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# The Dayton Agreement and social reform: *Omne principium difficile est*

***Abstract***

*The Dayton Agreement rests on the principle of establishing a self-sustaining system that respects the multinational and multiconfessional structure of the population of Bosnia and Herzegovina, composed of entities with independent constitutive, legislative, executive and judicial functions. The organisation and functioning of the constitutionally-determined institutions of power in BiH is based on the constituent nature of the nations, enclosed in amendments to the entity constitutions made after the 2000 Decision of the Constitutional Court on the Constituency of Peoples, which regulate representation and the manner of the protection of the interests of the peoples. This article proceeds from the point that vital discussion on constitutional regulation is leading to a marginalisation of the discussion on harmonising domestic legislation with the EU acquis, conditio sine qua non in terms of fulfilling the requirements of the Stabilisation and Accession Agreement, not least in the area of labour law, and gaining admission to the EU. Above all, society is only changed through reform in which – panta rei – everything flows.*

***Keywords:*** *Dayton Agreement, constitutions, constitutional courts, social reform, labour law reform*

## Introduction

The General Framework Agreement for Peace in Bosnia and Herzegovina (the Dayton Agreement after the city of Dayton, Ohio, where it was agreed in November 1995), contains the constitution of BiH in its Annex 4. The constitutional organisation of Bosnia and Herzegovina was an important topic of the negotiations that lasted over four years and it was an element of all the peace plans – Cutileiro, Vance-Owen, Owen-Stoltenberg, the Contact Group and, eventually, the Dayton Agreement which had been developed during the war. The negotiations offered models of civil authoritarian state, cantonal state, regional state and a republic. Considering the reality and the possible functioning of a state model, it was decided that the first two of these (civil authoritarian and cantonal state) be discarded and the constitution should be built on the basis of a model of a republic and regions which was reflected in the two entities proposed in Dayton (Kuzmanović 2012: 17).

The Dayton Agreement rests on the principle that it is necessary to establish a self-sustaining system that respects the multinational and multi-confessional structure of the population, composed of entities with independent constitutive, legislative, executive and judicial functions.

## Framing the debate

According to the principles agreed in Geneva under the auspices of the Contact Group, prior to the Dayton Agreement, Bosnia and Herzegovina was to be composed of two entities, Republika Srpska and the Federation of BiH. Republika Srpska is a single and indivisible entity while the Federation of BiH is a decentralised entity with ten cantons – as envisaged by the Washington Agreement signed prior to Dayton – five with a majority Bosniak population, three with a majority Croat population and two with a mixed Bosniak/Croat population.

It is not easy to ascertain the nature of the Dayton Agreement not least since it is not a product of national sovereignty but the result of a peace contract and the political wills of international and domestic political representatives. The legal effect of the Dayton-originated constitution of BiH does not derive merely from civic and national elements but also from other principles of specific constitutional regulation – ethnic and territorial; a mixed composition of state bodies composed both of locals and foreigners; a right of representation and a national-territorial key; majority decision-making with a right of veto; and the basic principles of capitalist organisation which yet calls for the observance of social rights (Orlović 2017: 296). The internal difficulties (a loose compromise and the lack of comprehension of the precise nature of a complex political community of three constituent peoples) alongside the external ones (the illegitimate and unconstitutional meddling of the international community), indicate that the organisational order of post-Dayton BiH may be defined by a threefold perspective – elements of federal (state-legal) and confederal (international-legal) on the one hand; and an international protectorate (political) on the other (Petrov 2018: 145).

The organisation and functioning of the constitutionally-determined institutions of power in Bosnia and Herzegovina is based on the constituency of the nations as a basic characteristic. This was embodied in the amendments to the entity constitutions which were required as a result of the Decision of the Constitutional Court on the Constituency of Peoples in 2000.[1] These amendments regulate the representation of the peoples and the manner of the protection of their interests in the institutions set up within the entities and the cantons. Changes to the entity constitutions were made in 2002, after the intervention of the High Representative, with the aim of establishing the equality of the three peoples on the whole territory of Bosnia and Herzegovina. The entity constitutions were then changed in such a way that the constituent peoples, citizens and others, may participate in power without discrimination. Furthermore regulations on the distribution of power, including vetoes based on vital national interests, were introduced in the entities and cantons similar to the regulations applying to BiH's state-level institutions. Rules which evenly shared the most prominent positions among the constituent peoples were introduced into the entity constitutions and the representatives of the three peoples were accorded a strong constitu-

1 Partial decision regarding the Constitution of Republika Srpska and the Constitution of the Federation of BiH, brought in a session of the BiH Constitutional Court on 30 June and 1 July 2000; U-5/98.

tional blocking position in different units, even in areas where they represent a very limited number of voters (Venice Commission 2005).

This notable Decision of the Constitutional Court stated that, under the circumstances of a multinational state, representation and participation in governmental structures – not only as the right of individuals belonging to particular groups as such but also of ethnic groups, in the sense that those rights are collective ones – do not violate the fundamental precursors of a democratic state. The preamble of the BiH constitution was thus given normative significance, listing Bosniaks, Serbs and Croats as constituent peoples, in contrast to the widely-accepted position that the preamble to a constitution does not have normative character. This had been the position in the previous, single-party, socialist system in which Bosnia and Herzegovina was not Serb, Bosniak or Croat but, at the same time, all of them and others altogether.

The most senior institutions of Bosnia and Herzegovina – the Parliamentary Assembly and the Presidency – function in such a way that the representation of the entities or the constituent peoples is quantitatively regulated in advance, as is the manner of the protection of the interests of the entities and the vital interests of the constituent peoples, along with the principle of the rotation of the Chair. Constitutional norms, including norms on the manner of protecting the interests of the entities and peoples, may be applied and changed in a way that the collective rights defined by those regulations are protected.

In legal analysis, the starting point is that there is no deadline for the implementation of the constitutional regulations of Annex 4, just as there is no deadline for the implementation of the Dayton Agreement. It is not possible, normatively or otherwise, to foresee in advance a timeline for the application of constitutional norms in a multinational, sovereign and democratic country, as Bosnia and Herzegovina is defined in the Dayton Agreement.

The functioning of the institutions in line with the regulations on the protection of vital national interests and the protection of the entities has been a topic of a number of discussions in parliament as well as an ongoing discussion in legal circles since the start of Dayton. Different approaches on how to regulate the organisation, composition and functioning of the institutions show that inter-relations between the peoples, i.e. the entities, are observed as an issue of ethnic and civic reality. The discussions have surfaced a number of different positions, from seeking cooperation and compliance from peoples and entities in accordance with Annex 4 to the opposite demand to give up those regulations, eliciting the question of how to secure Bosnia and Herzegovina's functioning as an independent and democratic country.

The essence of these differences, as shown by surveys, is the different perception of Bosnia and Herzegovina from the individual perspective of each of the three peoples. Here we can find significant differences: for Bosniaks, it is a divided, multiethnic European state of three constituent peoples; for Serbs, it is a country of three constituent peoples under the surveillance of the international community; and for Croats, it is a divided state of three constituent peoples under international supervision (Skoko 2011: 66). The internal problems of the two entities – political, economic and social – and, on top of that, intolerance between the three ethnic groups

(each believing that it has been discriminated against) is an indicator that struggle between the ethnic groups is still a present factor and that the conflict is not yet completely over (Blajs 2017: 75).

Nevertheless, discussions on that and the other issues relating to the implementation of Dayton are vital since, as has been mentioned in theoretical texts on the importance of the principle of discussion, if the participants in a discussion do not agree about anything, there still remains one thing that binds them and that all deem fundamental – that is, the essential questions themselves to which they are giving different, opposing or exclusive answers. Different answers to the same question should not be a basis for conflict but a reason for discussion and understanding (Šušnjić 1997: 80).

The downside to the series of conversations on issues relating to the organisation and manner of decision-making in the institutions is that it shifts the attention away from the question of how to fulfil the criteria for admission to the EU. This is critical *per se*, regardless of the dynamics of integration, since its effect is to marginalise the important discussions on the Copenhagen criteria set long ago to judge an applicant country's readiness for membership of the EU: how to harmonise local laws with the EU *acquis*; on the political criteria (stable institutions guaranteeing democracy, the rule of law and the protection of minorities); and on the economic criteria (a functioning market economy able to cope with competition). Despite the efforts to make the 'European perspective' more concrete, Balkans peoples have not been adequately presented with the advantages of EU membership; people have the impression that it is all about the political commitment of the institutions and that accession to the EU will have little effect on their personal, economic and social position. Such an impression is very real (Gori 2007: 144).

A major commonality between the process of transition of the EU – which is also taking place – and the process of the transition of the Balkans is that they are running in parallel, on both a formal and a real plan. The formal plan relates to adopting laws and creating a legal framework for the establishment and creation of institutions, formal procedures, etc. The real plan relates to the real, everyday life of people, the proper functioning of the system, the precise power of the institutions and the dynamics of economic and technological development, as measured by the quality of life of ordinary people. Obviously, processes within the formal plan may go easier and more efficiently in both cases of transition. This is, however, particularly noticeable when it comes to the transition countries of the Balkans. There is also quite a distinguishable discrepancy between the norm and the reality compared to EU countries (Marinković 2012: 85).

Admission of BiH to the EU is not a sufficient motor for changes, nor is it a sufficiently strong magnet that would compel people to make concessions to others, or concede their own particular interests to the benefit of ones that are held in common (Skoko 2011: 74). The counterpart to the idea that candidacy for admission to the EU is fundamental to resolving internal relations and achieving constitutional (re)composition is that the Dayton system has been functioning for decades and the country's development has been following the development of other countries in the region of the western Balkans. Fitting into European standards has been an ongoing process from the outset of Dayton and this only shows that Dayton is being upgraded and not

cancelled; thus, the so-called European (Brussels) stage is merely a logical continuation: Dayton and the Brussels stage are not mutually contradictory (Kuzmanović 2012: 22).

This article starts from the assumption that Annex 4 of Dayton – setting out the constitution of Bosnia and Herzegovina – represents a beneficial basis for the functioning of the institutions both within the EU Stabilisation and Accession Process and outside of it.[2]

## Protection of the interests of the entities

Protection of entity interests in the BiH Parliamentary Assembly is achieved through the voting procedures in the House of Representatives, while the representation of the entities there is protected in the way of the (s)election of deputies who are elected within each entity acting as a discrete electoral unit. Deputies are elected according to the constitutionally-determined quantitative representation of each entity in the House which leads to the question of how to protect the interests of a 'minor' entity in terms of the potential for being outvoted. The application of legal norms in the behaviour of citizens depends on their relationship towards those norms which is, in turn, formed based on whether the norms respect the position found in wider public opinion. The precondition for this is that the norms have been brought in as part of a democratic procedure. Regarding legislation by BiH institutions, this primarily refers to whether they were adopted through compliance or were imposed (Mirjanić 1996: 98).

According to the principle of one person one vote, in line with the constitutions of the entities, given that the entities are electoral units, deputies are elected to the National Assembly of RS and the House of Representatives in the Parliament of the Federation of BiH, all according to the Election Law brought in at the level of Bosnia and Herzegovina as a whole.

Decisions in the House of Representatives of the BiH Parliamentary Assembly are reached where there is a majority of the total number of deputies, as long as this encompasses one-third of the votes of deputies from each entity. If such a majority is not there, the chair and the deputy chairs attempt to reach compliance within three days; if they fail, a decision may be reached by a majority provided that the votes against do not include two-thirds (or more) of the deputies elected from one of the entities. These entity-based voting measures make it possible that deputies from one entity are not simply outvoted, i.e. that the deputies representing one nation or one entity do not get outvoted on the basis of weight of numbers by deputies from the other nation(s) or the other entity. The importance of these entity-based requirements is underlined by data on the ethnic composition of the House of Representatives after

2 Editor's Note: The following two sections of this article do not go into significant detail about what Annex 4 of the Dayton Agreement says about the design of the constitutional institutions of BiH. If such detail is required, the reader is directed to the article by Slobodan Petrović in this issue of the *SEER Journal*.

the parliamentary elections of 1996 and data on the ethnic structure of the population in the entities obtained in a census.[3]

A number of reforming laws and laws introducing new institutions into BiH and regulating their authority have been brought to the BiH Parliamentary Assembly in the past decades.[4] The system of voting in the House of Representatives is, *per se*, not an obstacle to the adoption of laws; as a rule, difficulties are caused by the differing or conflicting interests of the entities; for example different interests in respect of the financial costs of new BiH institutions.

With the aim of providing equal representation of all peoples in the executive positions, there is a rotation of office-holders regarding the chair and the two deputy chairs in the two chambers (the House of Representatives and the House of Peoples) of the BiH Parliamentary Assembly.

Rotation in the three-member Presidency of BiH, as a collective body, enables the representatives of all the constituent peoples equally (in terms of time) to perform the functions of a president. The composition of the Presidency corresponds to the entity structure of the country and the ethnic structure of the population since the members of the Presidency are, likewise, elected on the principle of one person one vote within an entity as an electoral unit.

Protection of entity interests in the Presidency is similarly regulated and secured through the manner of the voting procedure. The Presidency adopts decisions by consensus and, if this fails, a decision may be adopted by two members of the Presidency. A member of the Presidency who departs from the consensus may proclaim the decision destructive to the vital interests of the entity/territory where he/she was elected within three days of the adoption of the decision. Such a decision is immediately forwarded to the National Assembly of Republika Srpska, if the statement was made by the Serb member of the Presidency; to the Bosniak delegates in the House of Peoples of the Federation of BiH, if the statement was made by the Bosniak member; and to the Croat delegates of the House of Peoples, if the statement was made by the Croat member. In the Federation of BiH, the protection of the interests of the entity and of the peoples is merged as only the Bosniak or Croat delegates may express compliance or non-compliance. If non-compliance is confirmed by a two-thirds majority of the appropriate delegates within ten days, the disputed decision of the Presidency has no effect.

In the past period, however, the number of disputed decisions of the Presidency is negligible in comparison with the total number of decisions made; the regulation on the protection of entity interests has actually been used only rarely.

The inability of 'others' and citizens who do not belong to either of the constituent peoples to participate in the election process for a member of the Presidency

3 Data on the composition of parliaments is available on the website of the BiH Parliamentary Assembly (www.parlament.ba); while data on the population is on the website of the BiH Agency of Statistics (www.bhas.ba).

4 Institutions such as the State Border Service, the armed forces, the State Investigation and Protection Agency (SIPA), the Indirect Taxation Administration, etc, some of which were imposed by the High Representative.

and for delegates in the House of Peoples of the BiH Parliamentary Assembly is discrimination which violates the European Convention for the Protection of Human Rights and Fundamental Freedoms, according to the decision of the European Court of Human Rights in Strasbourg.[5]

## Protection of the interests of the constituent peoples

The protection of the interests of the constituent peoples within the House of Peoples is connected to the protection of entity interests in the House of Representatives of the BiH Parliamentary Assembly since all legislative decisions have to be approved in both chambers. Protection of the interests of the constituent peoples in the House of Peoples is based on equality in the number of delegates and, again, on the decision-making procedures in place.

Decisions in the House of Peoples are brought by majority vote that must include at least one-third of delegates from each of the peoples. If this should not be the case, the chair and the deputy chairs try to reach agreement within three days of the vote. If they fail, a decision may be reached by majority vote provided that the votes against do not include two-thirds (or more) of the deputies elected from one of the entities.

A proposed decision may be proclaimed destructive to the vital interests of the Bosniak, Croat or Serb people by majority vote of the Bosniak, Croat or Serb deputies. If a majority of the Bosniak, Serb or Croat delegates call upon this clause, the Chair immediately convenes a joint commission. If this harmonisation procedure does not succeed within five days, the issue is transferred to the Constitutional Court which decides under its urgent procedures on the procedural regularity of the case.

The Constitutional Court, however, in its deliberations on such cases, has also been deciding whether the issue, in essence, may be considered an issue with the character of being vital to a national interest and only after that whether the disputed decision was truly, in the round, destructive of that interest. Thus it has put itself in the position of a subject deciding on the content of the vital national interest instead of the delegates in each specific case (Ožegović 2018: 388).

According to the opinion of the Venice Commission (2005), the most significant mechanism ensuring that no decision can be brought against the interests of any constituent people is a veto based on vital interests. However, the BiH constitution does not define what constitutes a veto based on vital interests, unlike the entity constitutions that do give such a definition, albeit ones that are overly wide.

The entity constitutions regulate the protection of the interests of the constituent peoples by prescribing the manner of decision-making in the entity Houses of Peoples. In addition, the representation of the peoples is regulated by there being an equal number of delegates from each of the peoples elected to the House.

After the changes and amendments to the constitutions, legislative power in Republika Srpska lies with the National Assembly and the House of Peoples. Laws and

5 In the case of Sejdić and Finci vs Bosnia and Herzegovina (*Aplikacije br. 27996/06 i 34836/06* Evropskog suda za ljudska prava); verdict handed down on 22 December 2009.

other regulations brought by the Assembly that deal with the vital national interest of some of the constituent peoples come into force only after adoption in the House of Peoples (Article 69(2) of the Republika Srpska constitution, amended by point 1 of Amendment LXXVI). The parity composition of the House is reflected in the constituent peoples each having eight members while others have four members with the right to participate equally in a majority vote procedure. Members of the House of Peoples are elected by caucuses in the National Assembly that are composed on the basis of ethnic affiliation (Article 71(1) of the constitution, replaced by Amendment LII).

The House of Peoples in the Federation of BiH has parity composition such that each constituent people has seventeen delegates while there are seven delegates from others, who have the right to participate equally in the majority voting procedure (Article 6 of the constitution of the Federation of BiH).

The constitutional courts of the entities each have a council for the protection of the vital interests of constituent peoples, which is not the case with the Constitutional Court of Bosnia and Herzegovina. These councils were introduced in the entity constitutions through amendment to deal with an issue which is not recognised under the BiH constitution. In the Constitutional Court of BiH, entity representation is secured but the way of making decisions is not determined other than via simple prescription.

It seems legitimate that the issue of the protection of the vital interests of the constituent peoples should be raised at this level, especially as a result of the competencies given to the Constitutional Court. In Court practice, however, there have been cases of the outvoting of judges of one or two constituent peoples from one or both entities, with the support of the three international judges. The BiH Parliamentary Assembly may bring a law that defines a different way of electing these three judges; such a law has not been brought although several formal legislative proposals have been made. That judicial functions in the Constitutional Court have been carried out by foreigners for more than 25 years now shows that there are different attitudes towards how the Dayton definition of BiH being an independent and sovereign state may actually be realised.

## Reforms on the road to Europe and a reflection on the reform of labour law

Annex IV of the Dayton Agreement establishes a constitutional basis for the implementation of reform as well as a framework for cooperation between, and the coordination of, the institutions of power in the process of stabilisation and accession, seeking reforms in the field of law, social policy, the economy, etc. This is a long-term process with the participation of institutions at various levels, according to the agreed mechanisms of coordination. However, such issues do not attract as much attention from the interested public as regulations on the protection of the interests of the peoples and the entities in the BiH institutions. This is in spite of the European road depending, first and foremost, on the quality and speed of the implementation of reforms. At the same time, surveys do show that the majority of citizens support the participation of BiH in the European integration process, leading to the establishment of a society with respect for pluralism, non-discrimination, tolerance, justice and sol-

idarity – the basis of the EU's values as expressed in Article 2 of the Treaty on European Union, as amended at Lisbon in 2007.

The manner of decision-making in the BiH institutions may have a partial impact on the speed of implementing reform since the issues of most significance for economic, social and legal reform fall mainly within the competencies of the entities. Nevertheless, along with regulated legislative authority, there is a conflict between two tendencies: a trend towards the centralisation of legislative activity through constitutional amendments or gradual 'evolution'; and trends towards preserving the legislative authority of the entities (Mirjanić 2012: 88). In the same way, differences on how to define coordination in the Stabilisation and Accession Process reflect different approaches to the functioning of the institutions. A reasonable invitation has thus consequently been sent to all levels of authority in order to secure the efficient implementation of a coordination mechanism to secure communications and to reach a joint position and joint solution regarding European integration issues (European Council 2019). The coordination mechanism determines a system in which the activities of the various institutions could be coordinated towards the process of EU integration as well as the establishment of joint bodies within the system along with procedures for their composition, competence and mutual relations.

Economic and social organisation rests on the market economy and the free movement of goods, labour and capital in which the goal of economic and social policy is to stimulate economic development and expand the social well-being of citizens, in spite of the social consequences of the 'tragic conflicts in the region' and the unfinished transition. Unemployment is a central problem of modern society. With high unemployment, resources are scattered and people's income dissipated. In such times, economic troubles hit peoples' feelings and their family lives (Samuelson and Nordhaus 1992: 574). By attaining security in terms of working and living conditions, the initial but also the most important element of the human security system is created. We cannot speak of a free individual, nor can he/she feel free, if they are not able to realise their own social security. In contrast, the realisation of social security means, in fact, the realisation of the right to live and to develop, the right to self-realisation and the acknowledgement of other rights and freedoms (Šunderić 2003: 55).

Within international labour law, the tendency towards socially-inspired changes which bend economic development to the ideas of justice and freedom, as security for the benefit of all, is increasingly present. 'Social Europe' points to the need to guarantee the realisation and protection of social rights by means of socio-economic cohesion and solidarity. Without these rights in a community with economic rights, other human rights cannot be realised or implemented (Bogićević 2003: 121). Employment cannot be shrunk to the issue of the mere provision of social security: to have a job in modern society is important for self-respect and, even when working conditions are not particularly pleasant, and the work itself is boring, it nevertheless becomes a constitutive element in peoples' psychological profile and provides a framework for their everyday activity (Giddens 2007: 379).

An important element in social and legal reform is changes to the labour legislation. We could ask what impact the division of competences between the entities and

the manner of regulation has on the function of labour legislation to promote social justice, achieve a positive impact on economic change and contribute to social stability and the reduction of social conflict (Mirjanić 2003: 110). The current stage of development of labour law is based on the concept of a social market economy and changes to the world of labour under the influence of neoliberal globalisation. The idea of globalisation as an organised, gradual historical process of establishing a global community under the auspices of international law, including international labour law, is qualitatively different from the idea of neoliberal globalisation that started in the 1980s (Mirjanić 2018: 71-76).

Harmonisation of the labour legislation in the entities with that of the EU is *conditio sine qua non* in terms of fulfilling the obligations under the Stabilisation and Association Agreement (SAA) put in place with Bosnia and Herzegovina. In this respect, signing the SAA means that certain obligations have been accepted such as the gradual harmonisation of the legislation with the EU *acquis* in the field of working conditions, health and security at work (Article 77 SAA) and developing the cooperation of the contracting parties with the aim of strengthening the rule of law and institutions at all levels, but particularly in the implementation of laws and the execution of court verdicts (Article 78) (Mirjanić 2014: 133).

Furthermore the constitutional regulation that the highest level of internationally-recognised human rights and basic freedoms shall be secured in BiH is important in the legal regulation of rights and obligations in the field of labour relations. This regulation essentially provides an instruction that international labour standards be built into the domestic labour legislation. Economic and social rights are important in regulating labour relations as they form a basis for the development of labour legislation according to European and international standards (Mirjanić 2017: 194). The BiH constitution and its Annex I, set out at Dayton, highlights that a number of international human rights agreements are to be applied, the most prominent among them, in terms of the regulation of labour relations, being the European Convention for the Protection of Human Rights and Fundamental Freedoms, expressly listed in Article II of the constitution; while Annex I lists, among the 'additional' international documents to be applied, the 1966 Covenant on Economic, Social and Cultural Rights and the 1990 International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (Mirjanić 2003: 112).

## Conclusion

Bosnia and Herzegovina is defined as a sovereign and democratic country in the Dayton Agreement and changes to the constitutional regulations are permitted in a democratic procedure in the Parliamentary Assembly in a way that respects the political will of the peoples and citizens. Disrespecting the real will of democratically elected representatives, along with foreign interventions, creates the possibility of these regulations being changed against the will of the people and citizens. Considering that members of the European Union must be sovereign and democratic countries, one may ask how the candidacy of BiH looks from the standpoint of the EU where the High Representative is acting as a replacement for democratically-elected

institutions of power, independent of any consideration of how efficient they actually are.

In addition we can say that, according to Article 49 of the Treaty on European Union, a request for membership may be submitted by a European country that respects the values of the Union set out in Article 2. Annex IV of the Dayton Agreement (the constitution of BiH) contains a legal framework that enables the participation of the country in the process of EU integration and the implementation of reforms. However, success depends on the willingness of the EU to respect the importance of protecting the interests of the peoples and entities and to have a position that resolving the relations between the peoples, i.e. the entities, is an internal issue.

Continued discussion of constitutional regulations is, however, leading to a marginalisation of the discussion on harmonising domestic legislation with the EU *acquis*, the rule of law, basic freedoms and other important social problems. We tend to forget that society changes only through reform, i.e. that everything may change and that everything is in a state of flux: *panta rei*.

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