

Statement of Expert Witness

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Introduction

This statement is intended to provide an historical context for the events cited in the indictment. It uses the watershed period of 1990-91 as an organizing principle, a dividing line from which to consider the developments before those years and to discuss major trends since that time.

The statement is divided into five sections. Section I gives the author's personal background. Section II is a "snapshot in time" of 1990-91, a profile of the way things were before large-scale violence began in the spring of 1992. It provides an overview of the former Yugoslavia just prior to its collapse. Section III concerns the widely held but essentially erroneous view that the region's recent wars are a product of "ancient tribal hatreds." Section IV is a survey of historical developments over the centuries prior to 1990. Section V examines major developments from 1990 until the spring of 1993.

I. Personal Background

I am presently a Research Associate at the Russian and East European Center of the University of Michigan.

After graduating from high school in my hometown of Kalamazoo, Michigan, I attended Hope College in Holland, Michigan. In 1965 I participated in a six-month seminar, travel, and independent study program sponsored by the Great Lakes Colleges Association, in Ljubljana, Slovenia. Since my family has no ethnic ties to the former Yugoslavia, this was my first experience in the region and drew my interest to the area for further study and travel.

Following completion of my military service, I enrolled at the University of Michigan and completed a Ph.D. in History in 1976. With the aid of a Fulbright-Hays fellowship, I conducted research in archives and libraries of the former Yugoslavia and in other European institutions during 1974-75,

particularly in the Archives of Bosnia and Hercegovina in Sarajevo. My doctoral dissertation dealt with political movements of Bosniacs during the Austro-Hungarian period in Bosnia around beginning of the twentieth century. It was subsequently published in 1981 in the East European Monographs series (distributed by Columbia University Press) under the title *Islam under the Double Eagle: The Muslims of Bosnia and Hercegovina, 1878-1914*.

After completing my doctoral dissertation in 1976, I did post-graduate research for one year and then was engaged as an Assistant Professor of History, first at the Ohio State University Lima Campus (1978-80), then at the University of Oregon (1980-81). In 1981 I accepted a position with Merrill Lynch, a financial services firm, for which I worked until August 1998. My work at Merrill Lynch was unrelated to the Southeast European region, but I maintained an interest in the area and followed developments there. In 1994, Professor John Fine (University of Michigan) and I wrote a book entitled *Bosnia and Hercegovina: A Tradition Betrayed* (Columbia University Press). I have also written a number of articles dealing with contemporary and historical developments in the region. I am now preparing a book on the history of the city of Sarajevo in the twentieth century for publication by Hurst and Co. in London, England.

Since 1993 I have made two or three trips a year to the region for periods from one to three weeks to consult with colleagues, conduct research and interviews, lecture, and gather various published materials. I most recently visited the region in March 1999.

II. 1990-91: A Time of Historical Transition

1990-91 was a watershed in the former Yugoslavia, a pivotal time of historical transition. During that time, the League of Communists of Yugoslavia dissolved, the first multi-party elections since World War II were held, and nationalist leaders were elected in all of the country's six Republics. These developments set the stage for subsequent independence by several republics and the wars in Slovenia, Croatia, Bosnia and Hercegovina, and (in the past year) Kosovo/Kosova. A decennial census was taken in 1991. Coupled with the election returns from 1990, the census provides valuable information regarding the national, political, and social composition of the population of the various Yugoslav Republics.

The Yugoslav Republics in 1990

Yugoslavia consisted of six republics whose boundaries remained stable, with only minor adjustments, from 1945 to 1991. To the northwest of the Federal Republic of Yugoslavia is the Socialist Republic of Slovenia, with a population almost exclusively of Slovene nationality. Slovenia has no significant minority population. To the far southeast on the map is the Socialist Republic of Macedonia, proclaimed as the home of the Macedonian national-

ity after World War II. Macedonia has a substantial Albanian minority and some other minority groups.

Serbia, in the north central part of Yugoslavia, grew in its modern embodiment from a rebellion of merchants, farmers and warriors in 1804. It was first recognized internationally as an independent state in 1878, although it became *de facto* independent many years before that. In 1945, two “autonomous regions, at that time called Kosovo-Metohija and Vojvodina, were attached to Serbia for administrative purposes. Kosovo (called Kosova in its Albanian name) to the south had a population that was about 90% Albanian by nationality and about 10% Serb. Vojvodina, to the north, had (and has) a majority Serbian population but a substantial minority of Hungarians. In 1990 the government of Serbian President Slobodan Milošević enacted constitutional changes that stripped both provinces of their autonomy.

To the south and west of Serbia, the Socialist Republic of Montenegro is a small, highly mountainous area inhabited mainly by those who think of themselves as Serbs, although their distinct history and local pride leads them at times to distinguish themselves from Serbs living in Serbia proper. Like Serbia, Montenegro won international recognition as an independent state in 1878, but it had proudly resisted outside domination for centuries before.

The Socialist Republic of Croatia, with its distinctive curvature around Bosnia and Hercegovina, is a diverse entity that encompasses the rich agricultural plains of Slavonia to the north and the region of Dalmatia, which borders the Adriatic Sea. Its population in 1991 was principally Croatian but included a minority of 581,663 Serbs, about 12% of its inhabitants.

The Socialist Republic of Bosnia and Hercegovina lies in the middle of the former Yugoslavia. The southern portion, known as Hercegovina, derives its name from a fifteenth century local ruler who designated himself as “Herceg,” a South Slav variant of the German word “Herzog,” meaning “Duke.” (The Germanic origins of the term are evident in a frequent English-language rendering of the name as “Herzegovina,” restoring the “z.”)

The name “Bosnia” is derived from the river of the same name, the “Bosna,” which spews forth from underground sources just west of the city of Sarajevo. It refers to the northern two-thirds of the Republic, but the term “Bosnia” is increasingly used as an abbreviation to avoid the clumsy “Bosnia and Hercegovina.” Bosnia and Hercegovina have shared an administrative history since the Ottoman era, and in the late nineteenth century they were merged into a single political entity under Austro-Hungarian rule.

The term “Bosnian” refers to inhabitants of Bosnia and Hercegovina. Within that broad designation, most Bosnians also identify themselves as belonging to one of three nationalities: Serb, Croat, or Bosnian Muslim. According to the 1991 census, the Republic had a total of 4,354,911 inhabitants. 17.3% declared themselves Croats; 31.3% declared themselves Serbs; and 43.7% declared themselves Muslims.

Thus the most numerous nationality in 1990 was the Muslims, then called the “Bosnian Muslims,” or the “Muslims of Bosnia and Hercegovina.” The term was not wholly satisfactory, as it suggested a religious identity when in fact many Bosnian Muslims were secularized or even atheists, and most Bosnian Muslims view themselves as members of a distinct nationality. On September 28, 1993, the Second Assembly of Bosnian Muslims met in Sarajevo and voted overwhelmingly to change the group’s name to “Bosniak,” or “Bošnjak” (plural “Bošnjaci”) in the local language. This change has been universally adopted by the international community and by the vast majority of members of the group. (In this statement, the terms “Bosniak” and “Bosnian Muslim” are used interchangeably as appropriate in their particular historical context.) The words “Bosnian” and “Bosniak” are nearly identical but have very distinct meanings. “Bosnian” refers to an inhabitant of the geographic area of Bosnia and Hercegovina, whereas the word “Bosniak” thus refers to a nationality (formerly known as the Bosnian Muslims), whose individuals are called “Bosniacs.”

The two other major nationalities are the Serbian and Croatian, whose individuals are called Serbs and Croats. Serbs are typically of the Serbian Orthodox faith, and Croats are typically Catholics. There are, however, many non-religious Serbs and Croats. Most of them nevertheless strongly identify with the religious heritage associated with their respective nationality. Inhabitants of Bosnia who are Serb or Croat by nationality are commonly called Bosnian Serbs and Bosnian Croats. One often finds them described simply as “Serb” or “Croat,” without the adjectival “Bosnian,” when it is obvious that the referent is an inhabitant of Bosnia and Hercegovina.

Also noteworthy is a significant minority of Slavic Muslims who live in Serbia and Montenegro along the boundary between those two Republics. This area, known as the Sandžak of Novi Pazar or more simply the Sandžak, has a distinct history. Its Muslim inhabitants primarily think of themselves as Bosniacs (formerly called the Bosnian Muslims) and have a recent political history similar to that of the much larger population of Bosniacs in nearby Bosnia and Hercegovina. Some members of this group sought autonomy from Serbia and Montenegro in 1991, but without success.

The 1991 Census

Results of the 1991 census show that the Serbs, Croats, and Muslims of Bosnia were intermingled through almost all the territory of that Republic. As of 1991, this was not a land easily divisible into ethnic enclaves by drawing lines on a map. Only in a few areas did one find a single group with a substantial majority. A few northern areas, and a strip of land along Bosnia’s western border with Croatia, had a majority Serb population. An enclave to the northwest of the city of Bihać was largely Muslim; and the area to the west of Mostar was nearly exclusively Croat. But most of the Republic was a mixture of all three groups. In the countryside, many villages were nationally homogenous, but one could often find a village of another nationality nearby.

There were a substantial number of nationally mixed villages, particularly in the region of central Bosnia in and around the Lašva Valley.

The cities were the most mixed parts of Bosnia and Hercegovina according to the 1991 census. The circles on Map Two represent the population of cities and major towns. A few have a majority Muslim population, but most have a combination. Mixed marriages were widespread in the cities by 1991. Some urban residents of mixed origins, or in the desire to avoid any national orientation, declared themselves as “Yugoslavs” in the 1991 census. The category “Yugoslav or other” accounted for 7.7% of Bosnia’s population in 1991.

The southern region of Hercegovina had a distinctive national makeup. To the west, it was nearly exclusively Croat. Bosnian Muslims were present in most cities and throughout the central area. In eastern Hercegovina, Bosnian Muslims had a strong presence that gradually gave way to an almost exclusively Serbian population as one approached and then entered the highland territory of Montenegro.

1990 Elections

In Bosnia multiparty elections were held in November 1990 and, as elsewhere in Yugoslavia, nationalist leaders were victorious. Thus most seats in the representative assembly were won by three major parties, one representing each of the three major ethnic groups. The leading Bosniac party, named the Party of Democratic Action (or SDA, in its local language acronym), won 86 of the 240 seats. The leading Serbian party, the Serbian Democratic Party (SDS), won 72 seats; the leading Croatian party, the Croatian Democratic Union (HDZ), won 44 seats. The remaining 38 seats were shared by eight different political groups.

The 1990 elections also brought to power, or confirmed in power, others who have remained as leaders of their countries since then. In the Republic of Serbia, the 1990 elections left the Serbian President and former communist, Slobodan Milošević, in power. In the Republic of Croatia, Dr. Franjo Tudjman, a former Partisan and communist who was an historian by profession, was elected President as head of the Croatian Democratic Union on a nationalist platform.

The 1990 elections represented the defeat of the reformists, reformed communists and socialists, who prevailed only in a few local areas. Principal among them was the city of Tuzla in northeastern Bosnia.

The 1990 elections represent a pivotal time in the history of Bosnia and Hercegovina. Developments prior to this time are significant in that they influenced both the claims and the conduct of political leaders who came to power in 1990.

III. The Myth of “Ancient Tribal Hatreds”

The easiest and most facile explanation for Bosnia’s history is also its most recent: the notion that all of its past is characterized by ancient tribal hatreds. According to this view, all South Slavs are animated by primordial mutual hatred. They are all violence-prone, and animosity toward their neighbors is deeply imbedded in their souls and psyches. Therefore, in this view, the violence that characterized the region in World War II and during the wars of 1991 to 1995 was an inevitable recurrence of ethnically-motivated violence that predictably emanates from the primitive, hate-filled South Slavic soul.

Certain western diplomats and journalists first expounded this view in the early 1990’s. It met the needs of those diplomats who wanted to avoid any engagement in the wars in Croatia and Bosnia, and it filled the minds of journalists with the notion that their new subjects were exotic, primitive, colorful, unpredictable, and truly different from the average western “civilized” reader or viewer. Thus there grew up a close association between an historical explanation, the “ancient tribal hatreds” view, and those policy-makers in Europe, the U.S., and the international community who wished to avert their gaze from the conflict and who opposed significant outside involvement, particularly military intervention, in the region.

I find little historical foundation for this viewpoint. This is not to say that there has not been plenty of violence in the history of the region, but very little of it, until the twentieth century, can be characterized as between nationalities or ethnic groups. Historians generally agree that the South Slavs lost their tribal character by the end of the medieval period at the latest, so to speak of “tribes” after about the 14th century is inappropriate. Finally, national and ethnic conflict has typically been occasioned by and frequently instigated by, outsiders.

IV. History from the Slavic Migrations to 1900

Migrations

The peoples now known as the South Slavs migrated to Southeast Europe sometime in the 6th or 7th century A.D. Their approximate homeland prior to migrating was in the area of present-day northwestern Ukraine, southwestern Belarus and eastern Poland. Scholars disagree substantially concerning the probable area of origin for these migrations. However, there is substantial agreement that the South Slavs migrated as tribes. Unlike the Huns, the Visigoths, the Avars, and later the Mongols, the peoples now called the South Slavs were sedentary. Once they reached the Balkan Peninsula, they settled down. They continue to constitute the majority of the population in this region to the present day.

Upon reaching Southeast Europe, the South Slavs settled in an area between the two major centers of Christianity in Rome and Constantinople. These rival

centers remained part of one church until the Great Schism of 1054, but their influences were quite different. The South Slavs were Christianized from the west by Catholics and from the east by Orthodox missionaries. Cyril and Methodius, who visited the area in 863-864 from Constantinople, are credited with developing the basis for the Glagolitic script for Slavic languages. Catholic missionaries and orders under the Pope's direction were active throughout the region from the middle ages onward. Consequently one cannot draw a dividing line between the eastern and western versions of the Christian religion in southeast Europe. Rather, they overlapped, intermingled, and competed with one another for many centuries up to the present day. Nevertheless, as a broad generalization, these rival influences led to the prevalence of Orthodox Christianity in the eastern South Slav regions and Roman Catholicism in the western lands.

Medieval Kingdoms

Starting in about the ninth century, medieval kingdoms emerged under Slavic rulers. While there were others, I will address only the three that had substantial holdings in the area of Bosnia and Hercegovina: the Serbian, Croatian, and Bosnian medieval states. They arose in a challenging international environment. A number of rival empires and kingdoms were contending for hegemony in the region: the Byzantine Empire with its capital in Constantinople, the Franks in western Europe, and later Venice along the Adriatic Sea and the Hungarian Kingdom to the north. (The Hungarians arrived in their present homeland in 996). The medieval states of southeast Europe were frequently vassals, to a greater or lesser degree, to one of their neighbors.

Regrettably, we know relatively little about these medieval kingdoms. Most evidence comes from outsiders, reports written for the rulers of neighboring realms, missionary reports, royal charters, and some archeological and linguistic evidence. In the most general sense, their princes and kings began as leaders of tribes or tribal confederations who succeeded through war, guile, or marriage in carving out some privileges for their own entities. They enhanced their power through raising armed retinues, collecting taxes, conquest, coinage, and acquiring elevated titles such as "Ban" (Governor), Duke, King, Emperor, and (post mortem) saint. Particularly in the case of the Serbian Kingdom, they acquired prestige and popularity by endowing churches and monasteries. These states were dependent upon the abilities and success of a single ruler or succession of rulers. Those rulers, in turn, were dependent on their ability to control vassals, to extract taxes, and to defend territory. Often their control of people was tenuous and their domination of territory was transient.

Our lack of knowledge has left the door open to contending claims by nationalists in the nineteenth and twentieth centuries who want to restore perceived ancient grandeur. National popularizers have frequently attributed to these kingdoms a splendor they did not possess and done so with greater

certainly than the factual record can sustain. Nevertheless, the Croatian, Serbian, and Bosnian medieval kingdoms each held sway over much of the region for many years, creating a large area in the South Slav lands that is coveted by multiple claimants.

The kingdom of Croatia originally emerged from a group of South Slavic tribal leaders who were vassals of the Franks. After the death of Charlemagne in 814 they increasingly asserted their independence. Vladislav, whose rule began in 821, was the first of these leaders to style himself as a Duke of the Croats and Dalmatians. The kingdom was based, and enjoyed its greatest control, in the central and northern Dalmatian coast. The zenith of the Croatian Kingdom was reached under King Tomislav, who ruled from approximately 910 until about 920 or 925. He was crowned King of Croatia with the permission of the Pope. His conquests probably included most of present-day Bosnia. King Tomislav has become a significant icon in Croatian national history: a monumental statue of Tomislav greets today's visitor to Zagreb upon walking out of the main railroad station.

Subsequent rulers lost and then regained much of the territory over which Tomislav ruled. The King appointed Bans (governors) to rule over various areas, including Pannonia, Dalmatia and Bosnia. The Croatian kingdom experienced difficult times late in the 11th century after the holder of the Crown died. For about ten years there were conflicts over who would occupy the throne. In 1102 a group of Croatian nobles met with the King of Hungary and asked him to add Croatia to the holdings of the Hungarian Crown. This agreement is enshrined in a document called the *Pacta Conventa*. Most Croatian historians portray this as a voluntary submission, while Hungarian historians tend to portray it more as the result of a conquest. But the greater significance of the *Pacta Conventa* lay in its longevity. From 1102 until the end of World War I in 1918, the King of Hungary was also the King of Croatia. This provides Croatia with a claim to juridical continuity over that eight-century period, although through much of that time Croatia was subjected to a greater or lesser degree of Hungarian domination.

The medieval Serbian Empire began in the southeastern area of lands inhabited by South Slavs. In 1036, Stefan Vojislav began to consolidate the Serbian tribes in a small area adjacent to the Adriatic Sea. In 1077, Constantine Bodin came to the throne and ruled as a Catholic. Stefan Nemanja (ruled 1168-1196) united the areas of Zeta, Raška, and Hum, thereby extending Serbian rule into the region of present-day eastern Hercegovina. The ruler and his people gradually moved closer to Orthodox Christianity. Stefan II, son and successor of Stefan Nemanja, was crowned first by a papal legate in 1217 and then by a representative of the Eastern Empire in 1222. The medieval Serbian kingdom ended up as distinctly Orthodox in its religious character and in the cultural sphere of Constantinople.

In the fourteenth century, the Serbian kingdom came into conflict with the Ottoman Empire, an Islamic state moving into the Balkan Peninsula from the east. The Serbian Kingdom, along with allies from other European states,

fought the Ottomans at the Battle of Maritsa in 1371 and again at Kosovo Polje in 1389. Serbian historians and popularizers often portray the Battle of Kosovo as a particularly tragic defeat that signaled the death of medieval Serbia, but many scholars tend to characterize it quite differently as a significant but inconclusive battle. The Serbian state survived for some decades after the battle, but Ottoman conquests were renewed after a period of withdrawal and consolidation. When finally conquered by the Ottomans, the Serbian state ceased to exist. At its height the Serbian Kingdom included large portions of present-day Greece, Albania, Croatia, and Bosnia, particularly that portion more properly called Hercegovina.

The medieval Bosnian state emerged from Hungarian domination in 1180 under Ban (Governor) Kulin, although it remained nominally a vassal of Hungary through most of the Middle Ages. It began as a small island of land that covered the region of present-day Sarajevo and extended to the west to include the Lašva Valley and Prozor areas of central Bosnia. Kotromanić, a successor of Kulin, added more lands to the state by conquering much of the southern region from the Serbian Nemanje dynasty. Tvrtko was crowned King of Bosnia and Serbia in 1377, and in 1390 he added Croatia and the coastal portion of Dalmatia to his crown. His death in 1391 represented the high point of Bosnian state control, after which it experienced increasingly successful pressure from Hungary and the Ottoman Empire. At the height of its power, the Bosnian state included large areas that are part of present-day Croatia, Serbia, and Montenegro.

The medieval Bosnian state had a distinct religious history, although one must emphasize again how little is known about its specific religious character. Hungary, to bolster its case for turning its campaign for conquering Bosnia into a crusade, accused the church leaders in Bosnia of harboring a dualist heresy called Bogomilism. Churchmen in Bosnia subsequently broke with the Catholic Church and established their own independent organization known as the Bosnian Church. Outside Bosnia, many came to believe that the Bosnian Church was a haven for Bogomil heretics. Recent scholarship has strongly challenged the notion that Bogomilism held sway in medieval Bosnia. The Franciscan mission to Bosnia was established in the year 1342 under the sponsorship of the Ban, and thereafter medieval Bosnia was increasingly influenced by western Catholicism. But for about a century, from 1252 to 1342, the medieval Bosnian church, whatever doctrines and practices it may have followed, flourished in much of the state.

The medieval kingdoms of Southeast Europe all eventually succumbed to their stronger neighbors. Croatia became part of the Hungarian Crown. Serbia and Bosnia were conquered by the Ottoman Empire, which later occupied much of Hungary and Croatia as well. From the fifteenth until the early twentieth century, most South Slavs were ruled by the Ottoman and Habsburg Empires and by the Republic of Venice.

The medieval period was therefore a time of religious rivalry between Orthodoxy and Catholicism and of territorial conquests that ebbed and

flowed with the rise and fall of the Croatian, Serbian, and Bosnian states. At various times between about 900 and 1400, each of these three medieval states held sway over large territories that at different times were incorporated into one or both of the others. In the nineteenth and twentieth centuries, many Serbian and Croatian nationalists asserted claims based on the farthest extent of territory held by their respective medieval kingdoms. They bolstered their arguments based on time of possession: The descendants of the first ones to rule, claimed to have superior territorial rights. Other nationalist claims were based on the vaguer notion that spheres of religious or cultural influence prevailed at one time or another in the medieval period. The earliest states in the region were therefore claimed by multiple contenders in the nineteenth and twentieth centuries, claims that were often plausible only because so little was known about the early states. These claims generously overlap one another and frequently exaggerate the holdings and significance of their claimed predecessors. Taken together they are wholly irreconcilable.

Imperial Rule: Ottoman and Habsburg

The Ottomans made initial forays into the Balkan Peninsula in the fourteenth century and eventually conquered much of the region, even unsuccessfully laying siege to Vienna in 1526 and again in 1683. The Ottoman Empire did not force large-scale conversions to Islam. The South Slav population therefore remained predominantly Christian in most areas of Southeast Europe that came under Ottoman rule. In Bosnia, however, people converted to Islam in significant numbers in the 140 years or so after the Ottomans conquered Bosnia in 1463.

The extensive period of conversions to Islam, from 1463 until approximately 1600, was a time of relative fluidity in religious affiliation. Based on the existing evidence, it is not possible to identify conclusively lines of continuity from any single previously existing group or religious community. Various reports show that conversions took place in all directions without creating public controversy. Thus Bosnia became a society of three primary religions: Islam, Serbian Orthodoxy, and Catholicism. With the exodus of Jews from Spain after 1492, some Sephardic Jews moved to Bosnia, adding a fourth religion (albeit with relatively few adherents) to the area.

Ottoman society was governed in part by the *millet* system. *Millets* were not territories; rather, they were made up of people in all parts of the Empire with a particular religious affiliation. Orthodox Christians enjoyed a limited amount of self-government through their *millet*, led by the Patriarch who resided under the Sultan's close watch in Istanbul. Jews and Armenians each had their own *millet*. The Catholics, whose spiritual loyalty to the Pope was a source of suspicion to the Ottoman ruling class, enjoyed no such benefit. Catholics found themselves disadvantaged by a host of constraints that applied to non-Muslims, and they lacked the institutional protection that the *millet* system provided at times to others. The number of missions of the

Franciscan Order dropped sharply under Ottoman rule, and few new Catholic churches were built.

In addition to these widespread conversions in Bosnia, Ottoman rule changed the demographic character of the region in two other important ways. The first of these was politically induced migration. As the Habsburg Empire sought to protect its borders against further Ottoman incursions and conquest, it established boundary zones to promote the growth of a warrior class. It granted freedom of religion and property to those, mainly of the Serbian Orthodox faith, who would move there and take up arms when called upon. The Ottoman Empire engaged in a similar practice and drew both Muslims and Serbian Orthodox to its side of the boundary, although typically under Muslim commanders. Known as the Military Frontier, or “Vojna krajina” in the local Slavic language, this border zone resulted in a substantial Serbian Orthodox population in a wide swath of Croatia. The descendants of these frontiersmen, and of other Serbs who had migrated there, would rebel against Croatian rule in 1990-91. The military frontier on the Ottoman side of the border accounts in part for the concentration of Serbs in the north and west of Bosnia discussed earlier.

Finally, many population changes took place owing principally to economic and social change, primarily the prosperity and economic growth that came to the region in the first century and a half of Ottoman rule. Cities grew up along trade routes, among them the city of Sarajevo, which like many other Bosnian cities in the 16th century had a population made up largely of Slavic Muslims who prospered on the city’s status as the capital and as a major center of trade and commerce. Later under Ottoman rule, many Christians became *kmets* (a term often erroneously translated as “serf”), peasants who paid dues to Muslim landlords much like tenant farmers but held hereditary rights to the land they tilled. This led to tensions between Christian peasants and the Bosnian Muslim landowners and eventually to peasant rebellions in the nineteenth and early twentieth century.

Map Seven shows the administrative units of the Ottoman Empire. This shows that Bosnia, as we have come to know it on today’s maps as a large, triangular, inland area, was preserved as a series of administrative units in the Ottoman Empire. It changed from its medieval predecessor in two ways. First, Bosnia lost its lands along the Adriatic Coast and became an inland territory. Second, lands in the northwest were added to Bosnia as the Ottomans conquered further territory in that region. With these changes, Bosnia’s boundaries remained remarkably consistent from the Ottoman era until 1929. Although Bosnia lost its independence when the Ottomans conquered it in 1463 and was not to become a sovereign state again until 1992, it continued as a distinct administrative unit, or small cluster of units, for four centuries. Among polities in Southeast Europe, Bosnia’s boundaries have been more stable and long-lasting than those of neighboring Croatia or Serbia.

The gradual decline of Ottoman authority and efficiency came to a crisis in 1875, when Serbian Orthodox peasants arose in a rebellion in Bosnia. Soon

several major powers became involved in regional wars, leading the Great Powers of Europe to convene the Congress of Berlin in 1878 to redraw the map of Southeast Europe. As part of that realignment, Austria-Hungary was given a mandate to “occupy and administer” Bosnia. Thirty years later, in 1908, the Austria-Hungary formally annexed Bosnia, but in fact it took full military and administrative control starting in 1878.

The Austro-Hungarian period in Bosnia lasted from 1878 to 1918. It ushered in an area of modernization, a centralized bureaucracy, the first serious development of a transportation and communication infrastructure, and considerable industrialization. Despite this serious attempt to modernize Bosnia, the authorities retained the system whereby *kmets* (who were nearly all Christians) paid dues to landlords (who were almost all Muslims), thereby failing to resolve a major grievance of the largely Christian peasantry. This decision favored the Bosnian Muslim landowning elite. On the other hand, the Catholic population increased under Austro-Hungarian rule. The Dual Monarchy sent many Catholics to Bosnia as administrators, some of them from the Croatian lands. A regular Catholic church hierarchy was established in 1881 and soon acquired considerable political influence in Bosnia.

The first modern, large-scale political parties also date from this time. They reflected the development of nationalism in the prior half-century. Nationalism was introduced into Bosnia from the outside, but it found fertile soil during the latter half of the nineteenth century in the Catholic and Serbian Orthodox religious communities which had developed distinct identities by then. In a process often described as a “national awakening,” Serbs and Croats developed greater awareness of their national histories and sought greater autonomy or independence for their nation-states. This process was well advanced in Croatia and Serbia before it evoked major echoes in Bosnia, notwithstanding a few Bosnian intellectuals and churchmen who came to advocate it wholeheartedly.

Within Bosnia, this process can be seen as the culmination of a process that began with the formation of religious communities, the evolution of related cultural traits, and finally their development into ethnic or national groups. As noted earlier, religious conversions took place with relative ease in the first years of Ottoman rule, but thereafter the adherents of each religion developed distinctive cultural traits and practices, some of which were unrelated to religion *per se*. Catholics, Orthodox, and Muslims thus differentiated themselves on the basis of the holidays they honored, their cuisine, attire (especially headwear), oral traditions, songs, and the appearance of their houses. These cultural traits and practices eventually became the markers of religious communities and then of national affiliation. Identification by nationality co-existed for many individuals with local, regional, religious, and social identities, and even in this century it never fully supplanted them.

Keys to these developments were religious institutions: the Serbian Orthodox Church, the Franciscan missions, Muslim religious leaders, teachers, and judges, and their related institutions of learning. By the middle of

the nineteenth century, one's membership in a religious and cultural community also began to signify identification in a national community, one that had political significance. Members of the Serbian Orthodox faith came to identify themselves politically as Serbs, Catholics came to identify themselves politically as Croats, and Muslims also became more distinctive and came together for political action. Around the beginning of the twentieth century, both the Serbs of Bosnia and the Bosnian Muslims organized movements for cultural autonomy that succeeded after extensive negotiations with the Austro-Hungarian authorities. These movements became the basis for political parties formed along national lines. Under clerical leadership, Bosnian Catholics also became politically engaged and organized political parties after the turn of the century.

Following Austria-Hungary's formal annexation of Bosnia in 1908, it promulgated a constitution and held elections for delegates to an assembly (Sabor). Voting was based on a very limited franchise and employed the curial system then in use in Austria-Hungary, which assigned voters to specific religious and social categories within which they could vote. Nevertheless, the winners of these elections were aligned much like the victors of the 1990 elections some eighty years later. The Serbian National Organization prevailed among Serbian voters, and the Muslim National Organization won most seats among the Bosnian Muslim parties. The Croatian parties split along two lines, one following the secular and national "Croatian National Union," and the other adopting a religious, Catholic orientation, the "Croatian Catholic Association."

Within the political alignment, the Bosnian Muslims were distinctly separate. They opposed agrarian reform (so that the landowners could retain their dues), sought to preserve and strengthen their religious and cultural autonomy, and supported a conservative social agenda. Unlike the Serbs and Croats, however, the Bosnian Muslims continued to insist that they constituted a religious, not a national, community. It became fashionable for educated Muslims and political activists to "declare" themselves to be of the Serbian or Croatian nationality. Such Muslim "declarations" as Serbs and Croats constituted a unique form of political identity. It was limited primarily to educated and activist Muslims and proved to be both superficial and transient. Some Muslims changed their national "declaration" at times during their public careers while others retained it for life. Most significantly, it had little impact on behavior, as few "declared" Muslims left Muslim political parties or cultural societies to join Serbian or Croatian ones.

It was common for a Muslim political organization to include some Muslims who declared themselves as Serbs and others who declared themselves as Croats. The Muslim delegation elected to the "Constituent Assembly," the body that drew up the Constitution for the Kingdom of the Serbs, Croats, and Slovenes in 1920, was made up of 24 delegates, all members of the Yugoslav Muslim Organization (JMO). By national "declaration," they were mixed. 13 delegates declared themselves as Croats, 5 as Serbs, 4 as "undeclared," one as

“Yugoslav” and one as “Bosniac.” None of these declarations had much influence on political behavior, and the delegates behaved and voted principally as members of their Muslim political party, the JMO.

Such “declarations” by Muslims had a more significant impact on their Serb and Croat counterparts. Some Serbs and some Croats came became convinced that the Muslims would eventually come around to their camp: they believed that if you scratched a Muslim, you would find underneath either a Croat or a Serb whose ancestors had converted to Islam. Certain nationalists harbored the belief that Bosnia was really a Serb-majority land (achieved by combining the number of Serbs and Muslims) or a Croat-majority land (achieved by combining the number of Croats and Muslims). This conclusion was only possible if one contended that the Bosniacs (Bosnian Muslims) were in fact something other than what they said they were. One such nationalist was Dr. Franjo Tudjman, the historian elected President of Croatia in 1990, who believed the vast majority of Bosnia’s Muslims were Croats.

Not until the census results of the socialist period did it become clear that these nationalist beliefs were based more on wishful thinking than empirical evidence. The census returns show that the vast majority of Muslims rejected the Serbian or Croatian identity and truly regarded themselves as part of a distinct Bosnian Muslim nationality. Thus the Bosnian Muslim identity proved to be the underlying, enduring one. The declarations of many members of the Bosnian Muslim elites as Serbs or Croats, on the other hand, proved to be superficial and transient. If you scratched a Bosnian Muslim who “declared” himself a Croat or a Serb, you still found a Bosnian Muslim underneath.

On June 28, 1914, the Habsburg Archduke Francis Ferdinand was assassinated in Sarajevo by a group of young Serbian nationalists belonging to an amorphous organization known as “Young Bosnia.” This did not “cause” World War I, as popularizers often assert, but it set in motion a complex chain of events that ultimately led Germany to invade France through Belgium and Austria-Hungary to attack Serbia, each some six weeks or more after the assassination. Although at one point Serbian guns approached Sarajevo, the Serbian forces were soon driven from Bosnian territory, and relatively little combat subsequently took place on Bosnian soil. Many Bosnians, however, were engaged in the war as soldiers, fighting either for Austria-Hungary or as volunteers for Serbia. Serbia itself was the scene of numerous battles. The Serbian army fought valiantly in World War I. Although it experienced great losses, it emerged victorious along with other allied armies against the Central Powers.

As the Austro-Hungarian Monarchy collapsed and the war came to an end, Serbia was in the best position to lead the process of creating a South Slav state. It was an independent state, it had its own army that had emerged triumphant against the Central Powers, and its ruling dynasty was in a strong position to unite the South Slavs.

The First Yugoslavia and World War II

On December 1, 1918, Crown Prince Aleksandar of the Serbian Karadjordjević Dynasty proclaimed the Kingdom of the Serbs, Croats, and Slovenes. From the outset, the Kingdom, informally called Yugoslavia (the Land of the South Slavs), embodied different aspirations for those who helped create it. For the Serbs, it meant the realization of their long-standing aspiration to create a centralized, Serbian state, a union of “blood brothers” in which the Karadjordjević Dynasty would provide the leadership, the Serbian Army would contribute its military prowess, and Serbian officials would provide administrative leadership and stability. The Croats and Slovenes, on the other hand, were under considerable duress to join the Kingdom because Italian forces were threatening to seize significant portions of their lands. They saw in the Kingdom the possibility of a confederation in which they might achieve parity with the Serbs.

The Kingdom of the Serbs, Croats and Slovenes was largely an amalgam of its pre-war constituent parts. Dalmatia was united with the former “Kingdom of Croatia and Slavonia” to create the Croatian component of the state, following boundaries similar to those entities before World War I. Bosnia retained its distinctive triangular shape with the rough-edged boundary to the east, following the meandering Drina River.

The Kingdom of the Serbs, Croats, and Slovenes soon suffered from severe differences concerning its internal composition and the relationship between its nationalities. On June 20, 1928, a Montenegrin assassin shot the leader of the largest Croatian party, Stjepan Radić, in Parliament. Radić died some weeks later, leaving the Kingdom in turmoil. On January 6, 1929, King Aleksandar suspended the existing Constitution and proclaimed a royal dictatorship. He banned parties based on nationalities and extended the existing ban on the Communist Party. Old internal boundaries were eliminated and new ones drawn that deliberately transected nationality patterns. They were called “Banovinas,” a revival of the medieval word for governor (Ban) in a form referring to a territory. Banovinas were named after natural features (principally rivers) rather than nationalities or prior administrative units. In this realignment, Bosnia lost its distinctive triangular-shaped boundaries for the first time since the Middle Ages. As a final step to eliminate national designations from public life, Aleksandar changed the name of the state to the Kingdom of Yugoslavia.

In October 1934, King Aleksandar was assassinated while in Marseilles, France. The assassination was plotted by a group of Croatian Ustashe (“insurrectionists”), who wanted Croatia to be independent of Yugoslavia, and carried out with the help of Macedonian terrorists. In 1939 his successor, Prince Paul, authorized his Prime Minister, Cvetković, to pursue an agreement with Vladko Maček, the head of the Croatian Peasant Party.

The Cvetković-Maček negotiations lasted some months. They constituted a desperate effort to satisfy Croatian aspirations within the framework of Yugoslavia, conducted under duress in the shadow of German pressure and

Italian threats to support Croatian secession. The final agreement, reached in August 1939, met most of the demands of the two largest national actors in Yugoslavia – the Serbs and the Croats – at the expense of the smaller ones, largely with the addition of Bosnian territory to historically Croatian lands. The agreement goes by various names: the Cvetković-Maček Agreement, the Sporazum (the local language word for “Agreement”), or the Banovina Plan. The agreement created a large Croatian Banovina. As such it abandoned the notion of the Banovina as a non-national entity, instead creating an explicitly Croatian national banovina with certain rights of autonomy. It also specified that plebiscites would be held in certain areas to determine which Banovina they would belong. Those plebiscites were never held.

The Banovina Plan was in effect for less than two years, from August 1939 until April 1941. As a fulfillment of Croatian territorial ambitions, it has frequently been a source of nostalgia for Croatian nationalists of post World War II era. Lord David Owen, the negotiator for the European Union in peace talks in 1992 and 1993, made the following observation:

Because the 1939 Cvetković-Maček agreement had given the Croatian nation control over substantial parts of Bosnia-Herzegovina, many Croats, not least Franjo Tudjman, never in their hearts accepted the 1945 boundary between Croatia and Bosnia-Herzegovina.¹

Despite the agreement, political turmoil continued to plague Royal Yugoslavia. Angered by Yugoslavia’s reluctance to adhere to the Tripartite Pact, Hitler initiated an invasion of Yugoslavia. On April 6, 1941, the Germans bombed Belgrade, killing many and bringing destruction to the city. With little resistance from the Yugoslav Royal Army, Germany and Italy soon occupied the country. German troops occupied the north and east of the country, while Italian forces occupied the south and west, divided by a demarcation line that ran through the center of Bosnia. The Croatian Ustashe, the right-wing group that planned and helped carry out the assassination of King Aleksandar in 1934, was given control over the so-called “Independent State of Croatia,” a territory encompassing the historical lands of the Croatian Kingdom and Bosnia.

The Ustashe regime came to power with some degree of popularity with the Croatian population, for it achieved in principle many far-reaching Croatian national aspirations. It soon lost its initial popularity. In the Rome Agreement of 1941, the Ustashe regime consented to Italy’s annexation of part of the Dalmatian Coast, thereby giving up a piece of territory that had been the heart of the old Dalmatian Kingdom. The regime’s brutality further reduced popular support. It systematically exterminated most of the Jews in its territories, and it aimed to eliminate the Serbian population through killings, conversions to Catholicism, and expulsions. Many killings took place at the infamous camp at Jasenovac. Tens of thousands perished there, including

¹ David OWEN, *Balkan Odyssey*, 20.

Jews, Serbs, Gypsies, and Croats who were deemed to be opponents of the regime.

The Ustashe puppet regime took a different approach to the Muslims in its territory. Reverting to the old nationalist belief that Muslims were really Croats who had converted to Islam, the Ustashe attempted to co-opt them into its regime. An existing building in Zagreb was turned into a mosque, and officials promoted the notion that Muslims were good Croats, and even called them the most pure Croats. This yielded some success. Several leading Muslims joined the regime, and a significant number of Bosnia's Muslims collaborated with the Ustashe and the Germans during the war. German occupiers established a special unit for Muslim troops, but it was plagued by problems from the beginning and was not a functioning unit by 1944. On the other hand, many Bosnian Muslims joined the Partisan resistance movement or otherwise opposed the Ustashe regime.

Shortly after the German and Italian occupation began, a determined resistance movement was mounted under the leadership of Josip Broz Tito and the Communist Party of Yugoslavia. This movement eventually won the support of the British, over the objections of the Royal Government in exile. Its success lay partly in its readiness to fight aggressively even after German forces retaliated for attacks by brutally killing Yugoslav civilians. A vital part of the Partisan appeal was its rigorous insistence on the equality of all Yugoslav nations, embodied in its slogan "Brotherhood and Unity." For Bosnia, this policy was articulated in 25-26 November 1943, at the first session of the Anti-Fascist Council of National Liberation of Bosnia and Hercegovina, as follows:

Bosnia and Hercegovina is not Serbian, nor Croatian, nor Muslim; it is Serbian, AND Croatian, AND Muslim.

Such a notion of Bosnia and Hercegovina as an integral land, indivisible but a home to all three major constituent nations, was the basis for wartime appeals, the postwar socialist order in Bosnia, and the approach of many political leaders in the post-socialist period.

Socialist Yugoslavia

After having established control over much of the countryside in the latter years of the war, the Partisans emerged victorious with the assistance of western aid and armed support from Soviet forces. Tito and the Communist Party of Yugoslavia soon established a single-party, highly centralized regime. They were committed to Stalinist political principles, to nationalizing the means of production, and to the ideology of "Brotherhood and Unity." Tito took brutal measures against suspected collaborators and sympathizers in the final months of the war and the first months of peace.

Socialist Yugoslavia's internal boundaries in many instances respected historical precedent and traditional practices. The Socialist Republic of Bosnia and Hercegovina was established as one of six Republics with its familiar tri-

angular shape. The five other Republics each had a majority nationality, but each (with the exception of Slovenia) also had substantial numbers of national minorities within its boundaries.

In 1948 Tito and the Yugoslav Communist Party were expelled from the Communist Information Bureau (Cominform), an alliance of communist countries dominated by Stalin. The expulsion was the culmination of a growing dispute between Tito and Stalin. It led Tito and his closest associates to seek a path of socialist development that was different from the Stalinist model. In the early 1950's, Tito and the party leadership defined this separate path as the domestic policy of workers' self-management (in contrast to central state control of all enterprises) and international non-alignment. Workers' self-management eventually led to decentralization of economic control, greater openness of Yugoslavia's borders, and expanded personal freedom for Yugoslavia's citizens. A parallel political process led to gradual decentralization of federal authority in favor of the various Republics in the 1960's and 1970's. This meant that the Republics were competing with one another for the resources of the federal government.

Bosnia was unique among the Republics in that it carried no national name and contained no nationality that commanded a demographic majority. The leadership of the League of Communists of Bosnia, consisting of those from all three nationalities, contended with other Republics for federal investment dollars for infrastructure, factories, and other development projects. One of its most notable successes was to win for Sarajevo the 1984 Winter Olympics, an undertaking that enhanced the world reputation and economic welfare of the city and the Republic.

Decentralization and greater personal freedom also led to expressions of national ambition and discontent. The League of Communists was the primary mechanism through which such expressions were limited or repressed. In 1966, the head of the federal secret police, Aleksandar Ranković, was forced out of his government post and resigned from the party after charges that he had abused his powers for Serbian nationalist ends. In 1971, Croatian intellectuals and politicians aroused popular support for greater freedom in Croatia. Known as the "Croatian Spring" by its supporters, this movement was suppressed by Tito and the Communist Party through purges, imprisonment, and other measures taken in the name of preserving single-party rule and socialist principles.

A new constitution was promulgated in 1974. Although it was amended several times, this document was Yugoslavia's last constitution. It enshrined in law a much greater role for the individual Republics and resulted in further weakening of federal authority. The key central political institution was the "Presidency," a collective body (often called the "collective Presidency") which had members representing each republic and autonomous province.

The Constitution made specific provisions for the transfer and periodic rotation of power after Tito's death, which took place on May 4, 1980. Under the Constitution, a "President of the Presidency" would be confirmed each

year from among representatives of the six Republics and two autonomous provinces, selected on the basis of a pre-determined rotation. With institutionalized decentralization and federal institutions crippled by diffused and transitory authority, the country was held together by two key institutions: the League of Communists and the Yugoslav National Army (JNA). According to the 1974 constitution, the JNA was to defend the country against outside enemies, but it also had a unique internal role. It was to uphold the socialist order and assure the unity of Yugoslavia as a country.

In December 1987, Slobodan Milošević took over the League of Communists of the Republic of Serbia. A former banker and long-time party functionary, Milošević shortly thereafter began to manipulate Serbian nationalism to enhance his own power in neighboring areas. In carefully staged actions, he employed massive street demonstrations to force the resignation of leaders in the autonomous regions of Vojvodina and Kosovo and the Republic of Montenegro. Between 1988 and 1990, Milošević appointed his own followers in each of these areas and abolished the autonomy previously accorded to the Vojvodina and Kosovo. In resorting to street demonstrations and forcing resignations, Milošević went outside previous practices of resolving differences within the League of Communists or representative assemblies.

In the late 1980's, Yugoslavia was simultaneously heading down the roads of democratization and nationalist revival. Both factors contributed to the demise of the League of Communists at its Fourteenth Extraordinary Congress in January 1990. After the Slovene delegates walked out and the Croatian delegation refused to continue without them, the Congress was adjourned indefinitely. This left the Yugoslav National Army (JNA) as the only meaningful institution holding the country together. The JNA was transformed into a tool of Greater Serbian nationalist ambitions, setting the stage for armed conflict with those who rejected such aims. With nation-wide elections scheduled for 1990 in which multiple parties could compete, there appeared to be some prospect for a popular resolution to the deep divisions plaguing Yugoslavia. But those elections were never held. Instead, electoral contests in each Republic served as a centripetal force: each enhanced the likelihood of nationalist victories and made Republican autonomy or independence a more probable outcome.

Within Bosnia, these same trends were played out with local variations. A series of scandals discredited the aging revolutionary-era party leadership. The first of these reminds one of an American junk bond scandal. In August 1987, press reports charged that Agrokomerc, a large food-producing enterprise in northwestern Bosnia, was issuing unsecured promissory notes. The founder and Executive Director, Fikret Abdić, was arrested, jailed, but never convicted of a specific crime. In April 1988 it was revealed that Bosnian party leaders were using public funds to build luxury villas in Neum, the one small outlet that Bosnia had on the Adriatic Coast.

This and other charges progressively weakened the hold of the old elite on power within the Bosnian League of Communists. In April 1989 the

Bosnian Republican Assembly adopted constitutional amendments providing for democratic elections, a market economy, and limiting the powers of the Bosnian Presidency. Thus Bosnia followed the pattern of other Republics, and indeed many countries of the region: its own assembly effectively voted itself into an era of democracy. Power-holders voted to expose themselves to democratic elections under popular pressure and the rising discontent with traditional and more closed styles of leadership. Those elections in November 1990 brought a new set of leaders to the fore in Bosnia and in most other Republics of Yugoslavia.

V. Developments of the Early 1990's

The elections of 1990 transformed the political landscape of Bosnia and of most of the former Yugoslavia, with the significant exception of the Serbian Republic and its formerly autonomous regions. In examining the post-electoral developments, I will present a more analytical approach with the hope of outlining the major relevant trends in the early 1990's. These are:

1. The Greater Serbian alliance and its role in Slovenia, Croatia, and Bosnia;
2. The strengthening of the military forces of Croatia and Bosnia;
3. The involvement of the international community in the lands of the former Yugoslavia, particularly in Bosnia; and
4. The transformation of the Croatian Democratic Union political party in Bosnia.
5. The convergence of all these developments in 1993 as a background for developments in central Bosnia.

The Greater Serbian Coalition: Its Deeds and their Consequences

Serbs were to be found in substantial numbers in four of Socialist Yugoslavia's six Republics: Serbia (and in both of its autonomous provinces, Vojvodina and Kosovo), Montenegro, Croatia, and Bosnia. None of these was purely Serbian, and the Serbian populations were not geographically contiguous. When Slobodan Milošević came to power in Serbia in December 1987, he began to build a Greater Serbian alliance by supporting and fomenting Serbian nationalist movements in other republics. The grand prize in his quest was the Yugoslav National Army (in its local language acronym, JNA), which he gradually transformed from a guardian of Yugoslav unity into a servant of Greater Serbian ambitions.

As already noted, the first steps in building this coalition were the purges of old-line League of Communist leaders in Montenegro, Vojvodina, and Kosovo in 1988 and 1989. These resignations were forced by street demonstrations, orchestrated from Belgrade to last as long as necessary to force out

the incumbents. In their places, reliable servants of Milošević were appointed. In this way, the Serbian President came to control four of the eight votes in the Federal Presidency by 1990 and was able to paralyze much of its work.

The next to join this alliance were the leaders of the Serbs living in Croatia, many of whom were descendants of those who moved there centuries before to the Military Frontier (“Vojna krajina”) of the Habsburg and Ottoman Empires. The 1991 census shows that just under 600,000 Serbs lived in Croatia at that time. In 1990 and 1991, some of them received arms and encouragement from certain officers of the Yugoslav National Army who supported Milošević’s nationalist aims. General Ratko Mladić was one such commander. Before long, the Serbs of Croatia were restive and well armed, believing with good reason that the JNA would back them in an armed showdown with the Croatian police and territorial forces. At the same time, Milošević supported the leader of the Serbian Democratic Party (SDS) in Bosnia, Radovan Karadžić. That party won 72 seats in the Bosnian Assembly elections of 1990, and two of its leaders, Biljana Plavšić and Nikola Koljević, assumed the two Serbian seats in the collective Presidency of Bosnia and Hercegovina.

In May 1991, the Republics of Slovenia and Croatia issued declarations of independence. The JNA attempted to intervene in Slovenia to prevent that Republic’s independence, but it met surprisingly effective resistance. Slovene territorial forces took control of their border posts and some key military sites. After representatives of the European Community intervened to mediate, the JNA ceased to contest Slovenia’s independence. Slovenia, the most ethnically homogenous of the Yugoslav Republics, had no meaningful Serbian population, so Serbian nationalists had little interest in pursuing territorial claims there. An agreement was reached and the JNA withdrew, leaving Slovenia free to pursue its independence.

The fate of Croatia was to be different. The Croatian Republic had not only a sizeable Serbian population but also substantial strategic importance to the JNA. Provocative incidents increased in the summer of 1991. Croatian officials, for their part, did little to provide assurance to Serbs of parity within the Croatian Republic. In August 1991 the conflict erupted into full-scale war. Irregulars backed the local Serbs and the JNA in fighting against the Croatian military forces. The city of Vukovar in Eastern Croatia, defended by a small number of Croatian troops, was besieged for weeks and reduced to ruins by JNA artillery fire. The city was taken by the JNA on November 17, 1991 and its defenders tried to evacuate the city. Hundreds of civilians disappeared, their bodies later to be found in mass graves near the town. Ethnic cleansing, largely conducted by Serbian irregulars, made its ugly appearance in the Croatian war before it was practiced in Bosnia.

On January 2, 1992, a cease-fire was signed in Sarajevo between Croatia and the JNA to end hostilities. The agreement provided for the deployment of a lightly armed UN peacekeeping force to separate the combatants. For over three years, albeit with numerous exceptions, this tenuous cease-fire held.

Croatia, in the meantime, worked vigorously to build up its military forces to match or exceed those of the JNA.

The JNA increased its activities in Bosnia during the conflict in Croatia and freely used Bosnian territory as a staging area to support its war effort in Croatia. The increasingly Serbian-oriented JNA relocated large stocks of military equipment and personnel to Bosnia as a result of the Croatian war. By September 1991, several Serbian autonomous regions had already been established in Bosnia, using as a pretext the appeal of local Serbs for the protection of the JNA. As requested by the European Community, a referendum on Bosnia's independence was held on February 29 and March 1, 1992. Croats and Bosnian Muslims voted en masse for independence; Serbs boycotted the vote after being urged to do so by their nationalist leaders in the Bosnian Assembly. As hostile incidents increased, the U.S. and the European Community announced their intention to recognize Bosnia's independence. The day of the EC's recognition, April 6, was also the first day of large-scale conflict in Bosnia.

The war in Bosnia was initiated and pursued in closely coordinated actions by the JNA, local Serbian irregulars, and paramilitaries including the Šešeljevci and Arkanovci. A series of towns in Eastern Bosnia were the first to fall. While the specific role of each of these coalition partners may be in question until further evidence is evaluated, the consequences of their cooperation were largely the same. Large numbers of Bosnian Muslims and Bosnian Croats were killed and their bodies buried in unmarked graves. Those Muslims and Croats who escaped execution were expelled or imprisoned and rape was common. In many cases, Serbian forces followed this violence against persons with the destruction of religious and cultural monuments associated with Islam, Catholicism, and the common life of Bosnia's peoples.

Not all localities in Eastern Bosnia were seized by the alliance of Serbian nationalist forces. Srebrenica, Žepa, and Goražde were surrounded and besieged, but not overrun, in 1992. Large guns were massed around Sarajevo by the JNA, then later by the Serb forces, in a siege that would last for almost four years. Major Bosnian cities were flooded with refugees fleeing from these onslaughts, as was neighboring Croatia. By the spring of 1993, the besieged cities came under periodic threat and attack from Serbian forces.

Until March 1993, this coalition of Serbs from various republics and the JNA appeared to work. The first cracks in its cohesion appeared in March 1993, when the international community forcefully urged the Bosnian Serbs to sign the Vance-Owen Peace Plan (to be discussed below). Yielding to this international pressure, Milošević joined in urging the Bosnian Serbs to sign. When they refused, he threatened to withhold aid and end cooperation. Many observers, including this writer, believed at the time that this was a false indication. But although aid continued to flow to the Bosnian Serbs, this fracture in relations between Milošević and at least some members of the Bosnian Serb leadership has continued ever since the spring of 1993. The split in Serbian ranks at that time came as the first indication that Milošević's support for

his coalition partners was conditional and subject to serious limitations. In August of 1995, the Serbs of Croatia were overrun by Croatian military forces. Many Serbs from Croatia became refugees in Bosnia and Serbia. If the deeds of the Serbian coalition profoundly disrupted the situation in Croatia and Bosnia, the coalition itself must also be judged as surprisingly fragile.

The Strengthening of the Croatian and Bosnian Military Forces

In January 1991, television viewers in most of Yugoslavia were shown scratchy videotape that pictured Croatia's defense minister, Martin Špegelj, negotiating a purchase of arms from Hungary. The tape was the work of undercover security officers of the JNA, who forced Špegelj's resignation and departure from public life. But the videotape provided documentary proof of the poorly kept secret that Croatia was desperately working to build up its inventory of arms and prepare its military forces for war, even as it remained within the Yugoslav Federation.

In socialist Yugoslavia, the territorial reserve forces were an integral part of the overall defense strategy. In anticipation of possible invasion by foreign forces, the Yugoslav military was prepared to offer full local resistance to any occupier, and to that end the territorial forces, organized along Republican lines, were tasked with full preparedness. However, they lacked heavy weapons. In the course of 1991, the Croatian army was created out of the territorial forces built during the years of socialism. Although Croatia suffered many setbacks in its war with the JNA in 1991, its forces performed well on numerous occasions. After the cease-fire of January 1992, Croatian President Tudjman made very public work of building up Croatia's armed forces in anticipation of future conflicts.

Bosnia made this same transition somewhat later. Despite urging from numerous advisers, President Alija Izetbegović resisted large-scale buildup of military forces while talks for the preservation of Bosnia were still going on. The Army of the Republic of Bosnia and Hercegovina (ABiH) was not formally established until the summer of 1992, so the early battles of the war in Bosnia were all fought by territorial forces which generally were greatly inferior to the JNA in manpower, weaponry, and training. Since the import of almost all arms had to take place through Croatian territory, Bosnia was largely dependent on Croatia for the acquisition of heavy weapons. Since both were subject to the poorly-enforced arms embargo voted by the United Nations Security Council in September 1991, both the rearmament program in Croatia and that in Bosnia were accomplished with great difficulty and in defiance of the Security Council resolution.

The International Community's Involvement and Proposals

When war began in Slovenia in June 1991, the European Community (renamed the European Union in January 1994) dispatched its "Troika" leaders to negotiate an end to the conflict. As noted above, the JNA decided not

to contest Slovenian independence any further, so it appeared that this EC mediation had been successful. But hopes for an easy repetition in Croatia were soon dashed. The Secretary General of the United Nations appointed Cyrus Vance as his Personal Representative. A former U.S. Secretary of State highly regarded for his mediation skills, Vance attempted to negotiate many cease-fires during the Croatian war. None of them lasted very long, until the JNA and Croatia reached agreement on January 1, 1992, to consent to the dispatch of U.N peacekeepers to separate their forces. This agreement was signed in Sarajevo the next day. UN peacekeepers were subsequently dispatched to Croatia to monitor the accord under the title of UNPROFOR, the United Nations Protection Force. Its headquarters, with some irony, was established in Sarajevo.

As tensions rose in Bosnia and led to war, the international community became progressively more involved in the quest for an end to the conflict. A series of five major plans were proposed by international negotiators to resolve the crisis. These were the following:

1. The European Community mediation, or Lisbon Agreement, of February 1992;
2. Vance-Owen Peace Plan of January 1993.
3. The Owen-Stoltenberg proposals, from June 1993 to early 1994.
4. The Washington Agreements of February 1994; and
5. The Dayton Peace Agreement, reached in November 1995 and signed in Paris in December 1995.

Only the first three of these pertain to the period under examination in this proceeding.

In February 1992 the European Community summoned the Serbian, Croatian and Bosniak leaders to Lisbon for talks to conclude an agreement in hopes of avoiding hostilities. Alija Izetbegović represented the government of the Republic of Bosnia and Hercegovina; Mate Boban represented the Bosnian Croats; and Radovan Karadžić represented the Bosnian Serbs. The latter two reached an agreement on a plan for cantonization of Bosnia, one that would create ethnically dominant enclaves but leave some power in the hands of the central government. Under pressure from the EU to reach an agreement, President Izetbegović also agreed, much to the surprise of many members of his own party and some international officials. His adherence to the agreement was at variance with his own prior statements on the importance of retaining an integral Bosnia and Hercegovina within its preexisting boundaries.

Izetbegović renounced the Lisbon Agreement almost as soon as he returned to Sarajevo. Further talks were held in the next two months in Sarajevo, but no proposal won the support of all three sides. The independence referendum (February 29 and March 1, 1992) and the subsequent recognition of Bosnia's

independence by the European Community and the U.S. were soon followed by full-scale war in the city of Sarajevo on May 2-3 and in Tuzla on May 15. Cease-fires were regularly concluded, usually with international mediation, and were just as quickly broken as the Serbian coalition conquered much of the Bosnian countryside and laid siege to several cities.

In August 1992, the London Conference was convened to establish the basis for a permanent and definitive peace. Its final statement endorsed an end to the war, a return of all refugees to their homes, the reversal of ethnic cleansing and unimpeded delivery of humanitarian aid to those in need. It authorized the appointment of co-chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, as the London Conference came to be called. The first co-chairmen were Lord David Owen, representing the European Community, and Cyrus Vance, as the Personal Representative of the Secretary General of the United Nations.

Vance and Owen immediately began working on a peace plan, but they experienced little success in gaining agreement of the parties to any single proposal. These initial discussions were held in confidentiality. Then, on January 2, 1993, they hosted the first formal plenary session and simultaneously released their proposal to the public. The essence of the plan was the creation of ten provinces, with one of the three parties assigned a dominant role in all but the central province around Sarajevo, where power was to be shared by all three groups. Lord Owens' version of this map is attached as Map Thirteen. In addition to a map, the proposed peace plan consisted of constitutional provisions for a relatively weak central government, a cease-fire agreement, and interim provisions for the transition to a demilitarized Bosnia and Hercegovina.

As it turned out, the Vance-Owen Plan of January 1993 was the high water mark of Croatian national fortunes in Bosnia from a territorial standpoint. Provinces 3, 8, and 10 were assigned to the Bosnian Croats. On the first available occasion, on January 4, 1993, Mate Boban agreed to all four provisions on behalf of the Bosnian Croats. Alija Izetbegović declined to agree to the map. Radovan Karadžić, acting on behalf of the Bosnian Serbs, rejected the map and certain constitutional provisions.

A period of intense diplomatic activity followed, the aim of which was to convince Alija Izetbegović to agree to the document so that pressure could then be turned on the Bosnian Serbs. Negotiations were held in Geneva and then in New York. Under enormous international pressure, Izetbegović agreed to the plan in its entirety in New York on March 25, 1993. He did so with great reservation, expressed in an annex to a report to the Secretary General of the United Nations. His reservations pertained to the lack of assurances to undo the results of ethnic cleansing and conquest, by which he meant the military victories of the Bosnian Serbs. The plan called for the Bosnian Serbs to withdraw from several areas under their military control, but it nonetheless rewarded them, as seen on the map, with substantial portions of Bosnia from which they had expelled or killed much of the Muslim population.

In the meantime, the Bosnian Serb Army was stepping up its attacks on the ground. They launched new attacks in eastern Bosnia, tightened their siege of the city of Srebrenica, and intensified shelling on Sarajevo, and impeded the delivery of aid by humanitarian convoys. They pressured international organizations such as the UNHCR to exchange civilians, forcing those organizations to choose between saving civilian lives and facilitating Serbian ethnic cleansing. It is difficult to return to the reports of these activities without concluding that this was more than maneuvering for advantage, and indeed more than defiance. These activities of the Bosnian Serbs were a form of taunting, intended to deliberately draw attention to the impotence of the international community and highlight their own intention to act with impunity. This strategy kept the Srebrenica and Sarajevo sieges as lead headlines in many international media for many weeks in March and early April of 1993.

On April 2, 1993, a Bosnian Serb representative assembly meeting at Bileca voted to reject the Owen-Vance Plan. The vote came after Serbian President Milošević and others friendly to the Bosnian Serbs had urged them to approve the plan. The vote was deeply disappointing to the international negotiators. The same assembly rejected the plan a second time in early May, and a referendum provided a final, decisive rejection of the Vance-Owen Plan by the Bosnian Serbs. Their intransigence proved to be beneficial. International negotiators revised the map and proposed to award them more territory. Those gains came partly at the expense of the Bosnian Croats.

Cyrus Vance stepped down as the Personal Representative of the UN Secretary General and was replaced by Thorvald Stoltenberg on May 1, 1993. While the negotiators proceeded much as before, the plan in Map Fifteen is more accurately designated as an Owen-Stoltenberg Plan. Comparing this to the earlier plan, one sees that the territory proposed for the Bosnian Croats has been reduced in two ways. First, Bosnian Croat holdings in the Posavina were substantially reduced. Second, Bosnian Croat holdings in western Hercegovina and Central Bosnia were reduced, with a narrow protrusion of Bosnian government land from the south into the Zenica area. The first plan, Vance-Owen, gave land to the Croats in Province 10, following borders that are discernibly similar to the boundaries from the Cvetković-Maček Agreement of 1939. Their territory in the Owen-Vance Plan extended to the town of Busovača in the Lašva Valley. The Owen-Stoltenberg proposal reduced those gains. Thus the Owen-Vance Plan, although never accepted by the Bosnian Serbs, was the high water mark of Bosnian Croat fortunes in terms of territory on the negotiators' draft map.

The Transformation of Croatian Institutions

From November 1991 through February 1992, Bosnian Croat political institutions underwent a transformation. This occurred in several different steps, to be addressed below. Fundamentally, these institutions moved from representing all Bosnian Croats and supporting a territorially unified Bosnia, to supporting a territorially distinct Bosnian Croat "community" that

asserted its separation from the central government of Bosnia and assigned to itself many of the attributes of sovereignty. Under the name of the Croatian Community of Herceg-Bosna (HZ H-B), this territorial unit included about 70% of Bosnia's Croat population. Its leaders came to function as an extension of the aims of President Tudjman and the Republic of Croatia.

Franjo Tudjman frequently and consistently expressed his views regarding Croatia's interest in Bosnia. It was often the first impression that he left with those who got to know him. Lord David Owen, who got to know him well in 1992 and 1993 while pursuing peace talks, made the following observation in his book:

Tudjman's nationalism is worn openly on his sleeve. He has one purpose in life: to control all the territory that he believes historically belongs to Croatia. To that end he will use any means. He will do it with a smile a quizzical look, or a fit of rage, indications of the seething activity that drives him on.²

Lord Owen also reports that Tudjman spoke openly on behalf of the Bosnian Croats:

As the search for more territory for the Muslims gathered momentum, the Croatian government once again, and without any attempt to pretend that they did not set policy for the Bosnian Croats, stated to all the EU Ambassadors in Zagreb that there had to be 17.5% for any predominantly Croatian republic and in no circumstances could Vitez and Busovača be given up. ... Their formal position was set out in a letter to us from President Tudjman on 20th December 1993.³

Warren Zimmerman, the U.S. Ambassador to Yugoslavia at the time of the 1990 elections in Croatia, met with President Tudjman for the first time over breakfast the day after his victory. He later wrote of that occasion,

Unlike Milošević, who was driven by power, Tudjman betrayed an obsession with creating nationalism. His devotion to Croatia was of the most narrow-minded sort. ... He stated flatly and with no evidence, 'Bosnia has historically been a part of Croatia and has always been in Croatia's geo-political sphere. Not only do Croats live in Bosnia but most Muslims in Bosnia consider themselves Croats.'⁴

These views may be found in the writings of the historian Franjo Tudjman two decades ago. His book *Nationalism and Contemporary Europe* was published in English in the East European Monographs series of Columbia University Press in 1981. Relevant pages are attached as Appendix Three. In this work he spelled out his reasons for thinking that Bosnia belonged to Croatia.

² Ibid, 74.

³ Ibid, 236.-237.

⁴ Warren ZIMMERMAN, *Origins of a Catastrophe*, 74.-75.

Large parts of Croatia had been incorporated into Bosnia by the Turks. Furthermore, Bosnia and Hercegovina were historically linked with Croatia and they together comprise an indivisible, geographic and economic entity. Bosnia and Hercegovina occupy the central part of this whole, separating southern (Dalmatian) from northern (Pannonian) Croatia. The creation of a separate Bosnia and Herzegovina makes the territorial and geographic position of Croatia extremely unnatural in the economic sense and therefore in the broadest national political sense very unfavorable for life and development and in the narrow administrative sense unsuitable and disadvantageous. These factors largely explain why the 1939 agreement between Belgrade and Zagreb included the following areas of Bosnia into the Banovina of Croatia: the whole of Hercegovina and Mostar and those Bosnian districts where the Croats have a clear majority (Bugojno, Fojnica, Travnik, Derventa, Gradačac, Brčko).⁵

Tudjman argued that Bosnia should be part of Croatia based on Croatia's economic and geopolitical interests and on the ethnic composition of western Hercegovina and central Bosnia. As noted earlier, the area of western Hercegovina, to the west of Mostar, is one of the few areas of Bosnia and Hercegovina that has a single dominant nationality, so there is ample evidence to back his assertion of a Croatian majority there. As for the areas of central Bosnia, a look at the 1991 census shows the following percentage of Croats in these districts:

Percentage of Croats in Central Bosnian Municipalities, 1991

Bugojno	34.1%
Fojnica	40.9%
Travnik	36.9%
Derventa	39%
Gradačac	15%
Brčko	25.4%

Similar numbers may be shown for other municipalities in central Bosnia, with only Kiseljak showing a majority of Croatian inhabitants, as follows:

Vitez	45.7%
Busovača	48.1%
Novi Travnik	39.6%
Vares	40.6%
Kiseljak	51.7%

If Croats reach no more than 40.9% of the population in these areas only ten years after Tudjman published the book, he could only conclude that each of the central Bosnian areas has a "clear Croat majority" if he assumed that the

⁵ Franjo TUĐMAN, *Nationalism and Contemporary Europe*, 1981, 113.

Muslim population was largely Croat as well. Thus he adopted the Croatian nationalist conviction that Muslims were really Croats. He wrote,

An objective examination of the numerical composition of the population of Bosnia and Hercegovina cannot ignore that the majority of the Muslims is in its ethnic character and speech incontrovertibly of Croatian origin. Despite religious and cultural distinctions created by history, the vast majority of the Muslims declared themselves Croats when the opportunity arose. This was done in 1920 by the Muslim representatives in the Constituent Assembly. ... It was done by the Muslim intelligentsia and masses during the Banovina Hrvatska [1939-41, the time of the Cvetković-Maček Agreement – rjd] and the independent state of Croatia [i.e., World War II, 1941-45 – rjd] which all Muslims and Catholics of Bosnia-Hercegovina at first accepted as their own. ... On the basis of these facts we arrive at the conclusion that a majority of the population of Bosnia and Hercegovina is Croatian. (p. 114)

Tudjman's insistence on the Croatian nature of the Bosnian Muslims, or Bosniacs, has been unrelenting and contrary to a mounting body of evidence. During the socialist period, Bosnia's Muslims at first were denied the opportunity to declare themselves as Muslims, but in every census had the opportunity to declare themselves as Croats. The 1948 census allowed respondents to declare themselves Muslim by religion, but they had to choose between Serbian and Croatian by nationality. Some 890,094 residents of Bosnia declared themselves Muslim by religion. Of those, only 24, 918, or about 3%, opted for Croatian national identity. In the next census, that of 1953, the national category of "Yugoslav" was added, and it became something of a surrogate identity for the Bosnian Muslim. 891,800 residents of Bosnia chose "Yugoslav" over either Croat or Serb. In 1961, it became possible for the first time for Bosnians to declare themselves as "Muslim in the ethnic sense," and in 1971 they could declare themselves Muslim by nationality. These numbers rose consistently from 1961 to 1991, as shown below.

Muslims and Croats in Bosnia and Hercegovina, 1961-1991

Census Year	Muslims	Croats
1961	842,248	711,665
1971	1,482,430	772,491
1981	1,630,033	758,140
1991	1,905,829	755,895

As can be seen, the number of Croats changed little according to the last three censuses before the war.

As President of Croatia, Franjo Tudjman had many opportunities to try to implement his theories about Bosnia. In March 1991, talks were taking place between the Presidents of all the Yugoslav Republics. Toward the end of these discussions, a meeting was held at Karadjordjevo near Belgrade between

⁶ Ibid, 114.

President Tudjman of Croatia and President Milošević of Serbia. On March 2, 1991, they reportedly met alone behind closed doors. Immediately thereafter various media reported that they had discussed or reached an agreement on the partition of Bosnia between Serbia and Croatia. Subsequent public statements by persons close to those talks suggest that there was some discussion and probably an agreement in principle but no definitive agreement on a map. In the aftermath of the meeting, the term “Karadjordjevo” entered the political lexicon of the region as a synonym for the division of Bosnia between Croatia and Serbia.

The Bosnian Croat voters supported a different approach in the elections of November 1990. They voted in large numbers for the Croatian Democratic Union of Bosnia and Hercegovina (HDZ-BiH), headed by Stjepan Kljuić. He supported the realization of Croat political aspirations within an integral and sovereign Bosnia that provided equality to all its constituent nations. Kljuić became a member of the Bosnian Presidency in December 1990.

In November 1991, two meetings took place to move the HDZ-BiH away from support for an integral Bosnia and toward support for territorial separatism for Bosnia’s Croats. The first of these, on November 12, established the Croatian Community of the Bosnian Posavina. The November 18th meeting declared the formation of the Croatian Community of Herceg-Bosnia (HZ H-B) as the “political, cultural, economic, and territorial union” of the Croats of Bosnia and Hercegovina. It was announced the next day as a “concrete response to the formation of Serbian autonomous regions.” Mate Boban was selected the head of the HZ H-B. Dario Kordić and Božo Rajić were selected as its two Vice Presidents.

Stjepan Kljuić announced the creation of these Croatian “communities of municipalities” (the word “*općina*” is translated as either “commune” or “municipality”) with a distinct lack of enthusiasm, and he affirmed the intention of the Croats of Bosnia to support a sovereign and integral Bosnian state. The Croatian Community of Herceg-Bosna was “not yet in the phase of being realized,” he stated. “It is a sign of belonging to Bosnia and Hercegovina in the framework of its sovereignty. We will abide by all decisions made by the Assembly and the Presidency of Bosnia and Hercegovina.”⁷

Mate Boban, President of the Community of Herceg-Bosna, viewed the HZ H-B very differently. He stated that the Community restored the territory made part of Croatia in the 1939 Cvetković-Maček Agreement and forebodingly stated that the Croatian community’s support for the central Bosnian government was highly conditional. “The Croatian Community of Herceg-Bosna represents a geopolitical, cultural, and economic whole and proceeds from the former Banovina, in whose borders the Croatian people awaited World War II,” he said. “As long as the government of Bosnia and Hercegovina exists as legal, legitimate, and democratic, our Community will fully respect

⁷ *Oslobođenje* (Sarajevo), 20 November 1991, 3.

⁸ *Ibid.*

this Republic, but if its authority is curtailed or ceases to exist, there is for us no other alternative.”⁸ This statement, of course, placed him squarely in the camp of President Tudjman in longing for the old Banovina borders of 1939-41. He used words similar to those of President Tudjman in his 1981 book, in which Tudjman described Bosnia and Croatia as an “indivisible geographic and economic entity.”

The self-proclaimed Communities of Herceg-Bosna and the Posavina included 526,101 Croats, out of 1,187,078 total inhabitants of these territories. (Two minor variances should be noted in these numbers. Only parts of the Trebinje District and Skender Vakuf were incorporated into Herceg-Bosna, and the census returns from 1991 do not provide for following those dividing lines. Therefore I have omitted them from the analysis.) Thus the population of the self-proclaimed Communities was about 44% Croat. The 1991 census recorded a total of 755,895 Croats in all of the Republic. So over 200,000 Bosnian Croats lived outside the Croatian Communities of Herceg-Bosna and the Posavina at the time they were proclaimed.

With Kljuić supporting Croat loyalty to a sovereign Bosnia, Tudjman decided that Kljuić had to go. In February 1992 he dispatched Stipe Mesić, a former member of the Presidency of Yugoslavia, to Bosnia to deliver the message that Kljuić needed to resign. At a closed-door meeting in Široki Brijeg on February 2, Mesić informed Kljuić of Tudjman’s wishes. Kljuić walked out of the session. Upon encountering reporters waiting outside, he declined to provide a reason for his departure and departed promptly for Sarajevo.

Although Stjepan Kljuić subsequently resigned as head of the HDZ-BiH, he continued as an active member of the Presidency of Bosnia. The Presidency members named him as the President of the State Commission on War Crimes created in April 1992, and in June 1992, on behalf of the Presidency, Kljuić ordered that all reservists of the Ministry of Internal Affairs be placed under the General Command of the armed forces of Bosnia. He resigned in the fall of 1992 for personal reasons, then rejoined the Presidency in October 1993. He remained in Sarajevo through the siege and war.

Kljuić’s departure led subsequently to the selection of Milenko Brkić as head of the HDZ-BiH. Brkić also supported an integral Bosnia and Croat loyalty to it. In November 1992, Mate Boban was selected to replace Brkić as head of the HDZ-BiH. Thus the leadership of the “Community of Herceg-Bosna” and the HDZ-BiH was fused in a single person, known to be a loyal follower of President Tudjman and an advocate of territorial separatism for Bosnia’s Croats.

On February 9, 1992, a second session of the HDZ-BiH was convened. At this meeting, HDZ-BiH passed two resolutions that moved toward a separate Croatian community in Bosnia. The first of these provided that all residents of the territory of Herceg-Bosna would also be citizens of Croatia, permitting them to vote in elections of the Croatian Republic. This idea was promoted by President Tudjman, and the Republic of Croatia enacted legislation that gave Croats the right to vote in Croatian elections even if they lived outside the

Republic. Dual citizenship could potentially strengthen the loyalty of Croats outside Croatia to the Republic, and they were considered to be likely to vote for the Croatian HDZ.

The second resolution was a proposed change in the wording of the referendum on Bosnia's independence, scheduled for a vote only three weeks later. The resolution proposed an amendment incorporating a reference to national areas, that is cantons, of the Serbs, Croats and Muslims. After four hours of discussion, this resolution passed with three opposing votes. Since the referendum was being held at the behest of the European Community as a condition of considering Bosnia's recognition as a sovereign state, this proposed change seemed to be an effort to derail the move toward Bosnia's independence and recognition. It subsequently had no effect on the referendum. But the incorporation of a reference to national areas was another step in the HDZ-BiH's transformation from representing the community of all Croats to being a territorially based party representing the Croats of the HZ H-B.

On September 14, 1992, Constitutional Court of the Republic of Bosnia and Hercegovina ruled that the proclamation of the Croatian Community of Herceg-Bosna (HZ H-B) was unconstitutional. The court also suspended several declarations of the Presidency of the HZ H-B from July 1992 in which it had asserted authority over various military, administrative, and governmental matters that were constitutionally designated as within the jurisdiction of the government of the Republic of Bosnia and Hercegovina. The Court's decision reported that it had reviewed these proclamations and decisions on its own initiative and that the decision had been under consideration since July 1992.

Although the leaders of the HDZ-BiH and the HZ H-B had proclaimed their loyalty to Bosnia and Hercegovina, they were undeterred by this court decision. Only a month after the ruling, they further consolidated their governmental, military, and political authority in the territory of the HZ H-B. The Second General Assembly of the HDZ-BiH, held on November 14, 1992, voted to fuse all activities of the party (HDZ-BiH), the government (HZ H-B) and the military (HVO) under the leadership of Mate Boban. It became common after this meeting for the fused institutions, often under the name of the HVO or HVO Council, to speak for the Bosnian Croats and for the Croatian Community of Herceg-Bosna on political as well as military matters.

Convergence

In the spring of 1993, all of these developments came together. In response, the HDZ-BiH leadership took drastic steps to seize power in the region of Hercegovina and central Bosnia and issued a dire threat to those who might stand in its way.

First, the entire region was profoundly affected by the advances of the Greater Serbian coalition. By November 1991, the JNA victories in Croatia had left that government in need of allies and in search of a strategy for

recovery. The threat of further Serbian advances in Croatia receded after the cease-fire of January 1992. Within a few months, however, Serb expansion shifted to Bosnia. The JNA forces in Bosnia were reconstituted as the Bosnian Serb Army and quickly conquered much of the country. By the spring of 1993 the Bosnian Government and its army (ABiH) were under great pressure, and many of its primary cities were under siege. The BSA had riveted world attention on the siege of Srebrenica and emphasized the irresolution or impotence of the international community in Bosnia.

The second key development was the search for an end to hostilities embodied in the Owen-Vance and Owen-Stoltenberg peace proposals. As noted above, the first public proposal was received eagerly by the transformed HDZ-BiH and signed with alacrity by Mate Boban on their behalf in early January 1993. It designated as Croatian most areas that had been part of the Croatian Banovina from 1939 to 1941. From the first map presented by Vance and Owen, it was a gradual downhill slide in terms of territorial allocation. Bosnian Serb advances, although modest in territorial terms in the first months of 1993, nonetheless dampened Bosnian Croat hopes for a territorial designation as favorable as they had agreed to in January. In the spring of 1993, the prospects for securing a sizeable Herceg-Bosna were slowly slipping away.

In New York, a recalcitrant Alija Izetbegović signed the Vance-Owen Plan in mid-March 1993 after enormous pressure from the international community. Soon he began to back-peddle, something he had already done after the Lisbon Agreement. At a press conference on March 28, 1993 in Zagreb, he stated that he would withdraw his signature from the Vance-Owen Plan if the international community could not force an end to the Serbian offensive in eastern Bosnia. He also declared that he had met with President Tudjman the day before and discussed the growing tension between the HVO and the ABiH in central Bosnia. He announced that they had agreed to create a common command to end those hostilities.

On April 2, 1993, the Bosnian Serb assembly meeting at Bileca rejected the Owen-Vance plan for the first time, raising the prospect that it would need to be revised to secure Serbian acquiescence. The next day, on April 3, 1993, the HVO convened a meeting in Mostar similar to other gatherings of Bosnian Croat leaders loyal to President Tudjman's ideals. These were reported in the Zagreb newspaper *Vjesnik*, dated April 4, 1993, and in *Slobodna Dalmacija* of the same date. Both articles may be considered authoritative, as *Vjesnik* is a semi-official newspaper that generally reflects the Tudjman government's approach. The author of the *Slobodna Dalmacija* article, was also the spokesman for the HVO in Bosnia. He thus was in a position to publish his own press release.

At first glance these nearly identical stories appear to be press releases accompanied by the text of an agreement. On closer inspection, they turn out to be an ominous threat issued under cover of the proposed Vance-Owen peace plan. It included a deadline within which the Bosnian government was

told to comply with the demands. This meant expelling the officials, police, and army of the internationally recognized government of Bosnia from Provinces 3, 8, and 10 of the peace plan draft.

The draft agreement is the centerpiece of this threat. Article 1 refers to the Owen-Vance plan: "All misunderstandings have been avoided between the Croatian and Muslim people concerning the borders of the provinces..." Article 2 states that "all armed forces of the HVO and the police of the Croatian Community of Herceg-Bosnia, as well as of the HVO army, the Bosnia-Herzegovina army and the Bosnia-Herzegovina Ministry of the Interior, known as MUP, which originate outside their provinces shall have to identify themselves and leave such provinces within three days." This would mean that all Bosnian forces would have to evacuate Provinces 3, 8, and 10, where they had a substantial presence.

Article 3 provides for the separation of military forces.

Until the complete demilitarization of Bosnia-Herzegovina as envisaged under the peace plan and for reasons of more efficient defense against aggression, the domicile armed forces of HVO and the BH army in provinces 1, 5, and 9 shall be placed on the command of the main staff of the Bosnia-Herzegovina army and in provinces 3, 8 and 10 under the command of the main staff of the HVO.

It should be noted that many individual Croats, and certain Croatian units, had long served under the command of the ABiH. The notion that ABiH troops would serve under HVO command, however, was a departure from current practices.

Article 4 provided for the joint command, agreed upon in Zagreb a few days earlier, "no later than 15 April 1993."

The accompanying news article specified the consequences if the Bosnian government fails to sign the agreement.

In the event that the statement is not signed by the heads of the Muslim delegation in provinces 3, 8, and 10, the Croatian Defense Council (HVO) of the Croatian Community of Herceg-Bosnia has decided to apply the

provisions of the peace plan whereby each national armed force shall retreat to their domicile provinces... If the joint statement is not implemented, the competent military and other bodies of the Croatian Defense Council of the Croatian Community of Herceg-Bosna shall implement the said item of the basic document in the territories of Provinces 3, 8, and 10.

In other words, the HVO would unilaterally implement Owen-Vance by expelling the ABiH from the territory of those provinces. This threatened coup within these three provinces is followed by an explicit warning that no officials of the Bosnian government will be recognized: "The Croatian Defense Council (HVO) of the Croatian Community of Herceg-Bosna shall prevent any attempt to establish various bodies appointed by the present unilateral Presidency."

Other press reports in subsequent days recognized this somewhat complicated pronouncement as a threat of imminent action. Mark Heinrich, Reuters correspondent, filed a report from Zagreb on April 4 highlighting the ultimatum.

Bosnia's Croat militia command (HVO) threw an extra spanner into the peace works when, in an ultimatum-like statement carried by Croatian state media, it called on Moslem army and police units to vacate regions earmarked for Croat government. ... 'If Izetbegović fails to sign this agreement by April 15, the HVO will unilaterally enforce its jurisdiction in cantons three, eight, and 10,' the statement from HVO headquarters in the southwest Croat stronghold of Mostar warned. ... Moslems constitute large minorities or even localized majorities in No. 8 and 10 provinces.

Agence France Press used the following words: "Bosnian Croat leader Mate Boban has called for the Muslim-led Bosnian army to pull out of three Bosnian provinces which are considered Croatian. In his appeal to President Alija Izetbegović released in Zagreb yesterday, Boban called for the immediate implementation of the Vance-Owen plan and threatened to use force if his demands are not met." A report from the Serbian news service, Tanjug in English, similarly characterized the HDZ as an ultimatum.

The April 3 HVO meeting raised the stakes in the Muslim-Croat tension in central Bosnia and in Hercegovina. It transformed local skirmishes over sovereignty into a unified, consistent policy. That policy, of taking full military and administrative control over Provinces 3, 8, and 10, was to be enforced after April 15, 1993, by the HVO and the "fused" leadership of the Croatian Community of Herceg-Bosna and the HDZ-BiH.