

**Separate States or a State of Autonomies?  
Regional Autonomy Versus Partition After Ethnic Wars**

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## *Introduction*

In the decade since the end of the Cold War, violent ethnic conflicts have grabbed international headlines across the globe, capturing the attention of scholars and policymakers alike.<sup>1</sup> In several high profile clashes, such as Bosnia, Kosovo, Chechnya, and Rwanda, casualties and/or refugees have numbered in the hundreds of thousands, sometimes even millions (especially refugees).<sup>2</sup> Ethnic cleansing—a euphemism for organized campaigns of intimidation, terror, rape, and murder designed to purge territory of rival ethnic groups—has entered our everyday vocabulary.

This murderous humanitarian toll has driven the question of how to respond to ethnic violence and ethnic civil wars to the top of policy and scholarly agendas around the world. Traditionally, two general types of solutions have been proposed: those which seek to maintain a single multiethnic state via some form of power-sharing or autonomy,<sup>3</sup> and those which advocate partition into separate nation-states.<sup>4</sup> The key variable in any agreement was believed to be the

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<sup>1</sup> Ted Robert Gurr, "Ethnic Warfare on the Wane," *Foreign Affairs*, Vol. 79, No. 3 (May/June 2000), pp. 52-64, tallies 59 armed ethnic conflicts currently ongoing. This number has declined slightly from a peak of 70 in the early 1990s. See Gurr, "Peoples Against States: Ethnopolitical Conflict and the Changing World System," *International Studies Quarterly*, Vol. 38, No. 3 (September 1994), p. 350.

<sup>2</sup> Other recently concluded or ongoing ethnic civil wars with very high casualties and/or refugees include Afghanistan, Angola, Burma/Myanmar, Burundi, Sierra Leone, Somalia, Sri Lanka, and Sudan. Gurr, "Peoples Against States," pp. 369-375, provides a list of the fifty most serious ethnic conflicts as of 1993-94.

<sup>3</sup> This can take a wide variety of forms, although three are most common. First, and most ambitious, is reintegration: re-making multiethnic societies by bringing refugees back to areas from which they were driven during war, building power-sharing institutions, and defusing ethnic rivalries by promoting benign ethnic identities and civic notions of nationalism. See Robert Schaeffer, *Warpaths: The Politics of Partition* (New York: Hill and Wang, 1990). Reintegration often requires occupation and administration by outside authorities to implement. United Nations conservatorship, where the UN essentially takes over failed states and runs them until they are ready to become self-governing again, is increasingly recommended and undertaken. Cambodia, Bosnia, and Kosovo are examples. See Gerald B. Helman and Steven R. Ratner, "Saving Failed States," *Foreign Policy*, No. 89 (Winter 1992-93), pp. 3-20. A second suggestion is consociationalism, known more generically as power-sharing. Originally proposed by Arend Lijphart, consociationalism is government by a cartel of elites from the different ethnic groups in a society who share power through mechanisms like proportional sharing of cabinet posts (a "grand coalition cabinet"), a rotating Presidency, and a credible minority veto. See Arend Lijphart, "Consociational Democracy," *World Politics*, Vol. 21, No. 2 (January 1969), p. 213; see also Lijphart, *The Politics of Accommodation: Pluralism and Democracy in the Netherlands* (Berkeley and Los Angeles: University of California Press, 1968), and Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven: Yale University Press, 1977). For a compendium of articles that take the consociational approach, see Kenneth McRae, ed., *Consociational Democracy: Political Accommodation in Segmented Societies* (Toronto: McClelland and Stewart, 1974). Finally, an increasingly popular potential solution is regional autonomy or federalism. See Ted Robert Gurr, *Minorities at Risk: A Global View of Ethnopolitical Conflicts* (Washington, D.C.: United States Institute of Peace Press, 1993), pp. 298-305; Gurr, "Ethnic Warfare on the Wane;" Donald L. Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985), Chapter 15; Mwangi S. Kimenyi, "Harmonizing Ethnic Claims in Africa: A Proposal for Ethnic-Based Federalism," *Cato Journal*, Vol. 18, No. 1 (Spring/Summer 1998), pp. 43-63; and Alicia Levine, "Political Accommodation and the Prevention of Secessionist Violence," in Michael E. Brown, ed., *The International Dimensions of Internal Conflict* (Cambridge: MIT Press, 1996), pp. 311-340.

<sup>4</sup> See, for example, Daniel L. Byman, "Divided They Stand: Lessons About Partition From Iraq and Lebanon," *Security Studies*, Vol. 7, No. 1 (Autumn 1997), pp. 1-29; Clive J. Christie, "Partition, Separatism, and National Identity: A Reassessment," *Political Quarterly*, Vol. 63, No. 1 (January-March 1992), pp. 68-78; Maynard Glitman, "US Policy in Bosnia: Rethinking a Flawed Approach," *Survival*, Vol. 38, No. 4 (Winter 1996-97), pp. 66-83; John

*political structure* to be established after the war: how should power be shared among groups? Should groups be given regional or cultural autonomy? Or should they get their own states?

Recently, it has been suggested that this emphasis on post-war political structure is misplaced. What analysts should really be concerned about, this argument proposes, is *demography*, specifically whether ethnic groups remain significantly intermingled after the war or whether they are largely separated into homogeneous enclaves. Ethnic civil wars, it is argued, are fed by intermingled settlement patterns which create a security dilemma; separation must be achieved for such wars to end. Once separation is accomplished, however, the work is over. As the most articulate supporter of this argument has put it, “[s]overeignty is secondary: defensible ethnic enclaves reduce violence with or without independent sovereignty, while partition without separation does nothing to stop mass killing.”<sup>5</sup> In other words, the political institutions to be established after the war—such as consociationalism, autonomy, federalism, or partition—take a back seat to demographic patterns. Autonomy should be enough to provide stability, provided groups are separated, have sufficient defense capability, and control their own affairs.<sup>6</sup> Partition as traditionally conceived—creating multiple sovereign states where only one existed before—may be unnecessary.<sup>7</sup>

This point of view, while constituting a significant advance in our understanding, still gets it only half right. While identifying the critical (and heretofore underappreciated) importance of demography to ethnic peace, this ethnic security dilemma argument, as it is known, is a fundamentally apolitical—and hence incomplete—argument. Separation is a demographically stable end to ethnic wars because it eliminates the security dilemma, but it is not politically stable because it is silent about what happens next. Solving the demographic problem is only the first step; it leaves the political and military questions of how to share a state after a civil war unanswered.

In this article, I argue that these difficulties are formidable, so formidable in fact that they are likely to make a state composed of autonomous, homogeneous regions untenable, even if a third party intervenes temporarily to keep the peace. Specifically, groups face two key dilemmas in the aftermath of an ethnic civil war. First, they are concerned about maintaining their physical

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J. Mearsheimer, “Shrink Bosnia to Save It,” *New York Times*, March 31, 1993, p. A23; Mearsheimer, “The Only Exit From Bosnia,” *New York Times*, October 7, 1997, p. A31; John J. Mearsheimer and Robert A. Pape, “The Answer: A Partition Plan for Bosnia,” *New Republic*, June 14, 1993, pp. 22-28; John J. Mearsheimer and Stephen Van Evera, “When Peace Means War: The Partition that Dare not Speak its Name,” *New Republic*, December 18, 1995, pp. 16-21; and Michael O’Hanlon, “Turning the Bosnia Ceasefire into Peace,” *Brookings Review*, Vol. 16, No. 1 (Winter 1998), pp. 41-44.

<sup>5</sup> Chaim D. Kaufmann, “Possible and Impossible Solutions to Ethnic Civil Wars,” *International Security*, Vol. 20, No. 4 (Spring 1996), p. 137. See also Kaufmann, “When All Else Fails: Ethnic Population Transfers and Partitions in the Twentieth Century,” *International Security*, Vol. 23, No. 2 (Fall 1998), p. 123. On the distinction between ethnic and ideological civil wars, and the relative utility of international intervention in each, see Kaufmann, “Intervention in Ethnic and Ideological Civil Wars: Why One Can Be Done and the Other Can’t,” *Security Studies*, Vol. 6, No. 1 (Autumn 1996), pp. 62-100.

<sup>6</sup> Kaufmann, “Possible and Impossible Solutions,” p. 162.

<sup>7</sup> Support for regional autonomy (though without the emphasis on separation) has come from both policymakers and academics recently. Autonomy is the Clinton administration’s favored device to end ethnic conflict, as exemplified by its policies in Bosnia and Kosovo. Important scholars of ethnic conflict have also added their voices to those who advocate autonomy or federalism. See the sources on autonomy and federalism listed in note 3.

security during the transition period after the intervener leaves, but autonomy in a single state means they must disarm and merge their military forces with those of their former enemy. Second, groups desire to achieve political security—ensuring that their rights and liberties will be respected and protected by the central government—but are uncertain how political institutions (such as autonomy or federalism) will function, and distrust their recent adversary’s sincerity in sticking to the agreement.

These two dilemmas drive fears for future physical and political security that have three deleterious consequences for negotiated autonomy agreements. First, such fears reduce the likelihood that groups will actually turn in their weapons and dismantle their own forces. Second, they lock in support for nationalist parties that will undermine the deal and advocate statehood for the group’s region. Third, fears for the future increase the chances that power-sharing institutions will be gripped by gridlock rather than induce cooperation. Returning minority refugees to their old homes in areas dominated by another group only exacerbates these problems. Even a war that ends with both sides totally extricated into homogeneous enclaves and monitored by international forces cannot avoid the political question of how these autonomous regions are supposed to share a state later on. I argue that if a war goes this far, autonomy is a dead letter: the real answer is partition, i.e., separation *plus* sovereignty. Partition is superior because it minimizes the degree to which groups must cooperate with and trust one another; does not require them to disarm or merge their militaries; limits the level of external military intervention required and allows it to be used to better effect; and, by satisfying nationalism and the need for physical security, allows passions to cool between formerly hostile groups.

The remainder of the paper is divided into five sections. The first section summarizes my points of agreement with the demographic argument, namely the security dilemma-based brief for separation.<sup>8</sup> The next section presents my argument regarding the difficulties that a “state of autonomies” faces in practice, and argues that partition can solve many of these problems and produce a more stable outcome. In the third section, I evaluate the empirical evidence for autonomy, showing that there is scant basis for optimism that such agreements can bring a lasting end to ethnic civil wars. In the fourth section, I illustrate the problems with autonomy—and how partition can simplify them—by examining two examples of situations where separation has occurred but which are unlikely to remain stable if autonomy is regarded as the endpoint: Bosnia and Kosovo. Finally, I conclude with a brief summary and give a few policy implications that flow from the argument.

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<sup>8</sup> This endorsement of the separation argument is the reason that I do not specifically address political solutions to ethnic civil wars in this article that ignore demography, such as consociationalism, or autonomy/federalism based on heterogeneous regions. My argument presumes separation, but questions the stability of autonomy as an end-state. The greater the level of ethnic intermingling, or the complexity of power-sharing arrangements, the worse the problems I highlight will be. For the argument in support of consociationalism, see Lijphart, “Consociational Democracy;” for arguments in favor of federalism based on ethnically heterogeneous regions, see Horowitz, *Ethnic Groups in Conflict*, pp. 617-619.

## ***Points of Agreement: The Security Dilemma and Ethnic Civil Wars***

Chaim Kaufmann and others argue that ethnic wars are characterized by fundamentally different dynamics than ideological ones.<sup>9</sup> What makes ethnic conflicts so bloody and obstinate in nature, and causes them to resist solutions short of separation, is that ethnic intermingling produces potent security dilemmas which fuel the war. Civilians on both sides are rendered vulnerable to ethnic militants because no defined front exists to separate them. Offensive action to purge ethnic enemies is thus easy—because attacking isolated civilians is simpler than trying to defend them—and desirable, since it creates secure (i.e., homogeneous) areas for one’s own group. Both sides thus have incentives to strike first, and the war will not end (unless a cessation is imposed by a third party) while the offense holds this advantage, in other words until groups have been disentangled.

Where I disagree with the security dilemma theorists is not in the dynamics of ethnic wars that leads to separation and makes it the most stable end-state, but rather in the political arrangement that should obtain after separation has been achieved. This section spells out the main points of agreement between our two arguments before proceeding in the next section to draw the contrasts between them. I begin with a brief review of the security dilemma, and then show how it has been applied to explain the outbreak and dynamics of ethnic conflict.

### **THE SECURITY DILEMMA**

The security dilemma purports to explain why actors who care only about their own security sometimes end up entangled in spirals of hostility, arms races, and even war with other similarly motivated actors. In the anarchic realm of international politics, where states wish to survive but no higher authority exists to protect them from each other or enforce agreements among them, states care greatly about their security and must provide it for themselves.<sup>10</sup> Unfortunately, measures that states take to secure themselves, such as building weapons, threaten the security of other states.<sup>11</sup> These states, upon observing the first state’s build-up, are likely to respond by arming themselves, which in turn threatens the security of the initiating state, which responds

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<sup>9</sup> See Kaufmann, “Possible and Impossible Solutions,” “Intervention in Ethnic and Ideological Civil Wars,” and “When All Else Fails.”

<sup>10</sup> This description accords with the standard neorealist account of states and anarchy in Kenneth N. Waltz, *Theory of International Politics* (New York: McGraw-Hill, 1979).

<sup>11</sup> John H. Herz, “Idealist Internationalism and the Security Dilemma,” *World Politics*, Vol. 2, No. 2 (January 1950), pp. 157-180. Offensive realists articulate a version of the security dilemma that remains quite close to Herz’s original formulation. They argue that because the power of one state unavoidably impinges on others, to avoid being subjugated each state strives to become the most powerful state in the system. In other words, the route to maximum security lies through maximizing one’s relative power over others. Ideally, to be most secure, a state should become the hegemon in its region. In this highly competitive world, where states can never be certain of each others’ intentions and thus tend to assume the worst about them, states respond less to others’ actions than to the imperatives of the system, and disregard the impact their own actions will have on others. For offensive realists, then, the security dilemma is an inevitable product of international anarchy which cannot be mitigated or eliminated unless one state conquers all the others. See John J. Mearsheimer, “The False Promise of International Institutions,” *International Security*, Vol. 19, No. 3 (Winter 1994/95), pp. 5-49; Eric J. Labs, “Beyond Victory: Offensive Realism and the Expansion of War Aims,” *Security Studies*, Vol. 6, No. 4 (Summer 1997), pp. 1-49, and Fareed Zakaria, *From Wealth to Power: The Unusual Origins of America’s World Role* (Princeton: Princeton University Press, 1998).

with a second build-up threatening the others, and so on. This action-reaction dynamic leads to a spiral of increasing arms and hostility that can result in war.<sup>12</sup>

This action-reaction dynamic of the security dilemma—absent in John Herz’s original formulation—and the potential for signaling it contains, has been developed in the writings of defensive realists.<sup>13</sup> For defensive realists, the intensity of the security dilemma (and hence the likelihood of war) is determined by the offense-defense balance, composed of two variables: (1) the degree to which offensive and defensive technologies can be distinguished from each other, and (2) whether offense or defense has the advantage (i.e., whether attacking or defending is more likely to yield victory).<sup>14</sup> If offense has the advantage, regardless of distinguishability, then the security dilemma will be worse (and war more likely) because the side that attacks first is likely to win the war. States in this environment must be very concerned about the arms of others, because even a small military edge could be translated into a big victory on the battlefield. Hence, any build-up that promises to yield such an edge to one state is likely to meet a vigorous response. Conversely, if defense is more efficacious, states can take a more relaxed view of their security and need not necessarily respond to the arms programs of others because an attacker needs much larger forces to succeed.

However, if technologies used for attack and defense can be distinguished, the offense-defense framework yields a basis for states to form beliefs about each others’ intentions based on the types of weapons they buy.<sup>15</sup> Consider the case where technologies that favor offense and defense are different, and offense has the advantage. In this case, in which the side that attacks is likely to win, it is rational for both security-seekers (states that favor maintaining the status quo) and states motivated by greed (who want to revise it) to buy offense because it is simultaneously the best way to take territory and defend oneself. Thus, only a state that bought very large quantities of defensive weapons could be reliably identified as a security-seeker.<sup>16</sup> Conversely, when defense has the advantage (and weapons used for offense and defense are distinguishable), the security dilemma between security-seekers should be less intense because they will buy

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<sup>12</sup> The security dilemma also has a psychological (and hence irrational) side that can make an already bad situation worse. This happens when policymakers fail to understand the dilemma, and view other states’ military build-ups as indicating aggressive intent rather than seeing them as reactions to their own state’s actions. Policymakers in this scenario assume that their state’s benign, defensive intentions are obvious to others, and fail to appreciate how the “purely defensive” actions they take actually threaten the legitimate security interests of their neighbors. See Robert Jervis, “Deterrence, the Spiral Model, and the Intentions of the Adversary,” in Jervis, *Perception and Misperception in International Politics* (Princeton, NJ: Princeton University Press, 1976), pp. 58-113.

<sup>13</sup> Staples of the defensive realist literature include Stephen M. Walt, *The Origins of Alliances* (Ithaca: Cornell University Press, 1987); idem, *Revolution and War* (Ithaca: Cornell University Press, 1996); Jack Snyder, *Myths of Empire: Domestic Politics and International Ambition* (Ithaca: Cornell University Press, 1991); Charles L. Glaser, “Realists as Optimists: Cooperation as Self-Help,” *International Security*, Vol. 19, No. 3 (Winter 1994/95), pp. 50-90; and Steven Van Evera, *Causes of War, Volume 1: The Structure of Power and the Roots of War* (Ithaca: Cornell University Press, 1999).

<sup>14</sup> The seminal works which framed the security dilemma in its current offense-defense form were Robert Jervis, “Cooperation Under the Security Dilemma,” *World Politics*, Vol. 30, No. 2 (January 1978), pp. 167-214, and George Quester, *Offense and Defense in the International System* (New York: Wiley, 1977).

<sup>15</sup> On this signaling aspect of the offense-defense balance, see Glaser, “Realists as Optimists;” Glaser, “The Security Dilemma Revisited,” *World Politics*, Vol. 50, No. 1 (October 1997), pp. 171-210; and Andrew Kydd, “Game Theory and the Spiral Model,” *World Politics*, Vol. 49, No. 3 (April 1997), pp. 371-400.

<sup>16</sup> Most, of course, would not, because the high risks of buying defense in an offense-dominant world would outweigh the potential benefits of signaling benign intent.

defense, which makes them more secure without threatening others, *and* communicates their benign intentions at the same time. Were a state in this environment to buy offense, on the other hand, this would send a clear signal that it had revisionist motives. The dilemma, of course, would no longer exist because this state's motives would be revealed.

#### THE SECURITY DILEMMA AND ETHNIC CONFLICT

So far, this is well-trodden terrain. But in applying the security dilemma to ethnic conflict, a few theoretical translations are necessary. First, ethnic groups take the place of states, and are assumed to be unitary rational actors. Second, as opposed to the anarchy of the international system, anarchy in this scenario is provided by the breakdown of a multiethnic state or empire.<sup>17</sup> Ethnic groups in this emerging anarchic situation first need to provide for their own security, and thus survey the environment for threats. Third, the components of the offense-defense balance, which together determine the magnitude of threats to the group's survival, are based not on the characteristics of military technology, but rather on ethnic groups' cohesion and demography. Proponents argue that group cohesion, based on nationalism, can be used for offensive and defensive purposes (and hence the two are indistinguishable), while demography—the way group settlement patterns are intermingled—confers offensive or defensive advantages. Dense intermingling, particularly islands of one group interspersed across another's land or two groups intermingled at the neighborhood or village level, makes it advantageous for one or both groups to take the offensive.

The first to suggest that the security dilemma could explain the outbreak of ethnic civil wars was Barry Posen.<sup>18</sup> He argues that when multinational states break down, nationalism and demography combine to produce a doubly dangerous situation because they join offense-defense indistinguishability with the advantages of attacking first. For example, Posen writes that “[b]ecause the weaponry available to these [ethnic] groups will often be quite rudimentary, their offensive military capabilities will be as much a function of the quantity and commitment of the soldiers they can mobilize as the particular characteristics of the weapons they control.”<sup>19</sup> Groups that are highly nationalistic, and thus very cohesive, will possess greater offensive military potential than more loosely organized groups. However, nationalism is also believed to inspire troops to defend their homeland more than it inspires them to invade another's. Thus, nationalism is a “dual-use” ideology, useful for both attack and defense, and hence indistinguishable in its effect.

Certain demographic patterns take the place of technology in this story to create offensive advantages. According to Posen,

Political geography will frequently create an “offence-dominant world” when empires collapse. Some groups will have greater offensive capabilities because they will effectively surround some or all of the other groups. These other groups may be forced to adopt offensive strategies to

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<sup>17</sup> While this might seem to limit the applicability of the theory to cases of state breakdown, this is not the case. Any situation in which a government is not able or willing to provide impartial protection for an ethnic group can be said to be anarchic, since it forces the group to rely on self-help for their security. As Kaufmann puts it, “[w]henver ethnic communities cannot rely on a strong and impartial central state to prevent civil strife, all groups must mobilize for self-defense.” See Kaufmann, “When All Else Fails,” p. 122.

<sup>18</sup> Barry R. Posen, “The Security Dilemma and Ethnic Conflict,” *Survival*, Vol. 35, No. 1 (Spring 1993), pp. 27-47.

<sup>19</sup> *Ibid.*, p. 29.

break the ring of encirclement. Islands of one group's population are often stranded in a sea of another. Where one territorially concentrated group has "islands" of settlement of its members distributed across the nominal territory of another group (irredenta), the protection of these islands in the event of hostile action can seem extremely difficult ... the brethren of the stranded group may come to believe that only rapid offensive military action can save their irredenta from a horrible fate.<sup>20</sup>

Demography thus endows some groups with inherent offensive advantages or defensive liabilities due simply to the accident of their location relative to other groups. These settlement patterns create incentives for pre-emptive and preventive war to take advantage of windows of opportunity or close windows of vulnerability.

Chaim Kaufmann also applies the security dilemma to ethnic civil wars, but he explains how the security dilemma operates once such wars are already underway more than how they start. Given any ongoing ethnic civil war, Kaufmann claims to be able to predict how the violence will play out, what conditions are necessary for it to end, and hence what solutions are possible and which impossible. Kaufmann's argument is that ethnic civil wars cannot end until combatant groups have been separated because the vulnerability of intermingled civilian populations makes attack easy and defense nearly impossible.<sup>21</sup>

Ethnic and ideological civil wars are inherently different: ethnic loyalties are easy to identify (based on appearance or local intelligence) and hard to change (since they are based on seemingly "real" phenomena), whereas ideology is both transparent and changeable.<sup>22</sup> While it

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<sup>20</sup> Ibid., p. 32.

<sup>21</sup> This argument is akin to what Posen calls a "tactical offensive advantage" which prevails "[i]n disputes among groups interspersed in the same territory": "Often the goal of the disputants is to create ever-growing areas of homogeneous population for their brethren. Therefore, the other group's population must be induced to leave ... The offence has tremendous tactical military advantages in operations such as these. Small military forces directed against unarmed or poorly armed civilians can generate tremendous terror ... Consequently, small bands of each group have an incentive to attack the towns of the other in the hopes of driving the people away." Posen, "Security Dilemma and Ethnic Conflict," p. 33.

<sup>22</sup> Kaufmann, "Possible and Impossible Solutions," pp. 140-146. Widely accepted definitions of an ethnic group hold that a group's members must share some combination of the following attributes: a common cultural trait, such as race, language, or religion; a collective myth of descent and shared ancestry; common historical memories or experiences; an attachment to a given piece of land; and a common name for members of the group. For example, see Anthony D. Smith, "The Origins of Nations," in Geoff Eley and Ronald Grigor Suny, eds., *Becoming National: A Reader* (New York: Oxford University Press, 1996), pp. 106-130. Kaufmann takes this a step further when he claims that ethnic identities are "fixed by birth" and inherently unchangeable. Kaufmann, "Possible and Impossible Solutions," p. 140. Kaufmann's claim that ethnic identities are fixed and unchanging coincides with the primordialist school of thought in ethnic and national studies, a view which has largely fallen from favor in that field. Indeed, the primordialist claim is vigorously contested by instrumentalists, who contend that identity is a tool used largely to make (usually material) gains, and constructivists, who stress the social origins of identity. Both views hold that ethnic identity—while often an important and abiding line of cleavage in society—is not always the most important one, nor is it inherently conflictual. Ethnic identities, divisions, and conflicts are thus not God-given and immutable, but rather are conjured into being for specific political ends from available social materials. Landmark works in the instrumental tradition are Robert H. Bates, "Modernization, Ethnic Competition, and the Rationality of Politics in Contemporary Africa," in Donald Rothchild and Victor A. Olorunsola, eds., *State versus Ethnic Claims* (Boulder, CO: Westview, 1983), pp. 152-171, and Russell Hardin, *One for All: The Logic of Group Conflict* (Princeton, NJ: Princeton University Press, 1995). Key constructivist accounts include Benedict Anderson,

is relatively common in ideological civil wars for people to switch sides, because this involves only changing the ideas one believes in, this phenomenon is virtually unknown in ethnic wars, because it requires people to change their very identities. When tensions are high, or violence erupts, members of other groups interspersed with one's own represent a threat, a potential fifth-column or imperiled minority that may motivate a rescue operation by the group's externally-located brethren. Because civilians tend to be isolated and poorly armed, attacking them is easy. For this reason, intermingled settlement patterns provide a tremendous motivation and advantage to the offense in ethnic civil wars.<sup>23</sup> Kaufmann writes:

The intensity of this security dilemma is in part a function of demography: the more intermixed the pattern of settlement of the hostile populations, the greater the opportunities for offense by either side, and it becomes more difficult to design effective measures for community defense except by going on the offensive preemptively to "cleanse" mixed areas of members of the enemy group and create ethnically reliable, defensible enclaves.<sup>24</sup>

For this reason, the side-by-side intermingling of Hutu and Tutsi in Rwanda, or the ethnically mixed villages of Bosnia, is the demographic pattern that will be the bloodiest should an ethnic civil war break out. In such an environment, even a tiny faction with some degree of organization can perpetrate mass murder, as Hutu extremists did in 1994, because civilians are unorganized and defenseless.<sup>25</sup>

Violence, of course, begets further violence, hatred, and stronger ethnic loyalties. Destruction of property, rape, massacres, and fear of genocide polarize groups into opposing factions with little room for gray areas. "They" are all the enemy, "we" are all friends.<sup>26</sup> As Kaufmann puts it, "[a]s long as both sides know that the best security strategy for each is to engage in offense and in ethnic cleansing, neither can entrust its security to hopes for the other's restraint."<sup>27</sup> In order for the fighting to stop, this security dilemma must be eliminated by the formation of a compact "demographic front" that is more easily defensible and less provocative, since it traps no "endangered co-ethnics" behind it.<sup>28</sup> This can take place with minimal loss of life by organized population transfers; "otherwise," Kaufmann warns, "the processes of war will separate the populations anyway, at much higher human cost."<sup>29</sup>

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*Imagined Communities: Reflections on the Origins and Spread of Nationalism*, revised ed. (London: Verso, 1991), and Rogers Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe* (Cambridge: Cambridge University Press, 1996). For a primordialist view, see Clifford Geertz, "The Integrative Revolution: Primordial Sentiments and Civil Politics in the New States," in Geertz, ed., *The Interpretation of Cultures*, (New York: Basic Books, 1973).

<sup>23</sup> Kaufmann argues that dense intermingling is worst in this regard, whereas Posen holds that islands of settlement are most dangerous. In this regard, Kaufmann's argument mirrors the one laid out in Stephen Van Evera, "Hypotheses on Nationalism and War," *International Security*, Vol. 18, No. 4 (Spring 1994), pp. 5-39.

<sup>24</sup> Kaufmann, "When All Else Fails," p. 122.

<sup>25</sup> For details on the genocidal violence in Rwanda, see Gérard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University Press, 1995).

<sup>26</sup> Kaufmann, "Possible and Impossible Solutions," pp. 140-145.

<sup>27</sup> Kaufmann, "When All Else Fails," p. 122.

<sup>28</sup> Kaufmann, "Possible and Impossible Solutions," p. 149.

<sup>29</sup> Kaufmann, "When All Else Fails," p. 123.

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Thus, Kaufmann and I agree that the dynamics of ethnic civil wars cause intermingled populations to disentangle. Separation renders the situation more stable because it creates more defensible positions and removes the security dilemma which makes ethnic cleansing the best security strategy. Where our arguments begin to diverge is on the question of what should happen next: is separated demography enough to bring post-war stability, or should separation be supplemented with sovereignty?

### ***The Roads Diverge: Autonomy vs. Sovereignty***

The focus on separation as the solution to the security dilemma leads those who advocate this view to neglect the political arrangements that should obtain after the war. While it is conceded that partition is more likely to follow separation of peoples than is autonomy, this is not because there are any systematic problems with autonomy or advantages of sovereignty; either will work just as well as long as separation precedes it.<sup>30</sup> This oversight would be permissible were there no major differences between an ethnic group comprising an autonomous region within a state and that group having a state of its own. Unfortunately, this is not the case.

The following section elaborates my argument why autonomy, even for demographically segregated regions, is unlikely to be a stable, self-sustaining end to ethnic civil wars. Specifically, I argue that the easing of the security dilemma brought about by demographic separation does not remove the political insecurity caused by uncertainty as to what the political status of a group's region will be, and how state-wide institutions will function. What makes civil wars so peculiarly difficult to settle is that former combatants must share the same state when the war ends. To do so, they must lay down their weapons, merge their armed forces, and concoct political institutions to share power at a time when doing these things is dangerous, leaving each vulnerable to a potentially devastating attack by the other.

Even when current security fears are assuaged by the presence of a third party (and demographic separation), this political uncertainty induces fears for groups' future security that has three harmful consequences for inter-group cooperation and hence the likelihood that the state will survive: (1) it leads to a reluctance to disarm; (2) it virtually guarantees widespread support for nationalist parties that advocate independence for the region; and (3) it complicates the functioning of state-level political institutions. These factors make any attempt to return refugees to their former homes liable to spark violence, and are complicated by the contradictory role of the international community: slow to get involved, but once there sometimes doing too little (allowing groups to violate the agreement at will) or too much (gathering all authority in the hands of international officials who never allow indigenous actors to make any decisions).

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<sup>30</sup> This is how Kaufmann summarizes his views on partition versus autonomy: "Although, in principle, final political arrangements could be based on either regional autonomy or separate sovereignty, in practice, demographic separation is likely to be accompanied by partition, for three reasons. First, one side will often insist on partition. Second, whenever the international community intervenes to facilitate population transfers, it will need to specify partition lines, whether these are between what are to become autonomous provinces or between independent states. Third, because international law favors sovereign states, granting sovereignty will usually improve a group's ability to maintain its security." Thus Kaufmann argues that in practice, partition will be the likely outcome of demographic separation, but not that it is preferable to autonomy. See Kaufmann, "When All Else Fails," p. 123 n. 7.

#### MILITARY VULNERABILITY: ANARCHY AND THE DANGER OF DISARMING

My argument is that even when ethnic groups have been demographically separated by war, *and* a third party has intervened to provide immediate security, negotiated settlements to ethnic civil wars that grant autonomy (or any other power-sharing arrangement, for that matter), not statehood, to ethnic regions still face significant hurdles to success. International interventions to guarantee civil war settlements have been rare since World War II, although they increased after the Cold War ended. But even when outsiders do put their weight (and forces on the ground) behind such agreements, they still tend to fail. Why? I argue that because both sides know the third party must someday leave, they face a dangerous transition period during which disarming leaves them both vulnerable to attack and unable to force the other side to adhere to the deal. In addition, uncertainty as to how political and military institutions will be shared contributes to groups' anxiety about their future security.

**ANARCHIC TRANSITIONS AND THE COMMITMENT PROBLEM.** Scholars have observed recently that negotiated settlements to ethnic civil wars—while not exactly common—do occur, but tend to break down into renewed warfare.<sup>31</sup> One explanation for this phenomenon holds not that civil wars are inherently more intractable or intense than interstate wars, but that disarming when the war is over in the absence of credible security guarantees renders the combatants vulnerable.<sup>32</sup> Without third party intervention to mitigate combatants' fears that the other side will use the respite provided by a settlement to cheat on the agreement to rearm and attack them, a settlement is unlikely to be negotiated, or to stick if a deal is made. In other words, neither side can credibly commit *not* to take advantage of the other during the anarchic transition period that follows a settlement. As Barbara Walter puts it:

Negotiations fail because civil war opponents are asked to do what they consider unthinkable. At a time when no legitimate government and no legal institutions exist to enforce a contract, they are asked to demobilize, disarm, and disengage their military forces and prepare for peace. But once they lay down their weapons and begin to integrate their separate assets into a new united state, it becomes almost impossible to either enforce future cooperation or survive attack. In the end, negotiations fail because civil war adversaries cannot credibly promise to abide by such dangerous terms. Only when an outside enforcer steps in to guarantee the terms do commitments to disarm and share political power become believable.<sup>33</sup>

Although this scenario is essentially a species of the credible commitment problem originally elaborated by Thomas Schelling in the context of interstate conflict,<sup>34</sup> Walter argues

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<sup>31</sup> According to Roy Licklider, in six out of nine cases (67 percent), the parties to such negotiated settlements eventually returned to war over the same issues, while in only 21 percent of wars that ended in military victory did the combatants fight again. Overall, 26 percent of "identity civil wars" ended in negotiated settlements; 74 percent culminated in military victory. See Roy Licklider, "The Consequences of Negotiated Settlements in Civil Wars," *American Political Science Review*, Vol. 89, No. 3 (September 1995), p. 686.

<sup>32</sup> Barbara F. Walter, "The Critical Barrier to Civil War Settlement," *International Organization*, Vol. 51, No. 3 (Summer 1997), pp. 335-364, and Walter, "Designing Transitions from Civil War: Demobilization, Democratization, and Commitments to Peace," *International Security*, Vol. 24, No. 1 (Summer 1999), pp. 127-155.

<sup>33</sup> Walter, "The Critical Barrier," pp. 335-36.

<sup>34</sup> Thomas C. Schelling, *The Strategy of Conflict* (Cambridge, MA: Harvard University Press, 1960), Chapter 2, and Schelling, *Arms and Influence* (New Haven, CT: Yale University Press, 1966), Chapter 2. This logic has since been

that “the pernicious effects of anarchy are actually fare more severe” in civil wars because to coexist in one state after the war is over, both sides have to disarm and submit to (or participate in) a central government. By the very act of disarming, however, the group forfeits its leverage over its rival, which makes it vulnerable.<sup>35</sup> An attack at this crucial time would be devastating, perhaps decisive. Unfortunately, in this case the consequence of cooperation could be destruction, a disaster few groups are willing to risk. Thus, even if the payoff for continuing to fight is negative, it often appears the more attractive option.

Two examples help illustrate this problem. First, the 1994 Lusaka Protocol, the agreement which ended the twenty-year struggle between Angola’s government and Jonas Savimbi’s UNITA faction, collapsed into war four years later primarily because UNITA was reluctant to disarm and cede administrative control over its base areas to the government as called for in the agreement. Lusaka’s key security provision—that UNITA’s army disarm and demobilize—was never fully implemented as UNITA evaded its responsibilities and rebuilt its forces in anticipation of another round of fighting.<sup>36</sup> And while Savimbi may never have intended to disarm his forces at all, instead viewing the Lusaka process simply as a caesura in an ongoing conflict, relinquishing his military option would have removed his last piece of leverage against the government to deter it from violating the agreement.

Second, disputes over disarmament have also been the major snag in the peace process in Northern Ireland. Negotiations to end the IRA’s campaign of violence and form a power-sharing government of Protestants and Catholics were delayed over whether the IRA should be forced to disarm and how such a deal would be verified.<sup>37</sup> Even after the historic Good Friday agreement was signed on 10 April 1998 and a government formed late the next year, the tenuous peace was again jeopardized by the disarmament issue when Protestant ministers withdrew from the government over the IRA’s refusal to turn over its weapons.<sup>38</sup> Britain was forced to suspend the government and resume home rule while negotiators searched for innovative ways to decommission the IRA’s weapons without fully disarming it.<sup>39</sup>

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elaborated in James Fearon, “Rationalist Explanations for War,” *International Organization*, Vol. 49, No. 3 (Summer 1995), pp. 379-414. Fearon explores the role that private information (and incentives to misrepresent that information) plays in leading to war.

<sup>35</sup> Walter, “The Critical Barrier,” p. 338. See also Walter, “Designing Transitions from Civil War,” pp. 133-135.

<sup>36</sup> It turned out that UNITA never sent many of its best fighters to the demobilization camps. Many of those sent turned out to be under eighteen, disabled war veterans, or people conscripted just for that purpose. Similar tactics were used to prevent the disarmament of UNITA’s police force. For details, see Human Rights Watch, *Angola Unravels: The Rise and Fall of the Lusaka Peace Process*, at <http://www.hrw.org/reports/1999/angola> (accessed August 10, 2000). Another useful summary of the breakdown of peace in Angola is available at the United Nations Mission of Observers in Angola (MONUA) website. See [http://www.un.org/Depts/DPKO/Missions/monua\\_b.htm](http://www.un.org/Depts/DPKO/Missions/monua_b.htm) (accessed August 1, 2000).

<sup>37</sup> James F. Clarity, “I.R.A. Denies Link to Bombing in Northern Ireland and Rejects Calls for Disarmament,” *New York Times*, September 1, 1998, p. A12, and Clarity, “Meeting Fails to Reach a Compromise on Disarming the I.R.A.,” *New York Times*, September 24, 1998, p. A5.

<sup>38</sup> Warren Hoge, “Accord in Ulster Hits Roadblock Over Disarmament,” *New York Times*, July 15, 1999, p. A1, and Hoge, “Britain Suspends Self-Government in North Ireland,” *New York Times*, February 12, 2000, p. A1.

<sup>39</sup> See, for example, Warren Hoge, “In Breakthrough, I.R.A. Will Allow Arms Inspections,” *New York Times*, May 6, 2000, p. 1, and “Look but Don’t Touch,” *The Economist*, May 13, 2000, pp. 55-56. For a cogent analysis of the symbolism of disarmament to the IRA, see Warren Hoge, “I.R.A. and the Arms Principle,” *New York Times*, February 5, 2000, p. A4. A third recent example of this problem can be found in Sierra Leone, where that country’s fragile peace was shattered in spring 2000 because the leader of its principal rebel group, the Revolutionary United

While the anarchic transitions problem is mitigated when ethnic groups are largely segregated into territorially compact enclaves, it is not eliminated. Obviously, separation reduces civilians' vulnerability to attack by ethnic enemies. However, once these groups disarm—as they must if a single state is to exist—their vulnerability returns. For this reason, groups that find themselves in this position are unlikely to disarm willingly, and may resist by force.<sup>40</sup> Moreover, as the previous two examples show, third-party intervention is no guarantee of success, even when groups are largely separated.<sup>41</sup> Groups sometimes use these breaks in hostilities to improve their position to renew the struggle at a later time (as in Kosovo); defect from the agreement if they see an advantage in doing so (Sierra Leone); or if their hopes for peacetime influence and success are disappointed (Angola). However, the bottom line is that even when protected by a neutral party, disarming is dangerous because at some point that party will depart, and the group must then depend for its security on the goodwill of its former adversary. In many cases, groups are unwilling to rely on trust rather than on their own military power.

The obvious alternative solution to the anarchic transition problem is to eliminate it altogether: partition the country so that each group gets its own state. If partition is implemented, groups may maintain their own military forces and can refrain from taking the risk that their trust will be betrayed. In this situation, third parties can be used to better effect by inserting forces along the borders between the new states to stabilize transitions to sovereignty. While some might complain that this solution only replaces the dangers of domestic lawlessness with those of international anarchy, I share Walter's view that the former is uniquely treacherous and difficult to ameliorate because it requires groups to share the same state after the war. In international politics, while there are no certainties, states at least have tools with which to deter aggression by others, and can maintain military forces and obtain allies to help them do so.

**COMBINED ARMS: MERGING MILITARIES.** Settlements to civil wars that seek to retain a single state also must overcome the problem of how to integrate the former combatants' military forces. This is an extremely thorny issue. Indeed, Walter asserts that "the single most detrimental condition operating against cooperation is that civil war adversaries cannot maintain independent armed forces if they decide to reconcile."<sup>42</sup> As mentioned above, disarming renders groups vulnerable to attack if the other side cheats; it also removes their ability to coerce the other side to adhere to the agreement. The negotiations must invent some formula acceptable to both sides of how to create a united army. If separate armies are allowed to exist, then the state does not

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Front (RUF), mistrusted the Lomé deal that ended the war and sent only a few of his fighters to be disarmed. The RUF took up arms again when United Nations peacekeepers took over from a Nigerian-led force, taking 500 peacekeepers hostage and advancing towards the capital, Freetown. See Norimitsu Onishi, "Anger Still Fires the Hell that was Sierra Leone," *New York Times*, March 31, 2000, p. A3; "Sierra Leone—Out of Control," *The Economist*, May 6, 2000, pp. 46-47; and "Sierra Leone's Agony," *The Economist*, May 13, 2000, pp. 45-46.

<sup>40</sup> The two cases I examine below—Bosnia and Kosovo—demonstrate this point. Walter has pointed out that a slow disarmament timetable may in some cases be a virtue, as it provides some insurance against cheating by the other side. See her analysis of Mozambique's 1992 peace agreement in Walter, "Designing Transitions from Civil War," pp. 144-150. This strategy has the drawback that the two sides may never disarm, which could lead to *de facto* partition or renewed warfare.

<sup>41</sup> Walter, "The Critical Barrier," disagrees. She finds that an external guarantee is a necessary condition for negotiated settlements to civil wars to succeed (success is defined as peace lasting at least five years). As I demonstrate below, however, several of these apparent successes eventually relapsed into war.

<sup>42</sup> Walter, "The Critical Barrier," p. 338.

possess a “monopoly over the concentrated means of physical coercion within its territory.”<sup>43</sup> Thus, one state does not exist, but multiple states.<sup>44</sup>

A pair of examples help illustrate the magnitude of this problem, and the threat it poses to single-state agreements after ethnic wars. In Northern Ireland, the second biggest issue, after the disarmament question, is the religious composition of the police force. Currently 92 percent Protestant, the Royal Ulster Constabulary, long a symbol of Protestant power which suffered over 300 dead in the thirty-year battle against the IRA, is scheduled to be transformed into the Northern Irish Police Service and its Catholic numbers increased.<sup>45</sup> These moves anger unionists, who view them as betraying the memories of those officers killed in the struggle.<sup>46</sup> But Catholics are unlikely to join the force in numbers, or view it as truly impartial, without a name change.<sup>47</sup>

A second example can be found in Sierra Leone, where the 1999 Lomé peace agreement called for several thousand former rebels to be incorporated into the government army.<sup>48</sup> Had the mechanisms for internment and disarming Sierra Leone’s approximately 45,000 combatants actually progressed, these often barbarous fighters would have had to be trained and integrated into one force, while those excluded somehow returned to a civilian life in many cases they had never known. This presented a formidable obstacle to peace.

In sum, even when war has driven groups apart and a third party has interjected itself to keep the peace, agreements still sometimes fail because intervention only postpones—but does not eliminate—the day when groups must disarm, unite their armies, and trust each other. Because this requires cooperation with former bitter enemies, groups will naturally worry about their future security since disarming leaves them open to attack and without recourse to arms should their rival renege on its commitments. This dangerous and potentially deadly outcome gives groups incentives to cheat on the agreement and hold onto their weapons, which torpedoes the deal and leads to new hostilities.

**INTERNATIONAL INTERVENTION DELAYS BUT DOESN’T SOLVE THESE PROBLEMS.** If, as Walter attests, third-party intervention is a necessary condition for negotiated settlements in civil wars to succeed, this raises two questions: (1) how likely is it that such intervention will occur? and (2)

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<sup>43</sup> Charles Tilly, “Reflections on the History of European State-Making,” in Tilly, ed., *The Formation of National States in Western Europe* (Princeton, NJ: Princeton University Press, 1975), p. 27.

<sup>44</sup> While overlapping political jurisdictions are common, philosophers from Hobbes forward have insisted that states must possess a monopoly on the legitimate use of force within its borders in order to maintain its unity and prevent the war of all against all. If the state is unable to do so, a sovereign state as we know it does not exist. Establishing a central government with no power to enforce its edicts over a territory populated by multiple armies ensures that efforts to consolidate central control will meet with armed resistance and possibly war. See Thomas Hobbes, *Leviathan*, ed. by J.C.A. Gaskin (New York: Oxford University Press, 1996), Part 2, especially Chapters 17-18, 21, 29-31; and Tilly, “Reflections on the History of European State-Making,” p. 27.

<sup>45</sup> The Good Friday agreement left the specifics of how to transform the RUC up to an international panel chaired by former Hong Kong governor Chris Patten. This panel recommended the change of title, among other things. See Warren Hoge, “Ulster Police Force Urged to Recruit More Catholics,” *New York Times*, September 10, 1999, p. A10.

<sup>46</sup> “Look but Don’t Touch,” *The Economist*, May 13, 2000, pp. 55-56.

<sup>47</sup> See “Anxious in Ireland,” *Washington Post*, July 24, 2000, p. A22.

<sup>48</sup> See Onishi, “Anger Still Fires the Hell that was Sierra Leone.”

what are the odds that if it does occur, it will succeed and really end the conflict? An examination of the evidence relevant to ethnic civil wars reveals that international intervention is rare and success elusive.

Anecdotally, it seems as if international intervention to enforce negotiated settlements to ethnic civil wars is becoming more frequent.<sup>49</sup> However, data from the post-1945 era show this newfound commitment to be an aberration from historical trends. Walter's dataset, which includes all civil wars that ended between 1940 and 1990, shows that of a total of forty-one civil wars, settlements in only six (less than 15 percent) have been facilitated by third-party security guarantees.<sup>50</sup> Moreover, of the 20 ethnic civil wars that ended in the same time period, a scant four of these (20 percent) were guaranteed by outsiders; the rest ended in decisive victories by the government or the rebels.<sup>51</sup> Thus, while the US and the UN have become more willing lately to intervene militarily to supervise peace agreements, a trend made possible by the changed international environment after the Cold War, this activism bucks the historical norm.

What about the success rate for agreements bolstered by those rare occasions when a third party actually did intervene? The historical evidence is mixed, but does not provide grounds for optimism. For example, the same dataset shows that of the four ethnic civil wars with settlements guaranteed by outsiders, three of them—Lebanon (1958, 1976) and Sudan (1972)—were eventually abrogated and wars renewed between the same adversaries, over the same issues.<sup>52</sup> All three settlements attempted to retain a single state.<sup>53</sup> While these cases meet the minimum success criteria of enduring for five years, it is difficult to argue that they provided a lasting end to these conflicts.

While the 1990s saw a rise in international interventionism, success remained elusive. The cases I examine in this article (Bosnia and Kosovo) are but two illustrations of the difficulties external interveners face in settling ethnic conflicts.<sup>54</sup> Unfortunately, because major

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<sup>49</sup> For example, the United Nations currently has peacekeepers in 14 locations; nine of these missions were deployed in the 1990s. See "The UN's Missions Impossible," *The Economist*, August 5, 2000, p. 25. In addition, the United States, seemingly has overcome its post-Somalia reluctance to intervene for humanitarian purposes (at least in Europe), conducting high profile missions in Bosnia and Kosovo.

<sup>50</sup> Walter, "The Critical Barrier," p. 350. These six cases are Lebanon (1958), Dominican Republic (1965), Sudan (1972), Lebanon (1976), Zimbabwe (1979), and Nicaragua (1989). Two other wars—Columbia (1958) and Yemen (1970)—were concluded via negotiation without external guarantees.

<sup>51</sup> These numbers are produced by counting the number of ethnic civil wars in Walter's dataset (coded based on Licklider, "Consequences of Negotiated Settlements in Civil Wars," pp. 688-689) and the number resolved by negotiated settlement with third-party guarantees. The four cases are Lebanon (1958, 1976), Sudan (1972), and Zimbabwe (1979). See Walter, "The Critical Barrier," pp. 346-350.

<sup>52</sup> War erupted again in Lebanon in 1975 (seventeen years after the 1958 agreement) and 1982 (six years after the 1976 deal). In Sudan, peace lasted from 1972 to 1983, when the war that continues to the present day re-ignited.

<sup>53</sup> Evidence gathered by Roy Licklider supports this trend, although he does not code whether external intervention guaranteed the settlements. Using a similar (but more expansive) set of cases, Licklider shows that fourteen civil wars ended with negotiated settlements between 1945 and 1993, nine of which were ethnic in nature. Of these nine, six experienced renewed warfare. See Licklider, "Consequences of Negotiated Settlements in Civil Wars," p. 686

<sup>54</sup> Other examples abound. UN intervention in Somalia, although it saved many lives by providing food aid, did nothing to solve the political conflict there, which has resulted in *de facto* partition. Angola, too, saw its civil war re-start despite extensive UN involvement in policing a peace agreement. And most recently, the UN mission to Sierra Leone suffered an embarrassing debacle when 500 of its peacekeepers were captured after the Revolutionary United Front went back to war in that devastated country.

powers have few strategic interests at stake in many of the places where humanitarian interventions are needed most—and thus have little appetite for sustaining casualties in such operations—they tend to pass the buck for assuming the costs and risks of action to others.<sup>55</sup> Those that respond are often Third World countries that send poorly trained and equipped troops who capitulate when confronted rather than fight.<sup>56</sup>

Unsurprisingly, then, research has shown that UN intervention is *not* correlated with peaceful outcomes in the long term. Indeed, the authors of one study claim that “[w]hat indications we have suggest that UN action is largely irrelevant to long-term conflict resolution, if not counterproductive in some instances.”<sup>57</sup> The authors attribute this counterintuitive finding to the fact that “[w]hen the UN intervenes in a conflict, it often does not address the underlying issues that precipitated the conflict, analogous to attacking the symptoms of a disease rather than its causes.”<sup>58</sup> Importantly, the empirical results of this study find no significant relationship between more intrusive intervention strategies and success in preventing the recurrence of conflict.

None of this evidence is intended to prove that negotiated settlements to—or outside military guarantees or interventions in—ethnic civil wars never work.<sup>59</sup> However, the low incidence of external military guarantees for negotiated settlements, and the low success rate for such interventions when actually undertaken, raise significant doubts about the utility of third-party guarantees to stop ethnic wars. The only agreements that appear to hold are those where the original conflict was rather low-level (such as that between Nicaragua and the Miskito Indians, ended by autonomy in 1989), or where the intervener is willing to stay indefinitely (Bosnia and possibly Kosovo). Even in this latter class of conflicts with long-term interventions, which are rare historically and difficult to sustain politically, it is by no means clear that extended occupation will actually end the war past the time of the occupation.<sup>60</sup> This is because, as I have argued, agreements that try to keep a state together instead of letting it break up often cause more problems than they solve. Only quasi-permanent occupation can keep such states unified.

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<sup>55</sup> When they do get involved, their aversion to casualties makes major powers’ forces of limited utility in carrying out peacekeeping mandates. Military organizations in these countries are usually reluctant to perform these missions, and are anxious to limit their liability if they cannot avoid participating. The well-known aversion of American forces to arresting war criminals in Bosnia is an example, as is the failure of Dutch peacekeepers to protect Bosnian Muslims at Srebrenica. Moreover, political leaders know that support for humanitarian missions is thin at home, and might not survive the deployed force suffering even a few casualties. Hence, they are reluctant to pressure the military to do more.

<sup>56</sup> The debacle in Sierra Leone supports this point. See “The UN’s Missions Impossible,” *The Economist*.

<sup>57</sup> See Paul F. Diehl, Jennifer Reifschneider, and Paul R. Hensel, “United Nations Intervention and Recurring Conflict,” *International Organization*, Vol. 50, No. 4 (Autumn 1996), p. 685.

<sup>58</sup> *Ibid.*, p. 685.

<sup>59</sup> Cases that have been successfully resolved through negotiated settlements include Nicaragua (Miskito Indians, 1989), and Zimbabwe (1979, 1984). The first and third of these are not included in Walter’s dataset.

<sup>60</sup> In a few cases, outside powers have a vested interest in remaining involved, and thus can justify a long intervention. For example, if a state’s ethnic kin in another state would be subject to attack or repression if its forces left, that state likely will stay involved militarily. This is why Turkey has stayed in Northern Cyprus since 1974.

#### **POLITICAL UNCERTAINTY: SHARING INSTITUTIONS**

The second piece of the puzzle that impedes post-war inter-group cooperation in a single state is how domestic political institutions should be shared. Regional autonomy, federalism, or consociationalism (together or individually) are frequently recommended as ways to apportion political power in ethnically divided states. Unfortunately, after civil wars, groups tend to view ambitious, complicated schemes to share power with a healthy dose of suspicion. With the state's future political situation up in the air, and the group's physical security potentially at risk, support for nationalist parties will remain high and refugees from other ethnic groups trying to return will be opposed. Moreover, and paradoxically, the greater the involvement of the international community in actually running the country during the interim, the less likely the political institutions will be to work when outsiders withdraw because these institutions will never have had to function.

Since this article addresses the differences between regional autonomy and sovereign states, I will focus my discussion on the problems associated with autonomy. However, the military and political fears and uncertainties I document in this article contribute to the defeat of any agreement that hopes to maintain a single state via some form of power-sharing, including consociationalism.<sup>61</sup>

**REGIONAL AUTONOMY AND FEDERALISM.** Regional autonomy is increasingly recommended as a solution for ethnic conflict because it seemingly satisfies everybody: the ethnic group obtains greater self-rule and the state retains its unity. In an autonomous or federal solution, an ethnic group gains control of governmental structures that have both symbolic and practical power, fulfilling group aspirations for greater independence and providing members with tangible benefits, such as the ability to conduct business and education in the native tongue, keep more tax revenue at home, and access to expanded job opportunities in the regional bureaucracy which were previously unavailable. For the state government, a relatively cheap concession of autonomy buys an end to constant strife and ends the threat to the state's integrity. Practically and normatively, then, autonomy seems like the perfect solution in theory. Unfortunately, this promise is not borne out in practice.

Two mechanisms exist for granting autonomy.<sup>62</sup> First, a dissatisfied or rebellious group can simply negotiate an agreement with the central government that grants it significant powers of regional government. These powers can take a number of forms: being able to elect a regional governor and/or a regional legislature; levying taxes to fund regional welfare or educational programs; receiving a greater share of state tax monies; and conducting government business and education in the regional language.<sup>63</sup> Agreements such as these normally grant authority only to

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<sup>61</sup> For criticisms of consociationalism, see Brian Barry, "Review Article: Political Accommodation and Consociational Democracy," *British Journal of Political Science*, Vol. 5, Part 4 (October 1975), pp. 477-505; Horowitz, *Ethnic Groups in Conflict*, pp. 584-588; and Philip G. Roeder, "The Robustness of Institutions in Ethnically Plural Societies," paper presented at the annual convention of the American Political Science Association, Washington, D.C., August 31-September 3, 2000, pp. 4-8. See also Ian Lustick, "Stability in Deeply Divided Societies: Consociationalism versus Control," *World Politics*, Vol. 31, No. 3 (April 1979), pp. 325-344.

<sup>62</sup> A third mechanism is non-territorial autonomy. This form, often called cultural autonomy, protects an ethnic or religious group's civil rights throughout a society, not just in a particular territorial entity.

<sup>63</sup> Recent examples include autonomy for the Miskito Indians in Nicaragua (1989) and part of the Moro region in the Philippines (1990), the creation in 1994 of an autonomous republic in Moldova for the Gagauz, or regional

the particular group in question, and thus do not apply to all groups or regions in the state, which may remain unitary.<sup>64</sup> Second, the entire structure of the state can be transformed from unitary to federal, with all regions of the state being granted substantial powers of self-government and the ability to participate equally regardless of population or size in the federal government.<sup>65</sup>

The first autonomy mechanism, in which an ethnic group and a state negotiate a devolution of authority to a region, suffers from a major flaw that limits its utility as a conflict-limiting device: insofar as such agreements fail to create actual institutional limitations on the central state's authority, nothing prevents the state from tearing up the deal at some future time. In essence, regional autonomy agreements have a credibility problem because they do not change the state's institutions to create a real restraint that keeps the central government from going back on its word to the region arbitrarily. A region's autonomy can thus be revoked at any time if the state's leaders change their minds or if leaders who oppose the agreement take power.<sup>66</sup> Hence, regional autonomy in this form does not comprise a *credible commitment* by the government. Although this problem theoretically applies to all states, it is even worse if the state is not democratic because state leaders will feel even less compulsion to abide by negotiated agreements. Examples of states revoking regional autonomy include Pakistan (Baluchistan, 1973), Yugoslavia (Kosovo and Vojvodina, 1989), and Sudan (1983).

Moreover, while some elements of an ethnic group's leadership will find autonomy appealing, offers of self-rule short of independence tend to split movements between moderates (who accept the government's offer) and hard-liners (who advocate continued resistance). This characteristic of autonomy agreements—shrinking but not stopping ethnic revolts—means that they can reduce violence (at least temporarily) but rarely end it for good.<sup>67</sup> Offers of autonomy to groups in traditionally unitary states can also provoke conflict within the government over the appropriateness of autonomy as a solution, and raises governments' fears that giving autonomy to one group may prompt others to demand it as well.<sup>68</sup>

Unfortunately, the second autonomy mechanism—a constitutional guarantee via federalism—while solving the commitment problem (at least in democratic federations), creates

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autonomy in Bangladesh's Chittagong Hills for the Chakma in 1997. See Gurr, *Minorities at Risk*, pp. 296-97, and "Ethnic Warfare on the Wane" for these and other examples.

<sup>64</sup> One example of such an arrangement is the Aland Islands in Finland. Another example in the making is the status of Corsica in France.

<sup>65</sup> Spain (1978) and Belgium (1994) are recent examples. A third mechanism consists of statewide decentralization of governmental functions, increasing the powers of sub-state jurisdictions but without instituting formal federalism.

<sup>66</sup> Many federal systems have onerous procedures for amending the constitution, designed to make it difficult for the federal government to make changes without regional approval. These procedures include passage of the amendment by two-thirds of each house of the federal legislature (the upper house normally being composed of regional representatives, akin to the United States Senate), and/or approval by a certain number of regional assemblies.

<sup>67</sup> See Gurr, *Minorities at Risk*, pp. 300-305, for an elaboration of this problem. Gurr tends to see the splitting of ethnic resistance movements as a virtue since it may be able reduce violence, if not end it.

<sup>68</sup> On the former problem, see Marlise Simons, "French Cabinet Split Over Corsican Autonomy," *New York Times on the Web*, August 30, 2000 (<http://www.nytimes.com/library/world/europe/083000france-corsica.html>). For the latter, see Levine, "Political Accommodation and the Prevention of Secessionist Violence," p. 332. Gurr argues that autonomy rarely leads groups to make greater demands, and is thus not a slippery slope towards independence. See Gurr, "Ethnic Warfare on the Wane."

other problems that reduce its utility as well. This time the danger comes mainly from the regions, not the center.<sup>69</sup> Specifically, conflict can arise in two ways. First, should the majority group's demographic dominance in the region appear to be threatened by immigration of other ethnic groups, the chance increases that the majority group will attack the minorities to drive them out, or try to secede from the state and hence gain control of its immigration policy. A commonly articulated fear among titular ethnic groups in federal regions that experience significant immigration of other groups is that they will become a minority in their own land. Rebellions in the northeast Indian states of Assam and Tripura, and the Pakistani provinces of Baluchistan and Sindh, have been touched off in this way.

A second issue which drives disputes between regions and federal governments is the distribution of tax revenues collected by the state. Most states have some areas that are rich and some that are poorer. Federal countries often subsidize the latter at the expense of the former by allocating them a greater share of federal revenues.<sup>70</sup> This was a common developmental strategy in socialist federations, for example. Thus, advanced regions in federal states often suffer a net loss financially from their membership in the federation, as some of the tax revenue they collect is transferred to less developed areas. The belief that their own development is being retarded because they are forced to support backward regions can lead advanced groups to favor secession from the federation, a trend that has been documented in the former Yugoslavia and Soviet Union.<sup>71</sup>

A third, related problem with federalism arises from the institutional base it provides to ethnic groups. Some scholars have argued it is no accident that following the collapse of communism in Eastern Europe, the only states to undergo partition were federal ones: Yugoslavia, Czechoslovakia, and the Soviet Union. This is because federal structures in those countries "provid[ed] an excellent organizational base for political leaders to exploit with nationalist appeals once the center began to weaken."<sup>72</sup> In effect, institutions set up to demobilize ethnic identifications ended up not only encouraging same, but also facilitated the ability of ethnic groups to mobilize and express grievances. Philip Roeder notes that

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<sup>69</sup> There is one exception to this tendency. Some federations lack strong constitutional amendment procedures. For example, the Indian government need only obtain the approval of (both houses of) the federal legislature to amend the constitution; additional approval by state assemblies is not required for most matters (as it is in the United States). This is a relatively easy procedure, and has the effect of reducing the power of states to prevent revisions of the constitution harmful to their interests. Additionally, in India central authorities appoint state governors, and have the power to dismiss elected state governments and impose direct rule (which they have done frequently to crack down on ethnic unrest), both of which further diminish the power of India's states. This inability to protect regional authority from encroachment by the federal government may inflame the fears of ethnic groups who reside in those areas rather than curb them as intended in a federal system.

<sup>70</sup> For an outline of this tendency, and the problems it leads to, see Levine, "Political Accommodation and the Prevention of Secessionist Violence," pp. 317-20.

<sup>71</sup> In Yugoslavia, Slovenia and Croatia were the more advanced republics, while the Baltic and Caucasian republics were relatively advanced in the Soviet Union. For details on Yugoslavia, see Susan L. Woodward, *Balkan Tragedy: Chaos and Dissolution After the Cold War* (Washington, D.C.: Brookings Institution, 1995); for the USSR, see Philip G. Roeder, "Soviet Federalism and Ethnic Mobilization," *World Politics*, Vol. 43, No. 2 (January 1991), pp. 196-232.

<sup>72</sup> Robert H. Dorff, "Federalism in Eastern Europe: Part of the Solution or Part of the Problem?" *Publius*, Vol. 24, No. 2 (Spring 1994), p. 104.

“[a]utonomous homelands provide essential resources for the collective mobilization of ethnic communities ... By assigning a monopoly over mobilizational resources, Soviet federalism delayed the rise of ethnofederalism but at the same time made it likely and possible that ethnic cadres of more developed ethnic communities would later mobilize their constituents.”<sup>73</sup>

Federalism, because it institutionalizes ethnic groups, increases both their mobilizational and organizational capacity, making it more likely that they will assert their grievances and be able to rebel effectively should the state weaken. It also supplies the group with the experience of self-government, which by itself can be significant.<sup>74</sup>

Overall, both types of autonomy arrangements confront serious difficulties. Following a war, these problems are likely to be aggravated by hostility and mistrust, reducing the probability that they will function effectively. Partition, of course, eliminates these problems because the problem of how to share power disappears: each group can govern itself as it sees fit.

#### **THE CONSEQUENCES: NO DISARMAMENT, NATIONALISM, AND MALFUNCTIONING INSTITUTIONS**

Three consequences flow from these concerns for physical and political security. First, as detailed above, groups will prove extremely recalcitrant when it comes time to lay down their arms. Even if separated from each other and with a third party present, groups want to keep an insurance policy to protect themselves when the intervener departs because it is then that they will be most vulnerable. This security fear is compounded by uncertainty regarding how political institutions will function and whether they will protect the group’s vital interests.

Second, past experiences of war and uncertainty regarding future military and political security solidifies support for nationalism, ensuring that nationalist politicians and parties will dominate the political dialogue.<sup>75</sup> Even if they did not enter the war bent on secession, groups often come to believe that the only way they can assure their survival is by acquiring their own state. Furthermore, compared to the dangers inherent in placing its safety in the hands of a former adversary, or the uncertainty of how powers will be divided in a state of autonomies, an ethnic group may find its own state quite attractive. Support for nationalists will be further hardened to the extent that minority refugees are allowed to return to a group’s area. These returnees are often the object of war-generated hatred, and cause resentment by displacing group members who moved into their homes while they were gone (and who may have been displaced

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<sup>73</sup> Roeder, “Soviet Federalism and Ethnic Mobilization,” pp. 199, 231.

<sup>74</sup> Some scholars see the lack of previous experience with independent statehood as helping to explain the absence of many ethnic secession movements in Russia. See Gail W. Lapidus and Edward W. Walker, “Nationalism, Regionalism, and Federalism: Center-Periphery Relations in Post-Communist Russia,” in Gail W. Lapidus, ed., *The New Russia: Troubled Transformation* (Boulder: Westview Press, 1995), p. 87. It is also instructive to remember that even the most arbitrary of administrative boundaries take on a permanence over time that usually determines the shape of new states should empires break down. The experiences of the Soviet Union, Czechoslovakia, Yugoslavia, and the post-colonial states of Africa confirm this tendency.

<sup>75</sup> Nationalism is defined by Ernest Gellner as “primarily a political principle, which holds that the political and the national unit should be congruent.” Those who espouse nationalism hope to fuse the ethnic or cultural unit, however defined, to the political one, which in modern times has taken the form of the state. See Ernest Gellner, *Nations and Nationalism* (Ithaca: Cornell University Press, 1983), p. 1.

from other regions of the country) and by increasing competition for employment and economic resources.<sup>76</sup>

Finally, fears about the future increase the likelihood that statewide institutions will devolve into deadlock. Kaufmann's basic argument is that once groups are separated (and hence even more concentrated geographically than they were before the conflict), regional autonomy within a single state gives an ethnic group enough control over its own affairs that a group's members will feel satisfied and safe. Kaufmann stipulates that "there must be enough regional self-defense capability that abrogating the autonomy of any region would be more costly than any possible motive for doing so," and that "local autonomy must be so complete that minority groups can protect their key interests even lacking any influence at the national level."<sup>77</sup> The economic advantages offered by a larger state's market also provides an incentive for groups to choose autonomy over a state of their own.<sup>78</sup>

However, autonomy as described by Kaufmann is untenable and unstable because it equals *de facto* statehood for the autonomous region. For groups to have enough leverage to defend their core interests lacking any real central influence, they must have armed forces to back those interests up. However, as argued above, states cannot have multiple armies that answer to different political authorities. Such a situation is likely to lead to deadlock between the regions and the center, and possibly to war as each tries to enforce its will on the other. Secession is the likely result of this centrifugal situation.<sup>79</sup>

### ***Empirical Evidence for Autonomy***

Now that I have laid out the major theoretical impediments to autonomy as a lasting method to end ethnic civil wars, this section evaluates how well autonomy has worked empirically. While the argument for separation flows from the deductive logic of the security dilemma, I have shown that the theoretical basis for recommending autonomy is problematic. Now I demonstrate that this recommendation has little empirical basis, either.

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<sup>76</sup> Americans, enmeshed in globalization and transnationalism, with our war for independence well behind us, consistently underestimate the continuing power of the national idea. This deprecation of nationalism, and our own experience as an immigrant society where a civic identity prevails, leads Americans to advocate and impose multiethnic, autonomous solutions to ethnic wars. I argue below that at least in places like Bosnia and Kosovo, this is a mistake. Forcing nationalistic groups to swallow autonomy may not be a viable answer. As distasteful as we may find it, the best thing to do sometimes is to support partition.

<sup>77</sup> Kaufmann, "Possible and Impossible Solutions," p. 162.

<sup>78</sup> *Ibid.*, p. 162.

<sup>79</sup> A fourth consequence is that war-induced separation concentrates ethnic groups geographically, which makes them materially better able—and possibly more willing—to fight. See Levine, "Political Accommodation and the Prevention of Secessionist Violence," pp. 313-15. Quantitative studies have found that concentrated groups are far more likely to rebel than are urban or highly dispersed groups. Moreover, ethnic civil wars fought by concentrated groups are much likelier to re-ignite after a settlement, and tend to last longer. See Monica Duffy Toft, "Do Settlement Patterns Matter?" Unpublished ms., University of Chicago, March 11, 1998, and James D. Fearon and David D. Laitin, "A Cross-Sectional Study of Large-Scale Ethnic Violence in the Postwar Period," Unpublished ms., University of Chicago, September 30, 1997. Ethnic groups that become regionally concentrated via ethnic cleansing and war are also not likely to be in a cooperative mood, especially with regard to their former enemies. The siege mentality that prevails among people who have just narrowly escaped violent death may prevent even the most tenuous power-sharing arrangements.

First, let us examine the major partitions of the 20<sup>th</sup> century: Ireland, India, Palestine, and Cyprus. Of these cases, all resulted in sovereignty or *de facto* sovereignty for the primary actors except the one in Palestine, where the Palestinians got nothing at all until 1993, when they received partial autonomy within Israel, which is inevitably evolving toward statehood in the West Bank and Gaza. Moreover, all of the other cases of secession or partition—including the breakup of the Ottoman and Austro-Hungarian empires, as well as the dissolution of the Soviet Union, Czechoslovakia, and Yugoslavia—have also resulted in the creation of states.

Second, the number of ethnic civil wars since World War II that have been settled successfully through a grant of autonomy is very small. As described above, Walter's dataset includes 41 civil wars that ended in this period, 20 of which were ethnic. Four of these twenty-three wars ended in negotiated settlements, but only one of these was an autonomy agreement: Sudan (1972).<sup>80</sup> It failed in 1983 when the Sudanese government revoked southern autonomy and prompted a return to war.<sup>81</sup>

Finally, Kaufmann presents a list of eight ethnic conflicts “settled by agreements other than partition,” all of which consist of deals for autonomy or limited autonomy.<sup>82</sup> Kaufmann claims that “[e]very case in which the state was preserved by agreement involved a regionally concentrated minority,” which supports his argument that once separation is achieved, granting a group control over its own affairs is sufficient to provide a lasting end to the conflict.

However, a closer look at the evidence presents a rather different picture. While autonomy in some shape or form was indeed granted in all of the cases, most of these conflicts remain unresolved, and many have experienced continued violence even after autonomy was implemented. Only one of the cases—the Miskito Indians vs. Nicaragua—is a clear success for autonomy. All seven of the others were listed by Gurr as “Serious and Emerging Ethnopolitical Conflicts in 1993-94,” each experiencing some level of violence *after* the agreement was concluded: the Naga and Tripura insurgencies in India's northeast continue; ETA violence on behalf of Basque separatism in Spain declined in the 1990s, but attacks resumed in 2000 after a 14-month cease-fire; autonomy for the Palestinian Authority will continue to evolve until it achieves statehood (and will turn violent if it does not); two Moro (Muslim) factions remain active in Mindinao in the southern Philippines (despite recent setbacks), and Muslim-Christian violence has spread to parts of Indonesia; and autonomy has left the Abkhaz situation in Georgia unresolved.<sup>83</sup> Indeed, Ted Gurr acknowledges that in several of the conflicts he asserts have

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<sup>80</sup> The other three cases—Lebanon (1958, 1976) and Zimbabwe (1979)—consisted of power-sharing techniques other than autonomy.

<sup>81</sup> Another potential case is Nicaragua vs. the Miskito Indians, settled by autonomy in 1989. This agreement succeeded. Roy Licklider's dataset likewise reveals Sudan as the only autonomy agreement that ended an ethnic civil war. His dataset includes 91 wars, 63 of which (69 percent) he classifies as identity wars. See Licklider, “The Consequences of Negotiated Settlements in Civil Wars,” pp. 688-689.

<sup>82</sup> Kaufmann, “Possible and Impossible Solutions,” p. 160. The data in this table is derived from Ted Robert Gurr, *Minorities at Risk*, pp. 296-297, and idem, “Peoples Against States,” pp. 369-375. The eight cases are Nagas vs. India; Basques vs. Spain; Tripuras vs. India; Palestinians vs. Israel; Moros vs. Philippines; Chittagong vs. Bangladesh; Miskitos vs. Nicaragua; and Abkhazians vs. Georgia.

<sup>83</sup> See Gurr, “Peoples Against States,” pp. 369-375. One of the best sources on these and other ethnic conflicts is the website of Gurr's *Minorities at Risk* project. The group files Gurr and his associates have compiled summarize the origins, key events, and prospects for resolution of each group's conflict, and are an invaluable resource to researcher on the subject. See <http://www.bsos.umd.edu/cidcm/mar>.

been “more or less successfully settled through negotiated autonomy arrangements,” violence diminished but still continues.<sup>84</sup> Gurr also documents five major failures for autonomy that Kaufmann omits: India (Sikhs, 1966), Pakistan (Baluchis, 1970), Sudan (Southerners, 1972), Iraq (Kurds, 1974),<sup>85</sup> and Sri Lanka (Tamils, 1987).<sup>86</sup> This data undermines the claim that autonomy agreements, even when negotiated by groups that are geographically concentrated, provide a lasting end to violence.<sup>87</sup>

### ***Separation and Partition in the Balkans***

Two situations currently exist where the international community faces a clear choice between autonomy and partition: Bosnia and Kosovo. Both consist largely of ethnically cleansed areas, and are occupied and administered by outsiders. Bosnia is organized as a weak federation, while Kosovo remains technically a part of Yugoslavia, although its future status is uncertain: NATO (and Serbia) wants it to remain an autonomous region of that state, while the ethnic Albanians (who compose over 90 percent of the population) desire a state of their own.

In this section, I highlight the problems that regional autonomy faces as a stable political end to these conflicts. Although my theoretical discussion assumed that the separation produced by ethnic wars would not be reversed by reintegration—allowing refugees to return home to areas now dominated by another group—I specifically address this question in the cases because it is at the heart of the international community’s plans for Bosnia and Kosovo. Not only do these so-called “minority returns” bring people back to areas where they are unwanted and

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<sup>84</sup> Gurr, “Peoples Against States,” p. 366. These conflicts are Basques vs. Spain, Nagas and Tripuras vs. India, Chittagong vs. Bangladesh; and Moros vs. Philippines.

<sup>85</sup> Kaufmann lists the Kurds vs. Iraq as a “[c]onflict suppressed by ongoing 3<sup>rd</sup>-party military occupation” (safe areas established in northern Iraq by the US after the Gulf War) resulting in *de facto* partition.

<sup>86</sup> As Gurr states in the Baluchi and Sikh cases, “regional autonomy was a response to earlier communal activism but did not prevent later civil wars.” As for the other three, Gurr says “the Sudanese government eventually (in 1983) defected from the agreement and civil war resumed; in the last two, most rebels rejected from the outset autonomy arrangements that were unilaterally implemented by governments in efforts to defuse conflicts.” See Gurr, *Minorities at Risk*, p. 297 n. b, and Gurr, “Peoples Against States,” p. 366, respectively. One final case of autonomy followed by continued violence is the Afars of Ethiopia, who received regional autonomy in 1977, but which Gurr lists as engaging in conflict until 1985. Gurr, *Minorities at Risk*, p. 296.

<sup>87</sup> Space considerations prevent a detailed exploration of the consequences of partition. Briefly, while pilloried from a variety of perspectives, most of the violence usually attributed to partition can be shown to have been caused not by simple changes in sovereignty, but by the failure to provide for the inevitable separation of people that accompanies such changes, or the failure to complete separation. For the most comprehensive attacks on partition, see Robert Schaeffer, *Warpaths: The Politics of Partition* (New York: Hill and Wang, 1990), and Radha Kumar, “The Troubled History of Partition,” *Foreign Affairs*, Vol. 76, No. 1 (January/February 1997), pp. 22-34. The best rebuttals are Kaufmann, “Possible and Impossible Solutions” and “When All Else Fails.” The only attempt to evaluate empirically the consequences of partition is Nicholas Sambanis, “Partition as a Solution to Ethnic War: An Empirical Critique of the Theoretical Literature,” *World Politics*, Vol. 52 (July 2000), pp. 437-483. While Sambanis finds limited support for the propositions that partitioned states are more democratic and that partition inhibits ethnic violence short of war, he finds no support for the argument that partition prevents war recurrence. This finding may be due to Sambanis’s broad definition of partition, which leads him to code secessions (Azerbaijan, Georgia, Russia/Chechnya, Tajikistan, Yugoslavia), some unrecognized or incomplete partitions (Cyprus, Israel/Palestine, Somalia) and even a few instances of autonomy (Georgia, Moldova), as cases of partition, but omits cases of peaceful partition (Czechoslovakia, the former Soviet republics, Macedonia, Singapore) that might qualify under his definition. Moreover, Sambanis does not directly test the security dilemma argument that post-partition violence stems from the failure to separate the groups at war, nor does he compare his findings on partition to the success rates of other proposed solutions to ethnic wars.

vulnerable to attack after international authorities leave, but their return represents a demographic threat to the majority, which may view its dominance as being at risk. Both have the potential to make an already combustible situation even worse.

The main problem in each case, as elaborated above, is the uncertainty and fear surrounding the future political status of these countries. Walter has pointed out the reasons why so few civil wars are settled by negotiation, and shown why a third party is needed to overcome groups' recalcitrance to lay down their arms and adhere to an agreement. Yet Walter neglects an important point: because external actors cannot stay permanently, the fact of their impending departure creates a time horizon beyond which renewed insecurity lurks. Cooperation between the parties may be possible while their security is guaranteed by external forces, but that assurance disappears with the departing troops. Hence, even when a third party is present, groups may be reluctant to disarm because they know their vulnerability will return when that force leaves. Thus, external intervention in support of negotiated peace agreements in civil wars does not solve the commitment problem because it cannot alleviate fears for security in the future after the intervener departs. This problem will be worse the greater the role the intervener plays in running the country during its stay, because this prevents often complicated power-sharing formulas from being implemented. Thus, the indigenous parties have little experience in resolving their own disputes peacefully when the third party guarantor quits the scene. Mutual vetoes without trust and respect are more likely to lead to deadlock and renewed hostilities than a functioning multiethnic society.

#### **BOSNIA**

The Bosnian war officially ended in November 1995, with the initialing of the General Framework Agreement in Dayton, Ohio. The agreement aims to rebuild a multiethnic Bosnian state composed of two autonomous entities—a Bosniac/Croat Federation and a Serb republic (called Republika Srpska)—under a weak federal government. NATO, led by the United States, sent a large military implementation force (IFOR) to implement the terms of the agreement, initially intended to complete its work and withdraw after one year. IFOR metamorphosed into SFOR (Stabilization Force) in November 1996 as little progress toward integration occurred. Originally scheduled to withdraw after eighteen months, SFOR's mandate was extended indefinitely in June 1998.

The civilian implementation of Dayton is presided over by the United Nations Office of the High Representative (OHR). Annex 10 to the agreement grants OHR a sweeping mandate as the "final authority in theater regarding interpretation of this Agreement on the civilian implementation of the peace settlement."<sup>88</sup> Originally scheduled to give way to a Bosnian government after elections in September 1996, OHR's mandate was extended from one to three years in November of that year, and later prolonged indefinitely (in June 1998). The High Representative, initially empowered only to coordinate international activities, facilitate the efforts of the parties, and promote compliance with the agreement, has gained ever increasing authority to recommend and, later, even implement policy on his own when the parties cannot agree, and to dismiss officials deemed obstructive to the implementation of the agreement.

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<sup>88</sup> *The Dayton Peace Accords: General Framework Agreement for Peace in Bosnia and Herzegovina*, Annex 10, Article V. The agreement is available on the World Wide Web at <http://www.ohr.int/gfa/gfa-home.htm>.

The problems inherent to, and in the implementation of, the Dayton Accords have been amply documented.<sup>89</sup> Western state-building in Bosnia has accomplished little: 30 percent of the Croats in Herzegovina have left for Croatia; large majorities of both the Bosnian Croat and Serb communities do not wish for their regions to remain part of Bosnia; nationalist parties continue to dominate the electoral process; federal institutions barely function, with OHR repeatedly stepping in to dictate contentious decisions. Three separate military forces continue to exist on Bosnian soil, and hundreds of thousands of Bosnian refugees and internally displaced persons remain dislocated from their homes. Returns to areas where the returnees would be in the minority have been especially slow; although the pace has quickened somewhat lately, at one point in 1997, more minorities had actually been driven from their homes since the war ended than had returned to such areas.<sup>90</sup> In sum, David Chandler declares: “The extended mandates of the international implementation of the Dayton settlement, which have undermined all the main parties, have not created a political basis for a unitary Bosnian state, except in so far as it is one artificially imposed by the international community.”<sup>91</sup>

Bosnia demonstrates that the commitment problem parties face when trying to share one state after a civil war does not disappear when they are demographically separated. While the country is patrolled by NATO troops and run by the stern hand of the High Representative, immediate security fears are assuaged. However, everyone knows that this situation cannot last forever; the international forces that rule Bosnia must one day depart. When that day comes, the rickety ship that is the Bosnian state must set sail on its own. This means that although most individuals are safe today, fears about security tomorrow reduce the likelihood that Bosnia will survive as a unified state once it becomes sovereign.

Specifically, Bosnians’ fears about what the future holds for them has produced four immediate problems. First, they have caused a great reluctance by all sides to disarm and merge military forces. Nearly five years after the agreement, each of Bosnia’s ethnic groups retains its own army. Second, future security fears have led to greater support for nationalist parties which promise to protect co-ethnics by achieving a state for the group. Bosnian elections have been dominated by nationalist parties all around. Third, return of refugees to areas dominated by another group is dangerous because the local population views them as threatening. Finally, the commitment problem ensures that the federal institutions Dayton established, if ever truly implemented, will produce an ethnic stalemate. However, rather than transitioning Bosnia to democracy and self-rule, Dayton’s international guarantors have essentially placed it in indefinite international conservatorship, which increases the likelihood that when power is finally devolved to Bosnian institutions, they will not work.

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<sup>89</sup> See, for example, Warren Bass, “The Triage of Dayton,” *Foreign Affairs*, Vol. 77, No. 5 (September/October, 1998), pp. 95-108; Charles G. Boyd, “Making Bosnia Work,” *Foreign Affairs*, Vol. 77, No. 1 (January/February 1998), pp. 42-55; Ivo H. Daalder, “Bosnia After SFOR: Options for Continued US Engagement,” *Survival*, Vol. 39, No. 4 (Winter 1997-98), pp. 5-18; Gideon Rose, “The Exit Strategy Delusion,” *Foreign Affairs*, Vol. 77, No. 1 (January/February 1998), pp. 56-67; Jane M.O. Sharp, “Dayton Report Card,” *International Security*, Vol. 22, No. 3 (Winter 1997/98), pp. 101-137; and O’Hanlon, “Turning the Bosnia Cease-Fire into Peace.”

<sup>90</sup> See Boyd, “Making Bosnia Work,” p. 48; Sharp, “Dayton Report Card,” p. 125; and Harold J. Johnson, “Prepared Statement to the Committee on Foreign Relations,” United States Senate, in *Bosnia: Status of Non-Compliance with the Dayton Accords* (Washington: U.S. Government Printing Office, 1998), p. 47. Boyd puts the number of additionally displaced at 70,000, while Sharp and Johnson place it near 80,000.

<sup>91</sup> David Chandler, *Bosnia: Faking Democracy After Dayton*, 2<sup>nd</sup> ed. (London: Pluto Press, 2000), p. 197.

**RELUCTANCE TO DISARM.** Anxiety about future security has led each of Bosnia's ethnic groups to be loathe to dismantle and integrate their armies. Establishing a single, integrated Bosnian military is seemingly a crucial aspect of unifying Bosnia. Yet curiously, Dayton omits any mention of merging the separate Bosnian Serb, Croat, and Muslim armies into a unified force. Almost five years later, three independent armed forces continue to exist on the territory of a supposedly unified state:

The [Peace Implementation] Council records its disappointment, however, that hesitation and delay still hamper implementation of the Agreement on confidence and security building measures (CSBM), and that, as a result, there has been a lack of real progress towards improving the level of cooperation and confidence between the Entity Armed Forces (and within the Federation army). Despite the maintenance of military stability, the Council considers the future of defense policy in Bosnia and Herzegovina will determine whether the country enjoys a durable peace or continues to live under threat of war. It believes it important to do everything possible to minimize the instability that is inherent in having two--and in practice three--armies present in one country.<sup>92</sup>

The deadline for the integration of the Federation army's Bosniac and Croat components passed on 1 September 1999 with little progress toward union.<sup>93</sup> Thus, it appears that even a united Federation army is out of reach at present, while an all-Bosnian force seems an even more remote possibility.<sup>94</sup>

While allowing each party to retain its own military may appear to be a clever way to eliminate their security fears and reduce the chance that Dayton will falter on the rocks of the disarmament issue, in reality it only ensures that when SFOR leaves, the political gridlock that is likely to grip Bosnia will be backed up by force.<sup>95</sup> Bosniacs, Croats, and Serbs fear disarming because of their political insecurity, but the fact of their separate armies makes it clear that no Bosnian government will be able to enforce its will over the state's territory. This is *de facto* partition, which will become formal as soon as a political dispute leads to disagreement between the groups. In this situation, the strongest group (the Bosniacs), which is also the most

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<sup>92</sup> Peace Implementation Council, "Part VII: Military and Security Issues," *Annex to the Madrid Declaration of the Peace Implementation Council* (Madrid, Spain: December 16, 1998), at [http://www.state.gov/www/regions/eur/bosnia/981216\\_pic\\_annex8.html](http://www.state.gov/www/regions/eur/bosnia/981216_pic_annex8.html) (accessed August 10, 2000). Additional causes for concern are the high levels of military spending in both entities, and the difficulty in ascertaining the extent of external military support being provided to the entities, specifically from Yugoslavia to the Republika Srpska.

<sup>93</sup> Office of the High Representative: *OBN News Review*, August 31, 1999.

<sup>94</sup> Reports indicate that the Bosnian Serbs remain implacably opposed to unifying their army with that of the Federation (which itself is not unified). "Talk of creating a single Bosnian army," says *The Economist*, "wins a hearing from some Muslims, but from few Croats or Serbs." *The Economist*, "The Delicate Balkan Balance," August 19, 2000, p. 42. The most recent scheme devised by OHR to foster military integration is to send officers from the RS and Federation armies for training as UN military observers. See "Bosnia to Join U.N. Military Observer Teams," *New York Times on the Web* (<http://www.nytimes.com/reuters/international/international-un-bosn.html>), August 7, 2000.

<sup>95</sup> Walter advocates allowing groups to retain their own military forces as an insurance policy should the other side cheat and fail to uphold its side of the bargain. This strategy is fraught with risks, however, as groups may use their weapons to continue fighting. See Walter, "Designing Transitions from Civil War."

revisionist,<sup>96</sup> may attack the others because it has nothing to lose by trying to enlarge its territory at their expense if the state is going to collapse anyway. Refugees who have returned under Dayton's auspices to areas where they constitute minorities may be re-cleansed. Thus, Dayton's autonomous solution would relapse into war. As long as NATO occupies Bosnia, this situation is tolerable (and does not threaten the state's existence) because Bosnia is not actually sovereign. But once NATO leaves, things could change for the worse.

**SUPPORT FOR NATIONALIST PARTIES .** Support for nationalist parties is fed by fears for security. Even though separation is largely a fact and the country is patrolled by NATO soldiers, state institutions are weak and the autonomy of Serb and Croat areas questionable: "Political insecurities are still rife as to the political autonomy of the Serb entity and the Croat areas of the Federation, and the central political authority of the state remains very weak with state authority as reliant on outside support as when Bosnian recognition was called for in 1991."<sup>97</sup> Chandler argues that this political insecurity, and doubts about the future viability of the state's political institutions, lead people to cast their lot with nationalist parties and the hope of ethnically homogeneous states:

The overwhelming concern for Bosnian people is security, the two entities and the state itself have been established on very weak foundations and there is little guarantee that current arrangements, as they stand, will last past international withdrawal. The lack of political security has, in effect, guaranteed continuing support for the three main nationalist parties despite disillusionment with their leaderships.<sup>98</sup>

Unsurprisingly, support for nationalist parties in Bosnia's post-war elections has been strong. In the September 1996 elections to the Parliamentary Assembly, 86 percent of the seats were captured by the three principal nationalist parties—the Muslim Party of Democratic Action (SDA), the Croatian Democratic Union (HDZ), and the Serb Democratic Party (SDS). These three parties also dominated the entity assemblies.<sup>99</sup> This situation changed little in the municipal elections of September 1997, as multiethnic parties won only six percent of the seats statewide, or in the state and entity elections in 1998, which saw the SDA and HDZ win solidly and moderate RS President Biljana Plavsic go down to defeat at the hands of hard-liner Nikola Poplasen.<sup>100</sup>

Nationalist sentiment is especially strong in the Republika Srpska (RS) and the Croat-dominated area of the Federation, Herzegovina. According to opinion polling done in 1998 by the United States Information Agency (USIA), 92 percent of Serbs in the RS believed that their region should leave Bosnia, while 74 percent of Bosnian Croats held the same preference.<sup>101</sup>

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<sup>96</sup> "With 52% of the population," *The Economist* put it, "Muslims are the biggest ethnic group; with less than 40% of the land, they were the war's chief victims and have the biggest interest in reclaiming lost territory." "A Survey of the Balkans," *The Economist*, January 24, 1998, p. 7.

<sup>97</sup> Chandler, *Bosnia*, p. 160.

<sup>98</sup> *Ibid.*, p. 195.

<sup>99</sup> *Ibid.*, pp. 70, 72, and 75.

<sup>100</sup> *Ibid.*, p. 111.

<sup>101</sup> United States Information Agency, *Public Opinion in Bosnia and Herzegovina*, Vol. V (Washington, D.C.: Office of Research and Media Reaction, 1998), pp. 35-37. On the Serb side, opinion was evenly split (46 percent

Two events illustrate Serb sentiments: the dismissal of President Poplasen by High Representative Carlos Westendorp on 5 March 1999 for obstructing Dayton's implementation, and the release of the Brcko arbitration decision the same day granting joint control of that strategic town to the RS and the Federation. These twin setbacks, dubbed "two on the chin" by *The Economist* magazine, produced a storm of Serb protest and descent into near anarchy in the RS that hardened support for the nationalists.<sup>102</sup> These moves sparked public protests and violence, an emergency session of the Serb republic's assembly, and prompted Prime Minister Milorad Dodik and the RS's representative on Bosnia's three-member Presidency, Zivko Radisic, to resign (although Dodik continues in his job at present). The RS remained without an official government at the time of writing.<sup>103</sup> As for the Bosnian Croats, 30 percent of them have moved to Croatia proper,<sup>104</sup> and Croat-dominated areas have been the least welcoming of minority returns, whether they be Muslim or Serb.<sup>105</sup>

**THE CONTRADICTION OF RETURNS.** The four-year Bosnian war drove an estimated 2.1 million people from their homes, approximately 400,000 of whom had returned home by the end of 1997.<sup>106</sup> According to *The Economist*, however, "just 35,000 of the 400,000 displaced Bosnians who returned home had gone to areas where their ethnic group constituted a minority. Most of them were old people going back to Muslim-controlled areas. Hardly any young non-Serbs have returned to the Serb Republic."<sup>107</sup> The Office of the High Representative offered a similar assessment: of the 150,000 returns that took place in 1997 (down 40 percent from 1996's 250,000), only 10,000—less than 7 percent—constituted "minority returns."<sup>108</sup>

During 1998, the rate of returns again declined, down from 150,000 to 140,000. Minority returns, however, increased for the first time to between 35,000 and 40,000, representing 25 to 29 percent of the return total.<sup>109</sup> Overall, as OHR's Reconstruction and Return Task Force concluded in March 1998:

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each) on whether the RS should join Serbia or become independent, while the vast majority of Croats (63 percent) preferred becoming part of Croatia to independence for their region (11 percent).

<sup>102</sup> See "Two on the Chin," *The Economist*, March 13, 1999, p. 61.

<sup>103</sup> The international community seemed reluctant to call new elections, possibly for fear that a new vote will simply return another uncooperative nationalist to office.

<sup>104</sup> Boyd, "Making Bosnia Work," pp. 44-45. This constitutes some 140,000 people. See Humanitarian Issues Working Group, *Update on Durable Solutions for Refugees and Displaced Persons in the Context of the Dayton Agreement* (Geneva: December 8, 1999), at <http://www.unhcr.ba/Documents/documents/995.html> (accessed August 9, 2000).

<sup>105</sup> According to a recent article, "[t]he Croat-run areas of Bosnia are showing the least movement, and 7 of the 10 municipalities with the worst record on returns are Croat." See Carlotta Gall, "Bosnians, Ending Exile, Cope with Old Hatreds," *New York Times*, July 30, 2000, p. A4.

<sup>106</sup> "A Survey of the Balkans," *The Economist*, p. 9.

<sup>107</sup> *Ibid.*, p. 9.

<sup>108</sup> Office of the High Representative Reconstruction and Return Task Force, *Report* (March 1998), "Current Situation." Available at <http://www.ohr.int/rrtf/r9803-03.html> (accessed August 10, 2000).

<sup>109</sup> This number was lower than anticipated. See PIC, "Part I: Return of Refugees and Displaced Persons," *Annex to the Madrid Declaration of the Peace Implementation Council*, at [http://www.state.gov/www/regions/eur/bosnia/981216\\_pic\\_annex2.html](http://www.state.gov/www/regions/eur/bosnia/981216_pic_annex2.html) (accessed August 10, 2000). This trend was probably facilitated by RS President Biljana Plavsic's break with her former colleagues in the wartime Bosnian Serb leadership at Pale, Radovan Karadzic and Ratko Mladic. Plavsic, an ardent nationalist during the war, realized that cooperation with the West was necessary for the RS to receive economic aid. Thus, she began to back many of Dayton's provisions in exchange for economic benefits. Nevertheless, despite full support from the US, she was

the time of “easy returns,” i.e. voluntary returns to areas controlled by the returnees’ ethnic group, is now over ... Few people have returned to areas where they would be ethnic minorities, and such “minority returns” are often localized in the Zone of Separation, and correspond to elderly individuals or large groups with strong international back up.<sup>110</sup>

In 1999, however, minority returns, often spontaneous, swelled to a new high of 80-90,000.<sup>111</sup> This movement was aided by new property laws, instituted by OHR in 1998, that allow authorities to evict current residents and let homeowners reclaim their property.<sup>112</sup> Still, OHR estimates that even after almost five years of peace, over 800,000 Bosnians are internally displaced and another 300,000 are refugees abroad.<sup>113</sup> The decline in these numbers has slowed to a crawl: the figure for the internally displaced declined from 950,000 in late 1997 to 860,000 at the end of 1998, while the number of refugees abroad declined from over a million immediately after the war, to 600,000 at the end of 1997, to about 370,000 in late 1998.

Dayton’s goal of returning all displaced Bosnians to their original homes leads to two thorny problems. First, minority returns carry the grave risk of re-activating the security dilemma. Returning displaced persons and refugees to areas in which they would constitute a minority not only puts their individual lives at risk, it also re-creates the structural incentives for ethnic cleansing as elaborated by Kaufmann should SFOR ever leave. Not only are the entity governments hostile, though; civilian populations often greet returnees (or the threat of them) with riots and violence.<sup>114</sup> This danger is aggravated by the fact that each Bosnian entity retains its own military force. Moving Serbs to Serb-controlled areas, and Bosniacs to Bosniac-held

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defeated in the September 1998 elections by Nikola Poplasen, the hard-line leader of the Radical Party (SRS), who was committed to overturning Dayton.

<sup>110</sup> OHR Reconstruction and Return Task Force, *Report* (March 1998), “Executive Summary,” at <http://www.ohr.int/rrtf/r9803-01.htm> (accessed August 10, 2000). Inadequate housing makes increasing the rate of returns extremely difficult, since many homes were damaged or destroyed during the war, or are now occupied by members of another ethnic group driven from elsewhere in Bosnia. One estimate holds that “[a]bout a tenth of Bosnia’s housing stock was destroyed during the war; another 25-30% is uninhabitable.” “A Survey of the Balkans,” *The Economist*, p. 9. Moreover, the war accelerated the process of urbanization already underway in Bosnia, and made residents of remote villages dependent on agriculture for a living reluctant to go back. See OHR Reconstruction and Return Task Force, *Report* (March 1998), “Current Situation.”

<sup>111</sup> *Report by the High Representative for Implementation of the Bosnian Peace Agreement to the Secretary-General of the United Nations*, May 3, 2000, at <http://www.ohr.int/reports/r20000503a.htm> (accessed August 10, 2000). UNHCR lists 75,035 refugees and displaced persons total returning to both Bosnian entities (registered returns). See UNHCR, *Returns Summary to Bosnia and Herzegovina from 01/01/96 to 03/06/00*, at <http://www.unhcr.ba/Operations/Statistical%20package/1.htm> (accessed August 9, 2000).

<sup>112</sup> As David Stewart-Howitt, coordinator of property returns for OHR, put it, “Our policy is ruthless implementation so that all property is returned to its owner. We are using the law to subvert ethnic territorialism.” Quoted in Carlotta Gall, “Bosnians, Ending Exile, Cope with Old Hatreds,” *New York Times*, July 30, 2000, p. A4.

<sup>113</sup> Speech by the High Representative, Wolfgang Petritsch, to the United Nations Security Council, New York, May 9, 2000, at <http://www.ohr.int/speeches/s20000509a.htm> (accessed August 10, 2000). Humanitarian Issues Working Group, *Update on Durable Solutions for Refugees and Displaced Persons*, lists 830,000 DPs as of December 1999.

<sup>114</sup> “House burnings and intimidation,” according to one recent article, “still occur every week in every region across Bosnia, although officials insist that violence is declining.” Gall, “Bosnians, Ending Exile, Cope with Old Hatreds.” For details on specific episodes, see Office of the High Representative Human Rights Co-ordination Centre, *HRCC Human Rights Semi-Annual Report* (April-September 1999), at <http://www.oscebih.org/downloads/humanrights/monthlyreports/aug-sep99-eng.pdf> (accessed August 10, 2000).

land, does not involve this risk and is less likely to get people killed than are the refugee returns envisioned by Dayton, especially after SFOR departs.<sup>115</sup>

Second, the political-territorial structure set up by Dayton, combined with refugee return, contains the seeds of a second hazard: that the majority populations of each entity may perceive their dominant status to be under threat by minority returns. As outlined earlier, this is one of two mechanisms that can lead to majority-group violence in a federal state. The dangers of this process argue strongly for limiting minority returns to a small percentage of each entity's population, such that the majority group will not feel its power under siege.

**SHARED INSTITUTIONS OR STALEMATE MACHINES?** These three security-driven problems are exacerbated by the complex design of Bosnia's power-sharing government. Dayton established an intricate system of political institutions designed to share power at the state level, and also within the Bosniac/Croat Federation. The country is ruled by a three-member Presidency, with each ethnic group having one representative. This group is supposed to reach all decisions by consensus, but each community is protected by a minority veto should its representative "declare a Presidency decision to be destructive of a vital interest of the Entity from which they were elected."<sup>116</sup> The government also consists of a Council of Ministers and a bicameral Parliamentary Assembly, each endowed with similar power-sharing mechanisms.<sup>117</sup>

Unfortunately, these byzantine arrangements more often lead to stalemate than compromise, as exemplified by the frequency with which the High Representative must break decision-making deadlocks, such as on the design of a new currency or automobile license plates.<sup>118</sup> The Peace Implementation Council (PIC), the international body that guides Dayton's implementation, freely admits that "[t]he common institutions are now established. But they do not work well, and co-operation with the Entities is poor."<sup>119</sup> Moreover, Bosnia's common institutions remain weak. For example, the PIC recently expressed its concern "that, three years after Dayton, the Entities and the State have not gained full sovereignty over the territory,

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<sup>115</sup> In the wake of the war in Kosovo, *The Economist* has started to endorse partition and peaceful population transfers as a less evil solution to Balkan problems than continued slaughter. One article declares that "In the end, a fresh start for the Balkans may come only with a redrawing of the map and a further exchange of populations. This does not have to be violent. But even if it is in some measure imposed, and so qualifies for the vile term of ethnic cleansing, it may be less terrible than ethnic slaughter, or genocide." The article goes on to cite the Greek-Turkish population exchange of 1923 as a possible model. See *The Economist*, "Cooling Down Kosovo," June 26, 1999, p. 20. For similar pronouncements, see *The Economist*, "Messy War, Messy Peace," June 12, 1999, pp. 15-16.

<sup>116</sup> Chandler, *Bosnia*, p. 68. If this decision is confirmed by two-thirds of the RS National Assembly (in the Serb case) or two-thirds of the Bosniac or Croat delegates to the Federation House of Peoples, respectively, the Presidential ruling is null and void.

<sup>117</sup> For the former, each Minister must have two deputies, who must be from the other two ethnic groups. In the latter, legislation to pass must have the support of at least one-third of each entity's delegation. There is also a "vital interest" protection clause as well. See Chandler, *Bosnia*, pp. 68-69. Similar power-sharing structures exist in the Bosniac/Croat Federation, but not in the RS, as it is nearly homogeneous.

<sup>118</sup> See "A Survey of the Balkans," *The Economist*, p. 7, and Chandler, *Bosnia*, p. 64. Meanwhile, the Bosnian government continues to be unable to agree on implementing a single national passport, a failure which has drawn the ire of OHR, and may provoke another intervention. See OHR E-mail Service, "OHR Press Release: Again No Progress on the Single National Passport," September 15, 2000.

<sup>119</sup> PIC, "Part III: Institutions," *Annex to the Madrid Declaration of the Peace Implementation Council*, at [http://www.state.gov/www/region/eur/bosnia/981216\\_pic\\_annex4.htm](http://www.state.gov/www/region/eur/bosnia/981216_pic_annex4.htm) (accessed August 10, 2000).

governance and economic functioning of BiH.”<sup>120</sup> Indeed, according to OHR, “[d]ifferent tax rates in BiH entities [are] still present,” and inter-entity negotiations to harmonize them are progressing slowly.<sup>121</sup>

In fact, the only reason such squabbling has not derailed Dayton completely is that Bosnians themselves wield almost no actual power: the state is governed by OHR as a virtual dictatorship. Consider the following statement by current High Representative Wolfgang Petritsch:

Last fall I took two important measures designed to accelerate the return process. First, I *imposed* a package of reforms to the legislation governing property return in the two Entities ... And second, I *dismissed* 22 public officials from across the country, who had a proven track record of obstructionism, particularly of Annex 7 of Dayton, the Annex governing refugee return.<sup>122</sup>

These are not the deeds of a facilitator or advisor; they are the deeds of a governor! Chandler argues that far from leading to greater freedom, the democratization process in Bosnia has had quite the reverse effect: “After more than four years of democratization, Bosnia is further away from democracy than at any point since the war. The Bosnian state and entity institutions exist largely on paper, with policy preparation and implementation in the hands of external agencies.”<sup>123</sup>

Clearly, Bosnia’s political institutions are fragile, dependent on mutual trust, respect, and a cooperative spirit. Unfortunately, these qualities are largely absent in Bosnia, and thus these institutions regularly yield an ethnic stalemate. Moreover, when the international occupation and administration of Bosnia ends, these institutions stand an even worse chance of functioning as planned because they have never had to: OHR has always intervened and imposed a solution when the parties could not agree. Without this higher authority to break recurrent impasses, a tradition of collective problem solving, or extensive trust between community leaders, this system will collapse just as the federal Yugoslavia did before it.

**HOW PARTITION COULD HELP.** Partitioning Bosnia removes some of these obstacles because it eliminates the fears for future security produced by uncertainty about Bosnia’s political future. First, by giving each group its own largely homogeneous state, partition obviates much of the

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<sup>120</sup> Ibid.

<sup>121</sup> Office of the High Representative: *OBN News Review*, September 2, 1999.

<sup>122</sup> Speech by Wolfgang Petritsch to the United Nations Security Council, New York, May 9, 2000; emphasis added. Petritsch has since removed fifteen more officials. See OHR E-mail Service, “Joint OHR/OSCE Press Release: Fifteen Public Officials Removed for Obstructing Property Law Implementation,” September 8, 2000. Petritsch’s predecessor as High Representative, Carlos Westendorp, himself removed sixteen high-ranking officials and imposed over forty-five decisions or laws on the country. See Carlos Westendorp, “Lessons From Bosnia,” *Wall Street Journal Europe*, July 29, 1999, at <http://www.ohr.int/articles/a990729a.htm> (accessed August 10, 2000).

<sup>123</sup> Chandler, *Bosnia*, p. 204. Interestingly, Petritsch basically concedes this point: “But our presence here has inadvertently absolved them [Bosnian politicians] of their responsibilities as democratically elected leaders. We enable the local politicians to fight their tribalistic battles, and then to place the blame for potentially unpopular compromises squarely on the shoulders of foreigners. I call this the ‘dependency syndrome.’” Wolfgang Petritsch, “The Future of Bosnia Lies with its People,” *Wall Street Journal Europe*, September 17, 1999, available at <http://www.ohr.int/articles/a990917a.htm> (accessed August 10, 2000).

rationale for nationalist parties. Second, Bosniacs, Croats, and Serbs would not need to disarm and merge their militaries, but could maintain separate armies. Third, partition ends the refugee return process, and hence eliminates fears regarding groups' demographic majorities. Fourth, because these states would be composed mainly of one ethnic group, they would need much simpler institutions than those currently in place to bridge Bosnia's ethnic divides. Finally, partition reduces the magnitude and scope of international intervention required. Turning over governance to local parties obviates the need for OHR, and creating states changes the military mission from nation-building and law enforcement to deterrence, which requires fewer forces and for which military power is much more suited.

Some recent Balkan history provides evidence that homogeneity (i.e., separation) and sovereignty lead to stability. Slovenia escaped Yugoslavia's wars, and has gone the furthest down the road to democratization, mainly because it was over 90 percent ethnic Slovene, and thus had no significant minorities. Croatia, too, has turned away from nationalism and toward democracy since it evicted its Serb minority in 1995. While this process required the death of President Franjo Tudjman to complete, nonetheless the necessary condition for peace—ethnic homogeneity—had already been in place for four years. Croatia now can afford to allow some Serbs to return because an independent Croatian state has been established, and a small Serb minority will not represent a threat to Croatian dominance.<sup>124</sup>

#### KOSOVO

A humanitarian disaster in the tiny Yugoslav province of Kosovo was the unlikely occasion for NATO's first shooting war. This irony that could not have eluded the alliance's generals, whose military forces were designed to defend Western Europe from a Soviet mechanized onslaught during the Cold War. Instead, NATO found itself mounting a 78-day bombing campaign to stop and reverse Serb leader Slobodan Milosevic's audacious attempt to expel Kosovo's ethnic Albanian population. Milosevic's forces succeeded in driving about 800,000 ethnic Albanians into neighboring countries (and internally displacing nearly 500,000 more within Kosovo) before he finally agreed to a peace deal which allowed the refugees to return and placed the embattled province under NATO military occupation.<sup>125</sup>

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<sup>124</sup> Similar reasoning lies behind Israeli Prime Minister Ehud Barak's offer to accept the return of a limited number of Palestinian refugees to Israel as part of an agreement to establish a Palestinian state. Barak seems willing to accept a symbolic number of returnees: enough to appease Palestinian and world opinion, but too few to threaten Israel's identity as a Jewish state or become a security threat. For an overview of this problem and the other issues awaiting resolution in the final status talks, see Jane Perlez, "Moment of Truth on Tough Issues," *New York Times*, July 11, 2000, p. A12, and Lee Hockstader, "Enduring Issues, Abiding Conflict," *Washington Post*, July 12, 2000, p. A18.

<sup>125</sup> For these numbers, see Ivo H. Daalder and Michael O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Washington, D.C.: Brookings Institution, 2000), p. 151. Why Milosevic capitulated when he did is already a much debated question. While it is impossible to ascertain his exact calculations, it is probable that Milosevic was influenced by the following factors: the failure of his diplomatic strategy to split the NATO coalition; the increased vulnerability of Serb ground forces to air attack when they concentrated to engage forces of the Kosovo Liberation Army (KLA, also known by its Albanian initials, UCK); the growing likelihood of a NATO ground effort; and his knowledge, by late May, that the Russians (his principal supporters) thought such an operation likely and, moreover, that they would do nothing to stop it. See *Ibid.*, pp. 198-206. See also Daniel L. Byman and Matthew C. Waxman, "Kosovo and the Great Air Power Debate," and Barry R. Posen, "The War for Kosovo: Serbia's Political-Military Strategy," both in *International Security*, Vol. 24, No. 4 (Spring 2000), pp. 5-38, and pp. 39-84, respectively.

Although Kosovo's ethnic Albanians have long sought independence, the West never endorsed this desire and did not fight for it. For example, during the course of negotiations with President Milosevic before the war in 1998, Secretary of State Madeleine Albright warned that "[w]e have made it clear to Milosevic and Kosovars that we do not support independence for Kosovo, that we want *Serbia out of Kosovo, not Kosovo out of Serbia*."<sup>126</sup> In addition to the destabilizing effect advocating Kosovar Albanian independence might have had on the rest of the region (especially Macedonia, which contains a large Albanian minority), the West feared it would also "set a precedent for Bosnia, where Bosnian Serb and Croat claims for independence—or for merger with neighboring states—were at least as strong as those of the Kosovar Albanians."<sup>127</sup> Therefore, throughout the evolving crisis, the war itself, and the contentious aftermath, Western leaders have insisted on autonomy for Kosovo as a part of Serbia, not an independent state.<sup>128</sup>

Unfortunately, the Western preference for autonomy has led to contradictions. As Michael Mandelbaum pointed out, the air war against Serbia neither prevented the purging of the Kosovars nor supported their aims: "While insisting that Kosovo be granted autonomy, NATO asserted that it must remain part of Yugoslavia. The alliance had therefore intervened in a civil war and defeated one side, but embraced the position of the party it had defeated on the issue over which the war had been fought."<sup>129</sup>

Since the war ended on 10 June 1999, KFOR and the UN have presided over an ethnically divided province. While the expelled Albanians poured back into Kosovo, many of the remaining Serbs fled to Serbia, fearing for their lives at the hands of vengeful Albanians.<sup>130</sup> Those who did not flee are concentrated mainly in the extreme north of the province, starting in the divided town of Mitrovica, in the areas bordering Serbia and Montenegro.<sup>131</sup> Efforts by UN chief of mission Bernard Kouchner to establish political institutions that incorporate both communities have been undermined by continuing violence in the province: Serbs won't

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<sup>126</sup> Quoted in Roger Cohen, "In Balkans Again, Promises, Promises," *New York Times*, October 14, 1998, p. A1 (emphasis added).

<sup>127</sup> Daalder and O'Hanlon, *Winning Ugly*, p. 25.

<sup>128</sup> As Carlos Westendorp, High Representative in Bosnia at the time, put it, "The only possible solution for Kosovo, once those ethnically-cleansed have been returned to their homes, is the eventual establishment of an autonomous state within Serbia (or Yugoslavia). Autonomy is a necessary condition for a lasting peace, though it cannot bring peace on its own." Carlos Westendorp, "Lessons Bosnia Taught Us," *Wall Street Journal*, May 19, 1999, available at <http://www.ohr.int/articles/a990519a.htm> (accessed August 10, 2000).

<sup>129</sup> Michael Mandelbaum, "A Perfect Failure: NATO's War Against Yugoslavia," *Foreign Affairs*, Vol. 78, No. 5 (September/October 1999), p. 5.

<sup>130</sup> The United Nations Interim Administration Mission in Kosovo (UNMIK) reported that 211,000 people, "mostly Serbs," fled Kosovo when the war ended. Daalder and O'Hanlon estimate the Serb population in Kosovo as of early 2000 at about 100,000. See UNMIK, "UNMIK 1<sup>st</sup> Anniversary Backgrounder—Returns—5 June 2000," at <http://www.un.org/peace/kosovo/pages/twelvemonths/returns.html> (accessed August 4, 2000), and Daalder and O'Hanlon, *Winning Ugly*, p. 177, respectively. For details on the Serb exodus, see, Ian Fisher, "A Town Returns to Life with Albanians Alone," *New York Times*, June 20, 1999, p. A11; Steven Lee Myers, "Despite Marines in Kosovo Town, Serb and Albanian Can't Coexist," *Ibid.*, June 25, 1999, p. A1; Blaine Harden, "New Flood of Refugees, 75,000 Serbs, Strains Aid Resources," *Ibid.*, June 29, 1999, p. A8; and Aleksa Djilas, "Stop the Exodus," *Ibid.*, July 1, 1999, p. A21.

<sup>131</sup> See Steven Erlanger, "Fears Grow over the de Facto Partition of Kosovo," *New York Times*, November 14, 1999, p.1, and Erlanger, "Torn Mitrovica Reflects West's Trials in Kosovo," *Ibid.*, February 27, 2000, p. 16.

participate without better protection from KFOR, but Albanians resent this perceived favoritism and withdraw their own cooperation.<sup>132</sup>

Any attempt to keep Kosovo as an autonomous province in Yugoslavia is bound to fail and cause renewed violence. Again, unless the international community intends to garrison and rule Kosovo permanently, the day will come when Serbs and Kosovars must coexist within one state. At present, it is not at all clear how Kosovo will receive the amount of self-government seemingly envisioned by international actors and yet still be subject to Serbian sovereignty.<sup>133</sup> The uncertainty surrounding these arrangements, the Albanians' well-founded fear and rejection of any hint of Serb rule, and the remaining Serbs' dread of Albanian retribution has created an atmosphere where support for nationalist parties is certain, both sides are slow and reluctant to disarm, minority refugee returns lead to violence, and a power-sharing regime is bound to fail.

While international authorities are loathe to admit it, Kosovo is drifting toward partition.<sup>134</sup> Luckily, this is the best solution for all concerned: it will remove uncertainty and fear regarding the future status of Kosovo, satisfy Kosovar Albanian nationalism, do away with troublesome minority returns, and simplify institutional arrangements. Kosovo north of the Ibar River should go to Serbia, while the area to the south should become an independent state, free to join Albania after a brief period should its inhabitants so choose. The remaining Serb enclaves in the south should leave Kosovo, and Albanians in the north sent south. A reduced KFOR, perhaps 10,000 strong, should remain to do what armies do best: defend borders, not nation-build and chase criminals. Not only is this what the Albanians want; it is also probably acceptable to Milosevic, who now must turn his attention to holding on to Montenegro and extending his own rule.

**RELUCTANCE TO DISARM.** Uncertainty regarding the future political status of Kosovo makes both sides hesitant to turn over all their weapons. Both ethnic Serbs and Albanians know that the artificial stability provided by UNMIK and KFOR will not last because neither of those institutions can stay forever. If the West continues to press autonomy as its preferred solution, the Albanians have two powerful reasons not to disarm. First, Serbia is likely to attempt to re-

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<sup>132</sup> For example, after mounting violence against Serbs in southern Kosovo, the Serb National Council (SNC) suspended its participation in the province's Joint Interim Administrative Structure on June 4, 2000. However, after UNMIK and the SNC negotiated a Serb return to the administrative bodies in late June, the Kosovo Democratic Party, headed by Hashim Thaci (former leader of the KLA), suspended its cooperation. See "Chronology: UN Interim Administration in Kosovo," at <http://www.un.org/peace/kosovo/news/kos30day.htm> (accessed August 4, 2000), and Steven Erlanger, "Aide Takes Stock of U.N. in Kosovo," *New York Times*, July 17, 2000, p. A1. For detailed summaries of ethnic violence in Kosovo's municipalities, UNHCR and OSCE issue joint quarterly reports on the situation of ethnic minorities in Kosovo, accessible at [http://www.osce.org/kosovo/publications/ethnic\\_minorities/index.htm](http://www.osce.org/kosovo/publications/ethnic_minorities/index.htm).

<sup>133</sup> This uncertainty about the political goal in Kosovo has led to much frustration among American army commanders. According to a recent article, "The Army's standard briefing on the situation includes a chart titled 'Destabilizing Factors.' At the top of the list is 'Political end state undefined,' followed by 'Lack of functional government.'" One senior military policymaker quoted in the article articulated the army's puzzlement regarding the political bottom line in Kosovo: "You have to wonder whether we are going to be rotating troops through there for years just to keep the place more or less stabilized, because there are no peace talks, no negotiations, not even a real plan for what Kosovo is supposed to become in the long run." See Roberto Suro, "In Kosovo, an Uncertain Mission," *Washington Post*, September 20, 2000, p. A1, A26.

<sup>134</sup> International authorities may be slowly beginning to realize this. See Carlotta Gall, "Serbs' Fears Put Segregation Back on the Table in Kosovo," *New York Times*, August 26, 1999, p. A1.

impose its authority in Kosovo, a terrifying thought to all Albanians, who will resist such a move by force. Second, the Albanians will need arms to turn autonomy into statehood, which they universally desire.

Thus, even though Kosovo is occupied by 50,000 troops, and the province's Serbs number less than 100,000, who are largely confined to a few areas, ethnic Albanians are reluctant to disarm completely. True, most of the KLA was demilitarized in September 1999 and partially reconstituted as the 3,000-member Kosovo Protection Corps (KPC), supposedly a civilian emergency service. But as Daalder and O'Hanlon have commented, "[c]ritics rightly saw this as camouflage for the KLA's real intention of retaining some type of military organization and, in addition, of establishing political control in Kosovo."<sup>135</sup> Additionally, KFOR has seized sizable Albanian weapons stockpiles on a number of occasions.<sup>136</sup> This recalcitrance on disarmament will characterize Kosovo's Albanians as long as they see autonomy in their future.

On the other side, Kosovo's remaining Serbs are greatly outnumbered and believe they need weapons to protect themselves from Albanian revenge attacks, which KFOR has proved unable—and unwilling—to prevent.<sup>137</sup> As a joint report by UNHCR and OSCE recently declared: "Lack of security and freedom of movement remain the fundamental problems affecting minority communities in Kosovo ... the reality remains that Serbs and Roma in practically every location in Kosovo require a security escort to venture beyond the limits of their immediate surroundings."<sup>138</sup> Given this atmosphere of hostility, regularly punctuated by violence, and the overwhelming desire for an independent Kosovo among ethnic Albanians, remaining armed is a totally rational response. "The international community is not protecting us," said Oliver Ivanovic, leader of the Serb community in the northern Kosovo town of Mitrovica, "and we have to do it ourselves."<sup>139</sup> Moreover, obtaining weapons is relatively easy, since the long and porous border with Serbia proper allows police and paramilitaries to infiltrate with little difficulty.

**NATIONALISM.** As long as the international community insists on autonomy for Kosovo, support for nationalist parties is guaranteed because the war has convinced ethnic Albanians that they can never be safe under Serb governance. Indeed, even before Milosevic's army unleashed Operation Horseshoe in March 1999, support for independence among the Albanians was virtually unanimous. For example, a 1995 survey indicated that 43 percent of Kosovo's ethnic Albanians wanted Kosovo to join Albania, while 57 percent wanted the province to become an

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<sup>135</sup> Daalder and O'Hanlon, *Winning Ugly*, p. 178. Although 10 percent of the KPC is supposedly reserved for minorities, no Kosovo Serbs have applied to join, enhancing its reputation as a continuation of the KLA. See UNHCR/OSCE, "Assessment of the Situation of Ethnic Minorities in Kosovo," November 1999-January 2000, at [http://www.osce.org/kosovo/publications/ethnic\\_minorities/minorities4.htm](http://www.osce.org/kosovo/publications/ethnic_minorities/minorities4.htm) (accessed August 10, 2000).

<sup>136</sup> For example, an arms cache of some 70 tons was discovered by NATO in June, 2000. See Steven Erlanger, "Aide Takes Stock of U.N. in Kosovo," *New York Times*, July 17, 2000, pp. A1, A4. Similar seizures were made in March and May. See Philip Shenon, "U.S. Troops Seize Weapons from Albanians in Kosovo," *New York Times*, March 16, 2000, p. A1, and "U.S. Soldiers Seize Weapons in Kosovo," *New York Times*, May 20, 2000, p. A8.

<sup>137</sup> See Erlanger, "Torn Mitrovica Reflects West's Trials in Kosovo."

<sup>138</sup> UNHCR/OSCE, "Update on the Situation of Ethnic Minorities in Kosovo," February-May 2000, at [http://www.osce.org/kosovo/publications/ethnic\\_minorities/minorities5.PDF](http://www.osce.org/kosovo/publications/ethnic_minorities/minorities5.PDF) (accessed August 7, 2000).

<sup>139</sup> Irena Guzelova, "Mitrovica Arms Hunt Sparks Attack on KFOR," *Financial Times*, February 21, 2000, p. 6.

independent state. Not a single respondent preferred autonomy within Serbia.<sup>140</sup> Some commentators, however, have opined that an autonomy agreement and de-escalation of the conflict was still possible as late as March 1998:

The local population still supported it elected “president,” Ibrahim Rugova, including his nonviolent policies of civil disobedience. The KLA was little more than a small, unorganized, ragtag band of rebels that would most likely have disappeared once a serious political dialogue aimed at granting greater autonomy had started. Therefore a solution well short of independence may still have been possible and would have satisfied most of Milosevic’s immediate concerns.<sup>141</sup>

While the possibility of such a solution at that time is open to debate, what is certain now is that the storm of Serb violence that sent over a million ethnic Albanians fleeing for their lives has made independence for Kosovo the only option.<sup>142</sup> The words of an Albanian man, returning to view the remains of his wrecked home in the town of Pec, bluntly capture this sentiment: “The Serbs were killing before ... but when NATO came, they went wild, screaming that we all had to leave. Only independence is possible now. Nothing else.”<sup>143</sup> The hatred between the two communities is visceral, as recounted by UN Special Representative Bernard Kouchner: “Here I discovered hatred deeper than anywhere in the world, more than in Cambodia or Vietnam or Bosnia. Usually someone, a doctor or a journalist, will say, ‘I know someone on the other side.’ But here, no. They had no relationship with the other community.”<sup>144</sup> “The hatred runs so deep,” one journalist reported during the war, “many have said they can barely imagine living together with the Serbs in Kosovo.”<sup>145</sup>

After a decade of repression followed by a no-holds-barred attempt to cleanse them from their homes, it is not surprising that ethnic Albanians refuse to countenance Serb rule, for it would render them once again insecure. Thus, even an autonomous Kosovo would require a long-term external military presence to prevent Serb attempts to re-exert their control from igniting another war. It would be smarter to partition the province and declare the Albanian part a state, thus removing this security concern and fulfilling the Albanians’ nationalist ambitions. Only then, when their survival is assured and their demographic dominance secure, will nationalist hatreds cool in Kosovo.

**REFUGEE RETURNS AND VIOLENCE.** The Serb exodus that followed the war’s end has gone a long way toward solving the ethnic security dilemma in Kosovo. Approximately 180,000 Serbs have departed; of the remaining 80-100,000, the majority (55,000) is concentrated north of

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<sup>140</sup> See Julie A. Mertus, *Kosovo: How Myths and Truths Started a War* (Berkeley: University of California Press, 1999), p. 319. The same survey reported that 65 percent of Albanians did not believe the two populations could live together in one state, while the same percentage believed that Serbs wanted all Albanians to leave Kosovo. See *Ibid.*, pp. 319-20.

<sup>141</sup> Daalder and O’Hanlon, *Winning Ugly*, pp. 186-87.

<sup>142</sup> Daalder and O’Hanlon endorse this view in *Ibid.*, p. 180.

<sup>143</sup> Gjevdet Zajmi, quoted in Roger Cohen, “Milosevic’s Vision of Glory Unleashes Decade of Ruin,” *New York Times*, July 2, 1999, p. A1.

<sup>144</sup> Kouchner, the top UN official in Kosovo, is quoted in Erlanger, “Aide Takes Stock of U.N. in Kosovo,” p. A4.

<sup>145</sup> Jane Perlez, “Ethnic Conflict in Kosovo Has Centuries-Old Roots,” *New York Times on the Web*, May 5, 1999 (<http://www.nytimes.com/library/world/europe/050499kosovo-history.html>, accessed August 23, 2000).

Mitrovica. Daalder and O'Hanlon are quick to point out the "silver lining" in this emigration: it "has reduced the likelihood of interethnic violence by physically separating those who would commit it from their potential victims."<sup>146</sup> Indeed, the main threat to peace in Kosovo today is caused by the continued presence of some Serbs in Albanian-majority areas, and the attempt to reintegrate the two populations by returning ethnic Albanians to their former homes in Serb-dominated areas, especially the divided town of Mitrovica, which has become a flashpoint for violence.<sup>147</sup>

In such a tense environment, trying to return refugees to areas in which they are a minority simply reintroduces the security dilemma and makes them targets for the other group's hostility. The repeated attempts to bring ethnic Albanians back to the north side of Mitrovica demonstrate this point. UNMIK and the Albanians remain committed to breaking down the division of the town, but even Special Representative Kouchner warns "[y]ou have to think of the Serb reaction. The only place they feel protected is in the north—that's simply the fact."<sup>148</sup> After an early attempt to escort Albanians over the Ibar led to Serb resistance and riots in September 1999,<sup>149</sup> serious violence erupted in the town the following February, including one incident in which eight Albanians were killed.<sup>150</sup> Further attacks against UN personnel followed in June, prompting UNHCR to suspend its activities in Mitrovica for a week. The continued atmosphere of violence has caused many Albanians to flee the northern, Serb-dominated section of the town.<sup>151</sup>

Rather than attempt return in this poisoned atmosphere, this process should be halted and allowed to solidify into partition. Daalder and O'Hanlon aptly summarize what should happen, and the benefits it would have.

The better part of wisdom in this case is not to expect them to interact peacefully in the foreseeable future. If the self-segregation of Serbs within Kosovo leads to a partitioning of the province, with a modest swath of the land to rejoin Serbia and the remainder to become an independent state ... there is no reason to consider that a bad outcome in and of itself ... Partition would not satisfy the noble Western vision of multiethnic tolerance and harmony, but it might keep people alive, allow them to

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<sup>146</sup> Daalder and O'Hanlon, *Winning Ugly*, p. 177.

<sup>147</sup> The main duty of the 5,500 American troops in Kosovo is to protect the few remaining Serbs in their sector from attacks by ethnic Albanians. See Suro, "In Kosovo, an Uncertain Mission," p. A1, A26.

<sup>148</sup> Kouchner adds that he opposes a permanent division of Mitrovica. See Erlanger, "Fears Grow Over the De Facto Partition of Kosovo." A Serb teacher, Zoran Virijevic, commented in the same article, "Only a suicidal Serb would go to the other side [of Mitrovica]."

<sup>149</sup> The Associated Press reported that the September violence in Mitrovica resulted in 184 wounded and 1 dead (an ethnic Albanian). See "K.L.A. Calms Ethnic Riots in Tense Town in Kosovo," *New York Times*, September 12, 1999, p. 6. Violence also occurred in October as Albanians clashed with French peacekeepers who barred them from crossing the Ibar. See "French Clash With Albanians in Kosovo Town," *New York Times*, October 16, 1999, p. A5.

<sup>150</sup> Carlotta Gall, "7 Killed and 9 Hurt in Kosovo Rampage, Worst Since War," *New York Times*, February 5, 2000, p. A3, and Gall, "In Riot-Torn Kosovo City, Serbs Force Albanians From Homes," *Ibid.*, February 12, 2000, p. A6.

<sup>151</sup> UNHCR reported that 21 families fled in July, while 1,700 Albanians, Turks, and Bosniacs departed between 2 and 20 February. See UNMIK, "UN Refugee Agency Expresses Concerns over Kosovar Albanians Fleeing North Mitrovica," at <http://www.un.org/peace/kosovo/news/kosovo2.htm> (accessed August 4, 2000), and UNHCR/OSCE, "Update on the Situation of Ethnic Minorities in Kosovo," February-May 2000.

rebuild their lives, and hold out hope for a future era in which hatreds would be dampened and ties between the different communities restored.

**NO NEED TO SHARE POLITICAL INSTITUTIONS.** Finally, abandoning autonomy in Kosovo eliminates the need to design complicated institutions to allow ethnic Albanians to rule themselves without violating Serb sovereignty or endangering the province's Serb minority. Already the power-sharing problems between Serbs and Albanians in Kosovo are evident, even in the few institutions established by UNMIK.<sup>152</sup> Not only is it difficult to obtain interethnic agreement on important issues, it is nearly impossible just to get the two sides in the same room together! Some progress was made at a recent Serb-Albanian summit in the US, including the joint declaration of a "Pact Against Violence" committing both groups to work to prevent bloodshed and facilitate ethnic integration. However, the amount of support the moderate Serb leaders who negotiated the pact actually command is in doubt, as the deal was dismissed by the Mitrovica Serbs.<sup>153</sup>

As a matter of fact, it is nearly impossible to conceive of Albanian self-rule in Kosovo being stable without sovereignty. How can it be stable when 95 percent of the population does not want it? Michael Ignatieff illustrates the dilemma:

The problem is that 1244, the U.N. resolution he [Special Representative Kouchner] has been sent here to enforce, is political science fiction. It reaffirms the sovereignty of Yugoslavia over Kosovo, and it also calls for the Kosovars to enjoy "substantial autonomy and self-government." Which sounds fine, except that no Kosovar will ever accept Belgrade's sovereignty and no Serb in Kosovo wants to accept Kosovar majority rule.<sup>154</sup>

Moreover, whatever institutions are in the end designed will suffer from the same problem as those in Bosnia: having rarely (if ever) functioned, they will be likely to end in gridlock without the Special Representative to impose solutions. Ignatieff comments that in Kosovo, as in Bosnia, "the 'internationals' run everything ... The earnest aid workers, with their laptops, modems, sneakers and T-shirts, all preach the mantra of 'building local capacity.' In practice, they are confiscating responsibility from locals rather than encouraging them to take it themselves."<sup>155</sup>

**WHY PARTITION IS BETTER.** Partition is clearly the answer here. Dividing Kosovo between a Serbian north (to become part of Serbia) and an Albanian south will finally allow nationalist passions and hatreds fanned by ethnic cleansing to cool; further separates the two populations so that violence is both unnecessary and impossible; and vastly simplifies governance structures. In

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<sup>152</sup> The Joint Interim Administrative Structure (JIAS), established by UNMIK in December 1999 so Kosovars could participate in running the province until elections are held in October 2000, is composed of two advisory bodies: the Interim Administrative Council (IAC) and the Kosovo Transition Council (KTC). The IAC has eight members (four from UNMIK, three ethnic Albanians, and one Serb as an observer), while the KTC has 36. For details, see "UNMIK-JIAS Fact Sheet," at <http://www.un.org/peace/kosovo/pages/twelvemonths/jias.html> (accessed August 4, 2000).

<sup>153</sup> Oliver Ivanovic, their leader, opined of the agreement: "It is nothing special. Weak Serb representation and weak results." Quoted in "Kosovo Leaders Reach Reconciliation Pact at Meeting in U.S.," *New York Times*, July 27, 2000, p. A9.

<sup>154</sup> Michael Ignatieff, "The Reluctant Imperialist," *New York Times Magazine*, August 6, 2000, p. 47.

<sup>155</sup> *Ibid.*, p. 47.

addition, partition makes the mission more manageable for outsiders, particularly KFOR. Patrolling borders is a much easier and better-defined task than nation-building. No longer will troops be required to pursue war criminals or force local populations to accept the return of refugees. Instead, they will guarantee an international boundary (a mission for which they are much better suited), and serve as a trip-wire irrevocably linked to the overwhelming NATO firepower which backs them, firepower that would be brought to bear on any party who violates the border.

## ***Conclusion***

The task I set myself in this article was limited, yet significant both theoretically and empirically. I sought to show that after an ethnic civil war, even when groups have been separated and a third party intervenes to keep the peace, agreements that strive to retain multiethnic states via autonomy face major difficulties that render their success doubtful. Recent research had suggested that perhaps demography trumped politics in ethnic conflicts, and political arrangements made little difference given that groups were separated into homogeneous areas.

By contrast, my research shows that both demography and political institutions have a role to play. Specifically, I argue that given a situation of demographic separation, autonomy is not the optimal solution some have suggested. It is plagued by two fundamental problems: fears for future physical security once international authorities leave, and fears generated by political insecurity, spawned by uncertainty over the functioning of political institutions and whether these will actually protect group rights. These concerns about the group's future status prevent it from disarming, lead its members to support nationalist leaders, and lead to ethnic deadlock in state institutions. I demonstrated these flaws and how they have prevented autonomous solutions from taking hold in Bosnia and Kosovo, two areas under international occupation and with segregated ethnic groups.

Three implications for policy flow from my analysis. First, the current enthusiasm for regional autonomy or federalism as a solution to ethnic conflict is overblown. Autonomy, while it sometimes leads to a decrease in violence, rarely ends it for good, and can also fail dramatically with violent consequences. More importantly, as I have described, the implementation of autonomy faces systematic obstacles that lessen its chances of success.

Second, partition—defined as separation plus sovereignty for ethnically-defined regions—is not the bogeyman it is often made out to be, and can potentially resolve some of the dilemmas ethnic groups face after civil wars. Partition does not require groups to disarm; it does not force them to trust each other and share institutions with feared and hated enemies; it ends risky refugee returns; and it allows nationalist passions to cool by satisfying them.

Third, my analysis highlights the importance of designing solutions to ethnic wars that correspond to what the protagonists want—not what the international community wants them to want—and to local realities, not idealistic slogans. Ethnic civil wars are brutal, bloody affairs, as are all wars. Yet states after they fight wars are not required to merge their governments, armed forces, and live together in harmony. External actors involved in negotiating ends to civil wars should remember this, and understand that groups' fears about physical and political security are real, not negotiating postures. And sometimes they may not be reconcilable within a single state.

Skeptics may argue that partition, too, has its flaws.<sup>156</sup> The most serious criticisms hold that partition does not end violence or prevent future wars; causes a domino effect that leads other repressed minorities in the same state—or nearby states—to secede; creates economically unviable and undemocratic successor states; and is repugnant on humanitarian grounds. While we still await definitive answers to this debate,<sup>157</sup> it has been shown that much of the violence heretofore associated with partition can be reduced by more completely separating groups in conflict,<sup>158</sup> and constituting these groups into individual states reduces the risks even further.<sup>159</sup> What is clear is that agreements like Dayton and Rambouillet, full of tortuous ambiguities, incomplete security mechanisms, and disputed sovereignties, while preferred by the West, are unlikely to bring a peace that lasts after ethnic wars.

On the other hand, partition is not the answer to all or even many ethnic wars. It can help to settle some, however, and thus should remain in our quiver of potential solutions. As Sambanis has put it:

Only in the most extreme cases may partition be necessary, indeed inevitable. Those cases must be handpicked on the basis of political analysis of regional and global constraints, the history of the preceding war, and the special traits of the society in question. More research on this topic will help pinpoint the benefits and the dangers of partition under different conditions.<sup>160</sup>

What I have shown in this article is that autonomy suffers from some systematic problems that must be taken into account, especially given its status as the West's preferred solution to ethnic conflict, and that partition can contribute to the resolution of those problems in some cases. Partition has flaws of its own, though, which should limit its application to relatively extreme situations. Once those situations have been identified, however, we must not shy away from implementing it.

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<sup>156</sup> Space considerations prevent me from addressing these criticisms in detail, but this has been done elsewhere. See Kaufmann, "Possible and Impossible Solutions." The most significant critiques appear in Kumar, "The Troubled History of Partition," Sambanis, "Partition as a Solution to Ethnic War," and Schaeffer, *Warpaths*.

<sup>157</sup> Sambanis, "Partition as a Solution to Ethnic War," has launched the opening salvo.

<sup>158</sup> Kaufmann, "Possible and Impossible Solutions," and "When All Else Fails."

<sup>159</sup> Moreover, critics offer no examples of states that failed because they were economically unviable, and post-partition states do not appear to be less democratic than other states. On this point, see Sambanis, "Partition as a Solution to Ethnic War," pp. 459-464.

<sup>160</sup> Sambanis, "Partition as a Solution to Ethnic War," p. 482.