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The backlash of the Inzko amendment to law

*– a discourse analysis of Serbian nationalistic
rhetoric*

Author: Naida Sinanović
Supervisor: Per Wickenberg &
Håkan Hydén

ABSTRACT

The fall of Yugoslavia in the 1990s led to a series of political upheavals, culminating in the 1992 referendum in Bosnia and Herzegovina. This referendum triggered the Bosnian War, which was finally ended by the Dayton Peace Agreement signed on December 14, 1995. The Dayton Peace Agreement aimed to stabilize the country by establishing a power-sharing arrangement among its three ethnic groups - Bosniaks, Croats, and Serbs - and fostering the development of a democratic state. Despite the agreement, Bosnia and Herzegovina remains under the supervision of a High Representative, and nationalist parties like the SNSD, SDA, and HDZ continue to dominate the political landscape.

In July 2021, former High Representative Valentin Inzko introduced amendments to criminalize genocide denial and the glorification of war criminals, prompting significant backlash from the Serb community. This legislation has intensified separatist rhetoric from Milorad Dodik and his SNSD party, who have threatened to withdraw from national institutions and challenge the Dayton Peace Agreement. The resurgence of nationalism and the glorification of war criminals, such as Ratko Mladić, particularly in Serbia and the Republic of Srpska, has exacerbated political tensions and unrest in the country.

This study examines the separatist rhetoric of the actors from the political elite in the Republic of Srpska and the implications for Bosnia and Herzegovina's political stability. It explores the potential threats to the Dayton Peace Agreement and the normative developments within the Serb society, particularly in relation to the rise of separatist rhetoric. The findings underscore the need for further research into the impact of such rhetoric on the country's fragile peace and the international community's role in addressing these challenges.

Keywords: Amendment to Law, Critical Discourse Analysis, Dayton Peace Agreement, Nationalistic Rhetoric

Word count: 14 777

ABBREVIATIONS

BiH	Bosnia and Herzegovina
DPA	Dayton Peace Agreement
FBiH	Federation of Bosnia and Herzegovina
HR	High Representative
IC	International community
ICTY	International Criminal Tribunal for the Former Yugoslavia
OHR	Office of the High Representative
PIC	Peace Implementation Council
RS	Republic of Srpska

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1. Introduction

1.1 Historical Context

The fall of Yugoslavia occurred as a result of political events in the 1990s, when Slovenia and Croatia declared independence, prompting a vote on independence in Bosnia and Herzegovina (hereafter BiH) in April 1992. The referendum was boycotted by the majority of the Serb population, although 99.4 percent of citizens voted in favor of independence, with a turnout of 63.6 percent (Katz 2010). The outcome of this was war in BiH in 1992.

With the signing of the Dayton Peace Agreement (hereafter DPA) on December 14, 1995, the Bosnian War came to an end. The DPA's main goal was to bring stability and peace to the country while also promoting the development of an independent and functioning democratic state. According to the DPA, power must be shared among the three constituent peoples of BiH: Bosniaks, Croats, and Serbs (Katz 2010). BiH is still under direct international supervision by a High Representative (hereafter HR), almost 29 years after the agreement was signed (DPA 1995). This has a significant impact on Bosnian domestic politics. Nationalist parties (SNSD, SDA, and HDZ) remain the most powerful political force in BiH today (Parlamentarna Skupstina Bosne I Hercegovine, n.d.). The main goal of some of these parties, mainly SNSD, is unfortunately like the one that those who started the war had - to split up the country. BiH is due to ethnic divisions already split into two entities: The Federation of Bosnia and Herzegovina (hereafter FBiH) and Republic of Srpska (hereafter RS). Furthermore, the country has a three-member presidency, with Bosniak, Croat, and Serb members (European Committee of the Regions, n.d). The ethnic division and the toxic political landscape have led to some commitments in the international community (hereafter IC).

Recently, the now former HR of BiH, Valentin Inzko, imposed a law to ban the denial of genocide and the glorification of war criminals. According to Inzko, he was imposing the amendments because he was “deeply concerned that prominent

individuals and public authorities in BiH continue to deny that acts of genocide, crimes against humanity and war crimes were committed during the armed conflict” (Kuloglija 2021). Nevertheless, the amendments have triggered the Serb community in the region, mainly in Serbia and the Bosnian entity RS. The Serb community, and its leaders, have responded by threats using frightful language and denying atrocities committed during the Bosnian War. The Serb member of the Presidency of BiH, Milorad Dodik, has in violation of the DPA, threatened the country by using separatist rhetoric and presenting plans to withdraw from the Bosnian army and other joint state-level institutions. This has increased the unrest in the country and among its citizens. Simultaneously, the glorification of the convicted war criminal, Ratko Mladic, has grown strong in Serbia as a backlash.

The purpose of this study is to discuss and highlight the separatist rhetoric of Milorad Dodik and his SNSD party that unfolds in connection with political events in BiH. The implications of this can be that the Serb population call for a new referendum, therefore this calls for further study.

1.2 Aim and research questions

Since the Inzko amendment came into force, no significant research has been made on the normative development within the Serb community in BiH. I therefore aim to analyze how the Inzko amendment to law, which is banning the denial of genocide and glorification of convicted war criminals, has been constructed within the Serbian political community in the second half of 2021. More specifically, how the politicians from the RS use their divisive rhetoric to construct a new climate in the already politically unstable county. To detect the normative development within the Serbian community (in BiH) after the implementation of the new amendment, I will focus on the rhetoric of all the actors from the political elite in RS (including Milorad Dodik) that have made public statements about the new amendment. Additionally, I will examine in what ways the actions and rhetoric of the Serbian elite violate the DPA and other effects of this norm.

My research questions are the following:

1. How has the Inzko amendment created a "new" Serbian nationalistic rhetoric?
2. In what ways can this rhetoric threaten the Dayton Peace Agreement from 1995?

With the aim and research questions guiding my study, I will employ Norman Fairclough's established methodological approach to conduct a critical discourse analysis (CDA). This approach will be combined with Michael Foucault's theory of power and discourse, Thomas Mathiesen's theory of manifest and latent functions as well as the theory of social and national identity. Furthermore, by incorporating norms as a theoretical dimension, this study will encompass perspectives from sociology of law. This addition will provide a broader framework for understanding the interplay between legal structures, social norms, and discursive practices within the context of nationalist rhetoric and political dynamics in RS.

Rhetoric will be used as an umbrella concept, encompassing all types of discourse from political actors in RS. Further, the empirical material for analysis will consist of political speeches, statements, and other communication materials from relevant Serbian political elites in RS. This comprehensive approach promises to provide insights into the complexities of normative development within the Serbian community in BiH and its potential implications for the Dayton Peace Agreement of 1995.

1.3 Outline of the study

The aim and research questions outlined above will direct the study, initially by contextualizing nationalistic rhetoric in the RS following the implementation of the Inzko amendment to law and exploring its implications. The second chapter will provide background information to further guide the study's progress. This will lead to the third chapter, which will present the legal framework. In the fourth chapter, the literature review and relevant theoretical perspectives will be

introduced. Subsequently, the fifth chapter will present the methodological foundations of critical discourse analysis, offering insight into the chosen approach guiding the study. This will provide a framework for the analysis presented in the sixth chapter, where the research question will be addressed. Finally, the seventh chapter will offer concluding remarks and suggest ideas for further research.

2. Background

2.1 The war in Bosnia and Herzegovina

After a civil war and German occupation during World War II, former Yugoslavia became a socialist state under the control of President Tito. It was a six-republic federation that brought Serbs, Croats, Bosniaks, Albanians, Slovenes, and others together under a somewhat lenient communist regime (Kalyvas and Sambanis 2005). Under Tito's leadership, tensions between these ethnic groups managed to stay controlled. However, tensions resurfaced after Tito's death and a rapid decline of the economy in 1980. The decline of the economy resulted in dissatisfaction with the political system in the country. This, together with a nationalistic rhetoric from the political elite, created a destabilization in Yugoslavia (Lampe 2022). Nationalist forces' demands for more autonomy within Yugoslavia resulted in Croatia and Slovenia declaring independence in 1991. The Yugoslav army, which was dominated by Serbs, retaliated, first in Slovenia and subsequently in Croatia (Kalyvas and Sambanis 2005). BiH, the republic with the biggest ethnic mix of all Yugoslav republics, was the next one to declare independence. However, Bosnian Serbs resisted, backed by Serbs from across Yugoslavia. Serbs led by Radovan Karadžić warned bloodshed if Bosniaks and Croats, who outnumbered Serbs, seceded. Despite approval from the European community in a referendum in 1992, extreme violence broke out quickly (Kalyvas and Sambanis 2005, Katz 2010). Bosnian Serb paramilitary troops opened fire on Sarajevo almost immediately after the referendum gained power. This followed by an artillery bombardment of the city (Lampe 2022). Units belonging to the Yugoslav People's Army (Jugoslovenska Narodna Armija, JNA) were renamed the Bosnian Serb Army after being removed from Croatia. They managed to carve off much of Serb-dominated territory. (Kalyvas and Sambanis 2005). The Yugoslav People's Army was allegedly employed to deliver secret armaments to Bosnian Serbs from Belgrade (Lampe 2022).

Over a million Bosnian Muslims and Croats had become refugees due to the ethnic cleansing that was performed by the Serb army. The Bosnian capital

Sarajevo was for 1425 days, constantly under siege. It was shelled and surrounded by the Serbs (Ornat 2018). During these four years, a total number of 470.000 grenades hit the city. On July 22nd 1993, a record of 3777 grenades were fired at Sarajevo (Lucić 2020).

The peacekeepers sent by the UN to end the bloodshed were deemed useless. The UN Protection Force (UNPROFOR) was first deployed by the UN with the primary mission to protect the delivery of humanitarian aid to the Bosnian people. Later, it also expanded its mission to include the protection of a number of UN-designated "safe zones." However, the UN failed to maintain the Srebrenica safe zone in July 1995, when Bosnian Serb forces massacred over 8000 Bosniak boys and men (Tardy et al 2015). This was Europe's worst case of mass murder since World War II (Lampe 2022). After the UN failed to end the war and after hundreds of thousands of lives were ended, a US mediated settlement finally put an end to the bloodshed (Kalyvas and Sambanis 2005).

2.2 Trials ICTY - Slobodan Milošević, Radovan Karadžić, and Ratko Mladić

The International Criminal Tribunal for the Former Yugoslavia (ICTY) was founded by the United Nations in 1993. In the years after the war, the court issued charges against individuals from every part of Yugoslavia involved in the conflict. However, cases brought against Serb and Bosnian Serb authorities were the most notable (ICTY, n.d.).

Slobodan Milošević, the president of Serbia, was apprehended in 2001 and charged with genocide and crimes against humanity. Nonetheless, he died in prison in 2006 before his trial could be completed. Radovan Karadžić, the president of the RS, went into hiding in 1997 and was first apprehended after almost a decade, in July 2008. He was found guilty of genocide, as well as nine additional counts of war crimes and crimes against humanity. He was for the first time found guilty for his role in the Srebrenica massacre in March 2016. After Milošević's imprisonment in 2001, Ratko Mladić, the Bosnian Serb who served as

a chief military commander during the war in Bosnia, disappeared. He was apprehended by Serbian officials in 2011 and brought to the ICTY the following year. He was in November 2017 found guilty of genocide of Bosniaks, the persecution of both Bosniaks and Croats in BiH, taking UN peacekeepers hostage and terrorising the people of Sarajevo during the 1425 days of siege of the Bosnian capital. He was sentenced to life in prison. Mladić is known to be the one who masterminded the genocide in Srebrenica in 1995 (Lampe 2022).

However, in August 2021, the defense filed an appeal, requesting an acquittal on all counts, a retrial, or a reduced sentence for Mladić. At the same time, the prosecution also appealed, calling for him to be found guilty of genocide of Bosniaks in other five Bosnian municipalities in 1992. Almost three decades after the outbreak of the atrocities committed in BiH, the conviction was upheld against Mladić by the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague, bringing an end to a cruel chapter in modern European history. The reason why this verdict against the former chief military commander matters so much is because it comes at a time when Serbian nationalist groups and parties are ramping up their efforts to rewrite the conflict's history, dismissing claims of war crimes and deleting references to the period from schoolbooks. War criminals who have been convicted are being praised as heroes in Serbia and the Bosnian entity of RS. They are even given significant positions. At least one has been assigned to a Serbian military war academy to educate. Further, giant murals and posters of Mladić in his military garb have appeared in public places in the RS, and he has been named the chairman of a war veteran's group (Simons, Santora 2021).

2.3 Today's Bosnia and Herzegovina

In 1992, the world witnessed the bloodiest war since Second World War (WWII) and it took place in the heart of Europe, in BiH. All three ethnic groups living in the country, Bosniaks, Serbs and Croats, were involved in the civil war (Walker, 1995). It is of great importance to highlight the ethnic division in BiH to really understand why the war occurred and why the Dayton Peace Agreement was

forged. The ethnic division is the main reason why the conflict was prolonged, and it is also the reason why it obstructed reconciliation in the aftermath of the war.

As stated above, BiH, a former Yugoslavian republic, is home to various ethnic groups. However, Bosnian Muslims make up a minor majority of the population (Bosniaks). Between 1992 and 1995, an estimated 100,000 civilians were killed and most of them were Bosnian Muslims. Due to genocide and ethnic cleansing, hundreds of thousands of Bosnians were displaced both outside and within the country (Chivvis 2010; Lampe 2020). The International Community (IC) attempted to avert the war in BiH by enforcing the appropriate measures at the appropriate moment. The US-led bombing of Bosnian Serb military deployments was largely responsible for bringing the three parties to the negotiating table in Dayton, Ohio, USA. The DPA waved the end of the horrific four years of war that took thousands of innocent lives (Hendrickson 2005). The three warring parties negotiated and signed the agreement, with Alija Izetbegović representing Bosnian Muslims, Franjo Tuđman representing Bosnian Croats (Catholics), and Slobodan Milošević representing Bosnian Serbs (Orthodox). The agreement was signed under the supervision of Richard C. Holbrooke, the primary negotiator for the United States. The warring parties signed and acknowledged the DPA in Paris, France, in 1995. This resulted in a new constitution for BiH (Mullins 2020).

The constitution was written to meet the demands of the three peoples who made up the majority in the country (Bosniaks, Croats and Serbs). This was done in such a way that none of the main three ethnic groups would be ruled out by each other. The right to veto was included in the constitution (DPA 1995). However, this has produced several issues in BiH's politics. Forced migration, ethnic cleansing, and genocide were all factors that played a role in the separation of the country. The FBiH¹ (Federacija) and the RS² (Republika Srpska) were formed as

¹ Bosnian Muslim and Bosnian Croat majority

² Bosnian Serb majority

a result of the ethnic borders (Helton 1999). The FBiH is further divided into ten cantons, five of these are dominated by Bosnian Muslims, three by Bosnian Croats and two are mixed (Keil 2013). Additionally, the Brčko district, a self-governing administrative unit, is a recognized formal part of both entities (International (International crisis group 2022)Group 2011).

The two entities of BiH have no common interests in politics, and the elections held in 2018 demonstrate how big of a problem it is. The country was without a government for 14 long months (Ozturk 2019). The deadlock was primarily caused by disagreements within the tripartite presidency regarding the country's NATO membership (Lakić 2019).

2.4 The Bosnian government system and its tripartite presidency

The DPA, which ended the country's bloodshed, demonstrates that Bosnia's government system is one of the most complex ones in the world. The Bosnian Presidency is made up of three members who are directly elected by the people. It is made up of one Bosniak, one Croat, and one Serb member. Thus, every member belongs to one of the three constituent peoples. The tripartite Presidency is in control of the foreign, military, and diplomatic affairs, as well as the state's finances. Candidates are "self-defined" since they can only claim one identity. This implies that a candidate cannot be a member of the Bosniak and Serb/Croat (and vice versa) communities at the same time. This also applies to the people who are voting, they can only vote for one member at a time. Individuals who identify as Bosnian, Roma, or Jewish are also ineligible. In essence, one must identify with one of the pre-defined "nation" groups. Members are elected separately, the person who receives the most votes is declared the winner. The Presidency rotates every eight months (Nardelli, Dzidić, and Jukić 2014).

A House of Representatives with 42 members and a House of Peoples with 15 members make up Bosnia's parliament. The House of Representatives is composed of 28 members from the FBiH and 14 members from RS, who are

elected through an open-list proportional representation system. In addition, each entity's legislatures elect the 15 members of the House of Peoples indirectly. The FBiH holds two-thirds of the seats (five Bosniaks and five Croats), while the RS holds one-third (5 Serbs). The Chairman of BiH's Council of Ministers is nominated by the Presidency and approved by the House of Representatives. The Prime Minister is then appointed, and he or she appoints the rest of the ministers. BiH's government oversees the following: "security and defense, customs and immigration, fiscal and monetary policy and facilitating inter-entity coordination and regulation" (ibid. 2014; Parlamentarna Skupština Bosne i Hercegovine n.d.).

Both entities have a significant amount of autonomy. The House of Representatives in the FBiH has 98 members who are directly elected, whereas the National Assembly in the RS has 83 members. Education, culture, agriculture, healthcare, veteran concerns, police, and internal affairs are all under the jurisdiction of the entities' parliaments. Delegates to the upper houses have the responsibility of ensuring that constituent nations and representatives of minorities reach an agreement when confirming legislation. Both entities have 16 ministers each and a Prime Minister. The FBiH is further divided into ten cantons, as indicated earlier in this paper. Every canton has its own administrative government and local issues such as education and health care are dealt with independently (ibid 2014; ibid n.d.).

3. Legal framework

3.1. The Dayton Peace Agreement (DPA)

The DPA, often known as the Dayton Accord, brought peace to the former Yugoslav region after four years of war and provided BiH with a constitution (DPA 1995).

Several international agreements are included in the DPA, explicitly: the General Framework Agreement for Peace in Bosnia and Herzegovina and twelve (eleven, A1 and A2) Annexes where every single one of them is an international agreement. Additionally, the DPA contains the Agreement on Initialing, “concerning the modalities of conclusion and entry into force of the other agreements” (Gatea 1996). All of the Annexes, especially Annex 4, which deals with the creation of a new constitution for the country, are centered on recommendations aimed at bringing peace to the region (DPA 1995). In October 1995, the warring parties agreed to a cease-fire, which led to the signing of the DPA at the Wright-Patterson Air Base outside Dayton, Ohio, under the supervision of Richard Holbrooke (Walker, 1995). The negotiations, according to Holbrooke (1998), were drawn out and quite intense. Several times, it appeared that the talks were deadlocked. Particularly because prior peace discussions, such as the Vance-Owen plan (January 1993), failed to materialize (Chivvis 2010). The General Framework Agreement for Peace in BiH was finally signed in Paris, France on December 14, 1995, after 21 long days of negotiations (Walker 1995).

However, it was obvious that there was a big possibility for future conflicts. As a result, international supervision was crucial in the country. Following the signing of the DPA in 1995, a NATO-led peacekeeping force (Implementation Force, IFOR) was dispatched to BiH. The mission of IFOR was to oversee the implementation of the DPA's military components and ensure that there would be no further violence between the three warring parties. In addition, IFOR aimed to separate the military forces of the FBiH and the RS. The elections in September 1996, a year after the signing of the peace agreement, completed the mission of

IFOR. However, considering how unstable the situation in BiH, as well as the rest of the region still was, NATO agreed to send a Stabilization Force (SFOR) in December 1996. The reason was that there was a lot of work left to be done on the civilian front. First in 2002, SFOR left the country (NATO 2024).

3.1.1 The constitution of post war Bosnia and Herzegovina, Annex 4

The section of the DPA called Annex 4 contains BiH's constitution. It declares that "Bosniaks, Croats, and Serbs, as constituent peoples (along others) and citizens of Bosnia and Herzegovina" accept to follow Annex 4 of the DPA. The first article of this section states that "Bosnia and Herzegovina shall be a democratic state, which shall operate under the rule of law and with free and democratic elections." The most important component of the agreement is contained in this section. The document declares that the country will "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." In other words, it stipulates that BiH will be a sovereign state, which will be divided into two parts: the FBiH and the RS, with Sarajevo as the country's capital. Annex 4 further stipulates that there has to be "freedom of movement throughout Bosnia and Herzegovina," this involves the movement of services, persons, and capital. Human rights and fundamental freedoms are also enshrined in the constitution. Furthermore, it states that the government will be based in Sarajevo, and that the institutions will be responsible for the following: the country's foreign policy, foreign trade policy, customs policy, monetary policy, institutional finances, BiH's international obligations, immigration, refugee and asylum policy and regulation, international and inter-entity criminal law enforcement (including relations with other countries, Interpol) and the air traffic control (DPA 1995).

3.1.2 The High Representative, Annex 10

The HR is an international organization that was established to facilitate civilian implementation and peacekeeping in BiH in the years after the conflict. The

aforementioned is stated in Annex 10 of the General Framework of the Peace Agreement. The HR is supposed to "facilitate the Parties' own efforts and to mobilize and, as appropriate, coordinate the activities of the organizations and agencies involved in the civilian aspects of the peace settlement". Because of the parties' strained relationship, the HR is expected to ensure cooperation and "promote full compliance" (Annex 10 p. b). To put it another way, the HR should make sure that all parties follow the peace agreement (DPA 1995).

In 1997, Bonn, Germany hosted a meeting for the Peace Implementation Council (PIC). The PIC is made up of 55 member countries and organizations that all support the Bosnian peace process in various ways: some provide financial assistance, others supply troops for EUFOR, some manage operations directly, while others observe the country (Chivvis 2010). Due to the fact that the situation in the country was not stable enough, it was determined during the meeting to grant the HR more power (Chivvis 2010; OHR, 1998). The conflict between Bosniak leader Alija Izetbegović and Bosnian Serb leader Momčilo Krajišnik during the Bonn meeting demonstrated this point clearly enough. Izetbegović accused RS of pursuing independence from BiH, while Krajišnik denied Serbian involvement in the conflict, alleging that Bosnia initiated it. Izetbegović urged Krajišnik to find a way to integrate RS' and the FBiH's constitutions in order to find a common basis for implementing the peace deal (Avdić 2020). The meeting resulted in the granting of so-called "Bonn Powers" to the HR, which include the following rights: "to use his final authority in theatre regarding interpretation of the Agreement on the Civilian Implementation of the Peace Settlement in order to facilitate the resolution of difficulties by making binding decisions, as he judges necessary, on the following issues: a. timing, location and chairmanship of meetings of the common institutions; b. interim measures to take effect when parties are unable to reach agreement, which will remain in force until the Presidency or Council of Ministers has adopted a decision consistent with the Peace Agreement on the issue concerned; c. other measures to ensure implementation of the Peace Agreement throughout Bosnia and Herzegovina and

its Entities, as well as the smooth running of the common institutions. Such measures may include actions against persons holding public office or officials who are absent from meetings without good cause or who are found by the HR to be in violation of legal commitments made under the Peace Agreement or the terms for its implementation.” The Bonn Powers goal is to support the DPA's implementation as well as the process of peace in the country (Bonn Agreement 1997).

3.2 The Inzko Amendment

On July 23rd, 2021, Bosnia's now former HR, Valentin Inzko, imposed an amendment to the criminal code of BiH which bans the denial of genocide and the glorification of war criminals (Office of the High Representative [OHR] 2021). Some of the reasons that brought the HR to this decision are the following:

“[...] the fact that there can be no reconciliation without the acknowledgement of crimes and responsibilities and that hate speech, the glorification of war criminals and revisionism or outright denial of genocide, crimes against humanity and war crimes established by final judicial decisions undermines the rule of law and represents a direct barrier to peace, reconciliation and trust-building and ultimately undermines the prospects for a secure, peaceful future for Bosnia and Herzegovina;

[...] that prominent individuals and public authorities in Bosnia and Herzegovina continue to deny that acts of genocide, crimes against humanity and war crimes were committed during the armed conflict, that individuals and public authorities publicly question the legitimacy of judgements issued by the International Criminal Tribunal for former Yugoslavia and the Court of Bosnia and Herzegovina and that individuals and public authorities honor or praise convicted war criminals;

[...] that the behavior described above creates a significant difficulty for the civilian implementation of the General Framework Agreement for Peace; and

[...] all legislative initiatives brought before the parliamentary assembly of Bosnia and Herzegovina to address this issue have been blocked.”

For the above mentioned reasons (among others) the HR issued the following in the Criminal Code of BiH:

“(2) Whoever publicly incites to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin, when that behaviour does not constitute the criminal offence from paragraph (1) of this Article, shall be punished by imprisonment for a term between three months and three years.

(3) Whoever publicly condones, denies, grossly trivializes or tries to justify a crime of genocide, crimes against humanity or a war crime established by a final adjudication pursuant to the Charter of the International Military Tribunal appended to the London Agreement of 8 August 1945 or by the International Criminal Tribunal for the former Yugoslavia or the International Criminal Court or a court in Bosnia and Herzegovina, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin, when the conduct is carried out in a manner likely to incite to violence or hatred against such a group or a member of such a group, shall be punished by imprisonment for a term between six months and five years.

(4) Whoever perpetrates the criminal offence referred to in paragraphs (1) to (3) of this Article by public dissemination or distribution of tracts, pictures or other material, shall be punished by imprisonment for a term not less than one year.

(5) If the criminal offence referred to in paragraphs (1) to (3) of this Article is carried out in a manner likely to disturb public peace and order or which is threatening, abusive or insulting, the perpetrator, shall be punished by imprisonment for a term not less than three years.

(6) Whoever gives a recognition, award, memorial, any kind of memento, or any privilege or similar to a person sentenced by a final judgement for genocide, crimes against humanity or a war crime, or names a public object such as a street, square, park, bridge, an institution, building, municipality or a city or similar, or registers a brand, after or under a name of a person sentenced by a final judgement for genocide, crimes against humanity or a war crime, or whoever glorifies a person sentenced by a final judgement for genocide, crimes against humanity or a war crime in any way, shall be punished by imprisonment for a term not less than three years.”

- Paragraph (2), which shall become paragraph (7), shall be amended to read:

“(7) A perpetrator of the criminal offence referred to in paragraphs (1) to (4) of this Article who is an official or responsible person or employed in an institution of authority or any body financed through public budget, shall be punished by imprisonment for a term not less than three years.”

Simplified, it means that the now former HR has made public denial, trivialization, or endorsement of genocide, crimes against humanity, and war crimes, as well as celebration of those convicted of these major atrocities, illegal. After the parliamentary assembly of BiH failed to pass such legislation, Inzko used his right to invoke the “Bonn Powers” (International crisis group 2022).

4. Previous research and theory

This following section presents the theoretical framework for this study which consists of several parts. First, previous research is presented, following the presentation of Michael Foucault's theory of power and discourse, Thomas Mathiesen's theory of manifest and latent functions, the theory of social and national identity as well as the definition of norms.

4.1 Previous Research

To get a wider understanding of how the political landscape has created certain norms in post-war BiH, it has been necessary to look into literature covering parts connected to the war in Yugoslavia and the aftermath of it. It has been particularly important to look at the involvement of the international community to acquire understanding for the resentment towards it from the Serb leaders and community. The literature on this part has been quite voluminous.

In *Between Justice and Stability: The Politics of War Crimes Prosecutions in Post-Milošević Serbia*, Mladen Ostojić (2014) stresses how the ICTY has brought justice and provided clarity on the complicated processes that followed Yugoslavia's demise. However, he also stresses how it also has demonstrated negligence and a refusal to recognize the crimes committed. He especially pointed out the widespread belief that Serbs were not involved in the killings. Ostojić further explains how the ICTY judgments failed to mobilize public engagement because of the contrary discourses from the political elite on the ICTY judgments. Instead, they were met with cynicism, denial, and in some cases, only partial recognition. Ostojić refers to the disparity between the ICTY decisions and the reality in Serbia as an "ambivalent legacy." The ICTY was met with criticism not only from the ruling nationalist party, but also from the opposition, who saw it as a threat to the stability of Serbia. Similarly to Ostojić, Refik Hodžić (2010) discusses in *Living the Legacy of Mass Atrocities*, how the ICTY cases have been politicized and manipulated by both the Serb political elite and media, obscuring the victims of the crimes, and building resentment toward the ICTY. In contrast to

the previous article, this article also involves the victims' point of views. Diane Orentlicher (2018) examines, similarly to Ostojić and Hodžić, in her book *Some Kind of Justice: The ICTY's Impact in Bosnia and Serbia* the impact of the ICTY in Serbia and Bosnia and Herzegovina. It focuses on three realms of the Tribunal's impact: victims' experiences of justice; official, elite, and community discourses regarding wartime atrocities and domestic accountability mechanisms, involving the operation of a hybrid court in BiH. The book includes a broad corpus of interdisciplinary research to enrich the views of Bosnians and Serbians interviewed by the author, while stressing their perspectives. All articles above describe, in one way or another, the complexity of the Serb relation to the ICTY.

In contrast to the above stated articles, that focus on the ICTY, Tim Banning (2014) examines the legal basis of the so-called “Bonn Powers”, which the Office of the High Representative (OHR) in BiH claims as the basis for its sweeping legislative, judicial, and executive actions. The presence of the OHR in BiH is a very contentious illustration of how international organizations might exert international public authority. The OHR has faced widespread criticism, which this article backs up by examining various legal sources for the OHR's vast powers asserted, as well as sample OHR rulings that stretch far into the legislative, executive, and judicial domains of BiH. The “Bonn Powers” do not qualify as legal powers, according to the article, and their existence is essentially a powerful, but elusive legal fiction.

Eldar Sarajlić (2010), on the other hand, examines in his academic journal *Bosnian Elections and Recurring Ethnonationalisms: The Ghost of the Nation State* the post-Dayton elections in BiH. It contends that the underlying logic of the nation state is one of the causes of repeated ethnonationalisms in post-Dayton elections in BiH. The author claims how this reasoning explains not just the ethnic quality of Bosnian political outcomes and the resulting disintegrative tendencies, but also the country's inability to imagine a feasible normative alternative to the country's political melancholy.

Gerard Toal's (2013) study "Republika Srpska will have a referendum": The rhetorical politics of Milorad Dodik stresses the failure of constitutional reforms that occurred in April 2006, where Milorad Dodik, RS's prime minister at the time, suggested the right for RS to have its own referendum, with the possibility of independence from BiH being an implicit desire (and gradually an open public discussion). Toal analyzes Dodik's separatist rhetoric beginning in 2006, when Dodik first advocated for a new referendum for RS, a stance he reiterated in 2021 following Inzko's introduction of a new amendment to law.

All the above mentioned articles provide a solid ground for the understanding of the complexity of the political landscape in the aftermath of the atrocities in BiH.

4.2 Theory

4.2.1 Michel Foucault - Power and Discourse

According to Karlberg (2005), power is the ability to restrict someone from carrying out their wishes and limit their freedom. It is the ability (or authority) to control people or things. At best, power relates to competition; at worst, it is associated with coercion or dominance. However, Michel Foucault's view of power diverges from the more traditional ones. He sees rather power as a creative and expansive force. He also believes that power is intangible, and that one cannot 'grab' it and hence keep it hidden from others (Foucault 1972).

Power, according to Foucault (1980 in Karlberg, 2005), is a relational force which pervades the social body, linking all social groups together in a network of reciprocal influence. Foucault defines the concept of power as a "complex strategical situation in a particular society" (Foucault, 1978, p. 93). By establishing discourses and truths, imposing discipline and order, and influencing human desires and subjectivities, power produces social organization and hierarchy as a relational force (Foucault 1980 in Karlberg 2005). Likewise, Pitsoe

and Letseka (2013 p. 25) stress that, “power is both a social and multi-layer construct...it is a product of social relations and is culturally, socially and symbolically created.” This implies that power is a social phenomenon which is constructed through social interactions. Foucault (1979 in Olsson 2010) stresses that “power is everywhere; not because it embraces everything but because it comes from everywhere. Power comes from below: all-encompassing opposition between rulers and ruled at the root of power relations . . . no such duality extending from the top down.” This means that power is not only something that is exercised by a few persons over a large group of people, but rather something which every person is subjected to.

Based on context, the term "discourse" has a variety of definitions and interpretations. Discourse can be described as a speech or written discussion on any subject. Discourse generally refers to speech patterns and usage of language, dialects, and acceptable comments within a society (Pitsoe and Letseka 2013, p. 24). Discourses, according to Foucault (1972), are not just about what can be said and thought, but also who can speak, when, and with what authority. To put it another way, discourse is governed by objects (what can be said), ritual (where and how one can talk), and the privileged or exclusive right to speak about specific subjects (who can speak) (Pitsoe and Letseka 2013). To summarize it, discourse includes all opinions (both written and spoken) that have meaning and consequences in the society. It is obvious from these perspectives that discourse is not simply a linguistic phenomenon, but also a social one.

This perspective will be used as a tool in this study to help understand how power is seen, understood, and exercised by actors through various activities, to exert a sort of social control on the Serb community. This makes it possible to study the effects of the power of rhetoric.

Possible shortcomings with this theory are that many concepts are not clearly defined or explained, such as discourse and power, which makes the theory

sometimes difficult to apply to concrete cases and can be difficult to pin down. Furthermore, the work of Foucault lacks a normative basis. In the lack of a normative framework, it can be challenging to evaluate the ethical implications of the power dynamics and practices the outlines. However, Foucault's theory will aid in examining how language shapes perceptions, how discourse establishes and maintains power structures, and how politicians utilize language to exert control and authority. Further, it will assist in how the discourse shapes public opinion and influences political behavior.

4.2.2 Manifest and Latent functions

The terminology of “manifest” and “latent” was adapted by Robert Merton from Sigmund Freud's usage of them in another context. To avoid unintended confusion between conscious motivations for social behavior and its objective consequences, the distinction between manifest and latent functions was created (Merton, 1957). This thesis will be based on Mathiesen’s (2005) manifest and latent functions, which derive from Merton’s. However, to explain Mathiesen’s theory, the basis of it must first be explained.

Merton (1957) defines functions as the observed positive consequences, and the opposite to these are dysfunctions, which are described as consequences with a negative effect. Merton points out that a phenomenon can be both a function and a dysfunction, which contributes to the analysis complexity. The conceptual framework also contains manifest functions, alternatively dysfunctions, which are the intended and/or recognized functions which positively affect the system, alternatively negative. The unrecognized consequences are referred to as latent functions, which focus on the effects that have not been intended. This in relation to latent dysfunctions which are negative for the system. Merton points out that it is not easy to study social processes and that manifest and latent functions should be studied as a unit. He claims the following: “the introduction of the concept of latent functions in social research leads to conclusions which show that “social life is not as simple as it first seemed” (Ibid p. 122).

Similarly to Merton, Mathiesen (2005) divides the effect of the law into two categories, namely; *intended* and *unintended* effects, which are translated into manifest- and latent functions. These are described from a socio-legal perspective since Mathiesen claims that the legal and social norms are closely linked and should therefore be analyzed as a unit. He further stresses that the law's impact on society is clarified through analyzes of the intended and unintended effects of the law. The intended effects are not always recognized. Further, they are vague in many cases and can therefore be difficult to interpret. The unintended effects can be difficult to identify as they usually not differ much from the intended effects. Therefore, it is a great advantage to study the effects in relation to one another.

The thesis will incorporate the concepts of manifest and latent functions to explore the impacts of the Inzko amendment to law. By doing so, elements of sociology of law will be infused into the study.

4.2.3 National identity and social identity

To be able to understand how and if the social norms have changed within the Serbian community in BiH after the implementation of the new amendment, it is crucial to explain the tensions that prevail between the different ethnic groups (Bosniaks, Croats and Serbs) in the aftermath of the war. To do so, theories of national and social identity must be considered.

Some argue that categorization processes are crucial to all types of nationalism, as they strive to create and replicate enemies, outsiders, and those “others” who are unlikely to feel as they belong to the nation, as well as a sense of “deep horizontal comradeship” for those who are included in the nation (Anderson 1991, p. 7 in Spencer and Wollman 2002). The polarizing repercussions of this have ramifications for questions of democracy, human rights, citizenship, and in some cases even the existence of minorities within states, both in the short and long term. Spencer and Wollman (2002 p. 2) argue that “the criteria for deciding on

what constitutes a nation are highly contested, involving complex issues relating to identity, culture, language, history, myth and memory, and disputed claims to territory”. Claims to territory have frequently led to a conflation of the terms country and state. They are not the same thing, even though they have a tight link. The state is concerned with sovereignty, power and control over a certain region and population while the nation is concerned with interpersonal ties, with how people perceive themselves as linked in time and place, as sharing a common identity. The authors argue that nationalism is a political ideology that paints a picture of the society in a certain way (as national), confirms the prioritization of this collective identity over others, and pursues political power in its name, ideally (though not solely or everywhere) in the shape of a nation state. The authors suggest that nationalism is also important in the formation and replication of national identity, a term that is “less directly political and more fluid” than nationalism itself. They further stress how “national identity involves a process of identifying oneself and others as a member of a nation, although there may be profound differences in the salience which each attach to the national as opposed to other identifications” (2002 p. 3).

Similarly, to national identity, social identity models provide a window through which to observe a mechanism for the effect of framing. Social identity describes the part of an individual’s sense of self that stems from their perceived membership with a social group (Akerlof and Kranton 2000). Jenkins (2014) stresses how social identity illustrates how identification operates as a social process, both individually, interpersonally, and institutionally. The utility derived from social identity comes from a desire to comply with the norms for an individual’s social identity (Akerlof and Kranton 2000). Similarly, Tajfel et al. (1971 p. 150) argues how social identity explains “the role played in intergroup behavior by processes of social categorization”. According to Jenkins (2014 p. 6) “[...] identity is the human capacity – rooted in language – to know ‘who’s who’ [...]”. This is referred to as “membership classification” and classification is rarely completely neutral.

The theories of national and social identity will act as tools in the analysis to help unfold the complex phenomenon called nationalism and to highlight the importance of self-categorization in the discourses designed for the Serb community.

4.2.4 Norms

Since norms and the normative development is of utmost importance in this thesis, a short definition will be presented. Norms are defined as “rules or standards of behavior shared by members of a social group” (Britannica, nd.). Norms are implicit, unwritten social rules that outline expectations for people’s behavior in specific situations. They act as benchmarks for what constitutes normal behavior in society and establish acceptable behavior according to the societal standards. Breaking social norms can have unfavorable effects, like being shunned by a society or, in rare cases, facing legal repercussions (Bicchieri and Muldoon 2011). In this study, norms are particularly significant because discourses create and sustain normative structures, influencing how these rules are formed and maintained within the society.

5. Methodological framework

This chapter outlines the research design and strategy, presenting the main principles of critical discourse analysis alongside an overview of the ontological and epistemological foundations and theoretical frameworks. Additionally, it covers sampling strategies, data collection methods, and analysis techniques, concluding with a discussion of the study's ethical considerations and limitations.

5.1 Research strategy

This study adopts a qualitative research design, which prioritizes understanding the meanings conveyed by words and sentences, in contrast to the quantitative approach, which focuses on numerical quantification during data collection and analysis (Bryman 2016). Qualitative research emphasizes description, comprehension, and interpretation of reality (Bryman 2016), making it suitable for studying nationalistic rhetoric of the political elite in the RS. Additionally, a qualitative approach allows for an in-depth understanding of the social and political context influencing nationalistic discourse within the RS.

The study employs a single case study design, enabling a thorough examination of the complexity and environment surrounding the case being studied (Bryman 2016). According to Yin (2009), a case study seeks to thoroughly explore a phenomenon within its contextual framework, as is undertaken in the analysis of nationalistic rhetoric in the RS. Furthermore, selecting a single case aligns with the study's limited time frame, as it efficiently captures the necessary insights within a relatively short period (Bryman 2016).

5.2 Critical discourse analysis as research methodology

Jorgensen and Phillips (2002) argue how discourse analysis covers not only one method, but a range of interdisciplinary methods suitable for investigating diverse social contexts across various types of studies. Furthermore, there is no clear consensus regarding the definition of discourses or the methods for their analysis.

Bryman (2016 p. 690) briefly outlines discourse analysis as “an approach to the analysis of talk and other forms of discourse that emphasizes the ways in which versions of reality are accomplished through language”. Jorgensen and Phillips (2002) stress that there are numerous approaches to analyzing discourses and exploring the social context across a variety of studies - discursive psychology, Ernesto Laclau and Chantal Mouffe's discourse theory, and critical discourse analysis are three examples of approaches. Nonetheless, Norman Fairclough's critical discourse analysis (CDA) serves as the research methodology for this study, which aims to uncover the underlying power dynamics and ideological constructions embedded within the discourse of Serbian political elites in response to the Inzko amendment. The purpose of critical discourse analysis is to illuminate the linguistic-discursive aspects of social and cultural phenomena, as well as the processes of change in contemporary society. Studies in critical discourse analysis have explored various topics, including nationalism and identity, therefore, due to its practicality and extensive use in diverse discourses, Fairclough's CDA was utilized in this study (Jorgensen and Phillips 2002).

5.2.1 Theoretical considerations

Discourse analysis is not just a method of data analysis; it constitutes a comprehensive theoretical and methodological framework. Therefore, it is crucial to emphasize the theoretical foundations of critical discourse analysis. Norman Fairclough's critical discourse analysis is rooted in several significant theories. Thus, it is highly influenced by the theories and approaches by Michel Foucault, particularly his insights into power and discourse (Jorgensen and Phillips 2002). According to Foucault (1981 p. 53) “discourse is the power which is to be seized”. Similarly, Fairclough argues that language functions as a tool of power, informed by the theories of Foucault. Thus, Foucault's work emphasized the ways in which discourse operates as a form of power, shaping social reality and controlling knowledge. The CDA draws on Foucault's concepts to analyze how language is used to construct and perpetuate power relations, ideologies, and social norms (Fairclough 2010). Furthermore, it relies on a Marxist tradition when discussing

the concept of ideology itself, portraying it as "representations of aspects of the world which contribute to establishing and maintaining relations of power, domination, and exploitation" (Fairclough 2003 p. 218). This Marxist tradition is also touched upon when addressing social conflict within discourse, highlighting the inherent semiotic dimension of all social practices (Wodak and Meyer 2016). Furthermore, Antonio Gramsci's concept of hegemony and the following struggle for supremacy is principal in critical discourse analysis (Fairclough 2003), while Michael Halliday's systemic functional linguistics, which explores language's function in discourse, influences Fairclough's linguistic approach to understanding discourses (Fairclough 1992). Additionally, on the linguistic theoretical front, Fairclough integrates Mikhail Bakhtin's concept of discourse construction, which involves combining various language genres and perspectives (Fairclough 2003).

5.2.2 Ontological and epistemological considerations

Ontological and epistemological considerations play a crucial role in discourse analysis, where theory and method are inherently connected. For researchers to employ critical discourse analysis as their empirical study methodology, they must adhere to certain ontological and epistemological principles. In discourse analysis, which is rooted in social constructionism, it is acknowledged that there is no objective truth; rather, our understanding of the world is shaped by discourses that categorize and interpret it (Burr 1995). Knowledge is perceived as contingent, shaped by historical and cultural factors, and influenced by social practices (Fairclough 2010). As Bryman (2016 p. 30) puts it, "the social world and its categories are not external to us but are built up and constituted in and through interaction." Over time, social practices reshape our worldview, generating new understandings and challenging existing truths, thus resulting in social consequences (Jorgensen and Phillips 2002).

5.2.3 Fairclough's critical discourse analysis

Fairclough's method of critical discourse analysis adopts a comprehensive view of discourse. It encompasses linguistic analysis while also delving into the

construction of social practices and the constitution of discourses. It particularly highlights the interplay between language usage and the surrounding social context (Jorgensen and Phillips 2002; Fairclough 2010). Bryman (2016) sees critical discourse analysis as an approach that tries to link language use to power differentials and societal inequalities, a focus that Fairclough's approach particularly underscores. Therefore, this thesis analysis was drawn upon Fairclough's methodological principles. Critical discourse analysis is termed "critical" because it seeks to highlight power dynamics, recognizing discourse as both shaping and being shaped by social practices within a dialectical relationship. This implies that discourse not only constructs reality but is also influenced by other discourses and non-discursive factors in its surroundings (Fairclough 2003).

In the analysis, an adapted version of Fairclough's three-dimensional model (refer to figure 1), was employed, which incorporates critical discourse analysis. This approach is designed to be applied to specific occurrences of language use and connecting them to wider aspects of social practices (Fairclough 1992). The primary aim of the approach is to offer an analytical framework that comprehensively acknowledges that texts cannot be analyzed in isolation; rather, they should be examined in conjunction with the social context (Jorgensen and Phillips 2002). The approach has its focus towards the communicative occurrence (when language is used) and conceptualizes discourse in three dimensions: text, discursive practice, and social practice, which are linked together and exist in a complex interaction (Fairclough 1992). The three dimensions can also be outlined as follows:

- Text involves analyzing the linguistic features, including vocabulary, grammar, and sentence coherence, and understanding how discourse is constructed through language (Fairclough 1992). In this thesis, this is the speeches made by the elite politicians in the RS.
- Discursive practice encompasses the processes of text production and consumption, essentially involving the creation and interpretation of discourse

(Fairclough, 1992). In the analysis, that is how the elite politicians from the RS produce and communicate their discourse about the Inzko amendment to law.

- Social practice pertains to the wider social and cultural context surrounding the communicative event. This dimension illustrates how discourses either reinforce or challenge broader societal elements, especially regarding the "production, reproduction, or transformation of relations of domination" (Fairclough 1992 p. 87).

In language analysis, researchers frequently investigate modalities and the specific mood used in a discourse (Fairclough 2010). Modality describes the level of certainty or likelihood represented in a statement. Phrases such as "we think" or "it may" imply a lesser level of confidence, but "you must" or "it will" indicate a higher level of certainty. Modality can also represent a statement's level of commitment, ranging from tentative to declaring it as a universal fact (Jorgensen and Phillips 2002). Mood, on the other hand, can indicate a text's formality, whether it is conversational or more professional (Fairclough 2010).

Furthermore, there is a dynamic interaction between the communicative event and the structure of discourse, implying that language usage both reproduces and modifies discourses (Fairclough 2010). This dynamic is strongly related to the idea of intertextuality, which emphasizes how one text integrates aspects and discourses from another (Jorgensen and Phillips 2002). Intertextuality also emphasizes the notion that all communication events build on preceding ones. While previous events have an impact on the present, it is crucial to understand that present events have the potential to modify the past as well. Jorgensen and Phillips (2002) clarify that change happens when existing discourses are used in innovative ways; nevertheless, the potential for change is limited by power relations, such as uneven access to different discourses among diverse actors.

Critical discourse analysis emphasizes the necessity of recognizing prominent actors' efforts to guide social and cultural processes in modern society.

Essentially, Fairclough (2010) contends that institutions develop and engage in hegemonic battles through their discourses. Hegemony, as described, includes both leadership and dominance in a variety of societal areas, such as economics, politics, culture, and ideology (Fairclough 2010). The notion of hegemony comes into play when a considerable segment of the population accepts a specific aspect as the standard and disregards opposing viewpoints. These hegemonic ideologies, which are commonly viewed as neutral, serve as the basis for social discourse and are widely used in the social realm (Wodak and Meyer 2016). As a result, a normalized ideology is frequently used in organizational and institutional discourse to successfully support and preserve a certain hegemony (Fairclough 2010).

Furthermore, Jorgensen and Phillips (2002) note that, while critical discourse analysis is a useful tool for examining language usage in social situations, it is not sufficient. They claim that including social and cultural theory is critical for offering advice in such research (Jorgensen and Phillips 2002).

Fairclough (1995) suggests that when analyzing a text or a discourse, it's equally important to pay attention to what is left out or what is not mentioned. The presence or absence of mentions of the victims of war affected by the war criminals, that are usually glorified by the RS, will be scrutinized in this context. These are crucial elements of a speech or an interview that should strive to provide the reader with all the information they require to comprehend what has occurred. This means that the analysis will consider not only what is not revealed, but also which aspects of the bloodshed in Bosnia were mentioned and which were not. This part is crucial because it contributes to the norms and the outcomes these have in the society.

5.2.3.1 The usage of personal pronouns

Alavidze (2017) stresses the importance of paying attention to the use of personal pronouns by politicians in their rhetoric's since it reveals the intention of the

discourse. According to Bramley (2001) politicians frequently utilize pronouns in their speeches to create positive impressions of themselves and others. Pronouns can be used to express affinity or create distance between people in a variety of ways (Fairclough 2001). Bramley (2001) noticed that pronouns are employed to socially construct rather than objectively represent the politician's and others' identities. This is a particularly important statement since it shows how language choices are used to co-create and maintain political realities. In a discourse of any kind, Katnić-Bakaršić (n.d.) emphasizes, similarly to Fairclough (2001), how crucial it is to use the pronouns “us” and “them.” She stresses that a natural impulse to categorize the surroundings between “me” and “the rest” has existed since childhood. In the course of time, a new dichotomy of group membership, or “us”, emerges, as opposed to “them.” This demand is then exploited into one group controlling and dominating another. This not only assists in keeping people or members of a certain group where they belong, but it also helps to produce a new reality. “Us” is used for positive attributions by the political elite while “them” is used for negative and undesirable attributions. Thus, by employing these words one leads to two processes at once; the first one is linking a group of people to “us” ascribing positive and desired attributes to them. The second one is marginalizing (and often excluding) “them” or those who we consider do not belong to our group. This results in a contrast being coined where “the others” are typically subordinated and “othered”. The concept of “us” and “them” was employed to determine the discourse and its consequences in the media pieces under consideration. This way of using words leads to two processes at the same time: connecting a group of individuals into “us” and ascribing them with positive and desired characteristics and excluding or marginalizing “them” or those not belonging to our group. Thereby a contrast is created, but “the others” are also often subordinated by this, “othered” and alienated. The “us” and “them” notion was used to determine the discourse and its implications.

5.3 Sampling and choice of material

According to the Regulatory Agency for Communications in Bosnia and Herzegovina, there are three public media service providers in the country. These are the Radio Television of the Federation of Bosnia and Herzegovina (RTVFBiH), the Radio Television of Republika Srpska (RTRS) and the Television of Bosnia and Herzegovina (BHRT). Further, there are an additional 38 private TV channels. Since there is a limited number of speeches and interviews regarding the new amendment to law and its consequence (all of them provided by RTRS), this thesis has only incorporated the speeches from the Radio Television of Republika Srpska. It would of course have been interesting to include all of the public channels and the private ones as well, however, it would not have been possible because of the limited page numbers for this thesis and because of the limited material provided by other channels. As for the rest of the media outlets (8 daily newspapers, 8 news agencies, 160 radio stations and an estimate of over 180 online portals), this thesis has only been focusing on online media since it was available at any time and any place.

In terms of selection of the empirical material that will be analyzed in this thesis, the decision has been made to analyze all speeches (july – december 2021) made by politicians from the RS (mainly Milorad Dodik, since he is the one who mostly gives speeches and also the most influential Serb politician in the RS), that are in some way connected to the Inzko amendment to law (eg. triggered by the law etc.). According to Marshall (1996), there are quite a few different sampling techniques that can be used, and the selection of a sample technique is a critical step in any study because studying entire populations is rarely ethical or efficient. In this case, whole populations represent both the (selected) political elite of RS and a sea of political speeches.

The aim of sampling is to collect data which will allow for building well founded arguments about the research project (Mason 2018). Since this thesis focuses on speeches and interviews connected to the Inzko amendment to law, random

selection could not be made. Therefore, the non-probability sampling technique was utilized. In the non-probability sampling technique, units (in this case, speeches, and interviews) are selected non randomly, meaning that not every unit had a chance of being selected. Purposive sampling, a sort of non-probability sampling, was utilized and the reason for this is because specific speeches and interviews, which are directly linked to the research questions, have been addressed. The selected speeches and interviews generated data necessary for the analysis, resulting in answered research questions. The selected speeches and interviews provided the crucial information needed to understand the theoretically and empirically grounded arguments (Mason 2018). This method of sampling is especially useful when groups that are hard to reach are involved, with the political elite of RS fitting this category well.

However, non-probability sampling techniques, particularly purposive sampling, carry a greater risk of sampling bias. With this type of sampling, it is important to avoid influencing outcomes by data selection as researchers intend to choose data based on the subjective judgment. According to Salkind (2010), it is important to use consecutive admissions that include all cases across a representative period to prevent selection bias. This is also the reason why this thesis included all speeches made by RS politicians across the same period. The time frame for the speeches and interviews has been from the day the amendment went into force (July 23rd, 2021) until the end of 2021. The reason why this time frame was selected is to create a limit due to the page number of the thesis.

Nevertheless, because all the speeches were broadcasted by RTRS, no other TV channel has had the chance to be included. With other words, one shortcoming is the lack of inclusivity (Mason 2018).

As a result, the communication content consists of text and videos, written or spoken language. This approach aligns with the methodology of critical discourse

analysis technique utilized in the study, which allows for data to be in different forms than text.

The main approach used to collect real world data involved conducting research from a desk-based setting. The data was obtained through the internet communication platforms of RTRS, particularly their website. This information, shared with the public, is valuable for understanding how language is used for expression and communication. Employing purposive sampling, the most relevant objects of analysis were systematically gathered (Bryman 2016). The volume of collected data proved sufficient to fulfill the study's aim and objectives. It's important to mention that all the gathered materials can be accessed through RTRSs website.

5.3.1. Data analysis

The method of discourse analysis does not follow a set of rules or methods. Instead it requires an approach guiding research, with particular inquiries, concepts and various perspectives (Bryman 2016). Throughout the study's research, the concept that discourses change events and social connections to build distinct interpretations of reality, social identities, and relations (Jorgensen and Phillips 2002 p. 83) was continually maintained. Furthermore, Bryman's observation that "what is said is always a way of not saying something else" (2016 p. 534) served as motivation. Armed with these ideas, the process of creating analysis from the empirical data unfolded in many important phases, as shown below. Given the complexities of critical discourse analysis, it is important to note that the data analysis process frequently involves numerous readings and iterative moves between theories and analysis (Wodak and Meyer 2016). Consequently, reporting on each step may prove difficult. Nonetheless, similar reading stages can be identified during the data analysis procedure for this investigation. The first phase included transcribing the selected videos, allowing for a smooth transition to textual analysis. This structure facilitates navigation between different portions of the text. The transcribed content, a total number of 13 pages,

was then thoroughly reviewed with an analytical mindset, directed by the methodology of critical discourse analysis and theories. Following this, a second round of analysis began, with a focus on both the research topic and the discovery of repeating phrases, thoughts, ideas, and words. Notes were methodically gathered to investigate the overall usage of discourse within the obtained material. This repeated procedure enabled a more in-depth examination of the material's subtleties and patterns, resulting in a full comprehension of its discursive features.

Fairclough (2003) underlines the need of taking into account the larger social context during the analytic process to guarantee that no essential language aspects are neglected. As a result, after the initial readings, there was a purposeful shift between the literature review, theory, and empirical material. Several themes and concepts drawn from literature and theory arose throughout the work. These themes and concepts formed the basis for classifying the talks, allowing for a more systematic analytical procedure. The examined data was then presented using a combined analysis, a standard technique in research presentations, using an adapted approach to Fairclough's critical discourse analysis. This presenting structure enabled the integration of the numerous themes and concepts discovered throughout the analytical process (Jorgensen and Phillips 2002).

5.4 Ethical considerations and limitations

Human nature is inherently biased, and one's actions are influenced by a variety of thoughts, personal preferences, and/or biases towards other individuals, whether they are aware of them or not. This also holds true for academics, which is why it is highly important to address the ethical considerations.

In conducting this research, as a person of Bosnian Muslim origin, it is highly essential to recognize my own background and potential biases. I acknowledge how crucial reflexivity is for comprehending this topic's complexities, especially with my background. I strive to examine the topic with objectivity, which is why I will try to present the Serbian nationalistic rhetoric accurately and thoroughly.

Further, I aim to ensure that my analysis is based on empirical findings and academic literature, promoting a nuanced understanding of the complexities inherent in the nationalistic rhetoric.

Despite personal thoughts, I am committed to conduct this study with integrity and devotion to ethical values, striving to contribute valuable understandings to the academic discourse on political rhetoric and its societal insinuations.

In reflecting on my thesis, several limitations become evident. The sample size is remarkably small, consequently restricting the generalizability of the results. While I cannot assert representativeness, the study does offer valuable insights and may serve as a foundation for future research. Further, online data collecting methods are convenient and accessible, but they lack depth that come from head-on interactions. Through fieldwork, head-on interaction with the sociopolitical context in which the speeches were given would have been possible and it would provide valuable insights such as the opportunity to observe tones, gestures etc. Focusing on a specific subset of Serbian politicians and a particular timeframe may unintentionally constrain the breadth and depth of the analysis. By narrowing the scope, the study jeopardies overlooking important tendencies or differences in rhetorical strategies

6. Analysis

The following chapter aims to analyze the empirical material to answer how the Inzko amendment to law has been constructed within the Serb community in BiH and in what ways the actions and rhetoric of the Serbian elite violate the DPA. It is presented by addressing the politician's usage of power through discourse, personal pronouns and the legislation. The methodology of critical discourse analysis has guided the analysis.

6.1 Power through discourse

In this section, Foucault's power and discourse theory is applied on the phrases made by the political elite of the RS (mainly Milorad Dodik), to examine how power operates through discourse, shaping norms and controlling the social community.

Dodik's rhetoric is a good example that illustrates the intersection of power and discourse. "*We reject*", "*I reject*" and "*the HR is not legitimate*" are phrases used by Dodik (and other politicians) in every speech linked to the new amendment to law (RTRS, 2021a-v). Dodik, as a member of the BiH Presidency and the president of RS, uses his position of authority to shape and control social reality, particularly within the Serb community. By explicitly rejecting the decision of the HR, Dodik not only shows his power but also sends a message to his followers and the broader Serb population. Thus, by establishing discourses, power produces social organization and hierarchy (Foucault 1980 in Karlberg 2005), as it is "a social and multi-layer construct (...) a product of social relations and is culturally, socially, and symbolically created" (Pitsoe and Letseka, 2013 p. 25). Discourses, according to Foucault (1972), are not just about what can be said and thought, but also about who has the authority to speak, when, and under what circumstances. This connection highlights how power works through discourse to shape the way our social structures and hierarchies are formed. It is not just about what gets said or discussed, but also about who has the right to speak, when they

can do so, and with what level of authority. Through discourse, power influences both the messages we hear, and the roles people play in those conversations.

Through his discourse, Dodik frames the HR's decision as harmful to the interests of the Serb community, portraying it as a threat that needs some kind of action. Dodik stated the following:

"I will demand that all decisions imposed by the High Representative are revoked, that we return to the original Dayton, and if that does not happen, to go to the (RS) National Assembly in six months and declare independence" (RTRS, 2021i). He further stated that Serbs cannot *"live in a country where someone can impose a law by just publishing it on his website"* (RTRS, 2021d).

By positioning himself as a defender of Serb interests against external imposition and claiming that the current situation betrays what the Serbs originally agreed to, Dodik builds a sense of unity and shared identity among his supporters. His repeated claim that *"genocide did not happen,"* (RTRS, 2021a-v) in his speeches is a strategic move to undermine the HR's decisions, weaken his moral authority, and strengthen his own power.

Furthermore, Dodik utilizes language to manipulate his audience, framing the amendment as a problem specifically targeting the Serbs. By presenting the dissolution of the RS as the only feasible solution to this claimed problem, Dodik not only reinforces his own political agenda but also creates a sense of urgency and fear among the Serb population. By manipulating the conversation in this way, Dodik strengthens his hold on power and shapes how people perceive the HR's decision. This aligns with Foucault's (1978 p. 93) description of power as a *"complex strategical situation in a particular society"*.

A dangerous fact is that Dodik's plans of dissolution go completely against the DPA. Dodik stated the following:

“the best thing for the Serbian community in BiH is an establishment of a separate and autonomous prosecutor and court system, an independent taxation system, and a military organization entirely distinct from Bosnia and Herzegovina”(RTRS, 2021k).

Karlberg (1980) argues power is the ability to restrict someone from carrying out their wishes and constrain their freedom, encompassing the ability or authority to control people or situations. In this context, Dodik’s plans for dissolution of BiH directly illustrate this concept of power.

By pushing for a separate prosecutor and court system, independent taxation system, and a distinct military for the RS, Dodik is trying to restrict the Bosnian government's authority and weaken the country’s unity. He presents these moves as essential to safeguarding the sovereignty of the RS, and in doing so, this allows him to tighten his control over the broader political landscape.

Dodik’s usage of power in this way relates to coercion and dominance, as described by Karlberg (1980). Dodik’s challenge to the DPA and the established political order exemplifies how power can be used to reshape structures in a way that serves a nationalist agenda, creating stronger nationalist norms. This rhetoric escalates tensions and threatens the stability of the whole region, as Dodik seeks to limit the influence of the international community and have dominance over the future of BiH.

Dodik recurrently stated that *“the Serbs are for the original DPA”* (RTRS 2021c; RTRS 2021d; RTRS 2021f; RTRS 2021i; RTRS 2021r) which may be assumed that the Bosniaks and the international community are not, and that the Bosniaks are trying to work things around it. However, he never gives a concrete example of how they are doing it, meaning he is leaving things out. However, this statement is framing the Serbs as the true supporters of the “original DPA” and portraying the Bosniaks and the international community as the ones who are against it. Dodik hereby positions the Serbs as morally and legally superior. By

doing this, he redefines the power dynamics, presenting the Serbs as the real defenders of the agreement and justifying their actions. Dodik is once again establishing discourses and truths, imposing discipline and order, and influencing human desires (Foucault 1980 in Karlberg 2005).

By recurrently stating that “*the Serbs reject the decision*” (RTRS, 2021a-v) and “*we must withdraw from the BiH institutions*” (RTRS 2021m; RTRS 2021n, RTRS 2021q; RTRS 2021r). Dodik consistently challenges the authority and credibility of the DPA. His focus on ethnic division and nationalist rhetoric only deepens the tensions between different groups in the country, reinforcing nationalist norms that could lead to more instability and conflict. By pushing for secession and rejecting international oversight, Dodik undermines the DPA’s goals of multi-ethnic coexistence and cooperation, threatening both the agreement’s long-term success and the overall stability of the country.

In conclusion, Dodik’s rhetoric illustrates how power functions through language, influencing social reality and steering the narrative to serve his own political agenda. By systematically manipulating discourse, Dodik exerts control over the Serb population, strengthening his own authority and reinforcing his position within the political landscape of RS.

6.2 The intended and unintended effects of Inzko’s amendment to law in the RS politics and society

In this section, the intended and unintended effects of Inzko’s amendment to law in the RS politics and society will be analyzed. The amendments impact on society is clarified through analyzes of the intended and unintended effects of the law. Intended effects include preventing denial, trivialization, or endorsement of genocide and war crimes, aiming to promote reconciliation and uphold the rule of law. Unintended effects may include the societies symbolic rejection of events connected to the law.

As a reaction to Inzko's amendment to law, Nedeljko Čubrilović, the president of The National Assembly of Republic of Srpska, presented new amendments to the Criminal Code of the RS. The amendments state the following:

“Whoever publicly exposes the Republic of Srpska, its flag, coat of arms, emblem or anthem to contempt, contempt or gross disparagement, shall be punished by imprisonment for up to three years,

If the act referred to in paragraph 1 of this article was committed in such a way as to mark the Republic of Srpska as an aggressor or genocidal entity or its peoples as an aggressor or genocidal, the perpetrator will be punished with imprisonment from six months to five years,

If the act referred to in paragraph 2 of this article was committed by an official or responsible person or a person in government institutions or a body financed from the public budget, he shall be punished by a prison sentence of two to ten years.” (RTRS, 2021b).

These amendments represent a direct response to the changes, made by Inzko, in the Criminal Code of Bosnia and Herzegovina, which prohibits and criminalizes the denial of genocide. With other words, these amendments are results of Inzko's amendment to law, thus they are unintended effects (Mathiesen 2005). The amendments act as a legal tool to combat any narratives that deny or downplay the seriousness of the past atrocities. Čubrilović highlighted that the purpose of the amendments is to protect the dignity and honor of the Serb people and the reputation of the RS. The amendments criminalize actions that insult or belittle RS symbols, aiming to preserve its national identity.

Čubrilović claims further in his speech how *“Inzko made a decision that was wrong, unnecessary and that has made the situation in the country very complicated”* (RTRS, 2021b). This statement directly challenges the legitimacy and appropriateness of Inzko's decision. By characterizing Inzko's decision as wrong, unnecessary, and complicating the situation in the country, Čubrilović

implicitly questions the authority and justification behind the Inzko amendment to law. Furthermore, it directly goes against the purpose of the law, to promote reconciliation and uphold the rule of law, which is another unintended effect (Mathiesen 2005).

Further, Čubrilović stated that Inzko “*brought this country into one of the biggest crises since the war. He will be responsible for everything that might happen*” (RTRS, 2021b). This suggests that the amendment could have negative effects on the country (Merton 1957), raising doubts about its effectiveness or benefits. Instead of solving problems, it might have made existing tensions or issues even worse.

Dodik’s recurring statements about the HR not being legitimate and stating that “*all laws imposed by the High Representative would be annulled*” (RTRS, 2021n) further go against the intended effects of Inzko’s amendment and pose a threat to the DPA. Furthermore, by imposing statements claiming the HR is “not legitimate” etc. Dodik creates a stronger nationalistic norm within the Serb community in the RS (and broader) that questions the validity of the international community and encourages resistance to efforts aimed at building peace and ensuring stability among different ethnic groups.

In summary, the rhetoric and statements made by Nedeljko Čubrilović, Milorad Dodik and other political leaders, after the introduction of the Inzko amendment, show a negative pattern and are good examples of unintended effects of a law. Dodik’s speeches, which deny genocide and criticize international involvement, are aimed to weaken the authority of the HR and the broader international community while strengthening his own standing in the RS. This kind of rhetoric has been used by Dodik before the amendment as well, however, the amendment gave him an opportunity to intensify his nationalistic agenda and strengthen his Serbian nationalistic rhetoric and the pursuit of a “greater Serbia”. By presenting the amendment as a threat to the community and highlighting alleged injustices imposed by outside forces, Dodik and the other politicians, foster a sense of

shared identity among Serbs while casting other ethnic groups and the international community in a negative light. This rhetoric becomes a significant obstacle to the peace and stability set out in the DPA. This narrative is further echoed through the changes to the Criminal Code of RS, which emphasizes the idea of safeguarding the RS's identity and independence. Overall, Dodik's discourses, which are supported by RS leadership, underscore how tensions could rise within Bosnia and Herzegovina's political landscape, which also is an unintended effect of the law that intended to foster reconciliation and justice (Mathiesen 2005).

However, given the fact that Dodik and generally most of the Serb politicians in the RS, have been pushing for a nationalistic agenda since the rise of the RS, the unintended effects must have been foreseen by the international community.

The intended effects of the law include preventing denial, trivialization, or endorsement of genocide and war crimes, aiming to promote reconciliation and uphold the rule of law. However, this analysis found that these intended effects are missing from the speeches (*RTRS, 2021a-v*) examined.

6.3 National- and social identity, and the usage of personal pronouns

The ambition in this section is to analyze the discursive and social practice in the speeches made by the politicians in RS. Central to this analysis are theories of national and social identity, which shed light on the intricate interplay of categorization processes and the formation of collective identities. Furthermore, the section also highlights the strategic use of personal pronouns such as "I", "we," "us," and "them,.". These pronouns are key to understanding how power dynamics are shaped and maintained through language. They reveal how the political elite position themselves in relation to different groups (often Bosniaks and the international community), emphasizing unity and solidarity within the Serb community while creating "another" to oppose.

Milorad Dodik reacted violently in his first speech to the decision of the HR Valentin Inzko. Dodik commented on the amendment stating, among other things, that:

“(...) Inzko has shown that he is a Serb hater, he is a monster. His father was a Gestapo officer, so Inzko has no right to this decision. This is not a legally based decision and there was no genocide in Srebrenica (...). Serbs must never admit this, we must reject this” (RTRS, 2021a.)

The use of the term “*Serb hater*” by Dodik illustrates a division between “us” and “them”. This kind of labeling is common in nationalist rhetoric, where creating such divisions helps to strengthen group identity and rally support. As argued by Anderson (1991), categorization processes are fundamental to nationalism, as they aim to create and perpetuate enemies and outsiders while fostering a sense of unity among the Serbs. Further, by mentioning that Inzko’s father was a Gestapo officer (secret police officer in Nazi Germany), it may be assumed that he alludes to Inzko being a Nazi, an evil figure whose agenda is to harm the Serbs. This kind of language serves to deepen the sense of historical victimhood for the Serbs. By stating that there was “*no genocide*” and that the “*Serbs must never admit it*”, but reject it, he turns around the role of the perpetrator and the victim, which is a perfect example of a play on words. The personal pronoun “we,” inclusive of Serbs, doesn’t solely represent Dodik in this case, but stands for the collective identity, often acting on behalf of government institutions. Additionally, Dodik frequently uses words like “must” in his speeches. These words are strong tools for establishing authority, stressing urgency, and encouraging a sense of collective action and moral duty. In conclusion, his use of divisive language, references to historical events, and commanding verbs shows how discourse can shape and control social reality, helping to keep the Serb community united and resistant to outside pressures.

“This is a crucial moment if we want to survive as a people and a political factor. We need to ban the activities of the Court and Prosecutor's Office of BiH and SIPA³. I will invite judges and prosecutors from the RS to leave the institutions” (RTRS, 2021a).

In this transcript, there are a variety of pronouns used by Dodik, such as “we” and “them”. This choice of language reveals his intentional effort to highlight and reinforce national and social identity categorizations. As highlighted by Akerlof and Kranton (2000), social identity describes the part of an individual’s sense of self that arises from their perceived membership with a social group. Furthermore, when Dodik stresses, *“this is a crucial moment if we want to survive as a people,”* he frames the situation as an existential threat. This narrative not only validates his calls for resistance but also strengthens a collective identity focused on survival. By portraying the Serb community as victims of external aggression, Dodik fosters internal unity and motivates collective action. This can be understood, as Tajfel et al. (1971 p. 150) stresses as, “the role played in intergroup behavior by processes of social categorization”. Further, he uses the phrase *“I will invite”* which can be interpreted that he, as a political figure exercises his power by allowing/encouraging the Serbs to leave the institutions of BiH. By using the personal pronoun “I”, Dodik emphasizes the seriousness and responsibility of his role as the RS strongman. Furthermore, by encouraging Serbs to leave BiH institutions, Dodik is not only exercising his authority but also promoting a sense of separation and independence within the Serb community. This move signifies a rejection of the broader political framework of BiH, reinforcing a distinct national and social identity for the RS.

“This is our last offer. There was no genocide. The Germanic world needs someone else to commit genocide in Europe. I am rational, we will defend ourselves. I thought Inzko and the others weren't such jerks. The new HR is not

³ The State Investigation and Protection Agency (SIPA) is the official state police agency of BiH.

legal. He has no legitimacy. I call on the RS to gather and defend. Everything depends on our perseverance. I will perform as a man as always” (RTRS, 2021a).

Dodik constructs a clear division between the Serb community and the “other,” which includes the Bosniaks and the international community. Statements such as “*the Bosniaks are trying to work things around it*” and “*the Germanic world needs someone else to commit genocide*” portray these groups as deceptive and antagonistic. This clear distinction reinforces Serb identity by defining it in opposition to the out-group, thereby strengthening internal unity through a process of categorization. (Anderson 1991 p. 7 in Spencer and Wollman 2002). The collective memory of victimhood reinforces a narrative where Serbs are perpetually targeted and need to defend themselves.

Dodik repeatedly uses the phrase “*there was no genocide*” (RTRS, 2021a-v). Not only does he disagree with the HR and the new amendment to law, but he also challenges their legitimacy and leaves no room for alternative perspectives. Once again, the Serbs are represented as a homogenous group and the new amendment to law, which bans the denial of genocide, as directed against them. Further, by stating “*I call on the RS to gather and defend. Everything depends on our perseverance. I will perform as a man, as always,*”(RTRS, 2021a) Dodik calls on conflict and encourages his audience to gather, again, as a homogenous group, to “defend” themselves from the HR. Further, the use of “*I*” in statements like “*I will perform as a man as always*” highlights Dodik’s personal authority and leadership role. This not only reinforces his leadership but also personalizes the struggle, positioning him as the symbol of Serb determination. By aligning the community’s identity with his own persona, he strengthens his authority and deepens the connection between his leadership and the community’s collective identity.

7. Conclusion

7.1 Summary

The aim of this study has been to analyze how the Inzko amendment to law has been constructed within the Serbian political community in the second half of 2021 in order to answer the research questions: “How has the Inzko amendment created a ”new” Serbian nationalistic rhetoric?” and “In what ways can this rhetoric threaten the Dayton Peace Agreement from 1995?”. In order to do so, Norman Fairclough’s methodological approach to conduct a critical discourse analysis (CDA) was utilized, combined with Michael Foucault’s theory of power and discourse, Thomas Mathiesen’s theory of manifest and latent functions as well as the theory of social and national identity. The findings show that Dodik’s recent actions represent a significant escalation in his ongoing efforts to secure the secession of the RS. He has intensified his demands for the creation of an independent Bosnian Serb state, advocating for RS to establish its own army, judiciary, and tax system. These proposals directly challenge the sovereignty of BiH and pose a serious threat to the country’s unity. In a region still recovering from the impact of past conflicts, Dodik's actions exacerbate tensions and fuel a rise in extreme nationalism.

The findings further show that the situation in BiH became even more precarious with the introduction of the Inzko amendment in July 2021, which criminalized the denial of genocide and war crimes, specifically targeting those who deny the Srebrenica genocide. This law, imposed by former HR Valentin Inzko in the final days of his mandate, was intended to foster reconciliation and prevent the revision of historical facts. However, Inzko's final act did not guide the country toward reconciliation, prosperity, or a forward-looking future, as intended. Instead, the amendment deepened existing divisions and created a more intense nationalistic rhetoric.

The new amendment plunged BiH into its most severe political crisis since the signing of the DPA. The crisis has been marked by increasingly aggressive

rhetoric from Dodik, the appearance of military forces, a total blockade of state institutions, and the looming threat of a complete state collapse - initiated and driven by Bosnian Serbs under Dodik's leadership. Dodik's secessionist rhetoric could lead to the collapse of the DPA. This scenario risks renewing ethnic tensions and violence, not only within BiH but also across the broader region, with serious implications for European security.

In conclusion, Milorad Dodik's actions, along with the fallout from the Inzko amendment, have brought BiH to a critical situation, threatening the DPA by delegitimizing the authority of it and creating an even more intense nationalistic rhetoric.

7.2 Suggestions for further research

Given the previous lack of research specifically focused on Serbian nationalistic rhetoric in BiH, it would be valuable to compare this situation with other post-conflict societies. Such studies could look at how nationalist movements develop after peace agreements in regions and what factors shape their paths. By understanding these dynamics, we could gain deeper insights into the challenges and potential solutions for maintaining peace and stability in similar contexts. Furthermore, this study did not touch on Dodik's rhetoric before the Inzko amendment to law. Therefore, further research could focus on analyzing Dodik's earlier statements and actions to provide a more comprehensive understanding of the evolution of his secessionist agenda. Such analysis could reveal if his rhetoric has changed over time and whether the Inzko amendment law has served as a catalyst for intensifying his efforts.

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APPENDIX

Empirical Material

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