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Travails of the European Raj

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Abstract

Can the extraordinary powers of the international mission in Bosnia and Herzegovina be justified by reference to a state of emergency, and do they facilitate its objectives of state-building and democratization? A review of the history of the international protectorate—and in particular the Office of the High Representative—finds that the answers to these questions are negative. Its philosophy, as revealed by its actions, is very similar to that of 19th century liberal imperialism; but the theory of emergency powers of the constitutional dictator of Niccolò Machiavelli offers a better roadmap for future post-conflict missions. The specification and independent monitoring of a red line beyond which international power will not be used is vital to their legitimacy and effectiveness.

Lessons from Bosnia and Herzegovina

TRAVAILS OF THE EUROPEAN RAJ

Gerald Knaus and Felix Martin

Gerald Knaus is director of the European Stability Initiative (ESI), a nonprofit research and policy institute based in Berlin and Sarajevo, and dedicated to providing independent analysis of the complex issues involved in promoting stability and prosperity in Southeastern Europe. Felix Martin is general secretary of the ESI. Reports from the ESI can be found online at www.esiweb.org.

On 17 December 2002, Lord Paddy Ashdown, the former leader of the British Liberal Democratic Party and present High Representative in Bosnia and Herzegovina (BiH), spoke to that country's newly elected House of Representatives in Sarajevo. He told the parliamentarians that, to turn their assembly into "a modern, energetic and fiercely independent legislature accountable to the voters," they needed to start acting on the ten pledges and 69 specific commitments contained in an October 2002 legislative program entitled "Justice and Jobs." This program was the handiwork not of any Bosnian politician but of Ashdown's own Office of the High Representative (OHR). As Ashdown explained, the choice facing the deputies was not

whether to reform. But how fast, how soon and, above all, who will drive the process of reform—you or me? I do not have the monopoly of wisdom on what is right for this country. There will always be room for compromise between us if this parliament comes up with sensible and workable solutions that push the reform agenda forward.¹

Ashdown's speech is a striking document. It reflects an extraordinary political reality in contemporary Europe: the unlimited authority of an international mission to overrule all of the democratic institutions of a sovereign member state of the United Nations. Coming from the head of a democratization mission, it also betrays a bewildering conception of democratic politics. It is, Ashdown told the parliamentarians, "always possible, for those determined to do so, to continue to huddle

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