Article

Muted differences: Entrenching legitimacy of the Bosnian statehood?

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Abstract
The UNDP report *The Silent Majority Speaks* (2007) demonstrates widespread consent and a popular desire for change while promoting a single state with strong regions as a compromise model for Bosnia and Herzegovina (BiH). Surprisingly, our own research (2009) on political legitimacy reveals quite the opposite tendencies, where political entities such as the Federation of Bosnia and Herzegovina (FBiH) and the Republika Srpska (RS) more often drift apart than merge together. What strikes us is the fact that the FBiH, which advocates a more integrated state, does not necessarily have more legitimate grounds for achieving that goal than the secessionist counterclaim of RS in its own right. The two entities remain worlds apart on a range of issues and agree only on rather abstract principles of an ideal political order.

Keywords
Bosnia and Herzegovina, legitimacy, partition, power-sharing, Republika Srpska

Introduction: In search of the silent majority

The Dayton Peace Accords (1995) ended the war in Bosnia with a compromise between the warring factions: there will be an externally imposed federal-like polity composed of two semi-independent regional entities to represent diffusive and multilayered sovereignty. Yet, by doing so, the Dayton Accords have achieved two contrasting effects. On the one hand, post-Dayton Bosnia has maintained territorial integrity as far as international law is concerned. On the other, however, the disaggregation of power in favour of the entities has encouraged Republika Srpska (RS) to strive for independent statehood and to prepare the local population for self-determination (Kostovicova, 2004). The architects of Dayton thus succeeded in securing a settlement, but largely failed in creating a single multi-ethnic country with functioning state structures and the sovereign power to govern it.

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This seems to be the broad consensus even among those who contrast partition and advocate power-sharing models in the recent scholarship on Bosnia (Bose, 2002; Caspersen, 2004; Stroschein, 2005). Indeed, the current weakness of federal institutions and 'democracy' without the consent of the governed in Bosnia and Herzegovina (BiH), as well as the diverging interests of the main actors in the country, casts doubt on the solidity of this arrangement (Bieber, 2006a; Cox, 2001; Hayden, 1998; Marko, 2005). David Chandler (1999, 2005) even goes as far as depicting Bosnian state-building as a technocratic process which does not require popular consensus for policy-making, thus indicating the end of formal democracy and of legitimacy through accountability to the electorate.

Concrete developments and progress have usually come about through external pressure rather than domestic will and consensus. In Belloni's (2009) view, any local variation of society not in conformity with the broader precepts of the liberal peace has been ignored throughout the peace process. Although some experts and practitioners have shown the recent developments in a positive light, with minor discrepancies pointing to the political immaturity of the electorate or overtly nationalistic elite (Haupt, 2006), the majority of the country's citizens, belonging to two of the three constituent peoples, still contest BiH as a federally united state (Bieber, 2006b: 45–9; Ó Tuathail et al., 2006: 67–9). The majority of the Serb population feel reluctant to engage in Bosnian state-building. Likewise, parts of the Croat population either support irredentism towards Croatia or the establishment of their own political entity in Bosnia. Most Bosniaks demand a new and more centralized constitution to replace the Dayton agreement. They support civic state- and nation-building, which would abolish the RS, considered as a bitter remembrance of the war.

Similar trends appear in public opinion surveys, such as the UNDP *Early Warning System Annual Report* from 2002, which identified those wanting independence of RS or joining with Serbia and Montenegro and as many as 53% of the Bosnian Serbs (UNDP, 2002). An opinion poll conducted in 2003 suggested that a 'state of citizens' was supported by only 52% of Bosniaks, 17% of Bosnian Croats and 9% of Bosnian Serbs (Bieber, 2006c). Another survey from 2004 found that 45% of the population of RS accepted Bosnia as their own country, while 43% did not (Hayden, 2005). Moreover, a survey conducted in 2005 revealed that 55% of the Bosnian people believed in improvement of ethnic relations in their locality when all ethnic groups are separated into territories that belong exclusively only to them (O'Loughlin and Ó Tuathail, 2009). The same survey also indicated a clear majority of those choosing RS over the EU integration process in the region and suggesting that 'the RS entity that currently exists as a governmental apparatus and expression of Bosnian Serb national identity means more to them than the "Dayton to Brussels" process which is still abstract and promissory' (Ó Tuathail et al., 2006: 70).

In this light, statements such as 'the Serb people do not see their future in Bosnia' (Dervisbegovic, 2006) or 'Serbia may be plotting to annex large tracts of Bosnia if Belgrade loses the southern province of Kosovo' (Traynor, 2006) clearly express persistent secessionist and irredentist sentiments and render Bose's (2005: 326) view of a faded partitionist agenda unconvincing. Even international headlines are voiced alarmingly. *The Economist* wrote in its 22 October 2009 issue that 'this month has seen the highest

level diplomacy since the end of the war in 1995, in an attempt to break a deadlock that has paralyzed its government for three years'. On 4 November 2009 *The Financial Times* admitted that 'the differences between Bosniaks, Serbs and Croats over their long-term aspirations appear as acute as at any time since the 1992–1995 war. All three sides rejected initial western proposals last month, with Bosnian Serbs dismissing even a limited increase in centralization of state institutions as a contradiction of the Dayton Accords'. This raises the question whether the preservation of a multinational state is feasible in a situation where the majority of its citizens belonging to two of the three constituent communities of that state only reluctantly acknowledge its legitimacy? (see also Hansen, 1997)

Yet, this seems not to be the case presented jointly by the Office of High Representative for Bosnia and Herzegovina and the United Nations Development Programme (UNDP) with reference to Oxford Research International's (ORI) survey *The Silent Majority Speaks* (2007)— 'the most comprehensive and thoroughgoing examination of the social and political health of BiH ever undertaken'. Indeed, experts in the field challenge many myths about latter-day BiH thus having the potential to become path-breaking in diagnosing the community illnesses (exclusive identities) and prescribing policy advice (the compromise model being a single state with strong regions) based on the second best option noted by the respondents. This leads to their first conclusion that the moderating voice of 'silent majorities' within each of BiH's communities favours reform of the state based on building a common identity of Bosnia and Herzegovina.

The Silent Majority Speaks reports about a powerful demand for general and constitutional change where a large majority aspires to a new political structure. Accordingly, the *status quo*, division of BiH, Yugoslavia Mark II (or re-vitalizing Yugoslavia) and three entities are not desired. But this 'unity theme' again comes out as the second best option only after the main policy priority—socio-economic concerns—has been identified by respondents. Based on the respondents' awareness of current undertakings to change BiH's constitution, the second conclusion derived from the survey results points to the need to abolish the entities. Overall, it has been made clear that the 'silent majority' with more than eight in ten respondents ascribing to BiH citizenship prefers a centralized system for BiH.

Finally, there is empirical evidence as proof of the given assumptions. ORI has provided policy-makers with a table of net differences (first choice less 'no choice at all') by which to summarize the overall patterns of support and opposition (see Table 1). It appears that the two centralized options and 'as is' are in the lead, whereas dividing the country, bringing back Yugoslavia and the 'three Entity' option, have substantially more opposition than support. As to the anticipated outcomes, most respondents foresee continuation of the *status quo* (36.2%); a centralized country ranks second (21.8%) and the federal option third (18.1%) in their rank order. At the bottom of the list of likely outcomes, a mere 7.3% (combined) expect BiH to be divided or Yugoslavia to re-emerge (1.7%). The third conclusion is fairly straightforward: dividing the country, establishing three entities or Yugoslavia Mark II are virtually unacceptable and are not anticipated as likely outcomes. It is thus purely a matter of deciding which centralized option attracts most support and least opposition, i.e. the least divisive outcome. ORI's answer to this is a 'centralized state with strong regions' or, rather, the 'Federal Republic of Bosnia and Herzegovina'.

Table 1. Net difference in percent—first choice less 'no choice'

Future structure	First choice (%)	No choice at all (%)	Net difference (%)
Federal state	22.1	2.7	19.4
Centralized state	38.5	20.4	18.1
As is	14.3	6.7	7.6
Bring back Yugoslavia	7.4	7.9	–0.5
Three entities	7.9	13.2	–5.3
Divide country and join neighbours	7.2	24.0	–16.8
Divide country	2.6	25.1	–22.5

Source: The Silent Majority Speaks, Oxford Research International 2007, www.undp.ba.

Our aim is not to review the work done by ORI, nor to question its survey techniques. Yet the way its research findings are presented and conclusions drawn has inspired us to (re-) introduce 'the vocal minority' voices, those uncounted first options and opinions in the extremes to counterbalance 'the silent majority' clouts. Especially, given that 'cultural renewal based on the values of co-existence has failed to take root in BiH' and that 'hints of positive change have proved illusory and ethnic relations are in just as bad shape now as they were five years ago' (UNDP's *Early Warning System Research 2000–2006*: 102) are in marked contrast to what has been stated in the most comprehensive and thorough-going examination of 'the silent majority'.

Consecutive cross-sectional studies demonstrate contested perceptions over the state of affairs effected by ethnic belonging which persist over time (World Values Surveys conducted in BiH in 1998 and 2001, the UNDP *Early Warning* reports between 2000 and 2009 and the European Values Study of 2008 were examined). This validates the approach taken in the analysis below, namely that of contrasting two cross-sectional surveys. It means that we have not picked arbitrary time points out of a positive trend, but can ensure that cross-sectional results provide a snapshot of an underlining persistent inter-ethnic divide. Any claims that clearly contradict the studies so far, as the *Silent Majority Speaks* does by arguing that there is actually support for reconciliation and coexistence in BiH, have to stand up to proper scrutiny. Ideally, these should be cross-validated by other evidence, preferably by tapping into a less explicit, but crucial aspect, of nation-building.

Our narrower point of departure is an elaboration of political legitimacy issues in Bosnia and Herzegovina (2009) which tend to reveal the opposite tendencies to the ones voiced by the ORI. With the attempt to cover four different aspects of legitimacy: cohesion of political community, survival of the community, preferred regime type and governance, and finally regime performance, we note the tendency where political entities such as the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS) drift apart more often than merge together. Differences are most vividly exposed in broader questions of what makes up the *demos* or how to assess the regime performance on the entity level. With this in mind we try to investigate how our political legitimacy approach can contribute to the broader power-sharing/partition theme. We have divided this article into four parts, each attempting to compare and contrast one of the aspects of

legitimacy in Bosnia and Herzegovina's entities' level. The article concludes that muted differences, as one of the outcomes of the ORI survey *The Silent Majority Speaks*, do not make Bosnian statehood a more legitimate whole.

Theoretical and methodological aspects

Apart from the prior questions of how similar research methodologies can produce divergent results open to buoyant interpretation, or why the study of political legitimacy in divided societies/partitioned states deserves more attention comparing with re-invention and modification of traditional power-sharing schemes prescribed for protracted conflicts, we have decided to depart from the following premises. Namely, political legitimacy is closely related to inter-ethnic and institutional trust, suggesting that people's consent to the regime performance can promote reconciliation and nation-building. Here, the option for the most preferred solution should ideally revolve over the legitimacy question. More often than not, reluctant minority groups may find themselves living in a state whose legitimacy they do not recognize. It may also be a widely acknowledged practice that post-conflict peace-making products help to maintain territorial integrity of the failed states even though the problem with legitimacy remains unsolved.

Legitimacy is an often used concept in the social sciences which concerns certain standards for justification of a particular polity (Obradovic, 1996). The concept of legitimacy refers to the consent of the governed and subjective belief in the validity of an order (Weber, 1978). It is often asserted that legitimacy is heavily influenced by, or almost a function of, the performance of the regime (Lipset, 1959, 1993), and that 'the main sources of political legitimacy have to do with the quality of government' (Rothstein, 2009: 325). Likewise, as Allen Buchanan (2002: 710) has put it, political power is justifiable as long as 'every citizen has "an equal say" in determining who will wield the power and how it will be wielded'. Yet it is not all in one piece, but instead comprises a multidimensional phenomenon.

Beetham and Lord (1998: 3) argue that it is possible to identify three major criteria of legitimacy in liberal-democratic societies: (a) there has to be a *demos* with shared identity; (b) it is governed according to democratic principles and procedures, and (c) the ends and outcomes of governance have to be confirmed by the consent of subordinates. The underlining assumption refers to people as the only valid source of political authority. Thus, it may happen that decisions have been generated in a democratic system by an acceptable procedure, but within a community where there are difficulties identifying 'people' as an ultimate source of authority or where political legitimacy rests on many groups and their diverging identities and therefore reflects their discomfort and challenge to the specific substantive outcomes of those procedures.

In addition, one may include a fourth category—security or survival—which justifies the defence of community interests in becoming sustainable and self-sufficient, especially in post-conflict societies. This seems justified since all political regimes need to establish security legitimacy in order to claim rights for survival. Whereas threats from inside contest foundational layers of the state, threats from outside may be directed at both state sovereignty and its ideological legitimacy (Buzan et al., 1998: 144).

Puzzles

We argue that the political regimes in the RS and the FBiH enjoy a varying degree of support from their populations; they have some difficulty corresponding to the criteria of liberal democratic legitimacy (having a *demos* and sufficient guarantees for its survival, being democratic and performing effectively). It is also assumed that these entities have a separate *demos*, i.e. a population with a shared identity contrasting to the BiH *raison d'etre*.

What is striking is certainly the fact that the FBiH, which advocates a more integrated state, does not necessarily have more legitimate grounds for achieving that goal compared to the secessionist counterclaim made by the RS in its own right. But another puzzle seems to lie in the question of why two surveys (ORI and our own survey) based on similar methodology can provide the basis for contradicting claims? For instance, both surveys discovered very little inter- and intra-community trust in BiH empowered with anti-state feelings. These surveys also report dissatisfaction with the current state of affairs and low confidence in institutions. Yet the major differences appear in the interpretation of the facts. ORI prefers to focus on attitudes on the national scale, while at the same time both highlighting socio-demographic factors and reducing the ethnicity variable in BiH. Moreover, its chosen way of disregarding 'the vocal minority' for the opinions of 'the silent majority' does not lend enough weight to the significant conflict potential which a small but dissatisfied segment has in a divided society. Apparently, its research angle hides prevailing significant differences between the two constitutive entities of BiH.

Method

The data used in this article was collected in spring 2009 by the market research and polling firm Prism Research. A total of 1010 face-to-face interviews lasting on average 20 minutes were conducted by experienced interviewers. Surveyed municipalities were selected according to probability proportional to population size and households selected by random walk technique. 49.6% of the interviews were conducted in the FBiH and 50.4% in RS. The combined response rate was 72.2%. An identical questionnaire was fielded in the two entities. The list of questions included items designed to measure four distinct dimensions of legitimacy, drawing on the *World Value Survey*, *Eurobarometer* and *New Democracy Barometer* questionnaires. An overview of the dimensions together with items used is given in the appendix (see Appendix A).

The two entities are not equal in size, with the RS having a smaller share in the overall population of BiH. One could therefore say that the FBiH is underrepresented in the total sample. However, the survey treated the two constitutive entities of the state on an equal footing because regardless of population share they are both veto players when it comes to the future of Bosnia and Herzegovina. Moreover, systematic comparison of entity level units may uncover crucial attitudinal differences that otherwise remain latent when merely a national level approach is taken into focus. To control for the possible effect of the fifty-fifty sample, the cases were weighted to attain proportionality with their population share in the entire country, but this did not have any statistical significance. All the

results reported below represent the un-weighted sample, as our focus is on comparison of the two constitutive entities.

The central aim of the research was to determine whether these two semi-independent entities (the FBiH and the RS) making up one sovereign state (BiH) do share a common view of their statehood, accept the legitimacy of state structures (regime preferences contrasted with regime performance) and treat the other entity/community in security terms, or whether their views clash on those matters. The most straightforward approach is therefore a comparison of individual survey items and blocks of items capturing certain dimensions of legitimacy.

Depending on the question, *chi-square* or *t-test* were used to mark statistically significant differences between the two entities. It appears that almost all items produced significant differences (p=0.000). For some, such as identification with given ethnic groups or threat perception of specific neighbouring states like Serbia, this is self-evident. But for many other items manifested differences appeared where one would not expect them for a supposedly integrating state. The statistical significance of differences can certainly be explained by a big sample size (roughly 500 in the RS and 500 in the FBiH). However, as there were also large differences in percentages, we do not report significant tests results, as those are obvious, and mention explicitly only when there were no such differences. It is therefore not simply a case where the one looking for difference is bound to find them; the two entities had disagreements that cannot easily be overlooked or brushed under the rug. The magnitude of those differences is demonstrated through figures.

Scrutinizing legitimacy dimensions

A rough picture of the differences between the two entities is demonstrated in Figure 1 showing the ratio of the RS/FBiH for individual answer categories on the survey items used to measure given parts of legitimacy (see Appendix A for variables). Everything falling above the horizontal axis (y=1) represents the number of times RS respondents agree more with a specific answer category than FBiH respondents, and everything below that shows the opposite. If the two communities were similar in their attitudes, opinions and views, we would expect the points to fall on or near the line representing the RS/FBiH=1. It is, of course, simplistic to expect two populations to have identical views or to think exactly alike, we merely assume that they should have converging views.

It becomes clear that there are similarities, but, more importantly, that there are big differences depending on which dimension of legitimacy to focus on. Clearly, the biggest divide emerges in political community, but also regime performance stands out in contrast. Although there are also disparities when it comes to security issues and threat perception (political survival) or aspects of ideal political order (political regime type), we can still clearly see that there is a variety of items where the two entities can agree upon.

Political community

Political community or *demos* is characterized by cohesiveness. It is usually understood as a basic attachment to the nation and territory beyond the present institutions of

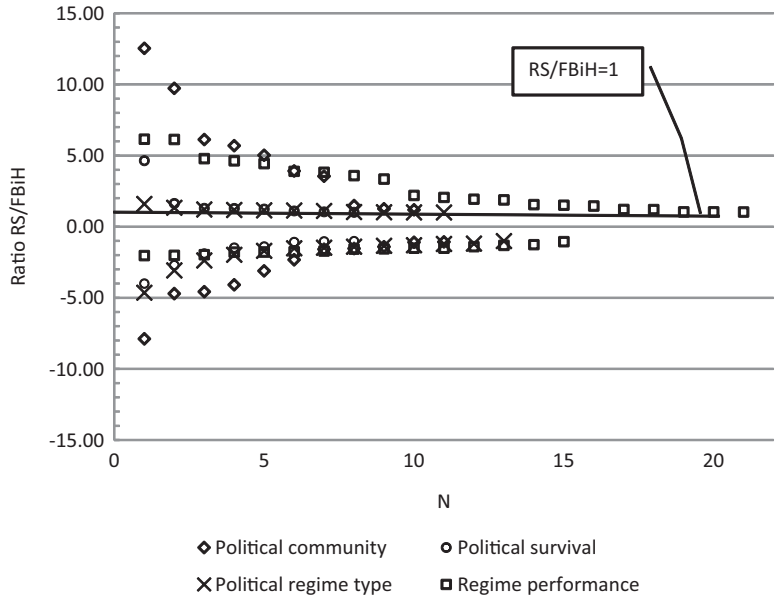

Figure 1. Diverging attitudes on dimensions of legitimacy, ratio of the RS/FBiH for individual answer categories

government and a general willingness to cooperate together politically. Figure 2 displays the cohesiveness in BiH by graphing support for answer categories in the question block most often used to measure features typical of a political community (see Appendix A for variables). It juxtaposes the percentages of same answer categories for RS and FBiH against each other. It should not be read as a scatter-plot, but as a simple xy-plot used to determine whether there are more differences (exemplified by wild scatter) than similarities (exemplified by crowding along the 45 degree diagonal) on the given dimension between the two entities.

Ideally, a cohesive community would have highly converging attitudes and views describing community attributes, which in this case would mean a crowding of points (representing answer categories) along the secondary diagonal. But this seems not to be a case in BiH where a range of issues related to the sameness and belonging in the two entities receives diverging views as described by the scatter in Figure 2.

At the same time, there was noticeable attachment to the respective territory and low inter-entity mobility rates. Moreover, since the beginning of the 1990s, ethnic cleansing and internally displaced people have homogenized the population structure to the extent that only 7.8% of the FBiH respondents declared their place of birth as being the RS, whereas 19.4% of RS residents said they were born on the current territory of the FBiH.

Attachment to the nation is usually measured by items tapping a sense of belonging to the community and civil society, national identity, patriotism and citizenship (Norris, 1999). The political function of coordinating and directing society is legitimate only when it expresses the identity of society (Coicaud, 2002). However, this is precisely

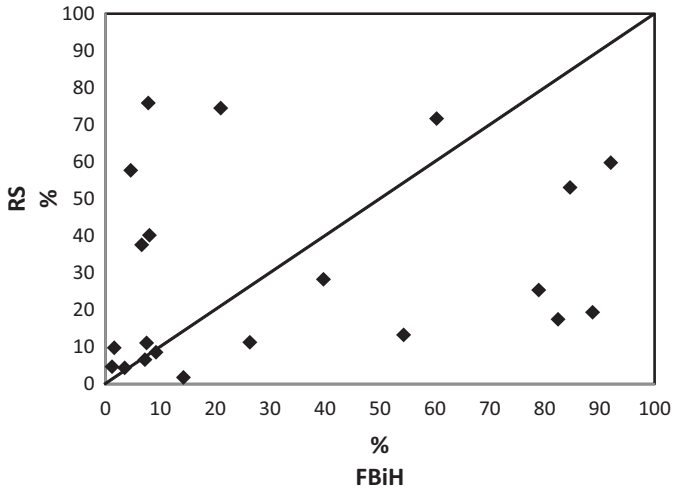

Figure 2. xy-plot of answer categories for political community variables—nation divided in Bosnia and Herzegovina

Table 2. With which of the following do you most closely identify yourself?

Major identification	RS % (N)	FBiH % (N)
Titular ethnic group(s)	11.3 (57)	26.3 (130)
Motherland	6.6 (33)	7.2 (36)
Parent country	13.3 (67)	54.3 (269)
Entity	57.7 (290)	4.6 (23)
Other	11.1 (56)	7.5 (37)
Total	100 (503)	100 (495)

Titular ethnic group is the Bosnian Serbs for the RS and Bosniaks and Croats for the FBiH; motherland is Serbia and Croatia for the RS and Croatia for the FBiH; parent country is Bosnia and Herzegovina for both the RS and the FBiH.

what is lacking in the current case. Table 2 demonstrates identification patterns measured with a simple question on the primary object of identification. The patterns differ clearly between the RS and the FBiH residents, i.e. the former identifying mainly with their entity in BiH, i.e. the Republika Srpska, the latter showing allegiance to the internationally recognized state of Bosnia and Herzegovina. Needless to say, ethnic identification (either Bosniaks or Bosnian Croats) is also comparatively stronger among FBiH residents than using ethnic categories (such as Bosnian Serbs) in equal terms for the RS residents.

Things become even more obscure when only 25.4% of RS respondents gave a solid agreement of being known as ‘Bosnian people’, while 78.9% of FBiH residents

seemed not to be troubled by this. On the contrary, this group also forms the major part of BiH citizenry (86.2% of the FBiH residents), while 40.3% of RS respondents reported having only their entity citizenship, which is part of the legal affairs settled by the Dayton Accords and that allows multiple forms and levels of citizenship. Diversified identification does not necessarily mean a lack of legitimacy *per se*, yet competition in this sphere undermines the functioning of inter-communal political institutions.

The democratic state is grounded on trust; social trust can be created through voluntary associations which bridge different groups and cut across social divisions. It is widely believed that a strong civil society tends to create or strongly reinforce political integration. Thus, civic engagement, undoubtedly may neutralize some of the manifested differences in identification as it fosters inter-communal contacts on the level of 'common people'. But even here one has more reason to talk about two civil societies rather than one. The overall activity levels in both communities are low: 28.3% of RS residents reported being a simple or an active member of at least one civil society organization (the list included ten categories of organizations capturing many fields of potential activity) compared to 39.7% of FBiH residents.

Bosnia does not have a *demos*—a single political community that accepts a state (a territory with a government) as its own. Concomitantly, a political settlement such as Dayton-style power-sharing among the conflicting parties, or partition from the rump state, becomes legitimate only if it gains the support of those directly involved in the conflict. So far, there has been no referendum to legitimize a constitutional setting for Bosnian people. The facts from the field raise doubts whether such a common view is at all possible and equally accepted according to the most diverging opinions on what the two (or three) communities prefer as a future settlement (Table 3). FBiH residents give their full support to the integration into a unified state of Bosnia and Herzegovina, whereas RS residents prefer to leave things as they are; even one-fourth of the respondents prefer to secede and go for full independence, an option denied in the Dayton Accords and most likely disfavoured by most of the international community.

The same question was also broken down into relation to ethnicity (Bosniaks, Bosnian Serbs and Bosnian Croats) with the results reflecting entity level differences. Apparently, Croats in the FBiH also support integration, but more federalism than Bosniaks do (unreported). The aggregate entity level attitudes can therefore be considered

Table 3. What is your preference for the future settlement in Bosnia and Herzegovina?

Future settlement	RS % (N)	FBiH % (N)
Status quo	37.6 (166)	6.6 (28)
Integration	17.5 (77)	82.5 (350)
Federalism	8.6 (38)	9.2 (39)
Union with 'motherland'	9.8 (43)	1.7 (7)
Independence	26.5 (117)	n.a.
Total	100.0 (441)	100.0 (424)

representative of the given ethnic groups in those entities as well, albeit with some deviations for smaller groups.

To sum up, the FBiH residents identify clearly with the state of Bosnia and Herzegovina, see themselves as belonging to a larger group of 'Bosnian people' and think that the way forward is by building on that state and integrating both entities within it. For RS residents, almost the exact opposite applies. They do not identify with the parent state, distance themselves from the notion of 'Bosnian people' and prefer the *status quo* or full independence to an integrated state. Regretfully, there is no 'silent majority' out there in the horizon to represent a cohesive community and advocate a 'compromise model being a single state with strong regions' in BiH. The Dayton Accords have reinforced ethnic divides and prevented the creation of multiple identities in compliance with loyalty to the state (Marko, 2006). Without either a sense of civic identity or multiple identities, it is highly unlikely that the constituent peoples of Bosnia will find a common *raison d'être*.

Political survival

Another analytical category of legitimacy is security. This is the degree of protection against perceived danger—a condition that is relational and refers to perceived threats (with)in its environment. Legitimation is usually achieved through performance—the state is assumed to be a security provider for its citizens. When community interests are at stake, the state has to ensure that the general conditions for group survival prevail over the right to govern (Coicaud, 2002). This contribution of cooperation prizes individuals out of their immediate zone of interest and can go as far as the sacrifice of their lives, especially in time of war.

People in Bosnia and Herzegovina seem willing to fight for their country (respective entities) if needed. This is roughly the same in both entities with a consent rate of between 45 and 50%. But this willingness is not mirrored in confidence for the state power structures in a similar manner. RS residents have high trust levels in the police (69.4%) and low in the military sphere (36.5%), whereas for the FBiH residents it is vice versa; trust levels in the police are lower (42.4%) than in the military (50.8%). Again, the distrust of each other together (in personal and community levels) with the willingness to fight when needed does not necessarily mean that the Bosnian constituent peoples will be ready again to take up arms against each other. However, when combined with the differing trust levels in power structures one can conclude that people in RS and FBiH perceive the world spinning around them and the effectiveness of the Bosnian state in dealing with potential threats in their own distinct way without much common ground.

Presumably, people belonging to one group are expected to trust each other and their neighbouring communities. The entities in Bosnia and Herzegovina are similar in their extreme level of distrust; in both cases more than 80% of respondents think that other people cannot generally be trusted. Figure 3 is again an xy-plot of answer categories for survey items capturing the political survival dimension (see Appendix A for variables). It shows some convergence along the secondary diagonal indicating similar views on matters of security. However, this might be misleading as it depends on primary defined and perceived threats; if both see each other as a major threat then this clearly cannot be considered something that the two entities 'can agree upon'.

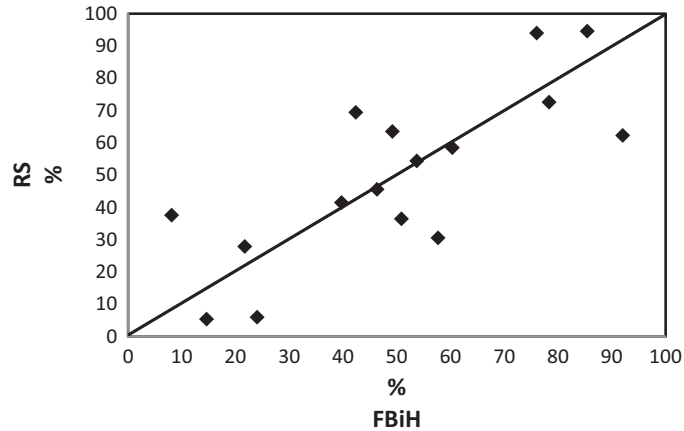

Figure 3. xy-plot of answer categories for political survival variables—(In)security and fear in Bosnia and Herzegovina

Table 4. Do you think any of these pose a real threat to peace and security in this society?

	Threat % (N)	No threat % (N)
RS		
Bosniaks	41.5 (186)	58.5 (262)
Bosnian Croats	27.9 (121)	72.1 (320)
International community	37.6 (165)	62.4 (273)
Serbia	6.0 (27)	94.0 (422)
FBiH		
Bosnian Serbs	39.7 (162)	60.3 (246)
Bosnian Croats	21.7 (88)	78.3 (318)
International community	8.0 (33)	92.0 (377)
Serbia	24.0 (97)	76.0 (306)

Threat perception collapsed into dichotomy, originally measured on a 4-point scale.

In divided polities, people as members of one group feel threatened by their putative fellow citizens as members of another group. In political terms, the primary demand of voters is protection from the very people with whom they are supposed to be fellow citizens of a common state. Table 4 demonstrates this by reporting results from separate questions on all the listed items. Apparently, the most distrusted is not the external environment, including neighbouring countries and international community, but the dominant group of the other entity within the common state, with roughly 40% seeing the other side as being substantial or some sort of threat.

A commonly perceived external threat may contribute to more cohesiveness inside a common state structure, but it is obvious that the visions do differ on that as well as for one entity the wider international environment plays the same role as Serbia for the other. The forces at play in Bosnia and Herzegovina are of a centrifugal and not centripetal

nature. Although Figure 3 reflects the similarities of two communities in respect to their threat perceptions, these similarities still end up in their distrust and fear of each other.

Regime type

Regime principles represent the values of the political system and reflect justifications grounded in beliefs (Beetham and Lord, 1998). Democracy is based on the consent of the governed, the *demos*. 'Democracy without a *demos*' requires the imposition of 'democratic values' on people who have their own ideas on how their lives, liberties, property and sacred honour should be protected, and thus seems inherently non-democratic (Hayden, 2005: 257). The basic principles of democratic regimes are commonly understood to include such values as freedom, participation, tolerance and moderation, respect for legal-institutional rights and the rule of law (Beetham, 1994; Simon, 1996). Thus, principles such as civil rights protect people's liberty from oppression, media outlets are independent of government or the fact that there are multiple political parties competing for power and office are clearly a contrast to views that allow: religious authorities to interpret the laws, the army to take over power and authorities to punish criminals severely. Governance is a legitimate act only after those who command and those who obey have agreed with one another about the values that politics makes its objective to promote.

Generally speaking, democratic values seem to exist on both sides of the inter-entity borderline. On a more specific level, the picture is also similar, even on matters that according to a standard understanding would not be part of a democracy. Figure 4 diplays similarity in general views on an ideal regime type and understanding of what constitutes

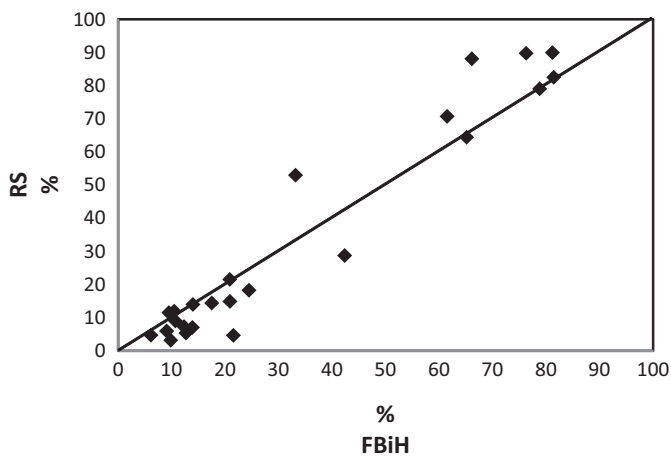

Figure 4. xy-plot of answer categories for regime type variables—conformity of democratic values in Bosnia and Herzegovina

Table 5. Where would you like your political system to be?

Percentage in	A democracy % (N)	A non-democracy % (N)
Political community		
…identify primarily with Bosnian Serb community in the RS	91.1 (51)	8.9 (5)
…identify primarily with Bosniak and Bosnian Croat community in the FBiH	57.7 (75)	42.3 (55)
Political survival		
…willing to fight for the country in the RS	91.4 (212)	8.6 (20)
…willing to fight for the country in the FBiH	68.1 (164)	31.9 (77)
Regime performance		
…confidence on the police in the RS	92.2 (307)	7.8 (26)
…confidence on the police in the FBiH	77.7 (153)	22.3 (44)

Desired political system has been collapsed into a dichotomy, originally asked on a 10-point scale.

democracy again as an xy-plot of answer categories for the survey items (see Appendix A for variables). The scatter along the secondary diagonal is small indicating converging views.

It is clear that, compared to the blocks discussed above, the two entities are more alike in their abstract understanding of which regime type is the best politically and how such a system looks in more detail. On a general level, both entities agree for the most part that democracy is preferable to any other form of government; approximately 80% agree with the statement in both entities. Both entities see protection of civil rights and a free media to be an essential part of that political order and neither side considers interpreting the law by religious authorities as a democratic practice.[1] But, surprisingly enough, severe punishment of criminals is considered as being constitutive of democracy in a similar manner. Some differences occur at the more specific level. When around half of the RS residents see the military taking over power when government becomes incompetent as being characteristic of a non-democracy, then only a third of the FBiH residents express a similar view.

The picture of democratic order is therefore similar, with local peculiarities such as a big role for the military or the harsh treatment of criminals. Occasional differences do surface, however, and it can be concluded that both entities prefer democracy, particularly the RS residents (perhaps reflecting the opposition to OHR governance), who have a picture that corresponds more to the standard textbook understanding of what does and does not constitute democratic political order (see Table 5).

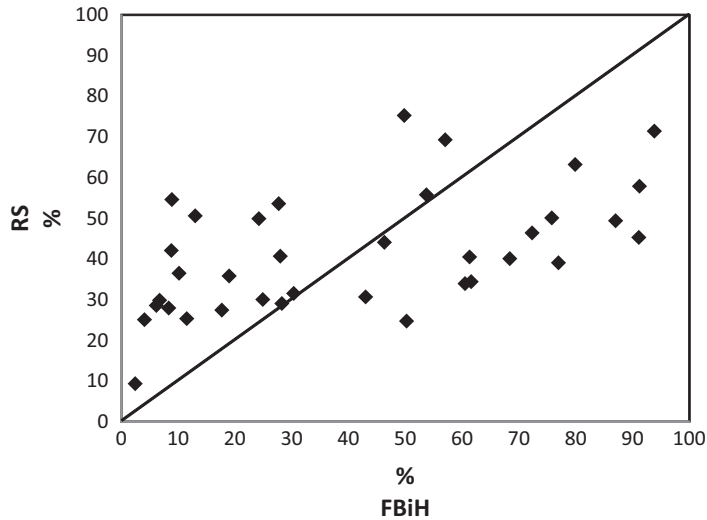

Figure 5. xy-plot of answer categories for regime performance variables—government(s) without consent

Respondents in the RS who identify primarily with the dominant ethnic community (the group which will arguably be the most difficult to reconcile with the other entity) are clearly more democratically minded than those in the FBiH. Also, the RS residents who are willing to fight for the country voice more support for democracy in comparison to the FBiH. Finally, the RS residents who have confidence in the police force are bigger democrats than the FBiH residents with the same trust level.

Regime performance

The state being created as purely an administrative structure for the implementation of political decisions made outside its institutions (in the Office of High Representative) is not the one which a sovereign people would ideally expect to govern them. Figure 5 shows that satisfaction with this structure differs a great deal between the entities, as the points in the xy-plot of answer categories tend to scatter widely and not fall on the secondary diagonal (see Appendix A for variables). Neither entity sees its current political regime in bright colours, with only 25.4 and 11.5% rating it as a democracy in the RS and the FBiH, respectively. A whopping 60.5% of the FBiH residents in fact consider their system to be a clear non-democracy, but only 33.9% of the RS residents rate their entity the same way.

Regime performance reflects acts of consent or recognition, meaning support for how authoritarian or democratic political systems function in practice (as opposed to the ideal) (Fuchs et al., 1995). Consent plays a key role in legitimacy, defined as the right to govern (Coicaud, 2002). It grounds the feeling of obligation and makes political life a search for the rules and procedures through which the members of a community come to an understanding in order to be obligated (ibid.). Every political regime that seeks to

obtain the right to govern has to satisfy the needs of the members of the community: moral, efficient and just governance; economic development; education and health services. Evaluations of regime performance differ systematically and have clear trends. Dissatisfaction with the political regime, government, economy, education and health services is much greater in the FBiH than in the RS, which confirms the argument that the RS functions better than the FBiH.

Various confidence ratings characterize the people's consent about authorities and institutions, but the current system in BiH seems lopsided in that sense. Although dissatisfaction levels are high in both entities, they are more outspoken in the FBiH. The same applies to general trust in a range of state and non-state institutions. Impeding confidence in the military, the RS residents have higher confidence level in institutions starting from religious ones and ending with political parties. One way to explain this divergence is a return to the recent past. Most Bosniaks refuse to acknowledge an equal treatment of aggressors and victims envisioned in the Dayton Accords. They would abolish the RS, but they do not have the institutional power to do so. Hence the disillusionment with authorities that suffer from diminished political clout. At the same time, the Dayton Accords have virtually made the RS a state within a state, a status the majority of Bosnian Serbs are determined to preserve.

To recall, the FBiH residents seemed to have a stronger connection with the state of Bosnia and Herzegovina and wanted to see a more unified community in the future, whereas that was not the case for the RS residents. One can speculate that differences in the satisfaction and confidence levels might influence a vision of the future and the ones who do not see the current situation in such dark colours do not want many changes (see Table 6). Similar tendencies become evident in threat perceptions too, where dissatisfied citizens are the majority among those seeing the international community as a threat and, expectedly, doubt whether democracy is preferable at all in the FBiH. The more the High Representative ignores the need of the people of Bosnia themselves to consent to being governed by a Bosnian state, the less legitimate that state is likely to be in the eyes of those whose consent was originally conditioned on its powers being illusory.

Conclusion: The vocal minority speaks

The experiences of conflict management have raised questions over the preferred methods employed or encouraged by third parties and by the disputants themselves to resolve these conflicts. These methods can be divided into power-sharing and partition attempts (see Kaufmann, 1996; Mearshimer and Van Evera, 1995; Sisk, 1996, 2003). While partition is employed in order to create separate sovereign entities where each of the disputing parties could fulfil its religious, ethnic or other agenda, then power-sharing, on the other hand, is an attempt to find a common framework of shared sovereignty without exclusive control of territory (Berg and Ben Porat, 2008).

Although power-sharing and the idea of 'three constituent peoples' have been institutionalized at the entity and state level, it has not given expected results and made BiH a more legitimate whole. Several studies have demonstrated a general trust deficit in BiH and how ethnic trust correlates with trust in institutions, which is lower in ethnically heterogeneous regions (Håkansson and Sjöholm, 2007; Whitt, 2010). Also, an aggregate

Table 6. How satisfied are you with the way democracy works in your entity?

Percentage in …	Satisfied % (N)	Dissatisfied % (N)
Political community		
…support for status quo in the RS	51.5 (85)	48.5 (80)
…support for status quo in the FBiH	48.1 (13)	51.9 (14)
…support for gradual integration of both entities into BiH as a unified state (RS)	26.3 (20)	73.7 (56)
…support for gradual integration of both entities into BiH as a unified state (FBiH)	15.1 (52)	84.9 (292)
Political survival		
…external threat for the RS is international community	40.4 (65)	59.6 (96)
…external threat for the FBiH is international community	30.3 (10)	69.7 (23)
Regime type		
…democracy is preferable for the RS	43.1 (162)	56.9 (214)
…democracy is preferable for the FBiH	17.6 (67)	82.4 (314)

Satisfaction with working of democracy has been collapsed into a dichotomy, originally asked on a 10-point scale.

political stability index, which includes measures on trust and confidence in the shared institutions as well as in the separate institutions of the constitutive elements of BiH, actually shows a decline between 2000 and 2009 (*Early Warning System* 2009: 15). This above-mentioned trend signifies the ongoing power-sharing crises in BiH and warns about the deteriorated situation and the illegitimacy of the state-building process at hand.

We are not entirely sure whether partitioning can automatically become a useful policy-making tool and determine the prospects for future peace (Tir, 2005) when everything else fails and when it turns out that power-sharing can only be appropriate and successful under specific conditions and by specific arrangements (Schnekener, 2002). Yet, the results above have demonstrated that contrary to the 'silent majority' that presumably speaks for reconciliation and integration of the two entities into a more politically viable system, there is still a vocal part of the population that does not see things that way.

The two entities are worlds apart on a range of issues and agree only on rather abstract principles of an ideal political order. Does that mean there is room for rapprochement? Abstract agreement is a bad measure because it is bound to change when hopes or wishes are confronted with real life economic hardship or dysfunctional political institutions in an ethnically divided state. The visions converge on ideal types, yet diverge on reality. In the absence of a significantly perceived change for the better there is not much hope that

populations, which have fought each other in war, will manage to see the forest behind the trees and work towards attaining the ideal order that they seem to share. Instead of the 'silent majority' for reconciliation we have the *vocal minority* (or even a majority) in BiH disagreeing on a range of issues that need to be solved first. In the end, focusing on second-best options after the most pressing ones and presenting dominant moods in the population selectively misleads policy instruments to be designed for post-conflict management.

Although Bose (2002: 173) goes as far as claiming that partitioning answers to protracted conflicts are as 'breathtaking not only for its abject poverty but its sheer, senseless absurdity', thus equating it with dementia, a prospect that conflict can also be minimized after the partition, is equally high (Tir, 2005: 558). Indeed, the success of a peace process can therefore be measured, first, by its ability to end violence and, second, by its ability to create the institutions and support structures that would discourage the parties from taking up arms again. Yet, the differences may be so profound that 'all attempts to reintegrate the groups in a single state are bound to fail' (Buchanan, 1998: 23). Why then stay mute and 'save' the rump state when the departure of the vocal minority could make the rest of the country more governable?

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Note

1. Differences in mean values (*t*-tests) for a 10-point answer scale still turned out to be significant ($p<0.001$), but the effect size was marginal for all items (range of eta squared 0.01 – 0.03).

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Appendix A: Variables used to assess different dimensions of legitimacy

Variable	Scale/range/category
Political community	
Identification	Titular ethnic group (the Bosniak community, the Bosnian Serb community or the Bosnian Croat community); motherland (Serbia or Croatia); parent country (Bosnia and Herzegovina); entity (Republika Srpska in RS, Federation of Bosnia and Herzegovina in BiH); other (ex-Yugoslavia; other)
Identity: Bosnian people	1 = strongly agree; 4 = strongly disagree
Identity: citizen of Bosnia and Herzegovina	1 = strongly agree; 4 = strongly disagree
Place of birth	On the territories under the present-day Republika Srpska or Federation of Bosnia and Herzegovina
Citizenship	Republika Srpska; Republika Srpska and Serbia; Republika Srpska and Bosnia and Herzegovina; Bosnia and Herzegovina and Croatia (asked only in FBiH)
Future settlement	Status quo; integration into unified Bosnia and Herzegovina; integration into a federation of Bosnia and Herzegovina; union of entity with motherland (Serbi or Croatia); full independence of Republika Srpska (asked only in RS)
Civic engagement	2 = active member; 1 = inactive member; 0 = no member
Political survival	
Willing to fight for country	1 = yes; 2 = no
Most people can be trusted	1 = yes; 2 = need to be careful
(list of ethnic groups in Bosnia and Herzegovina) threat to peace and security in society	1 = big threat; 4 = no threat
Threat to peace and security: Serbia	1 = big threat; 4 = no threat
Threat to peace and security: International community	1 = big threat; 4 = no threat
Confidence: military	1 = a great deal; 4 = none at all
Confidence: police	1 = a great deal; 4 = none at all

(Continued)

Appendix A: (Continued)

Variable	Scale/range/category
Political regime type	
Ideal political system	1 = complete dictatorship; 10 = complete democracy
Religious authorities interpret law	1 = not at all part of democracy; 10 = essential part of democracy
Army takes over power	1 = not at all part of democracy; 10 = essential part of democracy
Civil rights are protected	1 = not at all part of democracy; 10 = essential part of democracy
Criminals are severely punished	1 = not at all part of democracy; 10 = essential part of democracy
Media is independent of government	1 = not at all part of democracy; 10 = essential part of democracy
Multiple parties compete for power	1 = not at all part of democracy; 10 = essential part of democracy
Agree with …	Democracy is preferable; sometimes authoritarianism is preferable; no difference
Regime performance	
Country at present	1 = complete dictatorship; 10 = complete democracy
Satisfaction with democracy	1 = extremely dissatisfied; 10 = extremely satisfied
Satisfaction with government	1 = extremely dissatisfied; 10 = extremely satisfied
Satisfaction with economic situation	1 = extremely dissatisfied; 10 = extremely satisfied
Satisfaction with state of education	1 = extremely dissatisfied; 10 = extremely satisfied
Satisfaction with health services	1 = extremely dissatisfied; 10 = extremely satisfied
Living standards higher in this entity	1 = definitely; 4 = definitely not
Chances for improving living standards better in this entity	1 = definitely; 4 = definitely not
Confidence: religious institutions	1 = a great deal; 4 = none at all
Media	1 = a great deal; 4 = none at all
Courts	1 = a great deal; 4 = none at all
Government	1 = a great deal; 4 = none at all
Political parties	1 = a great deal; 4 = none at all
Parliament	1 = a great deal; 4 = none at all
Civil service	1 = a great deal; 4 = none at all