State Building and Democracy in Divided Societies
The case of Bosnia and Herzegovina

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Abstract

This thesis explores political systems of divided societies with the emphasis on democratic principles, hence its influence on fundamental elements for establishing a stable state. To demonstrate such system, this case study sheds light on a desperate situation of a forgotten country in southeastern Europe, once recognized for being a strong state and home for the population carrying different ethnic backgrounds and beliefs. Bosnia-Hercegovina, the former member of the Yugoslavian federation, has these past years struggled with its political transformation from being a communist regime to becoming a fully democratic one. Due to this, an analysis is provided of the Dayton Peace Agreement- a peace plan that shaped the political system for Bosnia. The results show that the agreement was considerably complex and to lacking of consociational principles to fit a country fragmented and divided as Bosnia-Hercegovina. The suggestions offered in the concluding remarks are influenced by the consociational theory and its many advantages, as this study confirms its accuracy and stability.

Keywords: Dayton Peace Agreement, state failure, democracy, political system, ethnic diversity, Bosnia-Hercegovina, Yugoslavia
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1. INTRODUCTION

1.1 Introduction

In February 2014, unrest began to spread again within the borders of Bosnia-Hercegovina. The people of the third largest city in the country, Tuzla, began to protest the injustice they had been experiencing for years. Nineteen years had passed since the signing of the Dayton Peace Agreement, an extensive settlement that managed to put an end to the violent conflict between the three largest ethnic groups in the country. For the first time in a long time, anger began to grow again within the society, but this time, the feeling was not directed towards each other- but at the Bosnian government and it's ignorance. Hundreds of people, losing their jobs due to the privatization of factories, marked the last straw. Following events marked a period of unrest that by many were referred to as the Bosnian Spring (BBC News, 7 February 2014)

Starting of peacefully, locals went out to the streets protesting the lack of economic stability and security. In hope for a better livelihood, the people tried to raise awareness of the situation and demand change for themselves and fellow citizens. After the first demonstration, the protests turned violent. The police force was sent to Tuzla, where it was estimated that around 5000 locals had gathered on the streets to take part in the demonstration that at this time was not only fueled by anger but desperation as well (Revolution News, 8 February 2014)

After two days of violent demonstrations in Tuzla, the protests and riots had spread to multiple cities of Bosnia-Hercegovina, confirming the growing anger within the society that by this time had an unemployment rate of 40 percent. The following quote was stated by Dunja Tadic, a local from Tuzla.

You have really hungry people who decided to do something. People here are not living lives, they are simply surviving. Maybe 15% of the population lives well, mostly those who are stealing and their relatives. They destroyed the so-called middle class. All in all, I don’t see how it can be any better here (quoted in Revolution News, 8 February 2014)
In the capital city of the country, Sarajevo, thousands of protesters went out on the streets setting fire to the presidency building and throwing rocks and stones at the police as a sign of fury at the country's political inactivity and economic disparities (The Guardian, February 7 2014). The exasperation that fueled these protests was argued to be rooted in the fact that there have been years of incapacity in the Bosnian-Herzegovinian government. Besides that the country is made up of two separate entities, each with its own president, government, parliament, police and other bodies, the BBC News reported that “the complex administrative framework and deep divisions have led to political stagnation and vulnerability to corruption” (BBC News, 7 February 2014).

Guy De Launey (2014) argued that these events demonstrated a case of “simmering frustration boiling over.” He continued to explain how two decades on from the siege of Sarajevo, Bosnia had fallen off the international radar, leaving people of the country behind with the assumption of being forgotten- not only by the international community but by their government. The postwar government had remained split along ethnic lines, resulting in suffering and struggling citizens that are desperately attempting to move forward (BBC News, 7 February 2014).

The latest period of unrest reflects a displeased society of a country in which the governance is being held responsible for lacking in the ability to provide its citizens' safety, security and stability. These imbalances are considered to be connected to the Dayton Peace Agreement, signed in 1995 by the parties involved in the violent war, surrounding by 50 world leaders and international organization chiefs. Recognized to be one of the most ambitious peace agreements ever created, the Dayton Agreement was designed consisting of twelve annexes where each one covers specific outlines for the country. The peace plan entailed an entirely new political system comprising of several divisions- both politically and socially.

1.2 Purpose of the Research
This thesis explores political systems of divided societies based on democratic principles and methods hence, emphasize vital elements for establishing a strong state. Shaping viable political systems, in societies consisting of many divisions, is described as difficult and complicated- but far from impossible. These systems require a more comprehensive and complex framework, and to demonstrate a case where such system applies, this thesis shall explain the political structure of the Bosnia-Hercegovina. This thesis also delve into the depths of a postwar Bosnia-Hercegovina in order to identify underlying obstacles that hamper
the construction of a functioning state.

The main purpose is to provide an interpretation of the complex political system of the Bosnian state, and it will be done so based on the Dayton Peace Agreement. This is required as the country's entire system is structured and shaped after this particular peace plan.

It is important to note that the main purpose can not reach its full and exceeding potential without offering the country's significant historical background. Due to this, an additional purpose will concentrate on a historical analysis of Bosnia-Hercegovina. More specifically, the historical timeframe in focus will extend from the year 1945 to the year 1995 in which the ethnic relations will have a focal point. The objective of this purpose is to understand why the peace settlement was constructed accordingly and gain this understanding through the compiled knowledge of ethnic diversity, former political system, and the war in Bosnia-Hercegovina.

A wide variation of political systems, structured to fit divided societies, are being discussed extensively today in relation to preconditions and essential elements for strong democratic governments. Due to this, the importance of this topic is grounded in the fact that it focuses on a troubled region characterized by tragedies and loss, consisting of a population striving to move forwards but fails to do so due to what seems to be political shortcomings. It is important to recognize obstacles that obstruct political processes in divided societies hence, contribute to solutions on how these processes could be encouraged through democratic methods provided by the country’s government.

1.3 Research questions

- What consociational elements has shaped and structured annexes of the Dayton Peace Agreement?
- What factors and conditions are lacking for implementing the assigned political system efficiently? How have these contributed to the existing unrest in Bosnia-Hercegovina?

1.4 Methodology

This thesis is conducted on the basis of an analytical case study, which entails that it concentrates on understanding what has happened and why it is happening. In order to gain
this desirable understanding, qualitative research is compiled and analyzed with a deductive-and inductive reasoning. The theories are not tentative but specifically selected to form a basis for a relevant discussion on the topic, reflecting a deductive approach. But since this thesis is not demanding a confirmation of the original theories, it will follow inductive reasoning by staying open-ended and exploratory with the objective of developing suggestions (Social Research Methods, *Deduction and Induction*). The approach of this case study is anchored in real situations and elaborated using a descriptive technique of the context, thus promoting a holistic understanding of the topic.

Aside from case studies usually entailing an intense and profound analysis of a situation, they are recognized as being “concerned with the complexity and nature of the case in question” (Bryman 2012; 66), which makes this particular method the most desirable one for this thesis. Not only are case studies advisable when providing rich and holistic explanations of a situation, but they are also highly advantageous when examining complex social units consisting of multiple variables that may be important for understanding the phenomenon in question. Even though there are many advantages of this method, it is important to bear in mind that case studies have been criticized for simplifying or exaggerating factors in a situation, allowing the reader to draw incorrect conclusions about the reality (S. Merriam 1994; 46-47).

The empirical foundation of this research will comprise of secondary sources. Various research papers combining with articles, documents, and academic literature are used as support for conducting this case study. Sources that relate to the theoretical framework have been selected since this thesis stresses designs of political systems in divided societies. This will be done by emphasizing theoretical elements and principles found in the document, referring to the Dayton Agreement. Just like any political system, political systems organized in divided societies contain many important factors that all have an important function for maintaining a stable system. For this reasons, it is important to understand how the contracts have been structured to gain the ability of identifying lacking conditions that hamper the construction of a functioning state. Sources focusing on the Dayton Peace Agreement have been chosen depending on their objectivity. No domestic sources, focusing on the Dayton Peace Agreement, have been selected due to the risk of biased content. Newspaper articles are important sources in this research since there is lacking material on the “Bosnian Spring” and unrest in 2014. Newspaper agencies have published recent events concerning Bosnian citizens
and its government that offers a view of the present situation in the country. The selected articles derive from impartial, international, sources.

*Document analysis* is important for extracting the meaning and understanding of the secondary sources in focus, mainly because this systematic procedure increases the possibility of developing empirical knowledge (Bowen 2009; 28). A disadvantage of this procedure might be that information retrieved from the sources could be difficult to understand, especially since the documents are not produced for any research purpose. This could be a problem when using the document as a secondary source as the information does not fit the current definitions or conform to the conceptual model. An additional problem with using documents as a source involves determining its accuracy and authenticity, which also applies to public records. Even though public records should be objective, these could contain distortions that a researcher might not be aware of. Therefore, it is necessary to review the documents critically by reflecting its origin, motive, and context. Despite these limitations, documents constitute a good source of information. The documents can provide descriptive information, verify hypotheses, create a historical understanding or detect a trend. Its stability, as one of the main advantages of this procedure, is important since the researcher does not affect the outcome by their mere presence unlike observations and interviews. In comparison to other methods, document analysis reflects "objective" sources of information. They are particularly recommended in qualitative case studies, as they can provide an empirical basis for the context in which a problem or an issue belongs (S. Merriam 1994; 119-121).

**1.5 Key sources**

A key source of great importance is the Dayton Peace Agreement because it entails important outlines of the Bosnia-Herzegovinan political structure. The document is available online on UN Peacemaker, an internet page developed by the UN Department of Political Affairs (peacemaker.un.org).

Various of literature offers the historical knowledge of Bosnia-Hercegovina. *The Breakup of Yugoslavia and Its Aftermath*, written by Carole Rogel, gave the paper a fundamental background view on the country, explaining the previous political systems and socio-economic structures. Florian Bieber’s *Post-War Bosnia; Ethnicity, Inequality, and Public Sector Governance*, approved by the United Nations Research Institute for Social Development, was very informative on the current political and social situation in Bosnia-
Hercegovina. This literature relates very well to David Chandler's *Bosnia: Faking Democracy After Dayton*.

An additional book used, concerning the ethnic relations of the country, is the *Conflict and Peace-Building in Divided Societies: Responses to Ethnic Violence* by Anthony Oberschall. This professor has researched on important matters relating to this thesis. Collective action, ethnic conflicts, genocide and mass violence, peacemaking are just a few topics that he has managed to cover in his writings, hence providing a comprehensive and detailed portray of the Bosnian experience throughout the years (Log, Mobilizing Ideas).

When reflecting over the state-society relations of Bosnia-Hercegovina, it is necessary to find contemporary articles offering the perspective of the international community and citizens of the country. BBC News along with Revolution News followed the Bosnian period of unrest, speculating on the underlying issues that might have initiated the protest and riots while including thoughts on the matter expressed by the citizens.

A major advantage for conducting this thesis comprises the author's linguistic knowledge in Serbo-Croatian (the common language of the former Yugoslavia), as it opens the possibility to access domestic sources without requiring translation.

### 1.6 Delimitations and Limitations

This thesis does not attempt to investigate the entire scope of the Dayton Peace Agreement but concentrates on three important annexes of the document. Annex 4 states the Constitution of Bosnia-Hercegovina, a section that outlines the main important features of its political system and principles. Annex 3 covers an important democratic principle, namely the agreement on elections. Annex 7, however, states decisions on refugees and displaced persons. All of these contain important provisions that explain the structure of the Bosnian political system today. These combined provide an understanding on essential factors that might be lacking in the system, hence contributed to the existing unrest in Bosnia-Herzegovina.

Finding reliable statistics in Bosnia-Hercegovina is a challenge as the sources confirm that it is not easy to find authentic statistics on population nor demographic balance after the war (Bieber 2006: 29). Due to this limitation, it is highly important to be critical by examining the
motive and validity of the sources. The lack of trustworthy statistics, in this case, serves as a demonstration of the complexity in Bosnia-Herzegovina.

1.7 Disposition of the thesis
The next chapter presents the theoretical framework for this thesis, followed later by the analysis of the case. Before examining the Dayton Peace Agreement, the analysis covers an explanation of the historical background in Bosnia-Herzegovina. These descriptions are integrated as a part of the analysis due to the pronounced significance they have for the objective of this thesis. The historical perspective provides a comprehensive view of the ethnic relations hence the political situation, considering that the society of the country has formed on the crossroads of empires for four centuries, and during the last century, it has experienced contending nationalism (Bose 2002;10). After covering the historical background, the thesis continues by examining the structure of the peace agreement and later discuss its implementation. The fourth chapter offers a conclusion of the research by connecting the findings to suggestions offered by theories and concepts.

2. THEORETICAL FRAMEWORK
The framework for this thesis consists of two theoretical tracks. The first track focuses on political designs for divided societies founded on democratic principles and methods. This theory is the most important and fundamental one for this thesis considering the ethnic segmentation in Bosnia-Herzegovina. The second theoretical approach emphasizes the significance of the state-society relations through democratic strategies and its power of providing stability and security for citizens.

2.1 Consociational democracy
Challenges with establishing effective systems in divided societies are debated extensively in political science; it is a proposition that reaches far back in history to Aristotle's claim that “a state aims at being, as far as it can be, a society composed of equals and peers.” Preconditions and factors for establishing strong democracies are related to social homogeneity and political consensus, which are usually the deficient factors in deeply divided societies (Ljiphart 1977; 1).

Bearing in mind the previous statements, Arend Lijphart presents consociational democracy. A form of democracy which is constructed to fit a country composing of segments and
divisions, proving that even though it may be challenging to obtain, it is far from impossible. The model of consociational democracy is considered to be both empirical and normative since it offers an understanding of the smaller European democracies with strong political stability, such as Austria, Belgium, and Switzerland. All of these countries have under some period undergone a consociational phase of development (Lijphart 1977; 2).

Lijphart emphasizes four traditional elements of consociational democracy—grand coalition, autonomy, mutual veto and proportionality. The necessary component, a grand coalition, reflect the alliance of segmental political leaders within governments. Various examples and shapes of this element have been implemented in consociational democracies, such as “grand” council or grand coalition of the presidency. Autonomy refers to the increased possibility of each segment to control its internal matters but the mutual veto, however, is emphasized as an important component due to its task of protecting the interests of vital minorities. Last but not least, “principal standard of political representation” is defined through proportionality, as does the distribution of public funds and civil service decisions (Lijphart 1977; 25).

Lijphart's latest writings acknowledge that the democratic constitutional design has undergone a remarkable change. There have been multiple constitutional designs, each one comprised by various advantages and disadvantages. Even though constitutional writers have more options to choose from when designing a constitutional model, they are also facing the risk of selecting an ill-advised direction. A suggestion is that scholars offer their expertise and suggested guidelines as support when writing a constitution, especially in cases where deeply rooted ethnic and political cleavages exist. Specific recommendations directed at the constitutional needs in divided countries could promote an increased possibility of establishing a stable system. Lijphart offers various recommendations on complex cases, emphasizing the importance of power sharing (Lijphart 2004; 96).

Arend Lijphart states further important conditions for establishing consociational democracy, one essential involving the cooperation of segmental leaders despite the deep divisions of the state. It entails that leaders must commit to achieving unity while respecting the democratic principles. Lijphart states clearly that this form of democracy could not be achieved without the will of leaders to “engage in cooperative efforts” with a positive posture towards compromises and moderation. A balancing act would mean that the leaders still have to obtain loyalty as well as the support of their followers simultaneously as maintaining a solid
cooperation with the other leaders. For this reason, the role of leadership is emphasized as an essential factor when establishing consociational democracy (Lijphart 1977; 53-57).

The majority of scholars focusing on divided societies in relation to constitutional engineering acknowledge that deep divisions within societies pose an obstacle for maintaining a stable democracy in comparison to homogeneous countries. Worse yet, ethnic divisions and other cleavages pose an even greater problem in countries that have not managed to become fully democratic. Lijphart argues for two main essential factors when discussing strong democracies within plural societies, one being power sharing which indicates the partaking of “representatives of all significant communal groups in political decision-making, especially at the executive level.” The second key factor, briefly mentioned earlier, concerns group autonomy hence communal groups having the power to run their internal affairs, “especially in areas of education and culture” (Lijphart 2004; 97). These elements are typical for the power-sharing democracies.

Even though there has been a lot of criticism on power-sharing on not being ideally democratic or effective, it is still considered to be the only democratic design with the greatest ability to adapt in divided societies. Lijphart argues in contrast to Horowitz’s belief of power-sharing democracy being a crude “one size fits all” model, by emphasizing that the power-sharing designs created prior to the 1960’s, in comparison to more recent cases, show major variations. Power-sharing designs should be adjusted and formed according to the specific characteristics of the country, even if the success of the case does not entirely depend on the individual elements of the country. However, the “one size fits all” model by Horowitz’s should function as an inspiration when striving for the optimal design of power sharing. Following this statement, he acknowledges that not all adopted systems have been equally successful nor has it managed equally well in practice. Even though Lijphart mentions Bosnia-Hercegovina as a power-sharing country, he argues that success of a power-sharing design depends on particular mechanisms “devised to yield the broad representation that constitutes its core” (Lijphart 2004; 99).

To strengthen this argument, Lijphart uses the unsuccessful cases of Cyprus and Lebanon; both demonstrate failures of power-sharing models. He argues that these failures occurred due to the writers of the constitution that made decisions with “unsatisfactory rules and institutions.” Lijphart argues that the issue did not lie within the lack of adequate power
sharing in both cases, and therefore believes that experts should cooperate with constitution writers by offering their recommendations on power-sharing guidelines to avoid common mistakes (Lijpart 2004; 99).

2.2 State-society relations

“Government is a contrivance of human wisdom to provide human wants.”

-Edmund Burke

Paul Spicker (2000) discusses the responsibilities of governments, especially how they obtain the power to change a society despite the fact that the government itself is a part of it. People strive to achieve cohesion and stability, which could be provided by the government through social policies. By this mean, the government's responsibility does not lie solely on developing the country's economy, but also in administering the society and providing social welfare for the people. Followed by these responsibilities, another important task revolves around the creation of a political forum where people can express their wishes and demand social rights. Bearing in mind that prospects for this depend on the legitimacy of the state, which is confirmed through various ways, one important way being elections since it represents the wishes of the people. Without legitimacy and acceptance of the government's authority, important tasks could not be accomplished nor provided by the state. The legitimacy of the government confirms its moral status. Therefore, proper authority for its actions must exist. Democracy being a government of the people, by the people and for the people is characterized by the rights of individual citizens to adjust the government as well as each other (Spicker 2000; 128-130).

According to Spicker (2000), welfare could be provided and secured by non-democratic regimes. For instance, the social communist policy used labor as a central role combined with the “exclusion and social rejection of parasites”. Spicker continues with clarifying that welfare could be secured this way- but not for everyone (Spicker 2000; 135).

Spicker (2008) clarifies the connection between democracy and the development of social protection through three possible conjectures. The first conjecture involves the idea of democracy and its power of securing and protecting citizens. Furthermore, Spicker states that it is difficult to see “common core of beliefs” in politically complex environments and that this fact alone hampers desired outcomes. It is important to note that such environments could
be influenced by the attribution of specific policies gained through a set of mechanisms. Second conjecture entails approaches offered by democracy which in turn foster the development of social policies. Due to the objectives of democratic governments, it is important that it shows sensitivity to the elector's wishes and needs which initiate appropriate actions to respond to the desires of the population. This conjecture gives the portrayal of democracy as a "responsive" government. Third conjecture concerns methods of democracy and it's way of ensuring economic and social welfare. For instance, laws and methods of enforcement ensure the protection of citizens together with other important systems of government (Spicker 2008; 253-255).

2.3 Identifying the connection
Several scholars and theorists have attempted to develop successful strategies concerning the construction of a functioning state in societies where deep divisions exist. Lijphart's theory comprises a very detailed political strategy that applies for countries with segmental divisions, such as Bosnia-Hercegovina. Spicker focuses on the importance of democracy and the favors it promotes for the people. Through democratic principles and methods, problems relating to the lack of trust, stability and security could be solved. These theories are guidelines for understanding the complexity of divided societies and its many hampering conditions.

3. ANALYSIS
This chapter begins with an analysis of the historical background in Bosnia-Hercegovina (hereafter BiH or Bosnia) with the focus on covering important events and changes from the year 1945 to 1995. The historical sections will demonstrate the complexity of the ethnic relations and in turn, define whether the country consists of a plural society. Plural society is defined through segmental cleavages that are responsible for dividing societies. According to Lijphart (1977), these cleavages "may be of religious, ideological, linguistic, regional, cultural, racial or ethnic nature". Furthermore, they are affirmed by political groups, media of communication and voluntary organizations (Lijphart 1977; 3-4).

The second part of the analysis will focus on the main purpose of this thesis, which concentrates on the interpretation of annexes stated in the Dayton Peace Agreement. This will explain the political system established in Bosnia after the war, hence provide an understanding of the current, unresolved unrest.
3.1 Historical Background

The historical background will cover ethnic relations through two frames— one peacetime frame and one crisis frame. Oberschall (2007) explains that both frames were possessed in the mind of Bosnian citizens where personal and family experiences were embedded in the culture and the public life. The first chapter describes a timeframe were ethnic relations are described as cooperative and neighborly and “colleagues and neighbors, workers and classmates transacted routinely across ethnicity”, celebrating religious holidays together (Oberschall 2007; 100-101). The following sections after the first, reflect the crisis frame hence, the events leading up to the war between the ethnic groups of Bosnia-Hercegovina.

3.1.1 The Yugoslavian era

In November 1945, communists within the Balkan region established the Federal People's Republic, which in turn led to the rise of the “new” Yugoslavia. The Yugoslavian era is divided into two periods in which to the latest Federation is referred to as the “second” Yugoslavia. The second Yugoslavian federation consisted of six republics including Bosnia-Hercegovina, who got to hold a central role in the new federation. The country together with Serbia, Croatia, Slovenia, Montenegro and Macedonia constituted the formation of second Yugoslavia. Kosovo and Vojvodina were also a part of the federation as two autonomous units within Serbia. These republics were naturally recognized as national units except Bosnia which was given a republic status due to the importance it had on the Partisan resistance toward the foreign occupiers. Not only had many Bosnians fought with great commitment to establish a new form of Yugoslavia, but they experienced the intense struggle of war in their country. The Yugoslavian leader, Tito Josip Broz, noticed this commitment and found it tremendously important (Rogel 2004; 10-11)

The government of the second Yugoslavia decided that the Bosnian-Hercegovinian Republic would be the foundation of its defense system and agreed that Yugoslavia's munitions industry should be placed in the country. Yugoslavia became to be what is known as Tito's Yugoslavia and was considered to be a people's republic. Joseph Stalin, also known to be the controller of the communist international organization Cominform, was not pleased with Yugoslavs' attitude. Stalin was concerned over the notion that he wouldn't be able to control Yugoslavia nor the regions very popular leader Tito Josip Broz. Even though a Soviet model
of development was stressed for Yugoslavia, Tito decided to develop its own brand of socialism which later on became to be known as Titoism. This form of socialism consisted of two main features; workers' self-management and nonalignment in the international community. Due to the nonalignment, Tito became a leader of the Third-World countries by the early 1960s. The reason behind this was argued to be the fact that non-developed states all over the world were attracted to reject the colonialism of both West and East because of the Yugoslavia's nonalignment (Rogel 2004; 12).

Yugoslavia was very different from other communist states with pursuing its own ideal of economic development. The confrontation with Stalin in the year 1948 had resulted in a break with the Soviet Union entirely. Yugoslavia became to be recognized as a success story after the second World War, and it became obvious that the region was modernizing. Borders were open which allowed the people of Yugoslavia to travel, shop, work and study where ever they wanted (Rogel 2004; 12-13).

During the 1960s, Yugoslav reformists stressed the liberalization of the economic system and suggested to decentralize economic planning for the six republics to attain greater control. Aside from this, they insisted on a greater intellectual freedom. This decade is known for stressing the national factors and the demand for greater political and economic powers for the republics. For a while, Tito was unsure on which course to pursue but eventually decided to suppress the "national" communism and therefore deposed the reformists and the national liberals (Rogel 2004; 14).

Tito was the leader of Yugoslavia for 35 years and during those years, he succeeded to balance many elements and create a good life for people in Yugoslavia. After his death in the 1980s, many were expecting that Yugoslavia would disintegrate. The national and political issues created tension since they were left unresolved after the repression in 1971. The year 1980 was, therefore, a year that marked the end of an era that was about unifying the people of Yugoslavia (Rogel 2004; 14).

The decade that followed contained dramatic transformations. The economic imbalances created a major drop in the standard of living. The inflation rates began to rise which affected the region's economy and health very negatively. Since nobody was committed enough to preserve the Yugoslavian system after the death of Tito - nobody was strong enough to take over his ideology. Due to this, nationalism emerged again which resulted in several conflicts
Serb nationalists revived The Greater Serbia Idea, which was also referred to as the Serbian Academy of Sciences Memorandum. The memorandum argued that Serbia's economic imbalances were due to a deliberate policy that was created by Tito in the year 1945 in order to keep the Serbs divided and economically underdeveloped (Rogel 2004; 15-16).

After the Slovenes had decided to establish democracy when declaring sovereignty, a confrontation occurred between the Serbs and Slovenes. Followed by this, other republics of Yugoslavia began arguing whether they should stay under the communist rule or pursue the Slovenian course. Each one of the national units in Yugoslavia decided to have an election the year 1990 whereas the results led to a war between the nations, that today, is considered to be one of the worst conflicts since the Second World War (Rogel 2004; 18-19).

3.1.2 War in Bosnia-Herzegovina

National boundaries were expected to be an issue in some areas of former Yugoslavia due to the mixed national composition—especially in Bosnia-Herzegovina. The people of country feared for the future of Yugoslavia with the tensions building up, but still unprepared for the developments that were about to occur (Rogel 2004; 19).

Bosnia-Herzegovina's election resulted in a loss for the former communists, and the parliament elected a new president- Alija Izetbegovic. They were now ready to plan the pursue a moderate course together with Macedonia, another republic that decided to change the course. Both countries wanted to preserve federalism since it was their only hope considering that the nationalistic affectation of Serbia and Croatia was growing (Rogel 2004; 20).

Serbia and Montenegro remained together, which resulted in the formation of Federal Republic of Yugoslavia (FRY). FRY did not receive forthcoming international recognition and the idea for it was to promote Milosevic's Great Serbian policies. By this time, UN protected the Serb areas of Croatia under Serbian control, and now FRY could focus the attention on Bosnia-Herzegovina (Rogel 2004; 25).

By the year 1991, it was stated that Bosnia-Hercegovina had a population of 4,364,574 people. It was considered to be the most diverse republic of the six that were under the Yugoslavian rule. BiH differed from the other republics since it did not have a majority national group or religious community. To be more precise, numbers calculated in 1991
demonstrated that 43.7 percent of the Bosnia-Hercegovina population was Muslim, 31.4 percent Serb and 17.3 percent Croat. Previous studies underline that the national identification in Bosnia was Muslim and argues that it is an important fact to remember to understand the following events (Rogel 2004; 27).

It became very clear that the religious situation in Bosnia-Hercegovina was as complex as its national mixture. Bosnia-Hercegovina was under the socialist rule for fifty years in which religious belief did not hold a great importance. People lived together under the Yugoslavian rule where it was stressed that people should respect every citizen and never discriminate based on nationality or religion.

Bosnia-Hercegovina was far from politically stable when the elections took place at the beginning of the 1990s. By the year 1992, both Bosnian Croats and Muslims declared independence. It was on February the 29th that the numbers on the independence vote showed 99.4 percent of the electors willing to declare independence. By this time, it was already obvious that Bosnia was in trouble, whether it stayed as a part of the Yugoslavian rule, which the Bosnian Serbs favored, or if the country declared independence (Rogel 2004; 29).

As the country was committed to independence, Bosnian-Hercegovinian President Izetbegovic tried to avoid facing military force and keep the country free of war and free from Serbia. He was described as a mild-mannered man who could not anticipate war coming. Therefore, he was unprepared for what was about to happen (Rogel 2004; 29).

The war in Bosnia-Hercegovina lasted three years, from April 1992 until October 1995. The Bosnian government could not compete with the army of 80,000 Bosnian Serbs that was led by Radovan Karadzic, and consequently, turned to the United Nations for support. The UN responded by acknowledging of Bosnia-Hercegovina as an independent state and imposed some actions against the FRY. Despite the decisions that derived from the UN, the war continued. Ethnic cleansing and genocide forced a third of the country's population to become refugees. Reports of concentration camps, murder, torturing and rapes in Bosnia-Hercegovina began to fill the media in the year 1992 and despite the awareness that was raised, the population did not receive the help and assistance that was necessary. Ethnic cleansing was a part of the war policy that resulted in the genocide of Srebrenica where over 8000 Muslim men and children were murdered (C.Rogel 2004; 32).
The war continued, and Bosnia-Hercegovina was recognized as a humanitarian crisis and kept receiving food to feed the hungry, but there was still no greater action that took place in the atrocities that the Bosnian people were facing. It was not until the year 1995 that the Dayton Peace Agreement emerged and ended the three and a half year war in Bosnia-Hercegovina.

3.1.3 Post-War Bosnia-Herzegovina and the Dayton Peace Agreement
After the war, it was estimated that around 1.2 million Bosnians had fled their country while around 1.1 million were displaced within BiH, demonstrating the fact that more than a half of the Bosnian population left their homes due to the war. Still, there is not yet an exact figure of how many died during the war, and bodies of dead people are still found today in mass graves in Bosnia-Hercegovina. It is, however, estimated that the number of dead could be between 200,000 to 300,000 people (Bieber 2006; 29).

The previous sections demonstrate the complex history of ethnic relations in Bosnia-Hercegovina through two timeframes, providing a view that confirms that this case concerns a deeply divided, plural, society. With this established, the provided context can now be related to the Bosnian political system; that is the Dayton Peace Agreement. The following sections present the decisions set by the document, where they will be discussed in relation the theoretical framework, hence exploring whether the outlines of the Dayton Peace Agreement have contributed to the existing unrest of the country.

3.2 The Dayton Annexes

*The Republic of Bosnia and Herzegovina, the official name of which shall henceforth be "Bosnia and Herzegovina," shall continue its legal existence under international law as a state, with its internal structure modified as provided herein and with its present internationally recognized borders. It shall remain a Member State of the United Nations and may as Bosnia and Herzegovina maintain or apply for membership in organizations within the United Nations system and other international organizations*(Annex 4; 60).

The Dayton Agreement, also known as The Dayton Accords, consists of the General Framework for Peace and twelve annexes, each of them constituting an international pact and outline for the country (Gaeta 1996; 147).
The Dayton Agreement is described as an extensive consociational settlement, structured on the basis of Lijphart's four traditional and essential characteristics—grand coalition, segmental autonomy, mutual vetos and proportional representation. Though the design of the settlement rests on the principles of consociationalism, it is argued that the magnitude of it is heavily pervasive and far-reaching (Allison McCulloch 2009; 149). At first, it is important to understand how Lijphart's characteristics have applied to the political system of Bosnia.

3.2.1 Territorial Divisions

Segmental autonomy, the traditional component of consociational democracy, was imposed through the separation of the Bosnian government into two self-governing entities: the Serb Republic and Federation (also referred to as the Bosniak-Croat entity).

The Serb Republic remained centralized, in contradiction to the Federation where further divisions were established. Comprising of ten cantons¹ (see Figure 1), the Federation indicated more autonomous provisions in which eight of the cantons were dominated by either Croats or Bosniaks. The two remaining cantons stayed demographically mixed and decentralized in which a parallel Croat and Muslim governance were established in the respective city territory (Oberschall 2007; 117). This system alone reflects forms of power-sharing provisions, established specifically to ensure group protection (McCulloch 2009; 150).

Figure 1: Map of Bosnia-Hercegovina - Cantons and Entities (Retrieved from www.abc.ba)

¹ Canton/cantons- refers to a subdivision/s of a state established for political or administrative reasons.
Allison McCulloch, inspired by the Lijphart’s consociational perspective, describes the structure of the Dayton Agreement as considerably complex. McCulloch states that Bosnia has the “highest combined number of presidents, prime ministers and Cabinet ministers anywhere in the world.”, referring not only to the fact that the design entailed “one state” in which two entities were supposed to operate separately- but to its five layers of governance that are controlled by 14 prime ministers and governments (McCulloch 2009; 150).

Not very different from other scholars familiar with the topic, Malik argues that the two entities created by the Dayton Agreement came to operate as independent states despite the international recognition of Bosnia-Hercegovina's statehood and sovereignty. Even though it was enough that the settlement managed to terminate what was considered to be the bloodiest conflict in Europe since the Second World War, some observers argue that it ignored the long and complex history between the three largest ethnic groups in the region. By stating a bipartite partition consisting of a Serb Republik and a poor Bosniac-Croat Federation, many expected a second conflict after the war. John Malik (2000) argues for an additional problem, which came to be the fact that the settlement did not state a partition sufficient enough within the federation on the cooperation between the Croats and Bosniacs (Malik 2000; 303). This factor alone hampers the constitution for consociational democracy, in which the cooperation of segmental leaders “despite the deep divisions of the state” is strongly emphasized. Lijphart (1977) argues that consociational democracy can not be achieved without the segmental leaders will to engage in cooperation and preparedness to compromises while respecting democratic principles. The success of achieving this democratic system does not only depend on cooperation, but also on the belief and will of establishing unity (Lijphart 1977; 53-57).

3.2.2 Constitution

Annex 4 of the Dayton Peace Agreement, otherwise identified as the section where the constitution of Bosnia is set, has twelve articles declaring fundamental provisions. These articles cover the residual consociational components- grand coalition, mutual vetos och proportional representation. The measures of segmental autonomy distributed by the Dayton Agreement is covered in the previous chapter, in which territorial splits has been explained.

The Constitution initiates with stating that Bosniacs, Croats, and Serbs, as constituent peoples (along Others) and citizens of Bosnia and Herzegovina, agree to follow Annex 4 of the Dayton Peace Agreement. Article 1 of the Constitution defines that the nation shall be a
democratic state, “which shall operate under the rule of law and with free and democratic elections”. Although this has been stated clearly in the Agreement, there are no clear signs of Bosnia reaching the “promise of democratic accountability” even though the process of democratization initiated in 1991 (Chandler 2000; 38). This reflects major obstacles in relation to providing security and stability in the country, which according to Spicker (2000), are characteristics that should be promoted through democratization. However, in relation to consociational democracy, the grand coalition principle is imposed through a three-person presidency, each one representing the ethnic groups of the Bosnian state (McCulloch 2009; 150). The following statement is extracted from Article 3 of the Constitution.

*The Presidency of Bosnia and Herzegovina shall consist of three Members: one Bosniac and one Croat, each directly elected from the territory of the Federation, and one Serb directly elected from the territory of the Republika Srpska (Annex 4 1995; 67)*

After closely examining the Dayton Agreement, Malik emphasizes that agreement establishes the independent Serb Republic but then “cripples the Bosnian Republik federal institutions with decision-making processes that grant each ethnic group the power of veto” (Malik 2000;313). He is referring to the mutual veto, the highly emphasized component of consociational principles. McCulloch (2009) explains that mutual veto is secured through the House of Representatives. The House of Representatives is composed of 42 Members, “two-thirds elected from the territory of the Federation, one-third from the territory of the Republika Srpska” (Annex 4 1995; 65). In regards to legislation, the constitution demands the support of minimum one-third of each ethnic group. (McCulloch 2009; 151). The House of Representatives reflects another consociational principle, the proportional representation. This component could also be recognized in sections covering Council of Ministers and House of People (McCulloch 2009; 150).

So far, four traditional components of consociationalism have been presented- confirming that the Dayton Peace Agreement is shaped based on Lijphart's principles. Bear in mind, this does not entail a certainty of achieving security or stability in the Bosnia-Hercegovina. Other important conditions must exist for the key elements to function sufficiently. As mentioned previously, cooperative processes between the segmental groups is a necessary function, and it is clearly lacking which hampers the processes of consociational democracy.
Article 3 of the Constitution determine and divide the responsibilities of the institutions of Bosnia-Herzegovina and Serb Republic. Due to limitations and exclusion of the general responsibilities of a federal government-central institutions and enforcement mechanism remain weak in the control of individual entities. The Constitution clarifies that each Entity can get involved in agreements with states and international organizations with the consent of the Parliamentary Assembly, who itself “may provide by law that certain types of agreements do not require such consent.” This paragraph is followed by the matter of Law and Responsibilities of the Entities and the Institutions, where it is stated that “all governmental functions and powers not expressly assigned in this Constitution to the institutions of Bosnia and Herzegovina shall be those of the Entities” (Annex 4 1995; 60). National defense power being one of the central attributes of sovereignty, still it is not “expressly granted to the Republic” in the Agreement.

The same section of the Dayton Agreement also specifies that “under no circumstances shall any armed forces of either Entity enter into or stay within the territory of the other territory,” leaving and granting the territorial conquests to the Bosnian Serbs. Malik continues by demonstrating that certain provisions in the agreement allowed “enhancing the entity's capacity to control and defend the bulk of the territory it annexed”(Malik 2000; 303).

Lijphart (2004) acknowledges multiple failures on power-sharing models by discussing factors that could have affected the consociational system negatively. In some cases, the problem has been with the writers of the constitution and their decisions on institutions and rules. Since these are common mistakes according to Lijphart, experts should offer their recommendation on power-sharing models and cooperate with constitution writers. This seems to have been missing in the case of Bosnia-Hercegovina, where decisions deriving from the Dayton Peace Agreement, is receiving a lot of criticism for being disregarded.

3.2.3 Implementation of Annex 3 and Annex 7

Malik believes that tensions between the ethnic groups of Bosnia-Hercegovina continue to exist due to the state-building provisions stated by Dayton Agreement. These tensions were attempted to be resolved by Annex 3 and 7, which concerned mechanisms for operating elections and the return of refugees, but failed to implement sufficiently. The settlement did not provide essential conditions for the return of refugees and displaced persons, nor did it manage to preserve the freedom of movement.
There shall be freedom of movement throughout Bosnia and Herzegovina. Bosnia and Herzegovina and the Entities shall not impede full freedom of movement of persons, goods, services, and capital throughout Bosnia and Herzegovina. Neither Entity shall establish controls at the boundary between the Entities (Annex 4 1995; 60)

Freedom of expression, press and administrative standards was not upheld due to the firm deadline for the September elections set by the Dayton Agreement after the war. Additionally, manipulation and other violations concerning the elections could not be properly addressed due to the EASC's (Election Appeals Sub-Commission) limited ability to supervise. Results of elections did not only fail to further the independence and sovereignty of the Bosnian Republic but consolidated the consequences of ethnic cleansing. Due to these elections, ethnic parties had the power to oppose the provisions of Annex 3 and along with the unwillingness of international forces to protect the return of refugees (Annex 7), Bosnians that returned to their homeland could not often settle in their pre-war homes. It resulted in refugees settling in areas that were controlled by their own ethnic group- this way they had their safety secured and guaranteed. Malik believes that the Dayton's peace plan to preserve Bosnia as a single state while promoting a “multi-ethnic democracy” failed on several accounts, especially because Annex 3 and 7 failed to be implemented (Malik 2000; 353).

Although the Bosnian state is constructed to function as a consociational democracy, it has not yet fulfilled the conditions nor the success of having this form of the system. Since the implementation of Annex 7 (the return of refugees) failed, a “territorially distinct ethnic population” remained which also hampered the possibility of a successful consociational democracy (Oberschall 2007; 117). This success of the Annexes depended on cooperative processes, and in relation to Lijphart, Oberschall (2007) agrees with the fact on promising consociational system depending on the elite ethnic commitment to a single state and elite cooperation, a factor that is lacking tremendously in the consociational “democracy” of Bosnia-Hercegovina. So far, this analysis reflects signs of state failure that are occurring due to a failed implementation of a complex political framework- providing underlying reasons for the unrest within Bosnia. The following sections will further strengthen the underlying reasons, increasing the possibility of establishing strong answers of the research questions in focus.
3.2.4 Criticism on the Dayton Peace Agreement

Chandler argues that the majority of the Dayton Annexes do not relate to ending hostilities which is unlike traditional peace agreements, but evolve around “reconstructing” a society and using the Dayton Agreement as a political project to democratize Bosnia-Hercegovina. But the country was given little space to create and implement policies due to the extension of international mandates over the state. It did not matter that the country was acknowledged as a sovereign state (Chandler 2000; 55).

Richard Holbrooke, a principal representative of the US government at the Dayton peace negotiations, has expressed his view of the agreement. He believes that the agreement was good, on paper.

... it ended the war and established a single, multi-ethnic country. But countless peace agreements have survived only in history books as case studies of failed expectations. The results of international effort to implement Dayton would determine its true place in history (Bose 2002; 1)

Eric Gordy (2015) supports this argument by stating that the settlement did put an end to the devastating war, but it did also create a constitution for the country which allowed dysfunctional and parasitic institutions that have furthered a counter-productive “ethnifying dynamic” on political activity. He continues strengthening his argument by emphasizing the weak and uneven international oversight after the signing of the agreement. He also believes that the international oversight contributes to intensifying conflicts in the region, conflicts that were supposed to moderate. An undeniable and growing gap has emerged between the political class and citizens, which was clearly demonstrated by the unrest of the year 2014. Gordy believes that the constitution is doing the opposite of what it should be doing, which is to encourage democratic developments. Instead, the constitution stated in Annex 4 has resulted in obstruction of democratization and further development of the civil society. It was intended as a temporary settlement which would have been replaced by a constitution developed by elected political officials after being approved by public vote in Bosnia. According to the political actors of the state, this has failed to happen due to the lack of capacity and political will to agree on structures for new institutions. This did not only concern issues of legal importance, but “everyday structures of communal contact and
sociability like schools and sporting leagues”. For these reasons, the constitution stated in the peace settlement became permanent and engraved in the system (Gordy 2015; 611).

Gordy (2015) recognizes the partial success of the Dayton Peace Agreement, especially with the reduction of violence and hostilities as important achievements, bearing in mind the character of violence that was experienced during the war in the 1990's. Although this remains to be a meaningful accomplishment, the conditions that were established to end these hostilities, made life difficult for citizens of Bosnia-Hercegovina due to the responsible institutions that failed to address the issue of ethnifying and parasitic structures that emerged from the war (Gordy 2015; 611).

“The state functions, but it’s like a car with square tires” - these were the words of Miroslav Lajcak, former High Representative when describing the political situation of Bosnia-Hercegovina. He explains that the Dayton model does not only reflect a complex consociation, but a considerably intricate one. Aside from the increasing frustration within the Bosnian society, the convoluted design has resulted in slow and unequal processes all over the country. But then again, considering that this is a case of deep segmental divisions, there are some degrees of positive recognition. Political stability was partially maintained due to the international community and its institutions, which remain highly involved in the implementation processes (McCulloch 2009; 166).

3.3 Legitimacy of the Bosnian state

The problem and complexity of the case in BiH does not only seem to lie in the fact that the society is divided in every possible way, but the legitimacy of the state itself is threatened. It was demonstrated in the year 1997 where 91 percent of Bosnian Serbs voted against a united Bosnian state together with 84 per cent of the Bosnian Croats. A total of 98 percent of the Bosnian Muslims voted for a united Bosnian state. This statistic goes against the political scientists who argue national unity is essential for achieving sustainable democracy in any society. The two groups opposing the idea of united Bosnian state constitute about the half of the population, control 70 percent of the Bosnian territory and nearly all its international borders. Besides this, these groups have alternative loyalty provided by their “mother” and neighboring states which support their requests. Sumantra Bose believes that it has become

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2 Office of the High Representative (OHR), International institution that was established in order to supervise the Bosnia-Hercegovina peace implementation process (Banning 2014; 261)
more obvious that the main post-war conflict of instability does not lie between the ethnic groups within the country but between Bosnians and the international community (Bose 2002; 3).

Spicker (2000) emphasizes legitimacy and acceptance of the state due to its power of confirming the moral status of the government, which is lacking in the Bosnian state where the population does not seem to believe that their government is “of the people, by the people, and for the people.” Due to the imbalances within the election processes of the country, the legitimacy of a state continues to be highly questioned. Without it, there is no sufficient authority for actions stemming from the Bosnian government.

3.4 The attitude of the Bosnian citizens
Inspired by the words of Immanuel Kant, Belloni explains the current situation in Bosnia-Hercegovina in the following quote: “..when individual and groups are busy improving their economic situation, they are less concerned about ethnic, religious or other differences” (Belloni 2000; 99)

Statistics by National Democratic Institute listed top concerns of the Bosnian citizens. The results showed that only 13 percent of the Bosnian citizens consider their national interest to be one of their two main concerns. The majority of the Bosnian citizens are concerned with unemployment, corruption, poverty, and crime. These concerns reflect and relate to the unrest in 2014 along with the growing number of strikes against the Bosnian system. The uncertainty of the future brought by economic, political and social imbalances these past years have resulted in a change in focus of priorities for the Bosnian citizens (Belloni 2007; 99).

More than 20 years has passed since the war ended and the ethnic issues that were highly emphasized have been replaced by the concerns of material welfare. Belloni argues that ethnic identification is not a significant factor anymore due to the fact that the people of Bosnia-Hercegovina are “likely to think of themselves as either mobile individuals or members of socio-economic class.” While ethnic distinctions become less important, class divisions are gaining more attention in the Bosnian state (Belloni 2007; 99).

3.5 Summary
This chapter has offered a historical context in order to provide a comprehensive understanding of the situation, leading up to the ethnic separation and divisions within Bosnia. Through the information provided in these sections, the progress of ethnic relations could be recognized. This understanding was necessary when examining the Dayton Peace Agreement, which to a large extent was affected by the historical events. The peace plan’s complexity became more accurate and expected considering the historical context.

The second part of the analysis has presented accurate paragraphs and discussions of the Dayton Peace Agreement while offering and comparing thoughts by experts and scholars. The analysis confirmed that the agreement outlined the political system of Bosnia-Hercegovina on the basis of consociational principles while emphasizing unfulfilled conditions that are responsible for slowing down important democratic processes. In relation to this, the legitimacy of the state had to be discussed according to Spicker's arguments, providing a view on how the agreement was being perceived after its implementation.

The last chapter of the analysis reflected the attitude of the Bosnian citizens, confirming the major concerns of their uncertain future. The imbalances are no longer defined by ethnic identification but with the ethnic divisions within the political structure which were established after the signing of the Dayton Peace Agreement.

4. CONCLUSION

The situation in Bosnia-Hercegovina is undeniably critical, difficult and complex. Historical factors along with the war during the 1990s has impacted the society of Bosnia majorly. With the growing nationalism after Tito's death, tensions hindered the political elites from cooperating to achieve political- and social stability. Tragedies of the war left the population shattered along ethnic lines, leaving the ethnic groups to blame each other for the hostilities. The Dayton Peace Agreement was supposed to be a contemporary solution to the crisis, designed to satisfy all the involved parties. A complex framework was forced to be implemented, but by outlining an entirely new democratic political system, the Dayton Agreement allowed the ethnic separation which 20 years later after it’s signing became deeply rooted in the country's political and social system.

Scholars argue that certain measures had to be taken to end the war, and because the agreement allowed the ethnic separation to be one of them, it is considered very difficult to
reverse. The reality is composed of a society attempting to move forward in a state where politicians find it difficult to cooperate due to the ethnic divisions. This gradually contributes to growing imbalances, such as increasing inequalities within the country, particularly considering the ten different cantons of the Federation. Each one obtaining different political- and social systems that are regulated through different funds, funds that are assigned according to ethnic territories.

While the idea of consociational democracy fits very well with the Bosnian “plural society”, the state continues to be lacking on essential key components of consociationalism. It has appeared that the constitution writers, as well as the international community, took no account of the complicated and extensive background of the three largest ethnic groups in the country-referring to lacking decisions on cooperative processes. By not stating these processes clearly enough, especially between the Bosniaks and Croats within the Federation, the cooperation within the politics continues to be insufficient.

In the Bosnian case, one of the main obstacles in providing the desirable elements of a stable state continues to be the lacking process of democratization, which is hampered since the year 1991. In regards to the theoretical basis of this research, it becomes undeniable that various scholars argue well for democratic methods in the relation to promoting stability and security. It has offered a fundamental understanding of the shortcomings in Bosnia, especially in relation to Lijpharts theory, where it is argued that ethnic divisions and other cleavages pose a larger threat in countries that have not managed to become entirely democratic. Throughout the process of this case study, it has become evident that this factor alone plays a major role in the country’s state failure.

To impose two ethnic separated entities under a sovereign Bosnian state along with various of self-governing entities, while the state itself had not has become fully democratic, was a ill-advised decision. It is a complicated political system, which the country given the position it was in after the war, was not able to handle. Not even now, 20 years later after the implementation of the Dayton Agreement, can the country handle this form of the political system- the recent protest and unrest reflect and demonstrate this fact.

Considering the recommendations offered by Lijphart, a suggestion in this case, would be to rewrite the constitution. But this time, a collaboration between experts and constitution
writers would be desirable to receive the best outcome. Arend Lijphard recognizes difficulties of establishing a consociational democracy but argues for the fact that it is far from impossible to achieve a strong democratic state where several ethnic groups co-exist. The country's past and present demonstrate complexity, however, the future of the country will depend on the capacity, understanding, and will of a united society.

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