be located in the RS including, as a last line of defense, three monoethnic Serbian infantry battalions. All Serbian parties went even further, continuing the preference for demilitarization of the society. This was driven by the recognition that NATO would enforce by any means retention of the 2:1 personnel and materiel disadvantage prescribed in Annex 1B of the DPA under which the RS labored, a detriment amplified by the qualitative benefits accruing to the VF as a result of the American Equip and Train initiative.

To the contrary, as shown in the column labeled “Internal Stability,” party leaders in the SN coalition rejected the notion that a domestic military institution dominated by

Bosnia's Muslim community would assure the stability of the country and the safety of the Serbian population, notwithstanding even the very significant military power sharing measures in the plan. Moreover, elites opposed to the 2005 DRC recommendation argued that abandonment of the VRS would eliminate a major symbol of RS autonomy within BiH and mitigate its claim to sovereignty while, simultaneously, establishing a precedent for the centralization of all police functions in the country and, thereby, creating a threat to the future of RS (see the columns labeled "Symbolism Loss Unimportant" and "No Threat to RS Future [Police]").

Analyses of Hypotheses

In the chapter on "Theory," this study established four hypotheses concerning the Bosnian Serb policy shift manifest in the approval by the NSRS of amendments to the entity's constitution and law to conform to the DRC proposed reform of the military institution in BiH. The four hypotheses are:

H_{c1}: The need for a combat effective armed force is necessary to explain the Bosnian Serb policy change.

H_{c2}: The shift in the balance of combat capability against the RS from 1995 to 2005 is necessary to explain the Bosnian Serb policy change.

H_{c3}: The coercion of RS political, military, and civil elites is necessary to explain the Bosnian Serb policy change.

H_{c4}: Together, the shift in the balance of combat capability against RS and IO coercion of RS leaders and parties provide a "minimally sufficient" explanation of the RS policy change.

H_{c1}: Need for a Combat Effective Armed Force

No Serbian leader in either Serbian advocacy coalition suggested that creation of an effective armed force capable of modern, conventional combat operations was a factor that drove support for the proposed amendments necessary to align RS strictures with the proposed 2005 LoD. Indeed, elites in each of the three parties composing the SY

coalition explicitly affirmed that creation of a military force built for effective tactical operations was not a consideration in their support for the legislation. Implicitly, however, creation of such a capability was inherently contradictory to a consideration repeatedly espoused by all six Serbian parties. From the December 25, 2004 “Agreement on the Principles of Coordinated Political Action,” through the March 18, 2005 session of the National Assembly to the definitive August 30 NSRS session, the members of the two coalitions proclaimed “demilitarization” the goal, a military institution that would make a combat capable force simply infeasible. Conclusion: Hypothesis H_{c1} is not supported.

H_{c2}: Shift in the Balance of Combat Capability

Deliberations in the NSRS and interviews with party elites clearly reveal the overwhelming impact that the change in relative combat power between the VRS and the VF had on RS military policy. The deep policy goal identified both in NSRS sessions and individual interviews was to ensure the security of the Serbian entity by minimizing the potential for a return of instability. Serbian interlocutors argued that, by the early 2000s, RS had lost the military advantage that it enjoyed at the signing of the DPA in 1995. By the beginning of the defense reform process in 2002, the RS was at a severe tactical disadvantage to the Federation in manpower and the number and capability of available tactical equipment. Further, the physical condition of the VRS had deteriorated. Rations and housing were insufficient to support the force, munitions and equipment remained unsecured, and the VRS was incapable of recruiting the number of soldiers it required. As a result, the RS goal became to develop a state-level military structure that could not endanger RS as an autonomous political entity from a military onslaught by a superior Bosniak and Croatian force underwritten by the US and its NATO partners.

Confronted with the NATO-enforced 2:1 capability ratio between the VF and the VRS, as dictated by Annex 1B of the DPA and augmented by the prohibitive costs of building up the war fighting capability of the VRS, such an approach to the security imperative was infeasible. The only viable alternative had to be mitigation of any potential military threat from the Federation. The RS applied two parallel techniques.

First, Serbs sought to eliminate any potential for VF to conduct successful military operations. An absolute approach called for demilitarization of the Bosnia's society as this would eliminate the VF as an autonomous force that could threaten the Serbian entity. NSRS transcripts and interview comments show that demilitarization was, across the board, the RS preferred outcome but the DRC leadership never gave serious consideration to it. An intermediate alternative was creation of a single integrated military institution that led to the incorporation of the VF and, thus, the forfeiture of its ability for independent operations, even if it led to a multiethnic military institution and the simultaneous termination of the VRS. Following this approach, Serbs argued for a small, professional force manned by lightly armed soldiers, pursuing specialized technical functions and transportation capabilities that could support domestic civilian needs and international peacekeeping operations, but could not execute effective combat operations.

Second, whatever institutional structure arose from the DRC process, Serbs sought mechanisms for insight into and control over critical aspects of an enhanced state-level MoD and JS. The majority coalition in the NSRS that ultimately acquiesced to the creation of a single, multiethnic military institution applied what amounted to a "military power sharing" approach in two ways. They saw the "inclusive" military power-sharing

arrangements in the 2005 law that allocated to the RS power to influence outputs within the MoD, the JS, and the Operational Command as providing both transparency within the system and an effective ethnic veto at every level of command. Key provisions included rotating among the three ethnicities the leadership of the three highest positions in the military institution and creating at every level a representative of each ethnicity with access to and potential veto of all decisions. General officer appointments would be equal among the ethnicities and the multiethnic nature of all non-infantry units and staffs would provide insight to RS officials down to the lowest echelons.

Next, the new structure created “distributive” arrangements by granting political autonomy to territorially concentrated groups—the RS. One third of all military capabilities would be located within the boundaries of RS including one third of the major staffs (the Operational, Support, and Logistics Commands) and units (the 6th Maneuver Brigade and the AF/ADB headquarters), administrative and logistics capabilities (especially the Personnel Command and ammunition and weapons warehouses), and the three monoethnic Serbian infantry battalions (Graham et al. 2017).

While RS did not get everything that it wanted, the new structure substantially mitigated Serbian concerns about the evolving tactical inequity that had developed between the VRS and VF. From a military power sharing perspective, Serbs were remarkably successful in creating inclusive arrangements that gave them awareness of developments in the reformed armed forces and the power to influence, even veto, decisions from the most senior to the lowest echelons in the new multiethnic military institution. While not completely successful in establishing all of their preferred dispersive military power-sharing arrangements (the armor battalion and one of two

combat aviation squadrons wound up in the Federation's Bosniak majority areas), as noted above, Serbs substantially mitigated their security concerns vis-à-vis the possible Bosniak threat. The Serbian member of Bosnia's state presidency most succinctly summarized the rationale for the RS accepting the reform parameters.

We felt that we were in danger which is why we accepted the defense reform. We had a reason to do that. The Federation army, when we were integrated, it was destroyed. The RS military disappeared as well but theirs too. (Serbian state-level politician 2 2022)

Conclusion: Hypothesis H_{c2} is supported.

H_{c3}: Coercion Necessary to Explain the RS Policy Change

Interviews of party elites reveal the significant impact of coercion on Serbian policy concerning the military institution in BiH. Of the 15 Serbian party elites examined for this study, 13 mentioned coercion as core to individual and party decisions in support of the creation of a single multiethnic institution.⁸² Of the 12 acknowledging being personally coerced, all characterized that manifestation as pivotal to their policy positions, including nine of that number who categorized the impact of coercion as "definitive." Moreover, Croatian, Bosniak, and senior staff of IOs including OHR and NATO judged that the defense reform process would not have occurred without pressure applied to the leaders of RS.

Quickly tracing the defense reform process reinforces individual explanations that coercion by IOs contributed to Serbian acquiescence to the defense reform outcome. The Serbian population recognized from the outset that HRs used powers from DPA and the PIC to unilaterally manipulate a wide range of outcomes in BiH in opposition to RS

⁸² While one interlocutor personally felt no coercion during the process, he noted that other party leaders had been seriously coerced on the topic.

preferences. Initially, the IO pressure focused on political and electoral realities. The early pressure applied to the VRS was generally confined to NATO forces implementing Annexes 1A and 1B of the DPA, including destruction of specified types and quantities of equipment and the cantonment of Serbian military personnel inside VRS barracks. SFOR commanders did compel leaders of the three ethnic forces to participate in discussions concerning state-wide military coordination and minor technical matters but little beyond the most fundamental interaction occurred.

This changed when Lord Ashdown, already intent on abolition of the ethnic armies, arrived in Sarajevo in May 2002. The HR seized on the allegation beginning in August 2002 that a Bosnian Serb military industry, Orao Aviation Institute, had sent repaired MIG 21 aircraft engines to Iraq in contravention of UN sanctions against the Saddam regime. Ascribing the scandal to a lack of centralized, state-level control of military elements in the country, he stated:

that this would give us the opportunity I had been looking for to try to push through defense reform in order to abolish the two opposing entity armies and create a single Bosnian Army under state control. (Ashdown 2007, 248).

Serb senior officials implicated in the 2002 aborted shipment of aircraft engines to Iraq—the commander of the RS Air Force, the director of Military Logistics, and the director of the Orao Aviation Institute—were immediately dismissed (Short 2022, 143). Ashdown, through public accusations against the Serbian member of the Bosnian state presidency, forced the resignation of Mirko Sarovic. In all, “a multitude of other Bosnian Serb government officials and military officers” including the RS minister of defense and chief of the VRS General Staff were removed, 17 of whom charged with illegal trading (Short 2022, 148). In this coercive context, the leadership of the RS acquiesced, first, to

participation in the DRC process of 2003 and, subsequently, to amending the RS constitution and law to conform to the 2003 state-level LoD.

Ashdown applied a similar technique in achieving RS submission to the final integration of the three ethnic armies in 2005. Claiming dissatisfaction with the progress made toward implementation of the 2003 “hybrid” armed force structure, the HR accused the RS of obstructing the apprehension of individuals indicted by the ICTY as justification to continue the defense reform process and, ultimately, dismantle the entity military institutions as he had sought since his arrival. Over the course of 2004, Lord Ashdown used the Bonn Powers on several occasions to remove Serbian officials he accused of impeding the capture of the most high profile ICTY indictees. The most intimidating event occurred in June when the HR went beyond the military and police personnel, attacking the very most senior levels of the RS leadership. On a single day, Ashdown unilaterally removed 57 Bosnian Serb members of the RS government and National Assembly, police officials, and managers of various agencies and commercial businesses (Bideleux and Jeffries 2007, 390). Of the 57 suspended individuals on whom Ashdown focused, 36 were members of the SDS, including the party president and the Speaker of the National Assembly, the RS Interior Minister, and multiple leaders of local party structures, thus decapitating the principal RS party and the leading opponent of a multiethnic military institution. Ashdown, further, redirected SDS party funds to the Bosnian state account and human rights organizations and blocked public funding specified for political parties such as the SDS (Bideleux and Jeffries 2007, 390–391; Smajic 2011, 436). The net effect was to threaten, without recourse, extreme costs to individuals and parties for defiance of the OHR preference.

Tracing the process of defense reform in BiH from 1996 through 2005 reinforces the data provided by elite interviews. The clear chronological and substantive links are compelling between the increasingly coercive sanctions imposed on Serbian officials and the subsequent Serbian acquiescence, first, to participate in the 2003 and 2005 DRS processes and then to conform entity constitution and law with the provisions of the 2003 and 2005 LoDs (See Figure 15). When further matched with acknowledgement by Bosniak, Croatian, and senior OHR and NATO officials that defense reform would not have been successful without pressure on the RS, coercion must be considered a necessary component of the explanation for the policy change. Conclusion: Hypothesis H_{c3} is supported.

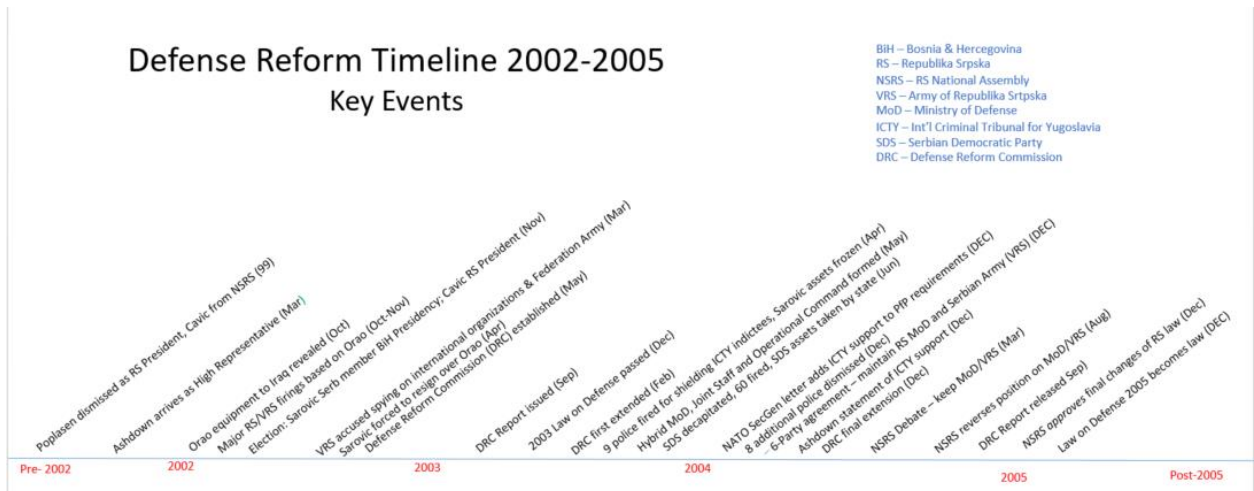


Figure 15. Defense Reform Timeline 2002–2005 — Key Events

Note: Created by author from various sources

H_{c4}: Combat Capability and International Coercion Are a “Minimally Sufficient”

Explanation

The Serbian policy change to abandon its ethnic army and accept creation of a single, multiethnic military institution for all of BiH was determined by the advocacy

coalition of the three major parties in the RS. The SDS, the PDP, and the SNSD dominated the entity's legislative and executive branches; thus, their perspectives can be inferred to explain this first and most significant case of institutional construction in Bosnia's post-civil war state building enterprise. Re-examination of the perspectives and roles of the SY parties and their leaderships reveals the centrality of coercion and the increasingly desperate military balance on the RS decision to support the implementation of the 2005 LoD.

Far more than any other party, SDS, both as an institution and its individual members, was subject to extreme IO pressure to conform. Both the Office of HR and the NATO-led SFOR imposed devastating sanctions essentially barring individual party members from their positions and in some cases preempting their financial means. As a party, SDS found itself essentially beheaded after the June 2004 purge that included impounding of party funds and redirecting resources to which political parties in the state were otherwise entitled. Descriptions of these manifestations were graphically repeated throughout interviews with SDS members at all levels. While not to the same extent as SDS, both PDP and SNSD representatives recognized the "sticks" that international actors had at their disposal and their willingness to use them to achieve IO policy targets. And, as reflected by leading personalities in all three ethnicities as well as senior persons in all of the various IOs, the defense reform manifest in the 2005 LoD would never have occurred without coercion.

The hard facts on the ground were the dramatic changes between 1995 and 2005 in the relative tactical position of the Serbian community vis-à-vis the forces of the FBiH and their *de facto* international patrons. Across the board, Serbian parties and their

leaders recognized the vulnerability of the entity should violence return among the ethnic communities. The reality was reinforced by the method selected to mitigate the negative imbalance. Understanding the threatening capability ratio mandated by the DPA and NATO's willingness to forcibly impose it, Serbs pursued a policy of bringing the capability of the VF down rather than building up their own army. Demilitarization was the clear preference of all three of the dominant parties. When this proved infeasible, minimization of the residual force coupled with military power sharing mechanisms to assure transparency and essential veto powers on military decisions became the pragmatic alternative.

Many factors contributed to the decision in the RS to accede to the demands of international overseers for the creation of a single multiethnic force. On closer inspection, however, all factors identified in either the party and coalition positions in the NSRS or the insights provided by individual political leaders are subsumed within either the factor of coercion or the factor of the tactical imbalance demanding recourse to military power sharing. Given that reality, coercion and the tactical imbalance provide the minimally sufficient explanation of the RS outcome on the creation of the single multiethnic force. Conclusion: Hypothesis H_{c4} is supported.⁸³

⁸³ While Ashdown was single-minded in his drive to create a single, multiethnic military institution for all of BiH, his presence and behavior were not indispensable to the final integration of the three ethnic armies per the 2005 LoD. The coercion that Lord Ashdown directed at the RS military structure was dispositive in achieving Serbian compliance with IO demands in 2003 for a military structure with competencies divided between the state and entity governments. However, as long as the Equip and Train program continued to skew the tactical balance against the Serbs, by 2005 the integration of the three armies would have probably occurred. Ashdown's importance was in starting the process in 2002, a process at the time that no one felt had potential for success. His coercion was irreplaceable in getting to the "hybrid" structure established in 2003. In all likelihood, the Serbs would have stayed with that hybrid outcome had the balance of

FROM OUTPUTS TO OUTCOMES

Evolution of the Single, Multiethnic Military Institution for All of BiH

Public policy studies focus on two interests, policy outputs—decisions by policy principals that establish the parameters for action—and policy outcomes—the results of implementation by executive agents. The degree of conformity between the aspirations around outputs and the concrete realities around outcomes can vary widely depending on the politics and structure in which decisions are turned into realities. The ACF suggests that outcomes from policy decisions should be assessed no less than 10 years after promulgation of the output. Almost 18 years have elapsed since implementation of the 2005 LoD on January 1, 2006; hence, a retrospective look at the nature of the outcome of the defense reform is, according to the ACF, timely.

The Constitution of BiH assigns five missions to the AFBiH (OHR 2022f):

- Participation in collective security, peace support and self-defense operations, including combating terrorism,
- Providing military defense of Bosnia and Hercegovina and its citizens in the event of an attack,
- Assisting civil authorities in responding to natural and other disasters and accidents,
- Counter-mine action in Bosnia and Hercegovina,
- Fulfilling the international obligations of Bosnia and Hercegovina.

Since the integration of the single, multiethnic military institution for all of BiH, the AFBiH has executed four of the five missions assigned under the country's constitution. Participation in collective security and peace support operations commenced prior to the implementation of the 2005 LoD. In 2000, several Bosnian

forces inside Bosnia not changed so dramatically and had the Bosnian Serbs had external support from Serbia and Russia. Ashdown's absence notwithstanding, the bottom line by 2005 would have had the RS looking for a way to defang the VF and integration of the three forces into one would have been at least an alternative solution.

officers joined the UN mission in East Timor, and in 2002, BiH sent officers as observers to UN peacekeeping missions in Eritrea and the Democratic Republic of the Congo (Maxwell and Olsen 2013, 25; Short 2022, 162).⁸⁵ Participation in observation missions continued after 2006 in both Mali and the Central African Republic (Short 2022, 165–166). The most significant AFBiH engagement in peace support and collective security operations occurred with the International Security Assistance Force (ISAF) in Afghanistan. The initial commitment in 2009 saw two Bosnian staff officers attached to the Danish contingent and eight others attached to the German force. In 2010, BiH commitment expanded to include an infantry platoon performing security functions at major installations, and in 2013, Sarajevo added a military police unit that operated outside of secured locations (Maxwell and Olsen 2013, 72–73). Infantry platoons and military police units continued to operate with ISAF on a rotational basis through December 2020. In sum, by 2022 over 1,600 AFBiH soldiers had served in international peace operations worldwide (Short 2022, 181).

Demining became a domestic and international focus of the AFBiH after 2005. The Army was credited with providing approximately half of the demining capability inside the BiH borders (Short 2022, 168–169). Integrating efforts on countermine action and peace support operations, beginning in 2005, a 45-soldier multiethnic unexploded ordnance disposal (UXO) unit comprised equally of members from all three ethnicities deployed to Iraq. Later the UXO mission was augmented with an infantry platoon

⁸⁵ In 2002, the UN mission to BiH solicited a joint VRS/VF transportation unit for peace support operations. While the two armies agreed to provide the requested personnel and equipment, the initiative was canceled since each side rejected command of the element by the other ethnicity, and the UN declined the alternative that the transportation unit would be commanded by an officer of a third country (Haupt and Fitzgerald 2004).

providing local security at Victory Base in Baghdad, missions retained through the end of 2008 when the UN mandate in Iraq ended (Short 2022, 163–164).

Similar to collective security and peace support operations, joint VRS and VF actions to assist civil authorities in disaster relief began prior to the creation of the new force. In 2004, each army sent a company-size unit to a civil disaster training exercise organized by OSCE. Maxwell and Olsen (2013, 25) report that each commander noted that this was the first time that either had spoken with a member of the other ethnicity's military since the end of the civil war. The most dramatic cases of disaster relief operations occurred in 2013 when 510 Bosnian soldiers were mobilized to fight wildfires in the Mount Ozren region and in 2014 when massive floods engulfed parts of western Serbia and eastern BiH, putting many cities underwater, creating landslides and destroying bridges, highways, electricity resources, and water supplies. The AFBiH responded in the latter case, committing over 750 soldiers to rescue and evacuate civilians in 46 of the country's 74 municipalities (Bassuener 2015, 12; Short 2022, 170).

While AFBiH progress has been made in four of the five constitutionally specified mission areas, the fifth, defense of the Bosnian state and protection of its citizens in the event of foreign attack or domestic instability, has not been executed either in external or internal contexts. There is little indication that the multiethnic force is required for or capable of serious combat operations to defend the territorial boundaries of the country and there are serious doubts as to its ability to maintain stability within the state.

As discussed in earlier chapters, there is common agreement among Croats, Serbs, and the international community that there is no external threat to the sovereignty or

territorial integrity of BiH. Even if there were, however, repelling an invasion would require well-trained and equipped forces capable of conventional combat. There is no indication that this author has uncovered that serious training for combat operations has occurred above the company level. An effective combat capability requires boots-on-the-ground exercises up to and including the brigade level that integrate the full range of fire support, combat support and logistics available to each. Moreover, as a minimum, command-and-control exercises at the operational level would be essential linking the Operational Command to the maneuver brigades and integrating the full spectrum of combat and combat service support elements into an integrated operational institution. As early as 2008, the Serbian commander of the AFBiH Support Command, MG Dragan Vukovic, told American diplomats that, “the AFBiH was incapable of fulfilling its primary mission — maintaining the territorial integrity of Bosnia” (WikiLeaks 2023). Bassuener (2015, 9) quotes senior military officers stating “The [AFBiH] is ill-equipped...battalions have no capacity to fight or move” and notes that none of those interviewed for his study believed that the AFBiH is capable of large-scale military operations. Further, resources allocated for the AFBiH have declined markedly. Short reports that the AFBiH purchased no equipment between 2003 and 2019, relying on donations from other nations. In 2019, the BiH invested less than 0.9% of GDP on the Army, an amount less than a quarter of what had been available in the aggregate to the three ethnic militaries in 2002 (Short 2022, 176–177). Summarizing the situation, as late as 2021 the AFBiH had yet to fully qualify a single Light Infantry Battalion Group (LIBG) for operational deployments with NATO, the EU, or the UN (NATO senior officer 2 2022). Maxwell, cited in Short (2022), further observes that,

despite sincere efforts by BiH, the Light Infantry Battalion Group had many, many shortfalls -- primarily in equipment and supplies -- that must be remedied if it is to complete the evaluation and certification process". The current condition of the AFBiH, "makes it unlikely that the unit will survive as a long-term, steady-state unit. (173)⁸⁴

From the perspective of protecting BiH from the (apparently nonexistent) threat of external attack, the military institution that Lord Ashdown created appears to be a "hollow" force. On the surface, it is claimed by official sources as structured for conventional combat but the reality seems more likely bereft of essential training and resources essential to achieve this constitutional mission. Even more fundamentally, however, were combat to emerge in Bosnia involving Croatia and Serbia, it is not unlikely that Bosnian Croats and Bosnian Serbs would forsake the AFBiH and support their co-ethnics from the two neighboring states.

Implicit in the fifth constitutional mission to protect BiH citizens from attack is the capacity to assure society's stability against domestic threats ranging from destructive protests to outright civil war inside the territory of the state. Here, Ashdown's creation may be even more "hollow." Addressing the Army's role in controlling civil unrest, in March 2008, two Bosnian generals, one Bosniak and one Serb, warned the US Embassy in Sarajevo that, "the AFBiH would 'break' if called upon to assist civilian authorities with the internal security challenge" (WikiLeaks, 2023). In 2011, a member of the international military staff asserted that in a politically or ethnically polarized situation, the AFBiH would not respond to a presidential order to act, claiming territorial defense as its mandate, and therefore, the force had no doctrine or training for internal security

⁸⁴ The insight above notwithstanding, Short (2022, 186) contradicts Maxwell, averring without further evidence, that "if resources are made available and current programs continue, the AFBiH will soon be in a position where it can provide a battalion of 840 highly capable peacekeepers to multilateral operations."

crises. In response to serious social protests in Bosniak-majority areas in 2014, officers averred that the Army had, “no role — not even assisting in civil disturbances” (Bassuener 2015).

Implementation of the 2005 LoD was built on military power sharing in which the RS would have awareness of and veto power over potential military activities that could threaten the entity and its citizens. But these provisions also created a structure easily fragmented back into three separate factions confronting one another should an interethnic conflict recur. Reinforcing ethnicity and IO interview narratives, NATO senior officer 2 (2022) observes that:

... when you look at the laydown of the Armed Forces it was done in such a way that it could be divided by three relatively easily. If they want to divide themselves back into three armies it would not be difficult. That was something that we had to accept. Nobody was going to agree to a distribution of the forces on the ground where any one part of the country had an imbalanced number of troops or equipment In 2019 there was still discussion going on about a third location for the distribution of ammunition storage and you don’t need more than two for the country. Of course there had to be a third location. And it had to be located on Croat territory. It’s that kind of consideration that you can’t ignore. *De facto*, the allocation provided for a re-division back into three armies. These were mechanisms used to assure the Serbs and the Croats, they got to keep a visible Serb and Croat element in the Armed Forces. They got a fair share, a third of the senior positions and they got installations so that they would always have access to their own people. It was never spelled out that way but when it came time to put units on the map that was an underlying factor. The mixed units, which are still most of the Armed Forces, (in) the headquarters and the other units that are not in the infantry you can see a situation in which those units dissolve. People simply go in three different directions. We weren’t planning on it but I’m sure that was in somebody’s mind. If they had to, they can go that way.

While the potential has been recognized for multiethnic units to dissolve along ethnic lines in the event of external or internal crises, additional issues arise around the monoethnic infantry battalions that comprise the three multiethnic infantry brigades. In 2015, Bassuener was told by an active-duty interlocutor that, “Monoethnic infantry

battalions are not a problem now. But with an escalation of ethnic violence ... in the case of real ethnic violence, [the whole AFBiH] would split” (Bassuener 2015, 14).

Each ethnicity has three ethnically pure infantry battalions, all located in areas in which that ethnic community is dominant. The three Serbian battalions are located within the RS; the three Croatian battalions in cantons dominated by Croats; and the three Bosniak battalions in strategic locations should external or internal crises arise. The formal chain of command associates with each infantry brigade headquarters three infantry battalions, one from each of the three different monoethnic battalions as shown in Figure 16. Under the current structure, the Croatian-led 4th Brigade headquartered in Capljina commands the Croatian battalion in Livno, the Bosniak battalion in Gorazde, and the Serbian battalion in Bileca. The Bosniak-led 5th Brigade headquartered in Tuzla commands the Bosniak battalion in Zenica, the Serbian Battalion in Bjeljina, and the Croatian battalion in Kiseljak. The Serbian-led 6th Brigade headquarters in Banja Luka commands the Serbian battalion in Banja Luka, the Bosniak battalion in Bihac, and the Croatian battalion in Orasje.

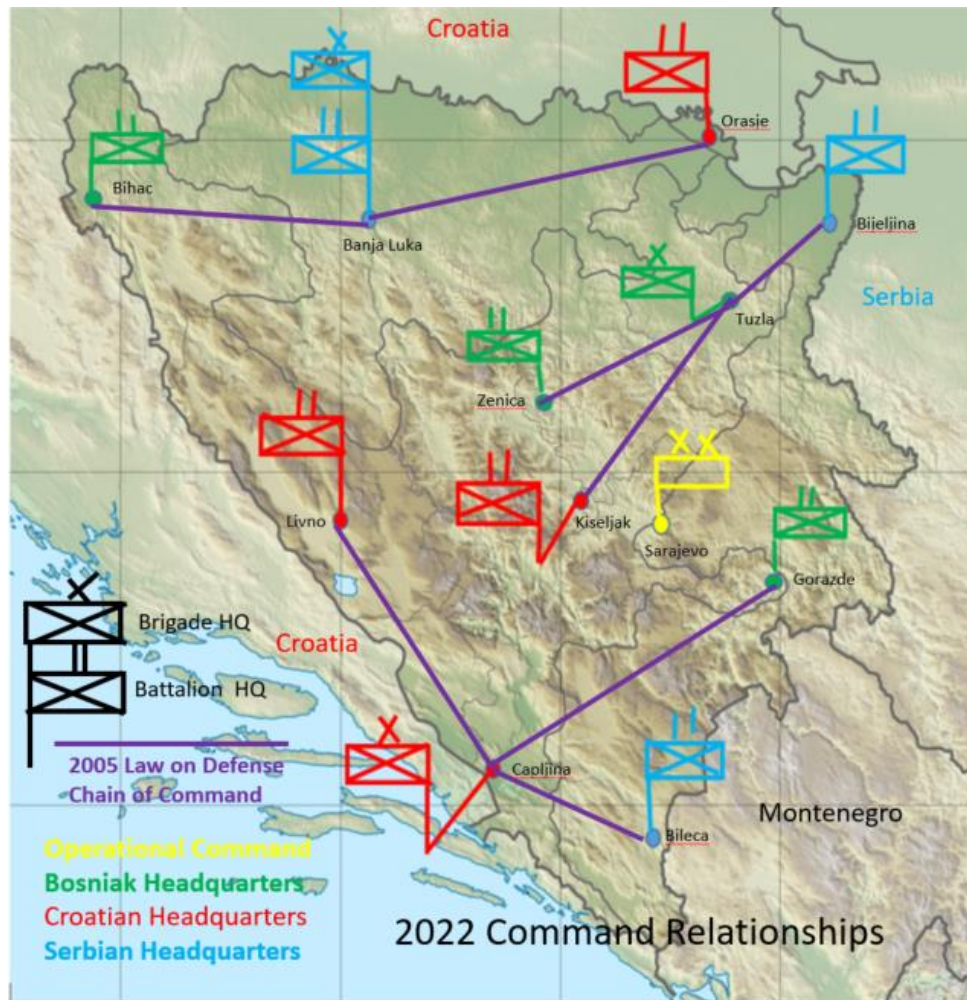


Figure 16. Formal Brigade Command Relationships

Note: Adapted from:

https://commons.wikimedia.org/wiki/File:Armed_Forces_Bosnia_Hercegovina_-_Operational_Command.png. Downloaded 5 December 2022

Hypothetically, “what if” interethnic confrontation should arise? The official multiethnic brigade command relationships could quickly transform into monoethnic brigades as shown in Figure 17. The Serbian battalions in Banja Luka and Bjeljina would shift allegiance to the Serbian-commanded brigade headquarters in Banja Luka with the Serbian battalion in Bileca taking independent actions adjacent to Serbia. The Croatian battalions in Livno and Kiseljak would shift allegiance to the Croatian-commanded

brigade headquarters in Capljina with the battalion in Orasje taking independent actions adjacent to Croatia. The Bosniak battalion in Zenica would continue allegiance to the Bosniak-commanded brigade headquarters in Tuzla with the battalions in Bihac and Gorazde taking independent action.

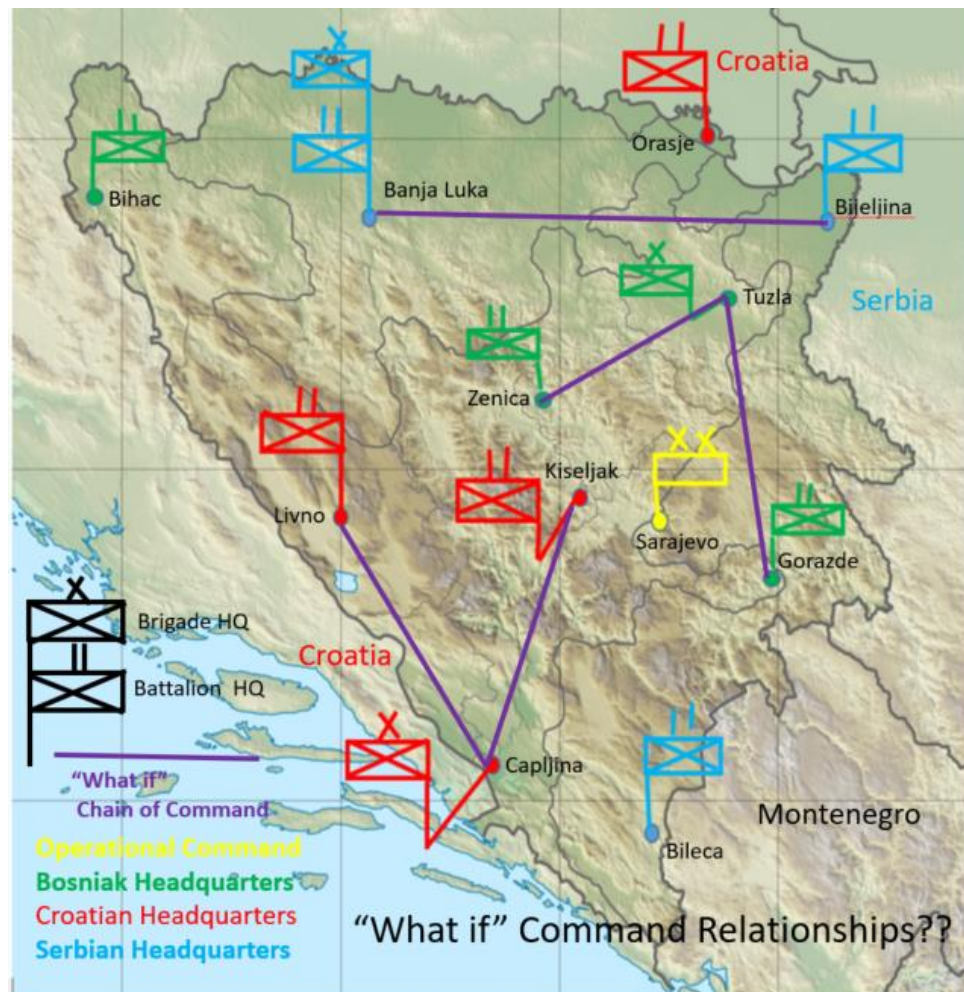


Figure 17. Hypothetical “What if” Brigade Command Relationships

Note: Adapted from:

https://commons.wikimedia.org/wiki/File:Armed_Forces_Bosnia_Hercegovina_-_Operational_Command.png. Downloaded 5 December 2022

One hypothetical “what if” scenario might look as displayed in Figure 18 on the next page. Croatian battalions in Livno and Kiseljak under the Croatian-commanded 4th Brigade could move to control the heavily Croatian populated areas along Bosnia’s southwest border with Croatia proper with the intent of either merging that region with Croatia or establishing a Croatian entity within Bosnia similar to RS. The independent Serbian battalion in Bileca could attack north to close the Gorazde gap in a fight with the Bosniak battalion located in Gorazde. The Bosniak battalion in Bihac would provide security to the Bosniak population in the extreme northwest of the country. The remaining Bosniak forces would focus on the most strategic piece of terrain in BiH, the Brcko Corridor, an existential neck that joins the eastern and western parts of RS through a narrow land bridge. Serbian battalions in Banja Luka and Bijeljina under the Serbian-commanded 6th Brigade headquarters would move to seize control of the Brcko Corridor while the Bosniak battalion in Zenica under the Bosnian-commanded 5th Brigade in Tuzla would attempt to drive a wedge at Brcko, isolating the western portion of the RS from the eastern portion of the RS and Serbia proper. The role of the Croatian battalion in Orasje would depend upon guidance from Croatia and would either protect that Croatian-dominated area around Orasje or join with the Bosniak force and assist in bisecting the RS at Brcko.⁸⁵

⁸⁵ This scenario or a variant thereof could arise in a fight limited to conventional forces of the three ethnicities inside the borders of BiH. However, other factors will, without doubt, significantly impact the scenario’s outcome. Paramilitary forces from all three ethnic communities will emerge with uncertain impact on the conflict and formal special police forces, particularly in RS, will take on a military role. Uncertain will be the roles of Croatia along the southwestern border of BiH and in the area around the Brcko Corridor. Similarly, uncertain will be the role of Serbia along the full eastern border of BiH, including the Gorazde Corridor, and in the vicinity of the Brcko Corridor

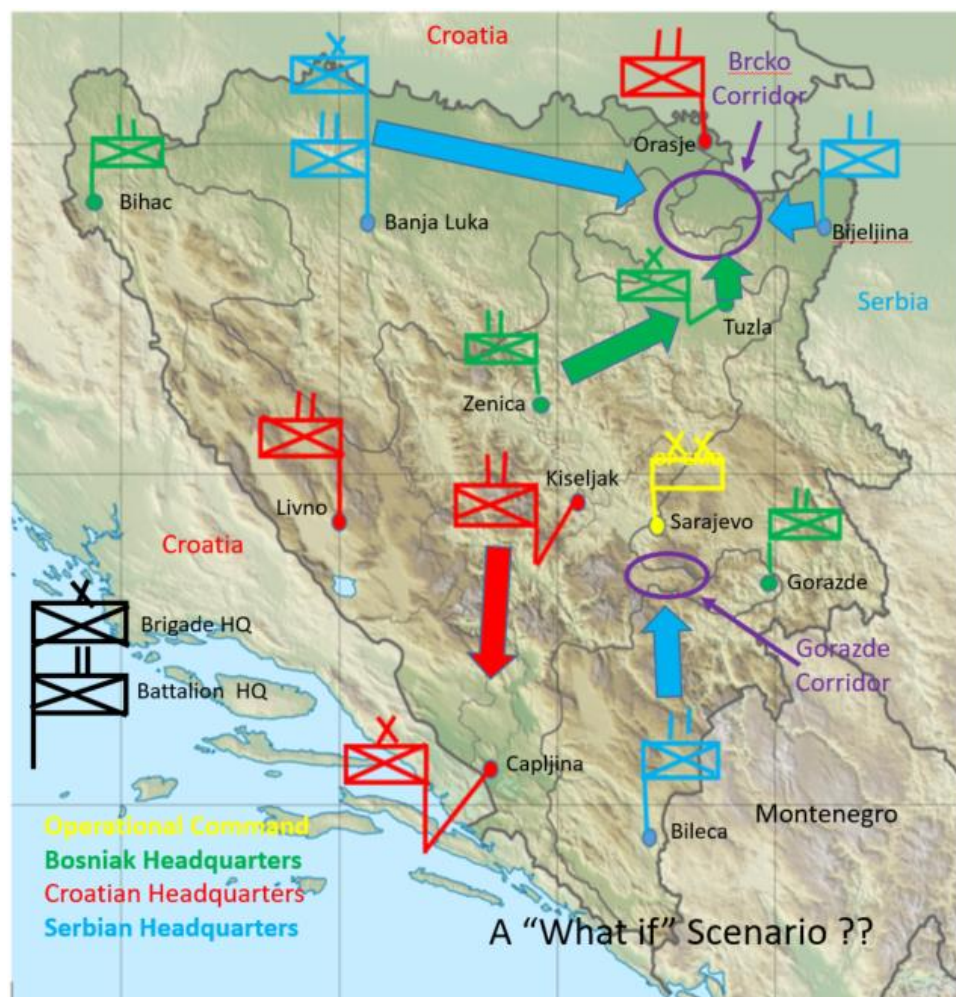


Figure 18. A Hypothetical “What If” Scenario

Note: Adapted from:

https://commons.wikimedia.org/wiki/File:Armed_Forces_Bosnia_Hercegovina_-_Operational_Command.png. Downloaded 5 December 2022

Looking back 17 years after the implementation of the 2005 LoD, how might the AFBiH be characterized in the most general terms? While the institution has claim to some ability to execute four of its five constitutional missions, most military institutions would consider those four capabilities important, but tangential. The ability of Bosnia’s

existentially important for survival of the RS. Additional military involvement should be anticipated from European states as well as American engagement via NATO.

contemporary military institution to execute the most significant mission, protection of its entire multiethnic population and territory from instability and attack, is uncertain.

Training, equipment, and resource limitations cast doubt on the ability of Bosnia's armed force (or any armed force) to protect the population and territory from attack. In Bosnia's case, however, the more important question is whether, in either an external or internal crisis, AFBiH soldiers would honor their nominal Bosnian identity or revert to their ethnic communities, abandon the multiethnic units, and, along with the monoethnic infantry battalions, recreate the civil war armies. As is apparent from the structure of the current institution, both the monoethnic infantry battalions and the multiethnic units could quickly execute such a transformation. This brings the study back to Hartzell and Hoddie's (2007, 2020; Hoddie and Hartzell 2005) requirement of willing participation in military power sharing theory and raises the question, is Ashdown's "single, multiethnic military institution for all of Bosnia and Hercegovina" really just a "Potemkin" force?

CONCLUSIONS

This analysis of undemocratic institution and state building manifest by international overlords asks why a minority, post-civil war population pressed into an unwanted political union with centuries-old antagonists supported by great powers would give up its ethnically-based army despite having constitutionally founded veto powers that could block the creation of a single, multiethnic military institution for all of the country. While fitting neatly into Huntington's three-waves conceptualization of democratic state building and, with a twist, McFaul's introduction of a fourth wave, this analysis questions many of the common perspectives found among US academic disciplines, its policy community, and the attendant media on the path of democratic development after 1995 in BiH. Dayton created the foundation for a strong and viable consociational democracy in this post-civil war society that was at the same time an emerging and transitioning state. However, the impulse to underwrite a structure mirroring American and west European models of democratic governance in a dramatically different social, cultural, and economic polity undercut the agreed constitutional framework. It pitted an acceptable consociational structure against a majoritarian structure that both Serbs and Croats saw as sure to be dominated by the larger Bosniak community supported by western international interests. The attempt to achieve the foreigners' preference by coercion, direct and indirect, led to the creation of superficially hollow institutions, including the "single multiethnic military institution," and the further polarization of the society that retarded any trend toward development of a common Bosnian identity.

The study is an important case because it is set in a unique context at the extreme end of a trend in which international actors assume greater and greater dominance in the creation or transition of emerging states in an environment increasingly fraught by great power competition.⁸⁸ For political scientists, it raises perplexing conundrums. Can functioning democracies be built by undemocratic means? Can institution building create a viable state in the absence of a common national identity? To what extent can external forces—great powers or economic communities or global authorities—influence the development of stable societies and how? This research adds a significant case to the discipline’s quest to answer these questions.

Bosnia’s defense reform process gave each of the four players something each wanted, yet no player got everything that it coveted. IOs, and particularly HR Ashdown, attained the single multiethnic military institution for all of the country but a force that was capable only of accomplishing four of the five constitutional missions while skepticism pervades the most critical mission capability that has yet to be demonstrated. Bosniaks were gratified by the establishment of a single MoD and JS and the elimination of all entity competencies in the military domain but disappointed by the limitations created by the ethnic veto constraints built into the military structure. Croats were relieved of Bosniak domination of the VF created by the 1994 Washington Agreement but remained the junior partner among the Bosnian minorities. Serbs achieved a higher degree of security both for their entity, RS, and the more general Serbian community but

⁸⁸ On May 30, 2023, the US Air Force flew two nuclear-capable B1 strategic bombers low level over Sarajevo and other cities in BiH as a message to the “pro-Russian” president of RS in response to his alleged rhetoric characterized by US sources as secessionist (Associated Press 2023).

ceded the most powerful symbol of their extensive autonomy and potential claim to sovereignty with the loss of the VRS.

Many factors contributed to RS's decision to forsake the VRS for a state-level military institution. In the end, however, the empirical data reveal that a minimally sufficient explanation of the policy change rests on two pillars: coercion by IOs and Bosnian Serb strategies to assure the military survival of the RS. The oppressive nature of the decision structure imposed by external powers created a limited policy space within which RS could operate. As a result, in 2003, Serbs knuckled under to the international demand for a hybrid military institution, lying victim to Lord Ashdown's coercion manifest in the dismissal of Serbian senior military and defense industry leaders and trials of others. However, two years later, despite even more onerous sanctions directed against RS political, parliamentary, and party leaders and organizations and confronted with a monotonically decaying military balance vis-à-vis the Muslim-dominated VF, RS leaders turned to options that diminished the tactical capability of the potential opponent and guaranteed Serbian awareness and potential veto of the military decisions and activities inside the multiethnic AFBiH.

The remaining factors considered in the "Findings" chapter—finances, internal, and external stability, force distribution and status, symbolism and heritage, etc—became subordinate considerations as components in the more general concern to mitigate the tactical disparity confronting the Serbian entity. Applying the veto structure inspired by Tsebelis's paradigm, when focused on the early stages of defense reform, we find that coercion played the dominant role in extending the range of the entity's indifference curves. Displacements of the Serbian ideal point in the final iteration of the reform, on

the other hand, occurred as a result of RS assessments of the deteriorating tactical imbalance of power between the VRS and the VF.

This dissertation asks why RS agreed to the output contained in the 2005 LoD. While the research design focused on systematically acquiring data to answer that query, additional insights from interviewees highlighted the large disparity between the intent of the international patrons for a tactically effective military institution versus manifestations on the ground that seriously question the viability of the AFBiH to meet those expectations during either external or internal crises.

But if skepticism pervades the reality of a single, multiethnic military institution for all of the country, could the defense reform experience be generalized more broadly as a microcosm to a single multiethnic Bosnian society and Bosnian state? As with defense reform, Ashdown took personal credit for and great satisfaction in state building via the creation of various governmental institutions in the country. Perceived oppressive and ethnically biased behavior against the two minority populations by IOs may have permitted, even facilitated, “state building” institutions from 2000–2006, but does not appear to have moved “nation building” forward. In fact, proconsul-like administration appears to have slowed the development of a Bosnian identity and allowed the three ethnicities to avoid taking ownership for the political, social, and economic realities on the ground. This brings one back to the insights of Huntington and Rustow that, until there is a common national identity and agreement on internal and external boundaries, no enduring state will emerge. So, the question of whether or not the institutions impelled by international overlords, and indeed a Bosnian state, can endure presuming

that the IOs ultimately can find an exit strategy that would turn governmental functions truly over to a local population bereft of a common vision.

This study is tightly focused. It examines a very specific single case of institutional development—creation of a Bosnian state-level military—but its findings provide clues generalizable to other institutional needs in Bosnia and to studies and policy applications beyond Bosnia’s borders. What, then, does the future hold for research and policy? Ultimately, future academic and policy research could build on current findings at both institutional and societal levels.

At the internal Bosnian institutional level, confidence in the findings of this study would increase given a comparison of the successful defense reform process with institution-building processes in Bosnia of other institutions developed under the same extreme international tutelage. Broadened examination of institution-building cases in BiH would provide greater insight for research and policy development in other cases worldwide at the extreme edge of foreign intervention approaching the proconsul level. Of particular interest would be a study of internationally-directed efforts to establish a state-wide police institution, a notable failure even until today.

The three conundrums that opened this chapter address state-building at the societal level. Answers to those three questions—can democracy be built undemocratically; can a viable state exist without a common identity; can external pressure lead to an independently stable society—will not be known as long as international overlords continue to direct the broad scope of Bosnia’s governmental

structure.⁸⁶ However, research on the output and outcomes of defense reform provides a context and some hints for the future. The process was dramatically undemocratic given the coercion imposed by HR Ashdown on at least the Serbian minority, the arbitrary definition of the single, multiethnic military institution in the mandate to DRC II before the Commission was constituted, and the top-down process by which the provisions of the 2005 LoD emerged. The absence of a common vision and interests of the state and nation of BiH was apparent in the interethnic wrangling over specific components of the new force. The refusal of senior Bosniak and Serbian commanders to engage in—even acknowledge responsibility to—confront domestic disorder questions the independent stability of the international product. The quest for answers to the three fundamental

⁸⁶ The international community argues that it has established nominal criteria—designated the 5+2 Agenda—at which point the HR and associated foreign bureaucratic infrastructure would depart and make BiH a truly sovereign state. The criteria are:

- Acceptable and Sustainable Resolution of the Issue of Apportionment of Property between State and other levels of government;
- Acceptable and Sustainable Resolution of Defense Property;
- Completion of the Brcko Final Award;
- Fiscal Sustainability (promoted through an Agreement on a Permanent ITA Co-efficient methodology and establishment of a National Fiscal Council);
- Entrenchment of the Rule of Law (demonstrated through Adoption of a National War Crimes Strategy, passage of a Law on Aliens and Asylum, and adoption of a National Justice Sector Reform Strategy);
- Signing of the European Union Stabilization and Association Agreement; and
- Positive assessment of the situation in BiH by the PIC SB based on full compliance with the DPA.

What is apparent, however, is that these criteria are, for the most part, malleable and out of the hands of the Bosnian population. What makes the future course of Bosnian sovereignty most uncertain, however, is the meandering interpretation of the final criterion—full compliance with the DPA—by the Steering Committee of the PIC since that interpretation is no longer based on the text of the accord but rather on some undefined, vague notion of the “spirit of Dayton.”

questions can be pursued starting with a continuation of the research findings provided by the current study.

The international state building experiment in Bosnia continues 28 years after its inauguration. While the final status of that country cannot be fully known until after the departure of the international overseers created under the 1995 Dayton Accord and embellished by the (arguably illegitimate) PIC, study of the defense reform process that led to the 2005 LoD and the evolution of that military institution from 2006 to 2022 provides some lessons, either actual or contingent upon the withdrawal of the IOs, for further analysis.

1. Can viable democracies be built through undemocratic means? The administration of BiH by international overlords diverged significantly from democratic processes. The undemocratic—even anti-democratic—behavior of the international overseers personified by Lord Ashdown created an institutional state structure that has the superficial trappings of a democratic polity. Without the intercession of the HR and his military partners, however, the structure is essentially nonfunctional at both the state and entity levels. Contingent lesson: Undemocratic methods imposed by foreign overlords will result in superficial institutions unlikely to remain viable after the international powers withdraw.
2. Can institution building alone establish a viable state in the absence of a common national identity? This case reveals the difficulty in creating a viable state via functional institutions alone in the wake of a civil war with no clear victor. Lesson: Unless institution building occurs in parallel with nation building among

the contending antagonists, establishing meaningful institutions (and therefore states) beyond superficial appearances is unlikely.

3. Can external forces—great powers, economic communities, or global authorities—influence the development of stable societies and how? Engagement by international actors is a two-edged sword. This study reveals how immensely powerful international actors can be in negative ways. Given the direct coercion employed by IOs against Croatian and Serbian individuals, parties, and organizations and the indirect coercion manifest in the American-supplied “Equip and Train” program, outside engagement perceived to be biased among the parties, disrespectful or unaware of local social, cultural, and historical aspects, and dictatorial in its interaction during state, institution, and nation building processes created superficial institutions of the state while inhibiting any momentum toward the development of a shared community identity. At present, it appears that the institutional state structure of Bosnia is superficial—certainly the military institution is—and likely to encounter significant discontinuities on the departure of the international hierarchy *de facto* ruling the country. Lesson: The impact of IOs on state, institution, and nation building is potentially overpowering. There are distinct limits on what international entities can accomplish when engaged in state, institution, and nation building efforts in emerging or transitioning societies.
4. Contingent lesson: If the superficial state and its institutions have been sustained by the coercive powers of international proconsuls, state, institution, and nation

building efforts are even less likely to endure once indigenous actors are left to their own devices.

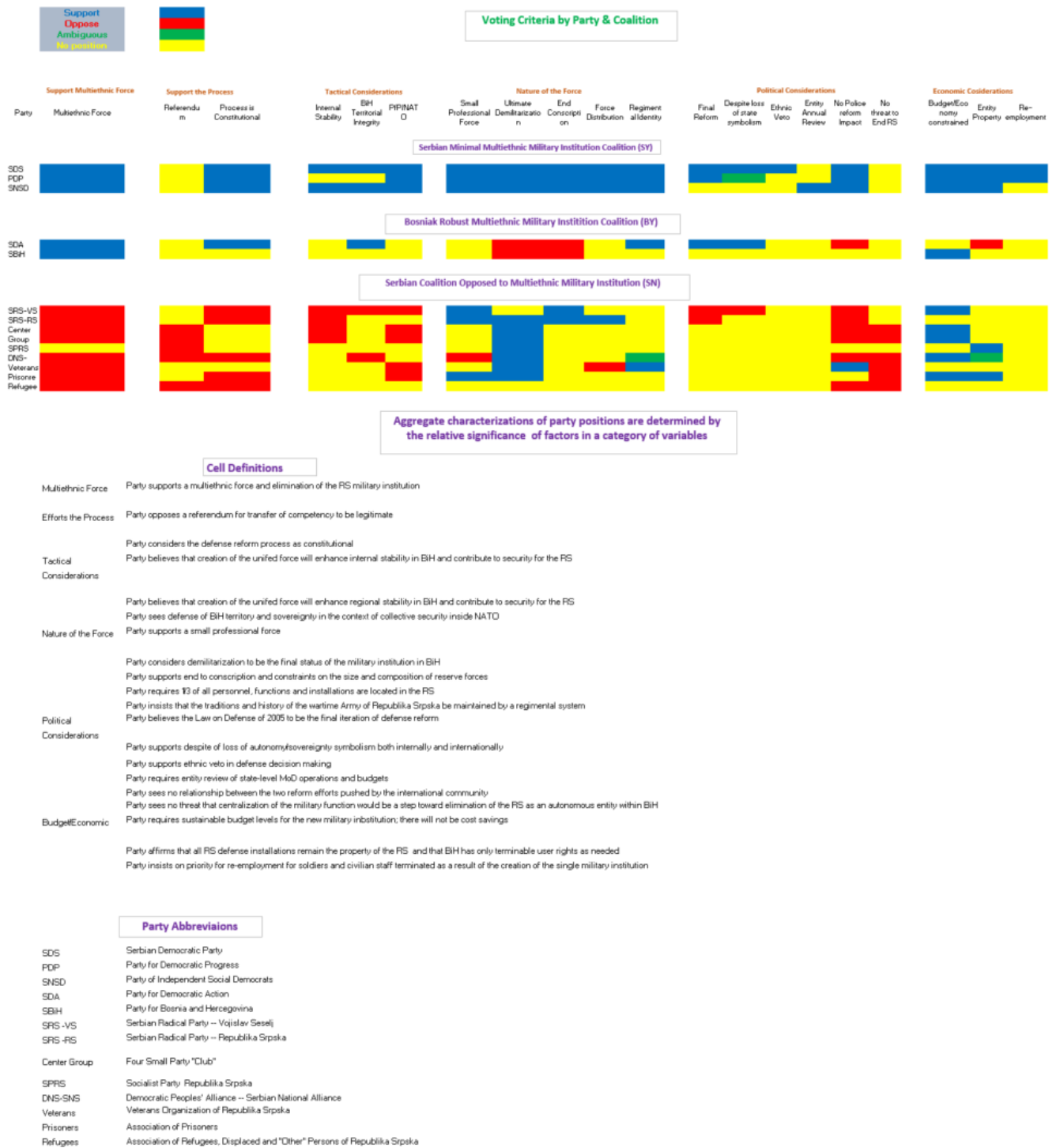
5. The process that led to approval of the 2003 LoD was generated by international coercion focused at the Serbian population. In the face of coercion, Serbs retained their policy ideal point, insistence that the VRS continue, but allowed the indifference curve to encompass a hybrid military institution. In 2005, the RS recognized that the tactical balance between the VRS and the VF had put the Serbs at a distinct military disadvantage. This change in the relative balance of power, then, played the key role in the displacement of the Serbian ideal point to encompass the full integration of all three military forces. Lesson: coercion can lead to acquiescence of less-than-ideal alternatives without changing that party's ideal point. Fundamental changes in the relative strength of players can induce a shift in the ideal point itself. This clearly reflects the importance of a status quo on the indifference curves possible for a single player.
6. Charles Tilly (1992), in his famous insight that war makes the state and the state makes war, presents the case, at least applicable prior to the post-World War II discontinuity identified by Huntington, that external threats are fundamental to state creation. The absence of any external threat to a Bosnian state eliminated the need for an effective military force essential in any context fraught with multiple competing cleavage lines, whether ethnically or otherwise defined. But, even if there had been a threat from abroad, no conceivable external force would have driven the three ethnicities together as the Warsaw Pact threat bound all of the Yugoslav communities together and led to the creation of a formidable

Yugoslav military institution. In the Bosnian case, none of the three ethnicities would have feared an assault from Montenegro, and Croats would have felt no threat from Croatia. Similarly, Serbs would have felt no threat of an attack from Serbia and only Serbs would have felt a threat from NATO. Lesson: unless all communities of a society perceive in common a simultaneous existential threat to all of them, the unifying influence of state preservation will not arise.

While this study provides the answer to the puzzle of why Bosnia's Serbian community agreed to eliminate the VRS in favor of a single Bosnian military institution, it raises, in a uniquely extreme context, profound questions in political science and public policy. Its scope, while narrow, opens analysis to key academic and policy questions. It can only be hoped that politicians controlling the fate and future of other emerging polities will be led by empirical findings and not personal or factional expediency.

APPENDIX 1

Table 4: Breakdown of Table 2 categories “Voting Criteria by Party and Coalition.”



APPENDIX 2

Table 5: Breakdown of Table 2 categories “Voting Criteria by Party Elites.”

Voting Criteria by Party Elites																
Scale: Degree of Impact on Decision																
		Ambiguous	Negative	No Mention	Mentioned as non-factor	Very Minor	Minor	Nominal	Significant	Decisive						
Party	Individual Elite Member	Coercion	Tactical Vulnerability	Internal Stability	Military Power Sharing	International Vulnerability	Force Distribution	Force Status	Budget	No threat to RS Future	Protect VRS Heritage	Symbolism loss unimportant	Euro-Atlantic Factors	Effectiveness	Support from Serbia Russia	
SDS	1															
	2															
	3															
	4															
PDP	1															
	2															
	3															
	4															
SNSD	1															
	2															
	3															
SRS	1															
	2															
DNS	1															
SP RS	1															
Category Definitions																
Coercion		Coercion, direct or indirect, was responsible for compliance with IO preferences for a single military institution														
Tactical Vulnerability		Security of the RS relative to Bosniak or Bosniak/Croat forces increased by a single military institution														
Internal Stability		A multiethnic force would contribute to internal stability in BiH														
Military Power Sharing		Security of RS enhanced by integrated staffs/units; small/professional force; light weapons; demilitarization														
International Vulnerability		Vulnerability of BiH to external threats reduced by single military institution														
Force Distribution		Security of RS enhanced by 1/3 distribution of headquarters, installations and units in the RS														
Force Status		Inadequate VRS equipment, installations, food, uniforms, etc. a reason to agree to a single military institution														
Budget		Inadequate budget to sustain VRS and more needed in civil applications a reason to agree to a single military institution														
Reject threat to RS Future		Acquiescence to a single military institution will not weaken RS autonomy -- including police reform														
Protect VRS Heritage		Regimental system will protect VRS heritage														
Symbolism		Loss of RS symbolism as an autonomous if not sovereign entity unimportant														
Euro-Atlantic Factors		Entry into EU/NATO desired and supported by single military institution														
Effectiveness		Effective capability to fight in a conventional context needed by BiH														
Support from Serbia/Russia		Support from Serbia/Russia an important consideration														
Party Abbreviations																
SDS		Serbian Democratic Party														
PDP		Party for Democratic Progress														
SNSD		Party of Independent Social Democrats														
SRS -RS		Serbian Radical Party -- Republika Srpska														
SPRS		Socialist Party Republika Srpska														
DNS		Democratic Peoples' Alliance														

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