Self-Determination Domino Effect in the Region of Former Yugoslavia: Aspirations for Autonomy and

Secession in Bosnia and Herzegovina among Youth

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Abstract

This study provides an overview of Bosnian politics which are filled with nationalist rhetoric often colored by the calls for the usage of the right to self-determination through enlargement of autonomy of Serbs and Croats, and at times even secession. The research question seeks to identify whether there is a gap between this political rhetoric and the attitudes of Bosnian youth on the questions of autonomy enlargement and secession. The methodology is reflected in an overview of the recent developments of self-determination, with a focus on the region of former Yugoslavia, and of the contemporary status of Bosnia and Herzegovina in regards to politics, economy and social progress. Furthermore, it is consisted of an empirical research which measures the attitudes of the country's youth on the political discourse, satisfaction with the state's structure and most importantly: the questions of autonomy and secession.

The research found that the hypothesis was confirmed partially, as the support for the enlargement of autonomy exists both with Croats and Serbs, but there is no majority support for the secession of majority Serb and Croat territories from Bosnia and Herzegovina. The findings show a gap between the disintegrative rhetoric of the political elite, and the attitudes of the Bosnian youth.

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List of Abbreviations:

BIH – Bosnia and Herzegovina
EBU – European Broadcasting Union
EC – European Community
EU – European Union
FBIH – Federation of Bosnia and Herzegovina
ICJ – International Court of Justice
NATO – North Atlantic Treaty Organization
OHR – Office of the High Representative
OSCE – Organization for Security and Co-operation in Europe
RS – Republic of Srpska
UN – United Nations
UNESCO – United Nations Educational, Scientific and Cultural Organization
US – United States of America
CCBH – Constitutional Court of Bosnia and Herzegovina

1. Introduction

1.1 Research Stimulus

The topic of this research was inspired by a news article that was circulated last year in the Bosnian and Herzegovinian (hereinafter Bosnian) and regional media, which I've seen as a climax result of the nationalist rhetoric. The news articles were based on the public opinion poll research results. More specifically, in November 2015, Prime Communications, a research agency seated in the City of Banja Luka, issued results of a nation-wide poll which investigated whether the citizens of the country felt like Bosnia and Herzegovina is their homeland. The statement given to the participants was ''Bosnia and Herzegovina is my homeland''. The published results showed that only 56.5% of Bosnian citizens perceive the country unconditionally as their homeland. Broken down into ethnic groups, 89.3% of Bosniaks answered in this fashion, while only 28.7% of Croats and 13.3% of Serbs.[1] Another research, from 2007, showed that 86% of the Bosniaks are proud of the Bosnian flag, while only 25% of Croats and 6% of Serbs.[2] While the data may be inspiring for scholars interested in the country of troublesome politics, it is a devastating portrayal of the society's shape more than twenty years after the creation of the independent state that was preceded by an ethnic war.

The news articles transposing the results were published in all major media outlets in the country and in the region. They were posted and shared on social networks and caused a lot of debate in the public discourse. This portrayal of the public opinion may come from the political discourse which has been filled with rhetoric on the failure of the state and its inability

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[1] "BiH Moja Domovina - Ne Baš Za Sve," *Radio Slobodna Evropa*, accessed February 11, 2016, http://www.slobodnaevropa.org/content/bih-moja-domovin-ne-bas-za-sve/27343204.html. Translated by the author.

[2] Anna Jarstad et al., "Peace Agreements in the 1990s – What Are the Outcomes 20 Years Later?," Umeå Working Papers in Peace and Conflict Studies (Umea, 2015), http://umu.diva-portal.org/smash/record.jsf?pid=diva2%3A887947&dswid=_new.

to functionally make a progress towards a complete positive peace and social and economic prosperity. This rhetoric is often painted by statements on possibilities of either enlargement of autonomy of Bosnian Croats and Bosnian Serbs, or in some cases even secession.[3]

To me it seemed like the youth is fed up with the instability of the ethnic politics and devastating statistics such as those presented by the research. However, not much social research was conducted to find out how people really feel about the nationalist rhetoric which feeds the daily discourse in the society in different shapes. Research like the one previously presented, done for more marketing reasons, only scratches the surface of the problematic and uses vague and questionable language. My personal perceptions, and those acquired through informal talks with my peers, showed a completely different picture and discourse among the Bosnian youth. Hence, this brought about the inspiration to conduct research that would measure whether young people really give much attention to the nationalist rhetoric, how they feel and think about the major topics of autonomy, secession and the failure of the Bosnian and Herzegovinian nation-building, and how this correlates with the political agendas of Bosnian politicians.

1.2 Foreword

Bosnian politicians, calling for possible secession or enlargement of autonomy within or from Bosnia and Herzegovina, have sometimes referred directly to the right to self-determination. In 2006, the leading politician in Republic of Srpska (RS) part of Bosnia and Herzegovina, Milorad Dodik, connected his idea of the independence of the RS with self-determination, when he claimed that Bosnia and Herzegovina might be defined as a federal

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[3] Steven Woehrel, "Bosnia: Current Issues and U.S. Policy," *Current Politics & Economics of Europe* 22, no. 2/3 (2012): 255–73. The author is reviewing and assesing the downfall of the international community's efforts at stabilizing Bosnia due to a political crisis that started with 2006, when the political rhetoric focusing on the failures of the state started gettig prominence in the public discourse.

state in the future, and as such allow for the right to self-determination via referendum.[4] In the years to come, he called upon the right to self-determination for the cause of secession several times.[5] Furthermore, in the justification for the creation of the ''Croat Assembly'', a body with a parliament-like construct of Bosnian Croat political parties, Bozo Ljubic, president of HDZ 1990, a political party, called upon the article on self-determination of the *International Covenant on Civil and Political Rights*.[6]

The issues of territorial and ethnic autonomy within states, as well as questions of secession and state structures, which are all closely tied to the concept of self-determination, have proven very complex and requiring an in-depth analyses. The vast literature that can be found on these topics varies from those of the legal perspective, with works from the likes of Steven Ratner, Jeffrey Dunoff and David Wippman, who deal with the categorization of self-determination into its internal and external versions,[7] James Fox who saw the principle as a right of states to establish their own internal order,[8] and Dajena Kumbaro, who discusses the equation between denial of the right to internal self-determination with the right to external self-determination.[9] Furthermore the literature is rich among scholars of different humanities such as Thomas Franck, who discusses the relationship between post-modern tribalism and the right

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[4] Martina Fischer, *Peacebuilding and Civil Society in Bosnia-Herzegovina: Ten Years After Dayton* (Münster: LIT Verlag, 2006), 8.

[5] "Dodik: New Constitution to Define Self-Determination," *B92.net*, accessed June 3, 2016, http://www.b92.net/eng/news/region.php?yyyy=2008&mm=01&dd=29&nav_id=47319; "Dodik Insists RS Has Right to Self-Determination," News Portal, *B92.net*, (September 3, 2008), http://www.b92.net/eng/news/region.php?yyyy=2008&mm=03&dd=09&nav_id=48307.

[6] "Bosnian Croats Form National Assembly," accessed March 19, 2016, http://www.balkaninsight.com/en/article/bosnian-croats-to-form-the-national-assemly.

[7] Jeffrey L. Dunoff, Steven R. Ratner, and David Wippman, *International Law: Norms, Actors, Process: A Problem-Oriented Approach* (New York: Aspen Publishers, 2010), 7.

[8] James R. Fox, *Dictionary of International & Comparative Law* (Dobbs Ferry, NY: Oceana Publications, 1992).

[9] Dajena Kumbaro, "The Kosovo Crisis in an International Law Perspective: Self-Determination, Territorial Integrity and the NATO Interventaion" (NATO, June 16, 2001), http://www.nato.int/acad/fellow/99-01/kumbaro.pdf.

to secession,[10] Peter Radan and Cornelia Navari who provide rich overviews of the role of the Badinter Arbitration Commission in defining self-determination,[11] Hurst Hannum who attaches self-determination to nationalism in many ways,[12] James Ker-Lindsay, with extensive overviews on the failure of creating a clear norm of self-determination as secession,[13] Alain Pellet, who argues judicial minimalism in the case of Kosovo's independence which featured self-determination, and many more.[14] The literature discusses the history of the development of the concept of self-determination, and much can be found on the influence of politics in this process. Furthermore, the literature provides overviews and analyses of the attempts, successes and failures in normatization of these issues in the legal sense. On the other hand, scholars from the fields of studies of nationalism, conflicts and conflict resolution, and many other similar disciplines, analyze the deeper effects of the global political movements on these concepts to show how the human society and its many social units gain or lose from them.

However, the right to self-determination, despite its long history of evolution, remains rather vague which is, among others, concluded by Hurst Hannum who extensively dug through its history of development and context within politics and nationalism.[15] The vagueness of the

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[10] Thomas Franck, "Postmodern Tribalism and the Right to Secession," in *Peoples and Minorities in International Law*, ed. Catherine Brolmann, Rene Lefeber, and Marjoleine Zieck (Dodrecht/Boston/London: Martinus Nijhoff Publishers, 1993), 3–27.

[11] Peter Radan, "The Badinter Arbitration Commission and the Partition of Yugoslavia," *Nationnalities Papers* 25, no. 3 (1997): 537–57; Peter Radan, "Post-Secession International Borders: A Critical Analysis of the Opinions of the Badinter Arbitration Commission," *Melbourne University Law Review* 24 (2000): 50–76; Cornelia Navari, "Territoriality, Self-Determination and Crimea after Badinter," *International Affairs* 90, no. 6 (2014): 1299–1318.

[12] Hurst Hannum, *Autonomy, Sovereignty, and Self-Determination : The Accommodation of Conflicting Rights* (Philadelphia: University of Pennsylvania Press, 1992); Hurst Hannum, "International Law," in *Encyclopedia of Nationalism*, Volume 1 (Academic Press, 2001); Hurst Hannum, *Territorial Autonomy: Permanent Solution or Step Toward Secession?* (Bonn: Center for Development Research, 2000).

[13] James Ker-Lindsay, "Preventing the Emergence of Self-Determination as a Norm of Secession: An Assessment of the Kosovo 'Unique Case' Argument," *Europe-Asia Studies* 65, no. 5 (2013): 837–56.

[14] Alain Pellet, *Kosovo—The Questions Not Asked: Self-Determination, Secession, and Recognition* (Oxford: Oxford University Press, 2015).

[15] Hannum, *Autonomy, Sovereignty, and Self-Determination*, 27.

concept is surely one of the factors that allow for it to be interpreted and used in different ways in local and global politics.

I am puzzled by the lack of research on the developments of feelings towards the state of the Bosnian youth, and their opinions on the political rhetoric focused on differences and failures of common life by the political elites which prevail in power since the turbulent 1990s. Hence, this research is focused on doing just that, providing an overview of the context of legal and scholarly discussions on the issues propagated by the Bosnian separatist politics, and measuring how this correlates with the attitudes of country's youth, a generation that will soon inherit the running of the state.

Azra Hromadzic, in her book entitled ''Citizens of an Empty Nation'', did good to the youth of Bosnia and Herzegovina by investigating and presenting the effects of the complex country of ethno-nationalism onto its young citizens. The stories of segregation she collected placed the focus on youth, which is rarely found in the vast literature on Bosnia and Herzegovina, and provided an ethnography for what she calls ''an empty nation''.[16] Furthermore, Danijela Majstorovic and Vladimir Turjacanin published results of extensive research on the attitudes of Bosnian youth on ethnic identity and identity perceptions in correlation with the constitution-embedded ethnic divisions in their book ''Youth ethnic and national identity in Bosnia and Herzegovina: Social science approaches''.[17]

However, to my best knowledge, there is still lack of empirical research on the opinions of the Bosnian youth on the questions of ethnic autonomy enlargement and secession. This is what adds to the originality of this research, the fact that it is not done by the model of previous research, but that I developed the research question myself, and will measure the youth's

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[16] Azra Hromadzic, *Citizens of an Empty Nation* (Philadelphia: University of Pennsylvania Press, 2015).
[17] Danijela Majstorovic and Vladimir Turjacanin, *Youth Ethnic and National Identity in Bosnia and Herzegovina: Social Science Approaches* (New York: Palgrave Macmillan, 2013).

opinions on a coalescence of questions that are a part of everyday political discourses in the country, but also opinions that will surely shape the future of Bosnia and Herzegovina.

The research was originally designed to include expert interviews with six major Bosnian politicians who constitute the political elite, and then compare their views on the questions of autonomy and secession with the views of the youth and the international norms covering these concepts. However, after months of negotiations with the politicians and their staff for a ten-minute interview, there was no progress. The only interview successfully conducted was that with Mladen Ivanic, a Member of the Presidency of Bosnia and Herzegovina. Still, the preparatory work on this research was all conducted to accommodate this design, which I failed to accomplish. Hence, the part on the political rhetoric will remain incomplete and will only be based on excerpts from the press. On the other hand, the survey with Bosnian students, a target group I chose to narrow down the population of youth, was realized successfully with three hundred forty respondents participating and providing interesting data that portrays their attitudes and feelings towards the part of Bosnian politics that deals with the disintegrating future of Bosnia and Herzegovina.

The research question defined here was: Is there a difference between the political rhetoric in Bosnia and Herzegovina about the autonomy seeking and secessionist aspirations and the attitudes of the country's youth on these questions? The hypothesis is that the Bosnian youth does not have the same opinions on the concept of self-determination and related issues as those that their political representatives push for, and that hence their opinions will not provide support for the enlargement of autonomy or secession within or from Bosnia.

To understand the data collected by the research, the background and context of the topics covered by it will be presented. The research design is not such that it seeks to contribute to the theory by directly weighing it, confirming or dismissing, but theory is rather a starting point for the observation of its ecological validity in the field. The chapter on background

intends to provide an overview of the principle of self-determination, covering the history of its development and current debates in the scholarly, legal and political discourses. I will focus on, and emphasize, the legal concepts behind self-determination, and track the normative development of the concept and where it lies as such in the politics that call upon it. While creating a timeline in doing this, more is devoted to the section covering the past twenty-five years roughly, as I identified this to be the adolescence era of self-determination when it gains widespread attention spanning different spheres of knowledge and local and world affairs. A special section is devoted to the independence of Kosovo, as this is the last contended territory where the *de facto* exercise of external self-determination is drawn in the region of former Yugoslavia, and an event which shook the politics of Yugo-sphere once again with strong nationalist rhetoric, often calling upon autonomy of minority peoples or even threats of secessionist actions.

The chapter on background and context further overviews extensively the background of the region of former Yugoslavia itself, as well as Bosnia and Herzegovina specifically. The chronological overview of political turmoil and ethnic relations is intended to provide the reader with a full-rounded picture of the country case investigated by the research. Special subchapters further examine the social, economic and especially political apparatus and public discourses of contemporary Bosnia and Herzegovina.

The following chapter provides the reader with an explanation of methodology used for the empirical research at hand. The methodology chosen for the empirical research was recognized as most relevant for reaching qualitative and quantitative data, which is necessary for observance of these factors compared and evaluated in the thesis.[18] The research was separated into three segments: group discussions, expert interviews and a questionnaire. These

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[18] Joseph Alex Maxwell, *Qualitative Research Design: An Interactive Approach* (Thousand Oaks, Calif: Sage Publications, 1996) This book was used for the recognition of which research methodology would be best to use with the target groups.

segments were initially planned for a three stage realization, but the logistical challenges provided for the change of initial research timetable, leading towards recognition of three phases which do not directly correlate the segments. Minor contextual problems were met due to the research timetable coinciding with the political turmoil in the country of research, and social and policy changes that followed them. However, these problems were addressed with certain compromise and timetable adjustments, which allowed for the research to be carried out eventually.

The results of the questionnaire are presented and analyzed quantitatively, with a short description of the qualitative findings uncovered in the group discussions, which provided for a clearer direction in creation of the questions for the quantitative method. The analyses provides very interesting indicators of social, economic, nationalist and political status of Bosnia and Herzegovina through the young student population, and compares them, through the discussion, with what was previously uncovered in the overview of literature on self-determination, the history of the region and the state of these issues in the country case.

2. Background and Context

2.1 Self-Determination from 1990s to Present

The principle of self-determination, called upon by Bosnian politicians in their disintegrating politics, is actually attached to the very roots of the creation of modern Bosnia and Herzegovina. Self-determination dates back to the post-World War I period, when it was used by the US President Woodrow Wilson to propagate the new order in Europe, which was largely marked by new states. However, the first time it was enumerated within the international legal framework was in the UN Charter, and from then on marked the twentieth century international law through its attachment to the decolonization process.[19]

However, possibly one of the most influential events in addressing the secessionist usage of self-determination was the dissolution of federal Yugoslavia, when the term was used in this manner by both local politicians, and international influencers commenting on it. During the first eight months of 1991, when it became obvious that the crisis in Yugoslavia was no longer just a process of reorganizing the federation and its constitution, a total of eleven different statements, declarations, stands and conclusions were officially published by the European Community (EC) on the ongoing, still undefined, process. It was only on 27 August 1991, on the twelfth occasion, that the EC made a decision which would directly involve it in peace-keeping through a multi-layer mediation process.[20] After expressing dismay of the situation in the country, and the failure of previous efforts to stop the violence and the political crisis, it was declared that the EC will not stand still while the narrative grows worse.[21]

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[19] Hannum, "International Law," 405.

[20] Snezana Trifunovska, ed., *Yugoslavia through Documents: From Its Creation to Its Dissolution* (Dordrecht: M. Nijhoff, 1994), 333. This book is a collection of all important documents that deal with Yugoslavia from its creation to the process of its dissolution, including the decisions and opinions of the international actors involved in the beginning of the warfare in the region. Unless otherwise indicated, the transcriptions and translations of the documents cited in this section are taken from this work.

[21] Ibid.

A decision was made to create a Peace Conference for all the conflicting parties and the EC, and that an arbitration procedure would be started as a part of the peace conference. Badinter Arbitration Commission (hereinafter Badinter Commission) was founded for this effort. The main points on the functioning of the Badinter Commission included a procedure in which the disputed parties would submit their differences for evaluation, with opinions reached within the next two months.[22] The peace conference and the Badinter Commission were tasked with helping find legal and normative answers to resolve issues among the parties in the federation, from secessionist claims, to specific questions raised at the peace conference.

Among other things, in all of the opinions issued by the Badinter Commission in its lifetime, some of the things that can be emphasized are that: it was delivered that Yugoslavia was in the process of dissolution, that the territorial boundaries among former republics of the Federation cannot be altered other than by mutual consent, the succession rules and similar. And one of the most important was *Opinion No. 2* which discussed the principle of self-determination itself. The chairman of the Conference on Yugoslavia asked the Badinter Commission to issue an opinion on the question of whether the Serbian population in Croatia and Bosnia and Herzegovina would have the right to self-determination as one of the constituent peoples of Yugoslavia. In the opinion issued on January 22, 1992, the Badinter Commission itself recognized that international law does not exactly specify all of the characteristics of the principle.[23]

A crucial point was the Badinter Commission arguing that the rule under *uti possidetis juris,* of a new state remaining within its borders from before independence, has to be respected though, and that, hence, frontiers cannot change. They do, however, enlist the rights of ethnic,

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[22] Ibid., 334.
[23] Ibid., 474.

religious or language communities to recognition of their identity and protections under international law and particularly the *Convention of the Conference on Yugoslavia*.[24]

In its interpretation of the principle of self-determination, the Badinter Commission called upon the *Article 1* of the *International Covenants on Human Rights (1966)*. They emphasize the principle's purpose of safeguarding human rights, while they then provided that hence individuals may choose to belong to ''whatever ethnic, religious, or language community he or she wishes'' under that right. [25] They further ascertain that a consequence of the principle in this case may be ''for the members of the Serbian population in Bosnia and Herzegovina and Croatia to be recognized under agreements between Republics as having the nationality of their choice, with all the rights and obligations which that entails with respect to the States concerned''.[26]

With such an analogy and stream of thought, what comes out is that the Badinter Commission defined the principle of self-determination in a simplistic manner, and maybe even better: reduced it to a minority protection principle which would secure the safety of the people's right to their ethnic, religious or language identity. On the other hand, close examination of point no. 4 in the official *Opinion* issued, where the two opinions on the matter are presented and concluded, shows that the Commission failed to answer directly the question it was presented with. Instead, the rights the Serbian people in the two new states are entitled to, are paraphrased one more time, as well as an imposition of obligation onto those states. However, no mention of self-determination is made here, but only a mention of ''rights accorded to minorities and ethnic groups under international law''.[27]

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[24] Ibid., 475.
[25] Ibid., 474.
[26] Ibid., 475.
[27] Ibid.

It is obvious that the Badinter Commission spoke of self-determination in most general possible terms, and actually analyzing it and creating conclusions about it, both in the presented discussion and the opinions. [28] And despite this, the domino effect of the early call for the usage of the right to self-determination was displayed in following civil war which was partly marked by the Serbs and Croats seeking independence from the government lead dominantly by the Bosnian Muslims in Bosnia and Herzegovina. Here lies the space for claims that the opinions of the Commission were disastrous for former Yugoslavia's future.[29] It seems to me that the right to self-determination is called upon most often in modern times when the minority rights, or the rights for internal self-determination are deemed insufficient by the group, but this was obviously not observed by the Badinter Commission. It simply referred the question back to where it came from.

Even though such decisions of the Badinter Commission were extensively criticized, and some claim they did not have large implications on the situation in Yugoslavia, but were simply legal justifications for European Community's political decisions, they did influence further developments of the international law.[30] Stephen Tierney makes a judgmental remark by saying that the process of the Badinter Commission cast a long shadow behind by the use of *uti possidetis juris* in its opinions on the dissolution of Yugoslavia.[31] With such implications on self-determination and border disputes, minorities within new states were locked, such as Serbs in Krajina (present-day Croatia) and Albanians in Kosovo. However, much has happened since

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[28] More about this: Brad R. Roth, "Ne-konsensualna disolucija država u međunarodnom pravu: Inovacija Badinterove komisije u retrospektivi [Non-Consensual State Dissolution in International Law: The Badinter Innovation in Retrospect]," *Croatian Political Science Review* 52, no. 1 (2015): 48–78.

[29] Radan, "Post-Secession International Borders," 50.

[30] Radan, "The Badinter Arbitration Commission and the Partition of Yugoslavia," 537.

[31] Stephen Tierney, "Je li Pandorina kutija konačno otvorena? Kosovo i neobična sudbina teze o dekolonizaciji u međunarodnom pravu samoodređenja [Pandora's Box Open at Last? The Kosovo Case and the Strange Death of the Decolonisation Thesis in the International Law of Self-Determination]," *Politicka Misao: Croatian Political Science Review* 52, no. 1 (2015): 106.

self-determination was used in connection with the dissolution of Yugoslavia and creation of Bosnia and Herzegovina, even in the region where one of the most argued self-determination processes started soon in Kosovo.

By the time the war had erupted in Croatia and Bosnia and Herzegovina, the politics of Kosovo had shifted from seeking the status of a republic, to seeking independence such as that proclaimed by Slovenia and Croatia in 1991. However, the political apparatus of Kosovo at the time waited for the final international settlement on Yugoslavia's secessionist movements to start its own. In the meantime, Serbia entered an era of high levels of crime and corruption while at war, and the treatment of Kosovar Albanians was violating human rights gravely as the 1990s went by.[32]

The Badinter Commission's opinions did not contribute to the Kosovo cause, as it declared the borders of current Republics unchangeable during a process they classified as ''dissolution''.[33] Even with the Dayton Peace Accords, the unrest in Kosovo continued, and erupted with a war that marked the end of the 1990s, where Republic of Serbia was officially fighting on its own territory, with its own citizens. Mass atrocities were committed during the conflict, which saw the international community intervening the second time within a decade in the region. Serbia was bombed in 1999, until the signing of the *Military Technical Agreement* which was followed by the *Security Council Resolution 1244*. The resolution acknowledged Serbia's territorial integrity including the autonomous province, but established a *de facto* protectorate status in Kosovo, to secure peace and autonomy of the new administration until the further settlement of the affairs.[34] The protectorate status included, under the *Resolution 1244*, a Special Representative, on appointment by the Secretary-General of the UN, international

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[32] Noel Malcolm, *Kosovo : A Short History* (London: Macmillan, 1998), 352.
[33] Trifunovska, *Yugoslavia through Documents*, 417.
[34] Aidan Hehir, ed., *Kosovo, Intervention and Statebuilding: The International Community and the Transition to Independence* (London; New York: Routledge, 2010), 9. Unless otherwise indicated, the information in this section is taken from this source.

civil presence, international security presence and the humanitarian relief operations.[35] Kosovars recognized the momentum for the push for independence at the turn of the century. The support it received from the international community was a great chance for the support to be extended to the future of the territory.[36]

In the following nine years, there were numerous attempts to assess the situation in Kosovo and reach an agreement on its future, and regardless of the shift of Serbia towards a new democracy after the fall of Milosevic, and the consensual independence of Montenegro, all agreements failed. Due to this, on 17 February 2008, the Assembly of Kosovo declared independence from Serbia.[37] This was, and still continues to be contested by Serbia as a unilateral independence proclamation.

According to scholarly interpretations of what happened, it seems that the developments that moved for the independence of Kosovo took place further back in time, before the NATO intervention, rather than in years prior to the *Declaration on Independence*. It is argued that Kosovo is a unique case in self-determination and that its whole context of decades prior have contributed to its evolution into a free state. Furthermore, some invoke the argument of Remedial right to self-determination when talking about the uniqueness of Kosovo.[38] This implies that the right to independence is a remedy derived from the harsh history of Kosovo, particularly the violence committed against its residents by the Republic of Serbia. This line of argument also lists the case of Kosovo not as a precedent, something that would allow for further developments of the same kind in other regions with secessionist agendas, but a *sui generis* case. This is backed by numerous examples of countries accepting Kosovo's

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[35] Ken Booth, ed., *The Kosovo Tragedy: The Human Rights Dimensions* (London: Frank Cass, 2001), 232.

[36] Spyros Economides, "Kosovo, Self-Determination and the International Order," *Europe-Asia Studies* 65, no. 5 (2013): 834.

[37] Hehir, *Kosovo, Intervention and Statebuilding*, 11.

[38] Stefan Wolff and Annemarie Peen Rodt, "Self-Determination after Kosovo," *Europe-Asia Studies* 65, no. 5 (2013): 806.

independence due to a line of arguments considering violence, human rights violations and resistance to negotiations that lead to such a conclusion.[39]

However, if the case of Kosovo really is *sui generis*, and if one day it is universally accepted as such, then that might imply that it actually limits the right to self-determination, rather than helping its development to normative secession. Furthermore, if this would ever become an actual norm, it might lead to the conclusion that the right to external self-determination is in direct proportion with the amounts of violence committed against the territory or people.

The complexity of arguments for the acceptance of Kosovo's independence can be slightly simplified by categorization into three main lines: the violence committed in the territory, the resistance of the parties to any kind of negotiations below their maximum demands, and the complexity of the international context surrounding the issue.[40] However, another important argument often propagated is the overwhelming wish of people to disassociate themselves from Serbia. This is backed up by argumentation that all these reasons taken together might be stronger than when individually critically assessed as sufficient or not, important or not, due to their shakiness.[41]

On the other hand, Dajena Kumbaro explained the relation between self-determination and Kosovo by concluding that the country deserves the right to external self-determination because it was previously denied internal self-determination by Serbia. She finds this line of argumentation in accordance with the *Declaration on Friendly Relations*, which initially offered the equation between the denial of internal self-determination and the right to the

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[39] Ibid., 807.
[40] Ibid., 815.
[41] Ker-Lindsay, "Preventing the Emergence of Self-Determination as a Norm of Secession," 851.

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external one.[42] This was previously similarly applied to this case by the Independent International Commission on Kosovo.[43]

One of the main obstacles for the development of the self-determination principle in line with the Kosovo case is its confrontation with the principle of territorial integrity of states, which is so closely connected to it. The two complement each other in one way, but also contradict each other in another - creating the whole confusion in the international community over the last decades. However, Hurst Hannum argues that the sanctity of borders does not make sense and that the principle of territorial integrity must not be stronger than that of self-determination.[44] Here it would be very questionable whether such a view on the two principles would ever be accepted by the international community, as it is obvious which came first in existence and in practice of revoking such rights and for what purpose, throughout history.

2.3 Outcomes of the Recent Developments around Self-Determination

It is evident from the previous subchapter that the influence of the dissolution of Yugoslavia in the 1990s, and the following events in the region, onto self-determination is large. It was the complexity of this event and its influence onto the international law that captured the attention of scholars around the world, which does not seem to wither away the way the country did. What came out of this storyline as important to the topic of self-determination is that the newly invoked usages of the principle would gain prominence in the international community, through both calling upon self-determination in the secessionist claims of the Republics, and the mentioning of the right by the Badinter Commission.

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[42] Kumbaro, "The Kosovo Crisis in an International Law Perspective: Self-Determination, Territorial Integrity and the NATO Interventaion," 41.
[43] Tierney, "Je li Pandorina kutija konačno otvorena?," 107.
[44] Ibid., 88; Hannum, *Territorial Autonomy: Permanent Solution or Step Toward Secession?*, 4.

Due to the different interpretations of self-determination, some authors are trying to make sense of it and classify it into two different aspects of the concept: the internal self-determination, referring to the already mentioned internal self-government through the growth of political, economic, social and cultural development of the people, and external self-determination, which would imply the autonomy-seeking and secessionist claims by peoples.[45] The Supreme Court of Canada goes further in re Secession of Quebec (2 S.C.R. 217, 1998) which addresses the scope of self-determination by concluding that by ''the recognized sources of international law […] the right to self-determination of a people is normally fulfilled through internal self-determination.''[46]

With this in mind, it is questionable if arguments against the importance of the Badinter Commission are firm. Even though the work of the Badinter Commission might not have been as influential in what would happen to Yugoslavia, it certainly was in development of international law.[47] The critique of Commission's work and opinions issued is vast, but is often cited in decision-making by courts around the world, and even more so cited within different, usually secessionist political agendas, such as those in contemporary Bosnia and Herzegovina.[48]

Quite remarkably, this seems to have been completely out of sight of the Badinter Commission itself, as it avoided discussing some issues in detail, such as the right to self-determination. But their acceptance and reassurance of the scope of the concept being internal, affected largely the future of discussions on the topic. The simplified and short reduction of the term to minority protections is largely ignored by certain political streams which desire autonomous policies for certain peoples. In the same fashion, the Badinter Commission itself

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[45] Dunoff, Ratner, and Wippman, *International Law*.
[46] re Secession of Quebec, [1998] 2 SCR 217, 126 (Supreme Court of Canada 1998).
[47] Radan, "The Badinter Arbitration Commission and the Partition of Yugoslavia," 547.
[48] Navari, "Territoriality, Self-Determination and Crimea after Badinter," 1304.

is often quoted as a tool for providing legal justification for prior political decisions of the EC on the crisis in Yugoslavia.[49]

The discussion on the relations between self-determination and the independence in recent cases contributed enormously to the scholarly discussion, but also within the world of international politics. However, even though there exists a certain line of argumentation that backs up Kosovo's *Declaration of Independence*, too many of these arguments are contested, found weak or insufficient and there still is not a universally accepted truth about Kosovo and other cases under discussion. These usually are political processes, but they are legally relevant political processes due to the attention they gain in the sphere of international law. It is interesting to think whether the case of Kosovo, for example, helped develop a limited right to secession within the common international law.[50] The International Court of Justice (ICJ) certainly missed out on an opportunity to make history through an important decision, by remaining vague and taking an approach of judicial minimalism in assessing Kosovo's independence.[51]

What happens when the decision-makers of the moment, such as the Badinter Commission, the UN and the ICJ, constantly avoid to make certain things clear, has far reaching consequences. The people of Kosovo have been living in a no man's land for decades, first locked within a state they did not feel comfortable in, now locked in a state that does not have a proper international recognition. Such a status affects its abilities to be a part of international political, economic and cultural organizations, and boundless Euro-Atlantic integration processes, some examples being membership in the UN, the European Union, UNESCO, NATO, OSCE, EBU and similar.[52] Hence, the economic and social growth of the state is

[49] Radan, "The Badinter Arbitration Commission and the Partition of Yugoslavia," 537.
[50] Tierney, "Je li Pandorina kutija konačno otvorena?," 108.
[51] Pellet, *Kosovo—The Questions Not Asked*, 256.
[52] "Kosovo Question Still Divides EU," *Dw.com*, accessed January 17, 2016, http://www.dw.com/en/kosovo-question-still-divides-eu/a-16226802.

affected gravely. This speaks to a large significance of international community and its policies affected the growth and development of a newborn community, such as Kosovo. As of spring 2016, one hundred eleven countries recognize Kosovo, but still many do not, and the state's economic, legal and social progress is still largely blocked.[53]

It does not seem like the principle of self-determination evolved with the development of other conditions for the independence of Kosovo. The two processes seem to have parted ways sometime in the last twenty years, leaving both in a kind of deadlock. The fear of using the opportunity to recognize the multilayer character of self-determination, which has been out and about for almost a century, together with the case of Kosovo, might have created an even worse context within international law and politics, a continuum along which the concept has been sliding for decades. This is a problem due to the questionable uniqueness of Kosovo, which was also recognized by Garton Ash, who said that even though it might be unique, there will still be more Kosovos in future.[54]

To sum it up, the right to self-determination was partly normatized in the process that resulted with the creation of the modern Bosnian state, but in very vague terms that did not contribute to the creation of a clearly defined rule in international law with conditions for its implementation. When the domino effect continued with the independence of Kosovo from Serbia, this was again found to be a *sui generis* case and did not contribute to rules or scholarship on self-determination very much, but did contribute to further calls for secession in the region. In 2006, Milorad Dodik warned that if Kosovo becomes independent, the Serbs in the RS will follow this path.[55] Aidan Hehir, in his book on Kosovo state-building also

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[53] "Countries That Have Recognized The Republic Of Kosova," *Ministry of Foreign Affairs - Republic of Kosovo*, accessed December 16, 2015, http://www.mfa-ks.net/?page=2,33.
[54] Ker-Lindsay, "Preventing the Emergence of Self-Determination as a Norm of Secession," 844.
[55] Hehir, *Kosovo, Intervention and Statebuilding*, 96.

recognized that foreign reports also anticipated such a scenario.[56] Dodik again mentioned Kosovo several times, even reflecting on the possibilities of Kosovo to function as a separate state without the recognition of all UN member states, claiming that RS does not need more than that.[57]

2.4 Case Background

2.4.1 Historical Background of Bosnia and Herzegovina

In order to assess the current attitudes of the state's youth in relation to its questionable future, it is necessary to make a short overview of its past colored by multiculturalism. The history of the state decades prior to the war portray a very different atmosphere among its peoples.

Bosnia and Herzegovina was re-assembled and founded as a legal entity on 25th November 1943, after centuries of occupation and foreign rule, and incorporated into the second Yugoslavia subsequently.[58] As a part of the federation, Bosnia and Herzegovina developed as its military headquarters, due to its central geographical position within the country. A lot was invested into it, due to the previous low development rate, and the necessity to prove the nation-building model in the heart of Yugoslavia.[59] As such, Bosnia and Herzegovina became ethnically the most mixed state within the Federation, as movement of workers was immense while the prosperity of the socialist system was sought.

Bosnia and Herzegovina was peaceful and desirable for its inhabitants, nurturing the multicultural history and vision.[60] In the 1991 population census, 43.47% of the Bosnian population declared themselves as Muslims by nationality, while 31.21% as Serbs and 17.38%

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[56] Ibid.

[57] "Dodik: Republika Srpska Will Be Independent," *Balkan Insight*, accessed June 4, 2016, http://www.balkaninsight.com/en/article/dodik-republika-srpska-will-be-independent.

[58] Trifunovska, *Yugoslavia through Documents*, 206.

[59] Noel Malcolm, *Bosnia : A Short History* (London: Papermac, 1996), 202.

[60] Ibid.

as Croats, with the incredible 5.54% as Yugoslavs.[61] The composition of the Republic prior to the conflict that would arise portrays it as a highly ethnically diverse society without a dominant nation. Bosnia and Herzegovina had it all, the three m's, it was multicultural, multiethnic and multiconfessional.[62] No group could be declared to constitute a majority, a component for the creation of the nation-state, with other groups fighting for the minority rights. That is why it is often commonly described as Yugoslavia *en miniature*, presenting all of its qualities and downsides in a smaller model.[63] However, the bloody civil war erupted and filtered Yugoslavia's problems into its republic which shockingly redefined the picture of the state quickly.

As mentioned before, the disintegration of Yugoslavia was a process now perceived to be based on seceding Republics, with aspirations on creation of nation-states.[64] This process might fit into the suggested pattern that class was replaced with a nation in the post-communist societies, including Yugoslavia.[65] Despite the call of the EC for the creation of multicultural new states respecting the rights of minorities, problems persisted in areas with a large mixture of ethnicities. Bosnia and Herzegovina became a new set for the portrayal of atrocities before the world audiences. There, class was not replaced by a nation, but by different ethnicities. The war that lasted until 1995 took many lives and pushed the region back on the lower end of the development spectrum, but kept the former republic borders of the state, respecting the rules set out by the international law.[66]

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[61] "The National Composition of Yugoslavia's Population, 1991.," *Yugoslav Survey* 33, no. 1 (1992): 3–24.

[62] Cynthia Simmons, "A Multicultural, Multiethnic, and Multiconfessional Bosnia and Herzegovina: Myth and Reality," *Nationalities Papers* 30, no. 4 (2002): 623.

[63] Joseph. Marko, "Post-Conflict Reconstruction through State- and Nation-Building: The Case of Bosnia and Herzegovina," *EDAP Paper* 4 (2005): 5.

[64] Radan, "The Badinter Arbitration Commission and the Partition of Yugoslavia," 545.

[65] Ulf Brunnbauer, "Serving the Nation: Historiography in the Republic of Macedonia (FYROM) After Socialism," *Historein* 4 (2004): 165.

[66] Dunoff, Ratner, and Wippman, *International Law*.

The Dayton Peace Agreement, also known as the Dayton accords (hereinafter The Dayton) of 1995 established the new Bosnia and Herzegovina, and brought peace back to the region. However, this peace, like any newly established peace status, might be perceived as negative peace. This is due to the necessity of integrating peace into every pore of the civil society and the securing of the functioning of the new political apparatus. Such attempts may include the processes of democratization, creation of effective government, free market economy, and building of a western-model nation-state, all under the roof of a liberal democracy. Here fits the notion that nation-building is a big part of the creation of self-sustaining peace and that, hence, peacebuilding is nation-building for sustainable peace.[67]

However, the troubles of Bosnia and Herzegovina's ethnic politics do not stop with the dissolution of Yugoslavia and keeping it within its borders as a multicultural state, events and developments that helped define the secessionist politics continue on into the state's early years.

2.4.2 Present Political and Social Context of Bosnia and Herzegovina

The Dayton presented the constitution for the newborn, which is still today in power, and is often quoted as a mechanism blocking the country's economic, political and social progress, while also defended as the foundations for peace that must not be tackled at any cost.[68] The contemporary Bosnia and Herzegovina represents a *sui generis* case in its political organization. It is divided into two entities: the Federation of Bosnia and Herzegovina (FBIH) and Republic of Srpska (RS), as well as Brcko District. While the RS is unitarily organized, the FBIH is consisted of ten cantons, almost all with an ethnic majority population. The government on the state level is organized under the equal representation principles. Furthermore, the

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[67] Roland Kostic, "Nationbuilding as an Instrument of Peace? Exploring Local Attitudes towards International Nationbuilding and Reconciliation in Bosnia and Herzegovina," *Civil Wars* 10, no. 4 (2008): 384.

[68] Joanne McEvoy, "Power-Sharing Stalemate in Post-Dayton Bosnia," in *Power-Sharing Executives : Governing in Bosnia, Macedonia, and Northern Ireland*, National and Ethnic Conflict in the 21st Century (Philadelphia: University of Pennsylvania Press, 2014), 107.

constitution defines Bosniaks, Serbs and Croats as ''constituent peoples'' of the country, which share the above mentioned equal representation based on the 1991 population census data.[69]

Such an organization is obviously too complex for a country of less than four million citizens and a size ranking among the smallest in Europe. The political apparatus might confuse even its citizens, and is consuming large portions of its budget with the sizeable administration. In total, Bosnia and Herzegovina has more than a dozen governments, more than one hundred ministries on all of its levels and dozens of thousands of government employees.[70] Besides the budgets, it blocks normal functioning of the state with the complex election system, ruling political elites that use the complexity to stalemate important decision-making, and a poor intra-state coordination system that even blocks its accession into the European Union (EU) and numerous other international organizations.[71] Different regulations within different bubbles created by the inner borders make the trade within more complicated than it would have to be, and obscure the everyday life, not contributing to the reconciliation and co-habitation so very necessary.

Currently, barely any attention is given to the growth in the spheres of human rights, equality policies, and social progress marking the liberal democratization processes in the rest of Europe. After the emergence of the case *Sejdic-Finci vs. Bosnia and Herzegovina* in front of the European Court of Human Rights, and its decision which might marked Bosnia and Herzegovina as the most discriminatory state in contemporary Europe, the attention is finally

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[69] *Constitution of Bosnia and Herzegovina*, sec. Preamble, accessed December 30, 2015, http://www.ccbh.ba/osnovni-akti/ustav/?title=preambula.

[70] Alberto Nardelli, Denis Dzidic, and Elvira Jukic, "Bosnia and Herzegovina: The World's Most Complicated System of Government?," *The Guardian*, accessed December 30, 2015, http://www.theguardian.com/news/datablog/2014/oct/08/bosnia-herzegovina-elections-the-worlds-most-complicated-system-of-government.

[71] "Wind of Change," *The Economist*, accessed December 30, 2015, http://www.economist.com/news/europe/21625794-bosnia-stagnating-its-elections-reveal-desire-reform-wind-change.

given to the other peoples, rather than just the constituent ones.[72] However, five years on since the decision it still has not been adopted by the Bosnian government, and the coordination system defending what might be called ''first peoples among the equals principle'' of functioning, is again proved. Hence, the switch from group to individual rights is still secondary, and proves only a small portion of the ramification of Bosnia and Herzegovina's context.

The first ten years of the state were still marked by some progress, regardless of the criticism possibly arising from high expectations. From 1995 to 2005 much was done in increasing the overall security, building of a national currency and travel documents, weakening of the major ethnonational political parties, establishing the Armed Forces of BIH, privatizing the public corporations, opening up the market economy and much more.[73] However, the years were still marked by stalemate and failure to make the state completely independent, with the Office of High Representative (OHR), an institution and title provided by the international community to guard the peace-implementation through vast intervention powers, remaining in operation much longer than initially envisaged and maintaining what is sometimes called a semi-protectorate status.[74]

The years to come opened even more space for debating the Dayton itself, which remained the country's constitution twenty years on, despite the initial idea of it being replaced by a voted constitution, which was additionally sparked by the failures of reforms in 2006 and

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[72] Hildur Boldt, "Ending Consociational Power-Sharing - The Sejdic and Finci Case and the Prospects for Constitutional Reform in Bosnia and Herezegovina," *Vienna Online Journal on International Constitutional Law* 3–4 (2012): 489. The two plaintiffs filed a complaint against Bosnia in front of the European Court of Human Rights for discrimination as, by the Bosnian Constitution, they are unable to run for seats in the state Presidency or the House of People because power-sharing was secured for the three constituent peoples. The Court rule in favor of the plaintiffs and Bosnian started a constitutional reform in 2011, which has still not brought about any results.

[73] Jarstad et al., "Peace Agreements in the 1990s – What Are the Outcomes 20 Years Later?," 22.

[74] Ibid., 23.

2008.[75] The last ten years saw much criticism of the Dayton model for Bosnia and Herzegovina, a system too complex and expensive and not representing the values of a true modern democracies with the pre-defined power-sharing among the majorities.

All of this is used and abused by the political elites within the status of prolonged ''adolescence'' of the state, which might be said to remain properly undefined, and still developing at a very slow pace, while consuming an incredible amount of energy off of the international community and its concerned citizens. It is questionable how long the EU and other actors will be morally obliged to invest into proving the better future of Bosnia and Herzegovina under such an order as it is in now.[76]

2.4.3 Creation of the Common Identity in Post-war Bosnia and Herzegovina Through Nation-building

To speak of the current state of Bosnia and Herzegovina is almost impossible without touching upon the topic of the Bosnian and Herzegovinian nation and the successes and failures of nation-building in detail, as the research will show that this is surely in correlation with the daily political discourses. I will argue here that the creation of a common Bosnian identity failed as a nation-building factor due to the timing it was implemented, as well as the economic and social context which was not given enough attention to. The Bosnian identity for all of its people is a very disputed concept in the contemporary state as it is often attached to the dominance of Bosniaks, Bosnian Muslims, while seen as otherwise rejection of the state on the side of Serbs and Croats by the Bosniaks, attaching the nation-building to nationalist rhetoric and creating a confusion in the differentiation between ethnicity, nationalism and citizenship.

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[75] Soeren Keil and Valery Perry, "Introduction: Bosnia and Herzegovina 20 Years after Dayton," *International Peacekeeping* 22, no. 5 (2015): 467.
[76] Erwan Fouéré and Steven Blockmans, "Towards a New Constitutional Blueprint for Bosnia and Herzegovina," *CEPS Commentary*, 2014, 3.

The nation-building attempts were initiated by the international community right after the signing of the Dayton Peace agreement, with an aim to create a common Bosnian identity and nation, as a roof for the three dominant ethnic groups that were to inevitably co-exist.[77] However, as described previously, Bosnia and Herzegovina was founded as a political compromise on so many levels.[78] It was a compromise necessary for the ending of the war that came out of numerous disagreements that now had to be reconciled, but with a context of even deeper divisions and wounds. This is why numerous obstructions were to be encountered in a big exercise for the international actors.

First of all, the post-war visions of the current state were largely marked by the fresh memories of what had happened. The people had mutually exclusive narratives of the recent past, the war itself. This resulted in, not one, but multiple local nation-building projects, out of which that of Bosniaks was attached to the newly independent state, while those of Serbs and Croats focused on attachments to the ''motherlands'' of Serbia and Croatia.[79] These dissonant memories, and new plays of victimhood to mark the winner, which officially did not exist, started the monument-building, as well as secessionist claims.[80] It is a rough start for the silent fourth alternative by the minority locals and the international community. The main instrument for these attempts would have to be the willingness of locals to endorse the common process of nation-building, but this main component was largely absent.[81]

The complexity of the new political structure, described previously, did not contribute to the effort either. By the new order, people were obviously much more affected by the entity or canton governments in their everyday lives, not the state government, which was left with

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[77] Kostic, "Nationbuilding as an Instrument of Peace?," 386.
[78] Marko, "Post-Conflict Reconstruction through State- and Nation-Building," 5.
[79] Anida Sokol, "War Monuments: Instruments of Nation-Building in Bosnia and Herzegovina," *Politicka Misao: Croatian Political Science Review* 51, no. 5 (2014): 105.
[80] Ibid., 121.
[81] Kostic, "Nationbuilding as an Instrument of Peace?," 390.

few powers by the Dayton.[82] In the first years after the peace agreement, the shortcomings of the constitution were more evident than ever, blocking most of the reforms and development processes. This happened due to the inability of parties to agree on big questions, which was necessary by the legal framework. Furthermore, Bosnian economy was mostly dependent on the aid and it was inviable. At the same time, the society was legally segregated by the different educational systems, and the necessity of viewing things through ethnic lens for anything to be achieved, while there was a big brain-drain and the return of the internally displaced persons was slow.[83]

The international community often called for reforms, contending that it is necessary in order for the state to move from group rights discussions to political, civil and social rights and stronger state-level institutions to bind everything together.[84] However, such intentions came too soon after the heterogeneous society was put on paper, creating a confusion and a paradox in policy within a short period of time. This is further backed by extensive analyses of the cooperation and coordination among numerous international organizations brought into the country for the sake of state-building, which were often inconsistent within their policies in their experimenting with the new state.[85] Moreover, the OHR, with the High Representative for Bosnia and Herzegovina as its head, was awarded bounding powers which it used for the sake of nation-building. Right after the war, the OHR was implementing its powers extensively, to remove those or that which obstructed the implementation of peace.[86] Such actions might have

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[82] Marko, "Post-Conflict Reconstruction through State- and Nation-Building," 7.
[83] Ibid., 16.
[84] Niels van Willigen and Niels Van Willigen, "From Nation-Building to Desecuritization in Bosnia and Herzegovina," *Security and Human Rights* 21, no. 2 (2010): 127.
[85] Eric C. Martin, "Nation Building in Bosnia and Herzegovina: Cooperation, Coordination and Collaboration," *South East European Journal of Economics & Business* 2, no. 2 (2007): 19.
[86] Willigen and Van Willigen, "From Nation-Building to Desecuritization in Bosnia and Herzegovina," 131.

contributed to the distrust among the ethnic groups, to the feeling of powerlessness and protectorate, as well as ineffectiveness of the state.

A persisting obstruction lies in the theory of securitization of ethnic relations, proposed and argued by Niels van Willigen. In the case of Bosnia and Herzegovina, it would encompass the identification of an existential threat to one of the peoples, by the politicians.[87] It portrays the seriousness of ethnic distrust, where the intentions of the other co-habiting people are constantly colored by the violent past, while all the everyday life problems are attributed to the scapegoats found in ''them''. The distrust is also seen in the rejection of the Bosnian identity. Due to the wartime secessionist movements, while the Bosniaks were pro-Bosnian, and the latter's easy acceptance of the common identity, Serbs and Croats viewed universalism as a pro-Bosniak intention. That is why the rejection of common symbols, imposed mostly by the international community, is persistent.[88]

What seems to be persevere through the practices of the international community is the clash of ethnic and civic nationalism. While civic nationalism is promoted for the sake of building of a common identity, political institutions represent ethnicities, promoting ethnic nationalism for the sake of functioning.[89] At the same time, the international actors are promoting the institutional framework's principles of power-sharing, or the ethnos, while publicly indorsing the demos, contributing to the feeling of confusion within the EU and the rest of the international community, in regards to the policy on Bosnia and Herzegovina.[90]

This research also measured whether the processes of nation-building had any effect on the young people of Bosnia and Herzegovina, both through their feelings towards Bosnia and

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[87] Ibid., 134.

[88] Outi Keranen, "Building States and Identities in Post-Conflict States: Symbolic Practices in Post-Dayton Bosnia," *Civil Wars* 16, no. 2 (2014): 135.

[89] Willigen and Van Willigen, "From Nation-Building to Desecuritization in Bosnia and Herzegovina," 133.

[90] Keranen, "Building States and Identities in Post-Conflict States," 136.

Herzegovina, and attitudes towards disintegration, which will be presented in the discussion of the research results.

2.4.4 Discussions of the Bosnian Model

Many discussions of the success of Bosnia and Herzegovina, the successes and failures of the Dayton and the nation-building processes, touch upon the very political model imposed by the peace agreement and its uniqueness. All the calls of autonomy enlargement and secession, as well as applicability of the international norms on these questions onto the case at hand, must touch upon what Bosnia and Herzegovina is, in the constitutional sense, and whether its structure can influence these debates. That is why it is very important to look into the country's federalism; Bosnia and Herzegovina is not defined as a federation by its current constitution.

As a lawyer by primary profession, I firstly needed to turn to legal dictionaries, to find sound definitions against which I would compare my picture of Bosnia and Herzegovina in the fresh and adventurous world of political theory which I am indulging here. *The Oxford Dictionary of Law* only makes a reference to the ''Federal State'' which is defined as: ''a state formed by the amalgamation or union of previously autonomous or independent states.''[91] Such a definition seems too narrow and concise even for a lawyer, because it addresses the foundation of such a state under only one condition. In pursuit of my own goals for this argument I found much more satisfaction in such words as those of Kenneth Wheare who perceived this as rather a method of power division where the general and subordinate governments were independent and coordinated, or Carl Friedrich who saw federalism as a process of federalizing political communities by agreements of joint policies and working out solutions and decision-making.[92]

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[91] Elizabeth A. Martin, *A Dictionary of Law*, Oxford Dictionary of Law (Oxford: Oxford University Press, 2006), 164.

[92] Ademola Ariyo, "Theories of Federalism," Ad-Hoc Expert Group Meeting, 2003, 3; Kenneth C. Wheare, *Federal Government*, 4th ed. (Oxford: Oxford University Press, 1963), 10.

Alongside metaphorical, creative and alternative views on federations and federalism, William Riker also provides some very concrete elements that constitute such a model, which are of better use here. For instance he provides following components that a federation has to have: ''(1) two levels of government rule the same land and people, (2) each level has at least one area of action in which it is autonomous, and (3) there is some constitutional guarantee [. . .] of the autonomy of each government in its own sphere.''[93] This seems like an approach much closer to the layman contemporary notions of federalism, which arise from popular beliefs of how certain modern federations work, such as the US. However, it seems like, in this short review of classical theoretical background, it would almost be a sin not to mention the controversial, yet incredibly influential Carl Schmitt. The author, who painted his career with extensive works on political theory and German Nazism sympathizing at the same time, dealt with the question very much in detail and from many perspectives.[94] I wish to highlight here an interesting note about the relationship between the federal and subunit level he makes in his famous ''Constitutional Theory'' where he claims that federalism only sees states as the organizational components of self-government and legislation autonomy.[95]

Bosnia and Herzegovina does not even define itself in any way or use the terminology attached to federalism, except for in the reference to one of its entities, the FBIH. On the other hand, Bosnia and Herzegovina is made out of entities which enjoy vast autonomies and are signatories to the constitution of the state and act freely on behalf of those competences not defined by the document to be on the state level, and conform to those that are.[96] When, for

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[93] William H. Riker, *Federalism: Origin, Operation, Significance* (Boston: Little, Brown, 1964), 2; According to: Mikhail Filippov, Peter C. Ordeshoo, and Olga Shvetsova, *Designing Federalism: A Theory of Self-Sustainable Federal Institutions* (Cambridge: Cambridge University Press, 2004), 5.

[94] Carl Schmitt and Jeffrey Seitzer, *Constitutional Theory* (Durham: Duke University Press Books, 2008).

[95] Ibid., 392.

[96] *Constitution of Bosnia and Herzegovina*.

example, measured against Riker's elements, Bosnia and Herzegovina has them all: different levels govern the same land and people, both the state and the entities have their own areas in which they are autonomous and there are some guarantees for the autonomy of each government.

However, the escape from defining Bosnia and Herzegovina, in order to end the conflict and avoid disputes, was successful through this definition of its parts as ''entities'', a term with a clear linguistic background but no history of usage in constitutional law. Bosnia and Herzegovina created a precedent here, and worked towards its own status of a *sui generis* state. Furthermore, some say that the entities are made by the constitution, and that hence they are federal units in the constitutional-legal sense.[97] On the other hand, I found it interesting that some scholars, like Soeren Keil do not even discuss whether Bosnia and Herzegovina is or is not a federal system, but simply go about discussing the model in other terms.[98]

It seems that no matter how superficial or deep one goes into the concepts of federalism, this is a hard subject to tackle and it is not promising many results. There are many writings on federalism, but few provide definitions, and there is no such thing as a universally accepted definition arising from neither theory nor practice.[99] In regards to Bosnia and Herzegovina, even though an official orientation of the state is missing, and theories of federalism are sometimes vague or do not apply, there is still no reason to not observe it as a federation, when it seems it does include the most basic outside identification elements that are most often cited or grounded in definitions. This again is a cause for certain Bosnian politicians to push the state

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[97] Zlatan Meskic and Nezir Pivic, "Federalism in Bosnia and Herzegovina," *Vienna Journal on International Constitutional Law* 4 (2011): 597.

[98] Soeren Keil, "Multinational Federalism in Bosnia and Herzegovina," *Institute for Development and International Relations*, 2015.

[99] Michael Burgess, *Comparative Federalism: Theory and Practice* (New York: Routledge, 2006), 1.

into the same dissolution Yugoslavia previously experienced. However, the lack of constitutional definition also does not provide for sound legal claims for secession.

2.4.5 Calls for Secession and Autonomy

Over the past 20 years, Bosnia and Herzegovina's failure to make significant progress in the spheres of economy, social stability and its Euro-Atlantic integration, resulted in the rise of nationalist rhetoric propagated by the political elites to compensate for low performance.[100] The nationalist agendas, accompanied by the complexity of the state and its failure to function, run the everyday public discourse in Bosnia and Herzegovina and that of the international community when expressing its concerns over the progress.

As mentioned earlier, a great part of the nationalist rhetoric is based on calls for larger autonomy or even secession of the two of the smaller ethnic groups, the Croats and the Serbs. The president of RS, Milorad Dodik, has been making it a part of his decade long agenda to promote that any compromise to the entity's autonomy would entail a referendum on independence of the RS. Furthermore, he refuses, with big political threats, any talks of centralization or constitutional reform.[101] In his decade-long tenure, he was seen as obstructing the work of the state institutions, probably trying to weaken them to provide sound reasons for the dissolution of the country. He calls Bosnia and Herzegovina ''artificial'', that it is kept alive by foreigners and that functioning Bosnia and Herzegovina is a ''mirage''.[102] What it interesting is that Serbia has been consistently propagating the ''Dayton Bosnia'' and has not officially greeted the secessionist aspirations of the RS, but instead, Serbian officials claimed support for

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[100] Edith M. Lederer, "Bosnia Warned at UN to Stop Nationalist Rhetoric and Start Reforms," *The Canadian Press*, n.d., accessed December 30, 2015.

[101] Danijela Majstorović and Gerard Toal, "Comments on Gerard Toal's 'Republika Srpska Will Have a Referendum': The Rhetorical Politics of Milorad Dodik," *Nationalities Papers* 41, no. 1 (2013): 10.

[102] Woehrel, "Bosnia: Current Issues and U.S. Policy," 4.

the territorial integrity of Bosnia and Herzegovina on multiple occasions.[103] What's more, James Ker-Lindsay, a British expert in Southeastern Europe, in a recent interview with a Bosnian newspaper, said that there is no way Serbia would jeopardize all of its recent hard work in the EU accession process by recognizing an independent Republic of Srpska.[104]

On the other hand, the political representatives of Croats have been occasionally seeking a third entity within the state, one that would be majority Croat, to secure safe political representation and equality of Croats with the other ''constitutional peoples''. This call of institutionalization of Croat autonomy has been as old as the Dayton itself, and has resulted even in the creation of the unofficial Croat National Assembly which gathers all Croat political parties occasionally to discuss their common agenda towards the state institutions.[105] Every stalemate in the government of the FBIH is seen as due to the complexity of the state which does not treat the Croats equally as the other two constituent ethnic groups, such as the 2010 election crisis, when Bosnia and Herzegovina was left without a government for almost a year and a half after the elections, due to the lack of agreement among Bosniak and Croat parties on how to form the government.[106] In the view of Michael Holtzel, of Johns Hopkins University, the call for the third entity is seen as less extreme than that for independent RS, but is comes without real documented proof of Croat discrimination, and would create a Swiss-like construct of a geographically inconsistent entity.[107]

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[103] "Nezavisnost Republike Srpske Je Nemoguća [Independence of Republic of Srpska Is Impossible]," *E-Novinve*, accessed May 29, 2016, http://www.e-novine.com/mobile/region/region-tema/76680-Nezavisnost-Republike-Srpske-nemogua.html.
[104] "Milorad Dodik Prijeti Uprazno, Otcjepljenje RS-a Je Iluzija [Milorad Dodik's Threats Are Empty Threats, Secessions of RS Is an Ilussion]," *6yka.com*, accessed May 29, 2016, http://www.6yka.com/novost/104626.
[105] "Bosnian Croats Form National Assembly."
[106] Woehrel, "Bosnia: Current Issues and U.S. Policy," 4.
[107] Michael Haltzel, "The Chance for a Multi-Ethnic Bosnia," *The Huffington Post*, accessed May 29, 2016, http://www.huffingtonpost.com/michael-haltzel/the-chance-for-a-multieth_b_6070250.html.

It is very interesting that Milorad Dodik expressed support for the Croat entity multiple times, calling upon the wartime existence of Herzeg-Bosnia, a Croat *de facto* entity, which Croats, in his opinion, should not have sacrificed for the unity with the Bosniaks in FBIH.[108] Furthermore, the current President of Croatia, Kolinda Grabar-Kitarovic, also said that she would support the third entity in Bosnia and Herzegovina if Croats wanted it.[109]

In the past year, the tensions are rising in Bosnian politics through pushing of political structure agendas into the mainstream. The City of Mostar, a city often seen as the *de facto* capital of Croats in Bosnia and Herzegovina, but with a significant number of Bosniak residents on a separate side of the river bank, has not had local elections since 2008 due to lack of agreement on how to run them to please everyone with the government on the city level. Negotiations in the past year, prior to Bosnia's 2016 local elections cycle have constantly been failing and the provocations among the citizens are rising.[110]

On the other hand, at the end of 2015, the RS leader Milorad Dodik started threatening with a referendum on the validity of the Bosnian state justice system and the authority of the High Representative.[111] Furthermore, after the Bosnian Constitutional Court ruled that the January 9, the national holiday of the RS, marking the day when the Serb entity was founded in 1992, was unconstitutional, Milorad Dodik increased his rhetoric through holding official

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[108] "RS Leader Supports 'Third, Croat Entity' in Bosnia," *B92.net*, accessed May 29, 2016, http://www.b92.net/eng/news/region.php?yyyy=2014&mm=10&dd=06&nav_id=91804.

[109] "Grabar-Kitarovic: If Croats in BiH Want Third Entity, I Will Support Them," *Bosnia Today*, accessed May 29, 2016, http://www.bosniatoday.ba/grabar-kitarovic-if-croats-in-bih-want-third-entity-i-will-support-them/.

[110] "Bosnia and Herzegovina: Ethnic Tensions Escalate in Mostar, 'Most Divided' City," *The Muslim News*, accessed May 29, 2016, http://muslimnews.co.uk/news/europe/bosnia-herzegovina-ethnic-tensions-escalate-mostar-divided-city/.

[111] "Bosnian Serbs to Hold Referendum on State Courts," *Balkan Insight*, accessed May 29, 2016, http://www.balkaninsight.com/en/article/bosnian-serbs-to-hold-referendum-over-state-judiciary.

celebration events larger than ever.[112] In the recent months, the weak opposition of Serb political representatives called for Dodik to step down and organized protests in May, to which the Government responded by organizing counter-protests.[113] However, I noticed that Dodik's separatist rhetoric is increasing in the meantime, as he referred to RS as a ''state'' or a ''country'' several times recently in political speeches and public statements.[114]

[112] "Bosnian Serbs to Hold Defiant Celebration," *Balkan Insight*, accessed May 29, 2016, http://www.balkaninsight.com/en/article/republika-srpska-gears-up-for-bombastic-9th-january-01-04-2016.

[113] Lana Pasic, "Political Rallies in Republika Srpska: Shows of Force ahead of Local Elections," *Balkan Analysis*, accessed May 29, 2016, http://www.balkanalysis.com/bosnia/2016/05/22/political-rallies-in-republika-srpska-shows-of-force-ahead-of-local-elections/.

[114] "Dodik Refers to Serb Entity in Bosnia as State," *B92.net*, accessed May 29, 2016, http://www.b92.net/eng/news/region.php?yyyy=2016&mm=01&dd=08&nav_id=96637; "Dodik: Republika Srpska Je Država, a Bez Države Nema Slobode [Dodik: Republic of Srpska Is a Country, and There Is No Freedom without the Country]," *Press RS*, accessed May 29, 2016, http://pressrs.ba/info/vijesti/dodik-republika-srpska-je-drzava-bez-drzave-nema-slobode-14-05-2016; "Dodik: Republika Srpska Je Slobodarska Država [Dodik: Republic of Srpska Is a Libertarian State]," *Avaz.ba*, accessed May 29, 2016, http://www.avaz.ba/clanak/234665/dodik-republika-srpska-je-slobodarska-drzava.

4. Field Research

4.1 An Overview and Justification of the Methods

For the desired purpose of finding the attitudes of the Bosnian youth towards the issues discussed here, the target group of the research was defined as the young citizens of Bosnia and Herzegovina. For the sake of narrowing down the population of youth respondents, opinions and feelings were measured from university students of age 18 or older. This also allowed for easier logistical realization of the research. The focus of the data analyses was on those participants who affiliated themselves ethnically as Serbs, Croats or Bosniaks, as this research is focusing on the viewpoints of these ethnic groups.

A specific feature of this research is that it is combining research methods in its separate segments for a combined analyses afterwards: a qualitative and a quantitative research method. Such an approach is often questioned and criticized and weaknesses are discussed.[115] However, in this case, I chose the different methods for logical, logistical and approachability reasons. The views of the youths desired would be best presented in the quantitative form, to acquire for the first time a significant number which provides for more valid views which can be generalized for the argumentation at hand.

Since the university students were approached with two separate methods, the qualitative group discussions and the quantitative questionnaire, the same critique may be met here. Such a plan was created at first for the sake of the procedure; group discussions were chosen as a preface to the questionnaire, a tool in the development of the questionnaire itself. Due to the lack of previous research on the same topics and questions, group discussions were to help identify points which can be investigated for the sake of rounding up the picture

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[115] Alan Bryman, *Social Research Methods* (Oxford; New York: Oxford University Press, 2008) This work was used to evaluate the strengths and weaknesses of combining quantitative and qualitative research methods. Unless otherwise indicated, the content of this section is taken from this book.

surrounding the research questions in a way which might not have been envisaged during the period of initial research development. Furthermore, the paradigm argument can be invoked here, which implies that when a research combines quantitative and qualitative methods, which are seen as paradigms, i.e. epistemological assumptions, methods and values are inextricably intertwined and incompatible between paradigms, the integration is only at a superficial level.[116]

4.2 The Procedure and Data Collection

At the initial stage, group discussions were conducted in three major political centers of Bosnia and Herzegovina: Banja Luka, Sarajevo and Mostar, with ethnically homogenous groups of Serbs, Bosniaks and Croats respectively. The method of sampling chosen for this segment was word of mouth; student contacts in these cities were asked to suggest 6 participants who were invited for a group discussion at local community spaces. In the short explanation of what group discussions are, the contacts were also told not to choose only people from their spheres of life, but others as well, who may have different political opinions, for the sake of the diversity of the group. On three separate dates, all three discussions were successfully held, with participants being explained the voluntary basis of participation, the protection of personal data and anonymity, in accordance with general research practice.

The questionnaire was developed online, with advanced question logic tools. This way, the introduction page, which presented the research, the voluntary participation, anonymity and the conditions for participation, asked respondents whether they are voluntarily participating and whether they were over the age of 18. If these conditions were not met, the questionnaire sent the respondent straight to the ''thank you'' elimination page which excluded them from the questionnaire. The system was also set to ban the same users from filling out the questionnaire two or more times by banning the participation of the same devices and IP

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[116] Ibid.

addresses. For the conducting of the questionnaire, the negotiations were started in the early phases with university professors and other staff, with a plea to help distribute the questionnaire web link. A team of research assistants were helping distribute the link directly to university student groups and contacts acquire there. Furthermore, the link could not be shared on websites or social networks. Only those with the direct link sent to them were able to take part in the research. These actions were used to make sure that the massive and systematic participation was not possible. No technical issues were met during this process, except for a couple of dozens of participants quitting the survey before the end, and two hundred thirty being eliminated by the system for failing to fulfill the requirement of the age or student status. A total of three hundred forty respondents successfully participated in the survey in 28 days of its distribution.

4.3 Fieldwork Events

During the development of the research, main setbacks and possible obstacles were identified, out of which in the fieldwork most were predicted, and proper planned reactions were undertaken, except for two. Due to some of the shortages of the research plan, the timetable was changed several times and prolonged research period by a month.

As the first phase, the group discussion segment was chosen, due to its necessity for the further development of the research. All three discussions were planned for the second part of the first week of January. However, after the first one was conducted, the unpredicted snow storm hit most of Bosnia and Herzegovina, preventing travel for a whole week. This resulted in the remaining two discussions to be pushed to the second week of February. Furthermore, the discussions were happening around the of January 9, a national holiday in the RS, which celebrates its established autonomy and was in earlier months proclaimed unconstitutional by the Constitutional Court of Bosnia and Herzegovina (CCBH), causing a lot of public debate and threats for independence on behalf of Serb politicians.

Initially, the research included a second segment: expert interviews with six major Bosnian politicians constituting the political elite, for the purpose of comparison with the attitudes of students. While the interviews with the politicians were planned for the third week of February, the main setback of expert interviews was met: the scheduling problem. During the negotiations for the interview dates, one of the six prominent politicians was arrested in a corruption action of the special force of the central police, which was followed by the increase of general political instability.[117] The politicians, and their staff, prolonged setting the date for interviews for almost three months, until it was too late for them to be conducted in time for this research. Only one interview was conducted successfully with the Member of the Presidency of Bosnia and Herzegovina, Mladen Ivanic, who was interviewed in February and showed very cooperative. However, one interview with a representative of Serbs in the three-member Presidency, is not enough for successful and comparative fulfilling of the method requirement.

4.4 Development of the Interview and the Questionnaire

The group discussions were carried out in accordance with the general research practice concerning this method. The six participants were served with a stimulus: the article on the Prime Communications research on the question of homeland. After the initial discussion, it would only be interrupted a couple of times to direct the discussion towards the research questions, which was in accordance with the developed guide for group discussions.

The guide for the semi-structured expert interviews with politicians was developed in accordance with the coverage plan for the research question and accompanying points discovered during the group discussions. The guide was created as to ensure that the main segments are addressed with all the participants, for comparability reasons, as well as with the

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[117] "Bosnian Police Arrest Tycoon-Politician Radoncic," *Balkan Insight*, accessed March 6, 2016, http://www.balkaninsight.com/en/article/bosnian-police-arrests-fahrudin-radoncic-01-25-2016.

results on the opinions and feelings of students. A segment added to the beginning of the guide, which was not later used for the questionnaire, but was used with group discussions, is the research stimulus.

The same procedure was used for the questionnaire for students. The same segments were used, but in a more detailed and concise fashion to the nature of the digital online questionnaire, and the lack of freedom of digression, which would have been present in the interviews. The segments that both the interview guide and the questionnaire contained are:

1. The discussions of ''homeland'' and other indicators of the identification with and attachment to the state;

2. Opinions on the current political and administrative structure of Bosnia and Herzegovina;

3. Awareness of autonomy-seeking and secessionist claims within the country;

4. Opinions on autonomy-seeking and secessionist claims within the country;

5. Opinions towards the future of the political and administrative structure of the country;

6. Awareness of international norms and practice in accordance with these issues;

7. The wishes for the future of Bosnian and Herzegovinian territories.

4.5 Data Analyses Methods

For the purpose of the thesis, basic data analyses methods were used for the interviews and the questionnaire. The research was not designed as such to ground the results or build them from or towards social theories, but more towards public opinion for the analyses towards a model of generalizing opinions for the conclusions which lead to the backing of the thesis argumentation line. This is also due to the nature of the research which is oriented towards creating a coalescence of data for further analyses, identification of public discourse points and loopholes of the political discourse.

The questionnaire is built around the basic principle of dividing answers according to the expressed ethnicity of each respondent with four categories offered in the answers: Croat, Serb, Bosniak, other and non-identifying. The basic statistical analyses was conducted by measuring the percentages of participants from one of the ethnic group options against the answers on the questions relating to the main research questions.

5. Analyses and Discussion

This section will present the overview and analyses of the results of the empirical research conducted from January to May 2016 in Bosnia and Herzegovina, as described previously in the Field Research chapter. As the second segment of the research, the expert interviews of the politicians, was not realized in the planned manner, and the inclusion of the one interview conducted does not make the segment comparative to the other two, it will not be presented separately.

The discussion of the results of the group discussions conducted in the three cities will be only presented shortly, as this segment of the research was initially envisaged only as aid in the development of the interviews and the questionnaire. However, some interesting findings do require attention of this written work and will be reviewed separately, while other interesting findings will be included with the presentation of the results of the questionnaire. Furthermore, the results will be presented in conjunction with the discussion which will include the earlier literature review, and will altogether lead towards possible conclusions and measurement of the success of the hypothesis and the success of the accomplishment against the research question.

5.1 Group Discussions

Due to the failure of conducting all three group discussion in January, as described earlier, the group discussion organized in Banja Luka was marked as the pilot group discussion that also helped re-shape the new cycle organized in February. And even though the findings were similar, the actual group discussion organized in February will be discussed here only, as it is closer in time with the other two.

The group discussion almost completely matched the hypothesis of the research. The students generally expressed great dissatisfaction with the political order in Bosnia and Herzegovina and Herzegovina and most of the points of the discussion had matching findings regardless of the geographical and ethnic composition of the group.

The students in Banja Luka were generally much more aware of the affairs of the entities than the state, which goes in line with the popular belief that the residents of the RS are more attached to their autonomous territory than those of the FBIH. They all agreed that they are not very surprised by the stimulus research presented to them at the beginning, but they also agreed that they feel like Bosnia and Herzegovina is their homeland and that this might be also the opinion of their close surroundings, with the exception of two participants, who definitely did not feel this way. The discussion along the lines of the political and administrative discussion of the structure of the country mostly revolved around its complexity and how it leaves too much space for corruption and maintenance of political elites, while draining the economy. All but two expressed that they would fully accept constitutional reforms which was replace entities with what they called ''some other kinds of economic regions'' without the ethnically dominant groups. The same two students mentioned earlier said that they would definitely not agree and caused a much heated discussion with the others over their claims that they do not feel like Bosnia and Herzegovina is, or could be, their homeland ever, since they do not feel welcomed or at home when in the other parts of Bosnia and Herzegovina. They were often citing wounds from the war and the agendas of Bosniaks to erase the RS and convert everyone into the new ethnic group/nation of Bosnians, which they do not feel. Others constantly responded in the discussion claiming that all parts of Bosnia and Herzegovina are a part of them and that it does not make sense to be separatist.

Here they themselves progressed to the topic of the independence of the RS, where the majority agreed that this was unnecessary, that they would rather opt out for a joint future of the peoples and that the RS on its own would be a weak small state. They also came to a conclusion that the discourse about such agendas is what actually slows down the development and growth of the state as politicians always turn to these kinds of rhetoric to escape dealing with actual issues. The two participants who constantly disagreed with the group and only called

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themselves ''patriotic'' again disagreed, with one of them saying that he would not like for the RS to secede but rather join the whole country with Serbia, where he thinks it belongs. The other student disagreed with this, calling it an opinion ''too radical''. They generally thought that there was no need for the third ''Croat entity'', because there is no need for such divisions in general, but that if the Croats insisted and no other overall decomposition of Bosnia and Herzegovina was possible, they would support it.

They ran a heated discussion with very little intervention with questions, and concluded that neither of them believe that their political representatives actually represent what they believe in, or wish for the current and future Bosnia and Herzegovina.

The students in Sarajevo all agreed that Bosnia and Herzegovina was their homeland, but also thought that the research results presented from before do not surprise them. They expressed surprisingly moderate opinions towards the Serb and Croat secessionist politics. What dominated the discussion was mostly internal disagreements of the group with one of the participants who expressed quite radical views. This participant was politically active and he propagated dominantly the politics of his right-wing party, igniting talks against the LGBTIQ population, pro-religious domination and very much against the Serb population of Bosnia and Herzegovina, whom he addressed as to the ''occupiers'' of the land. This was the most difficult discussion to be directed down the line of questions and points that needed to be covered.

One interesting observation is that the students mostly said they understood the lesser attachment of Serbs and Croats to the Bosnian state but hope for this to change in the future. When the one student started speaking about defending his homeland against the invaders next time they disagree, the others judged his radical views and tried to lead the discussion into other ways.

The group discussion in Mostar was the least dynamic one. The participants lead a discussion that was mostly about following the points and answering questions but did not

naturally go into their own discussion. They surprisingly all said that they accept Bosnia as their homeland and did not think that the idea of a third entity is important, instead propagating joining the dominantly Croat cantons into one mega-canton which would have more say in the Bosnian politics, but without necessarily calling it an entity. They showed very moderate views of the Serb secessionist politics and said they did not know much about the politics and whether their political representatives go in line with opinions such as theirs.

One observation common to all groups was also the one most important for this research: the great majority of students said that they do not follow the politics on a day-to-day basis and that they do not care too much about the narratives about the Dayton, the entities, the constitutional reforms, the talks of autonomy enlargement and secession. The only ones with firm and formed opinions about this were the two students in Banja Luka, who disagreed with the rest of the group, and the one in Sarajevo. The rest of the participants were forming opinions and becoming more passionate in attempts to confront them. The feeling acquired from the discussions is that they do not care much about the ethnic politics, and they do not know much about what they want for the future of Bosnian politics, but that they surely do not agree with the current structure and current political discourses. It seemed that the participants were observing politics only passively, but that they were frustrated about it.
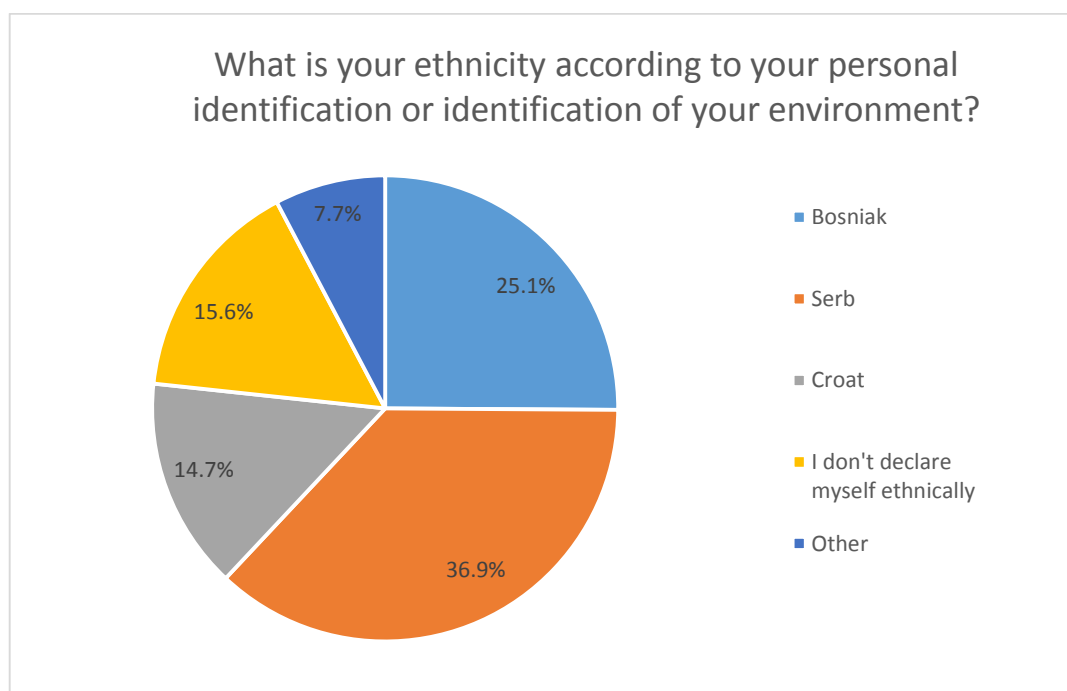
Furthermore, all three groups ignited conversations about how the civil matters in politics need more attention, how the politics need to switch from ''ethnic agendas'' towards those of civil development, human rights and economy. The group discussions go in line with the research hypothesis and answer the research question by pointing out towards large differences between the political agendas and rhetoric and the opinions of the youth. The youth of Bosnia and Herzegovina, here measured through students in three major Bosnian cities and by ethnicities, really do express more moderate views and are frustrated by the political feuds on the ethnic level, which are placed through entity and cantonal politics onto the state level,

and care less about the autonomy seeking and secession. Instead, they wish more economic, educational and social prosperity, regardless of which and what kind of state they live in. These findings provided for a clearer structure to be used in the questionnaire and more points that need to be touched upon in the questions for the following research phase.

5.2 The Questionnaire
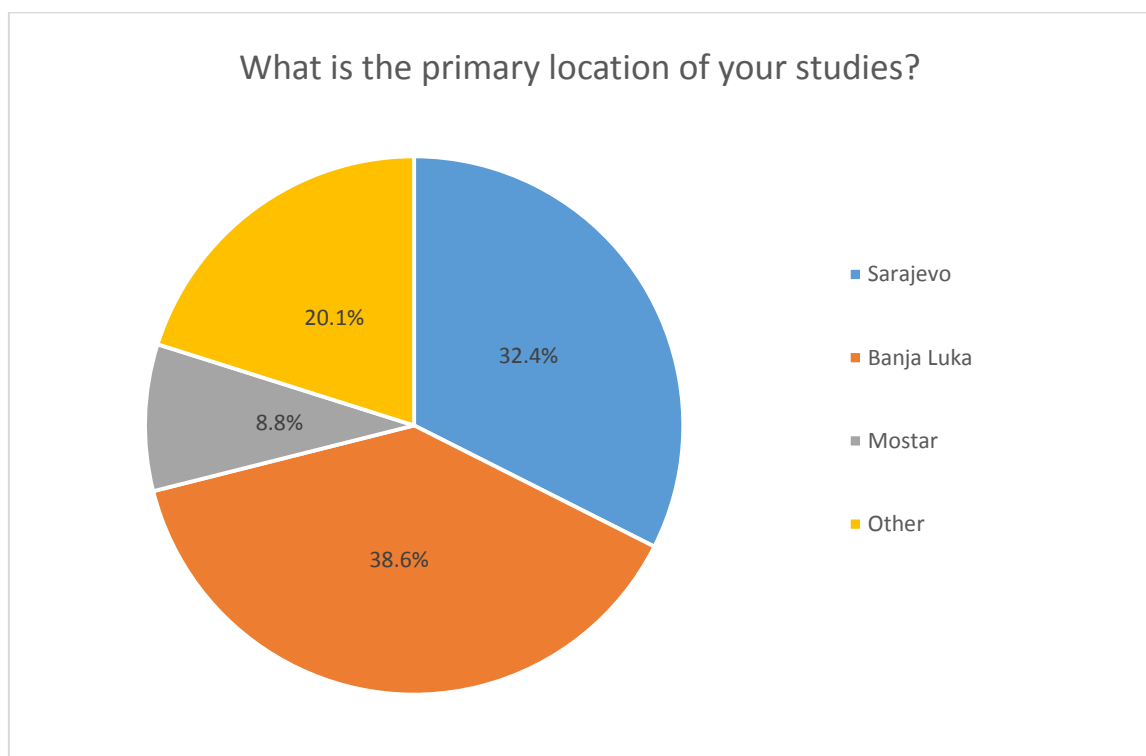
5.2.1 Participants' Profiles

The questionnaire was filled out, as explained in the methodology chapter, by three hundred forty participants who were students. Only 8.2% were of 18 to 20 years of age, 33.2% were of 20 to 23, 42.9%, which constitutes the majority, were of 24 to 27 and only 15.6% of 28 years of age or older. This points that the older students were more responsive to the questionnaire and/or more willing to fill it out completely. The respondents declared themselves as male by sex in 42.8% of cases and 56.9% were female, while 0.3% perceived themselves as ''other''.

What is your ethnicity according to your personal identification or identification of your environment?

- Bosniak
- Serb
- Croat
- I don't declare myself ethnically
- Other

25.1%
36.9%
14.7%
15.6%
7.7%

Chart 1: Ethnicity of Respondents

As Chart 1 presents, 36.9% of respondents declared themselves as Serb by ethnicity, 25.1% as Bosniak and 14.7% as Croat, while 15.6% did not declare themselves ethnically and 7.7% chose the option ''Other''. Under this option, the respondents had the possibility to offer their unique answer, out of which majority are either ''Bosnian'' or ''Bosnian and Herzegovinian'' and the second most common response was ''Yugoslav'', while only several were those belonging to minorities.

Furthermore, the primary location of respondents' studies are in 91.1% of cases either Sarajevo, Banja Luka or Mostar, the three major Bosnian cities, while only 8.9% indicated another place.

Chart 2: The Primary Location of Respondents' Studies

A very important question marking the profile was the one asking the participants whether they are from those cities they study in, or they were raised in other places in Bosnia and Herzegovina. Actual 57.5% of people are from one of the three cities, while 42.5% are from other places and in the comment section wrote themselves where from. In total, with Banja

Luka, Sarajevo and Mostar, the respondents come from forty seven different towns or cities in Bosnia and Herzegovina, which constitutes a very satisfying number for the value of the geographical scope of the research.

Of those who participated in the research, only 10.6% indicated that they were members of a political party or organization, and actively involved in its work, with 11.8% saying they were inactive in those political bodies, while 77.6% were not members of any political party or organization.

5.2.2 Youth and Bosnia and Herzegovina

A very important indicator of the respondents for the main question was how much they identify with Bosnia and Herzegovina. This was identified as important for the measurement of other results through group discussions, where the participants themselves were emphasizing how they perceive the state, before addressing important autonomy enlargement and secession questions.

Respondents were offered a grading scale of agreement with offered statements which measure how they identify and feel about Bosnia and Herzegovina and the other levels of political structure. The results here were most surprising. A total of 86.7% agreed to some extent with the statement that they feel like Bosnia and Herzegovina is their country, from ''I completely agree'', ''I agree'' and ''I agree to some extent''. Still, only 26.5% chose the latter option. To a statement similar to the one used in the stimulus of this research: ''I feel that Bosnia and Herzegovina is my homeland'', 77.6% answered that they agree among one of the three options of agreement. This is much higher than in the stimulus for this research, which may speak to a higher acceptance of BIH as homeland among the youth then general population.

` However, differences are visible among different ethnicities. Acceptance of Bosnia as their country goes from as high as 98.8% with Bosniaks, to 89.1% with Croats and 72.3% with Serbs. When it comes to the feeling that Bosnia and Herzegovina is their homeland, again

Bosniaks answered in a positive fashion in 98.8% of cases, while 79.1% of Croats and 55.5% of Serbs answered this way. When this is compared against the results of the stimulus research, it is clear that the numbers among youth are very different from those among the general population. It seems that the younger generations in Bosnia and Herzegovina are accepting the state as it is much more than those that lived as adults in the years of the turbulent 1990s.

On the contrast, since for the sake of exploring a little more the success of the development of the common Bosnian model and its symbolism, it was also investigated how they feel about the Bosnian flag, results are very different. A total of only 46% of respondents identified in some way with the flag of Bosnia and Herzegovina, while striking only 13.6% completely agree with this statement. While Bosniaks again said that they feel attachment with the Bosnian flag in 78.5% of cases, only 52.4% of Croats thought so and striking 13.5% of Serbs. These results are very worrying for the acceptance of the most important common symbol among the citizens of a state. Such a phenomenon might be possible due to the structure of the state which has little to do with its own citizens in their daily lives. This is confirmed by the answers to the question whether they are influenced by the entities more than the state in their lives, where 72.2% of Bosniaks answered in this fashion, with 81.1% of Serbs and 76.2% of Croats. Furthermore, when asked whether they feel a higher attachment to the state than the entity they live in, Bosniaks answered in a positive fashion in 93.5% of cases, while Croats in only 41% and Serbs 11.6% of cases. The differences in the attachment to the state obviously have little to do with the influence of the different levels of government onto their lives, but rather the personal perception and emotional attachment regardless of the political structure.

When taken as a total, still only just over half of respondents, 50.1% agreed with the statement that they feel a higher connection with Bosnia and Herzegovina then their entities or cantons. This might speak to the success of nation-building since this data comes against the respondents' agreement with the statement that the entity government influences their daily

lives more than the state government, which 71.7% of respondents concluded. On the other hand, it may seem confusing that 78.7% of respondents said that, in some extent, they feel a higher connection to their local community then the higher instances of the structure. It may seem that in the complex state, people are turning to local communities for belonging.

Looking into the findings, it is very hard to conclude whether the nation-building process in Bosnia was successful, even from the younger generations who lived in the country their whole lives, or majority of it. On the one hand, acceptance of the Bosnian state are high among all ethnic groups, and the perceptions of Bosnia and Herzegovina as their homeland is promising as well, and goes over the line of half of the respondents in all three ethnic groups. However, the attachment to the state symbols is still very low among the Serbs, which might be explained by expansive analyses of their understanding of the flag, which would represent an interesting question for further research.

5.2.3 Opinions on the Structure of Bosnia and Herzegovina

Previous chapters showed that Bosnia and Herzegovina is a complex country without even defining what it is in its constitution. It is interesting to see that its youth agrees with this. Despite the complexity presented, the respondents of this research think they are well familiar with the current political and administrative organization of Bosnia and Herzegovina by a large majority of 67.5%. Only 9.5% said no to this question while 23.1% said that they are unsure.

The most important question to be collected due to the vast discussions in the scholarly, legal and political world on the design of Bosnia and Herzegovina, which was discussed here, was what people thought of it twenty one years after its implementation. As shown in *Chart 3*, an astonishing 88.2% of respondents think that the current political and administrative structure of Bosnia and Herzegovina is generally not good. An incredible 94.2% believe that a change is needed, which is agreed among ethnic groups within five points of difference, all crossing 90%.
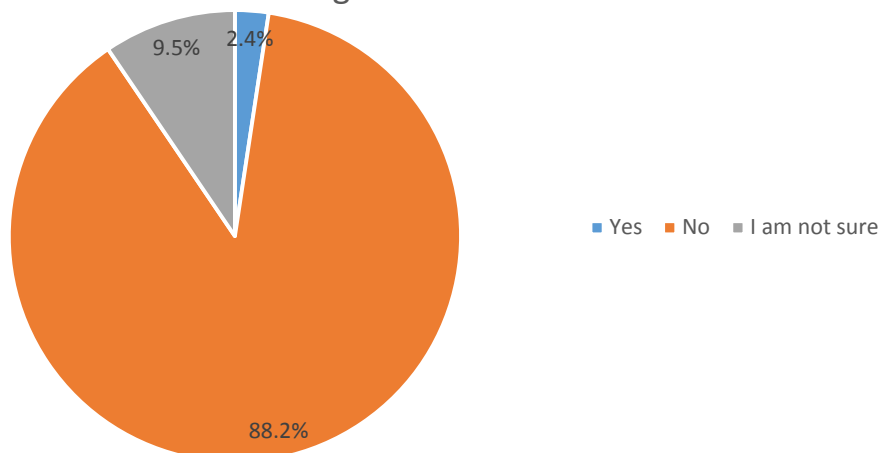
Chart 3: Opinions on the current BIH structure

Furthermore, 48.6% do not like the Bosnian division into entities, while 22.45% remain neutral and only 28.91% think that it is good. An even larger number, 59.2% think that FBIH's division into cantons is bad, with only 14% think that it is good and the others remain neutral. Similarly, over half of the participants do not like the amount of autonomy the lower instances of government have, particularly 51.5%, while an astonishing 32.1% remain neutral on this question. The biggest division in opinions is portrayed regarding the equal representation principle among Serbs, Croats and Bosniaks in the functioning of the state government, where 40.3% said they like this, while 17.3% remain neutral and 42.4% do not like this. On the other hand, respondents agree that they do not like the exclusion of minorities from the state government by 68.7% expressing dislike, and only 10.2% agreeing with this arrangement, while the others remain neutral.

When broken down into ethnic groups, only 5.3% of Bosniaks think that the division into entities is good, while 30.4% of Croats agree and an astonishing 59.8% of Serbs think that it is good. The equal representation at the state level is most supported by Serbs, with 60.4% of

them, followed by Croats at 50% and Bosniaks the least with only 23.7%. The exclusion of national minorities is supported by only 9.5% of Serbs, 10.5% of Bosniaks and 23.9% of Croats.

These findings go in line with the reviewed literature, and conclusions made in the assessment of the Bosnian model in earlier chapters. They clearly identify that the state structure is generally not good and that it needs change. However, their feelings towards certain characteristics of this model vary among different ethnic groups and will be further enhanced by their dividing wishes for the future of political arrangement, which will be presented in the subchapter on the wishes for the future of Bosnia and Herzegovina.

5.2.4 Feelings towards Autonomy Seeking and Secessionist Claims

The most crucial part of this research for the future of Bosnia and Herzegovina just might be opinions that express youth's attitudes on which direction the politics should go into. As expected, 78.4% of respondents said they are aware of potential autonomy seeking or secessionist aspirations of Serbs and Croats in Bosnia and Herzegovina. Just below half, 49.4% think that these aspirations are unnecessary, a surprisingly high number of 24% have a neutral opinion on this and 26.6% think they are necessary. Similarly, 27.4% support these aspirations, 23.6% remain neutral, while 49.1% do not support them. When broken down into expressed ethnic affiliation, only 8.6% of Bosniaks think that they are necessary, while 45.5% of Serbs and just over half, 51.2% of Croats. The support for these aspirations is highest among Croats, at 53.7%, followed by Serbs at 45.5% and Bosniaks at only 7.1%.

On the other hand, 26% support the creation of a third entity with majority Croat population, while 57.6% do not support it. Only 24.7% support the idea of enlargement of the RS's autonomy, while only 20.2% support the idea of its secession from Bosnia and Herzegovina and an even smaller number of 13.5% support the secession of majority Croat territories.
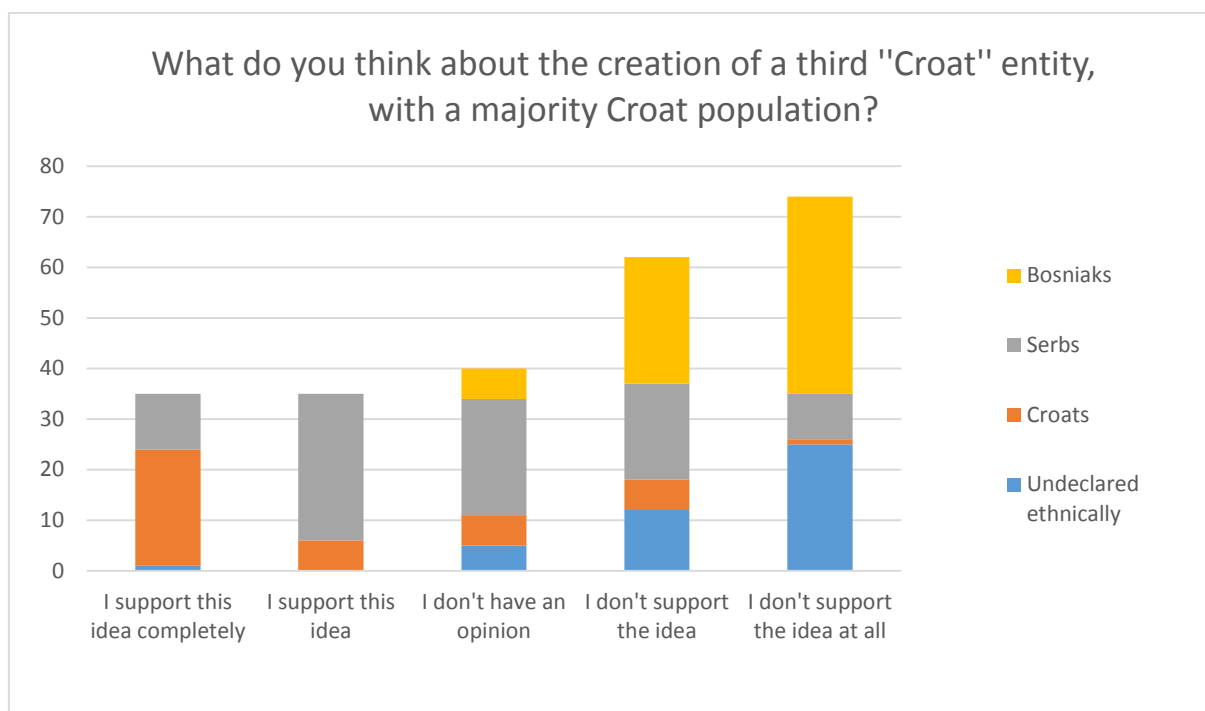
Chart 4: Opinions on the Creation of a Third Entity

When broken down into ethnic groups, the results start showing differences in feelings towards such aspirations. Majority of Croats, 69% support the creation of the third entity, which has support of Serbs with 43.9%, while 25.6% expressed neutrality. However, it is not supported by the Bosniaks at all since not even one Bosniak marked either of the support options on the scale.

The possibility of enlargement of RS's autonomy is supported in some way by Serbs in 63.3% of cases, while only 11.9% of Croats and none of the Bosniak respondents. These results show a striking difference in opinions, which might be caused by the fact that such an enlargement of autonomy would create a disproportionate state.
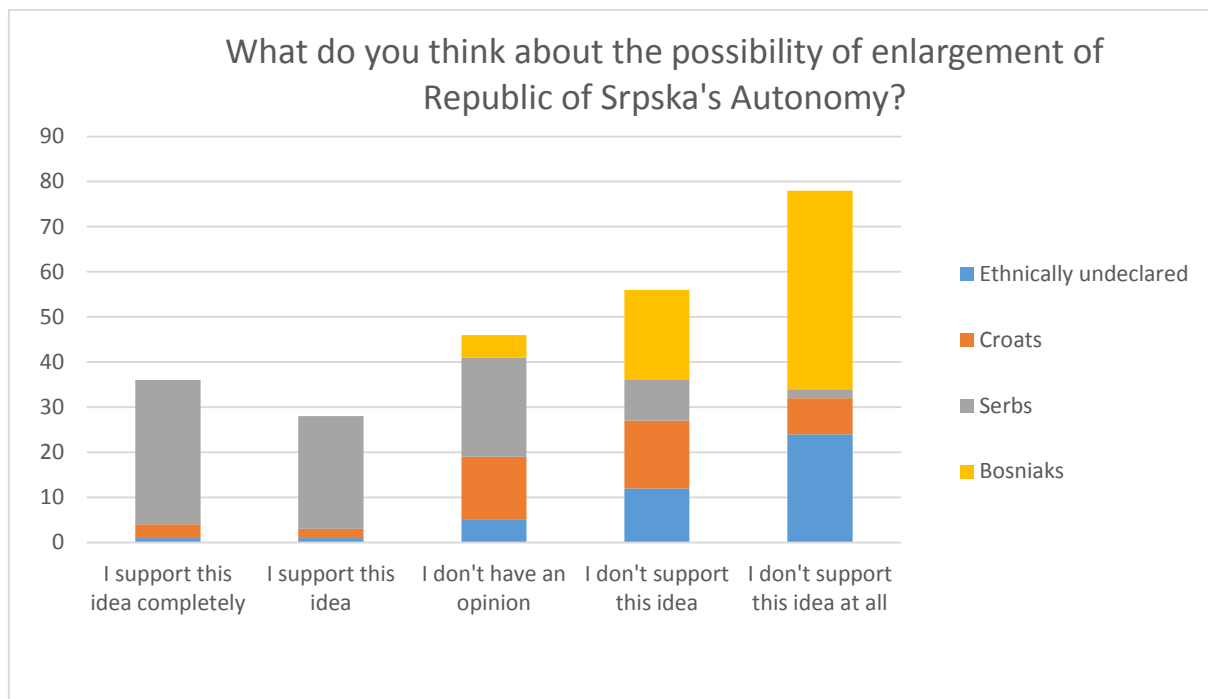
*Chart 5: Enlargement of Republic of Srpska's Autonomy*
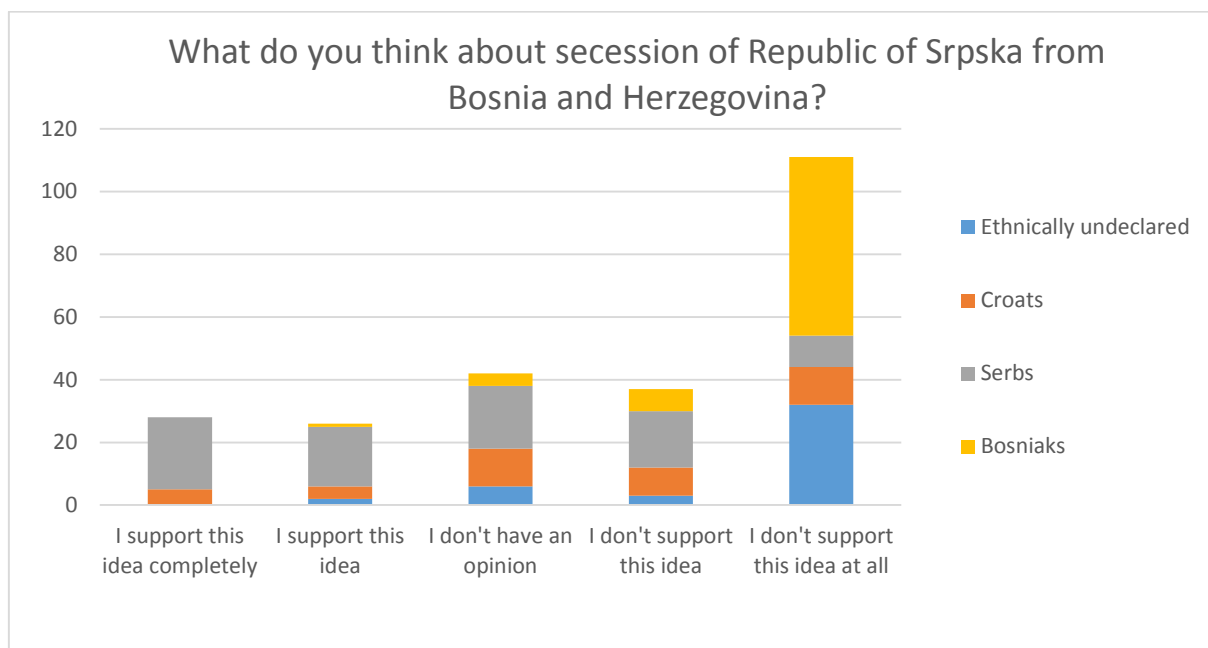
Chart 6: Republic of Srpska's Secession

On the other hand, the picture is different when spoken of secession. Secession of the

RS from Bosnia and Herzegovina is supported by less than half of the Serb respondents, more

specifically 46.7%, which is backed by 21.4% of Croats and only 1.5% of Bosniaks. A similar

suggestion of secession of majority Croat territories has even less support. Only 29.6% of

Croats support it, 24.4% of Serbs and again only 1.5% of Bosniaks. It is very interesting that the attachment to the neighboring states if Serbia and Croatia is also not an option for many. Only 33.3% of Serbs would support it and 28.6% of Croats.

When it comes to how much the young population would do to stop actions leading towards autonomy enlargement or secession of these peoples and territories, only 28.2% said that they would act to stop it in some way, while 31.9% said they would not and the largest number of 39.9% said that they were unsure. This number is highest among Bosniaks, with 44.3% saying yes, and 40% stating they are unsure, with Serbs saying yes only in 10.1% of cases, unsure in 48.3% of cases, while Croats said yes in 23.8% and 45.24% said they are unsure.
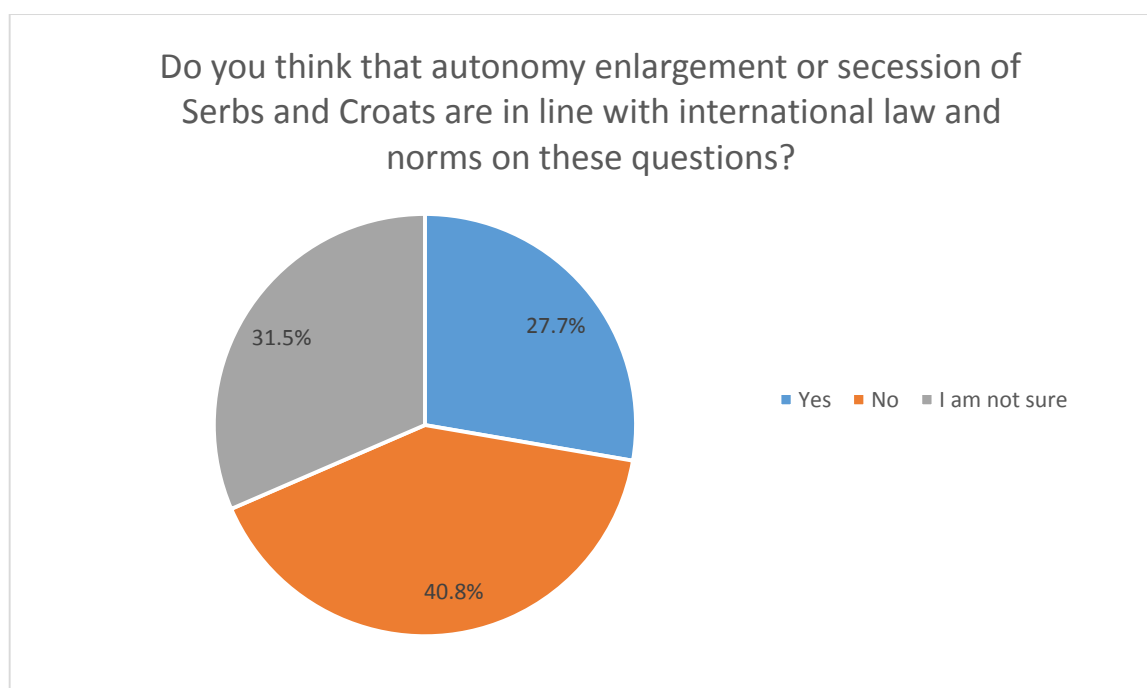
Chart 7: Opinions on International Norms Regarding Secession and Autonomy

As presented by *Chart 7*, only 27.7% of respondents believe that possible autonomy enlargement or secession within BIH would be in line with international law and norms, while about a third, 31.5% are not sure. Only Serbs responded with a yes to this in majority, with 55%. On the other hand, as shown in *Chart 8*, only 7.2% think that the international community

would support these actions to some extent, while 58.4% think that it would oppose it, with only 15.8% believing that the international community would remain neutral about such possible actions. All three ethnicities, as well as those undeclared and minorities, thought similarly here, with no major differences.
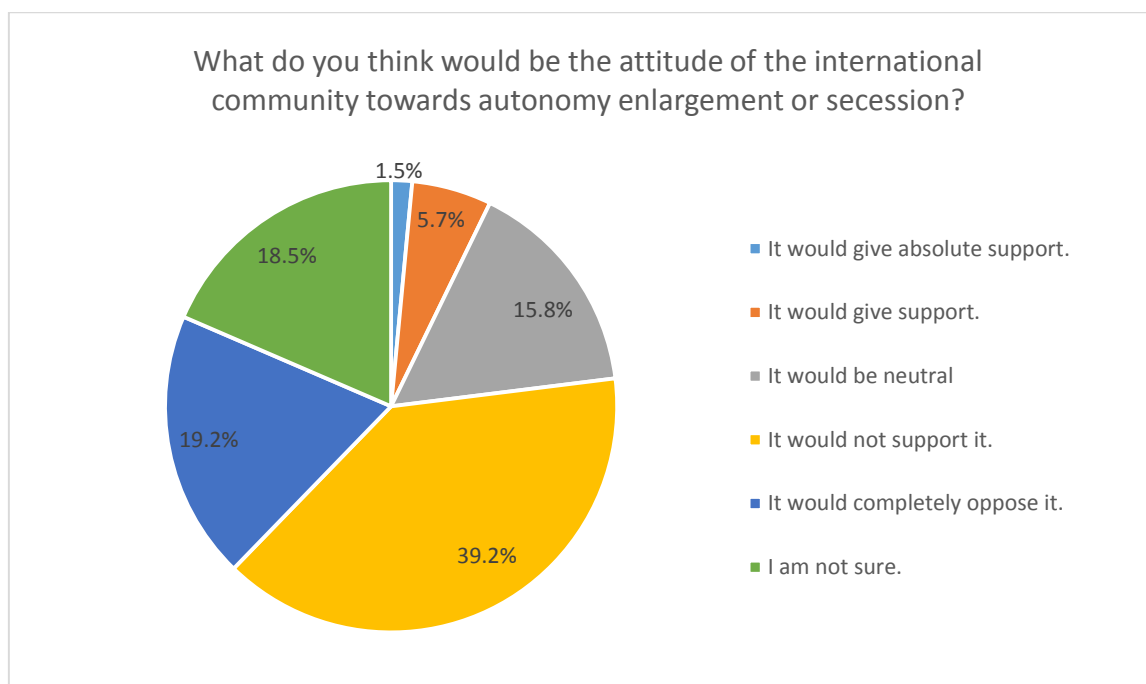
Chart 8: International Community's Stance by Respondent's Opinion

The recognition of international community's importance in these matters is also portrayed by respondents' opinion that international community's attitude would matter, where 39.2% said it would matter very much, and 41.1% said it would somewhat matter. Only 11% concluded that it doesn not matter and the others said they were not sure, which only constitutes 8.7%. Again, respondents of all ethnic affiliations felt the same here. Striking 80.3% believe, in some way, that the international community's attitudes matter in these questions.

The most surprising finding is that of the existing aspiration of Croats for the third entity, which is the opposite of what the group discussion in Mostar represented. It shows that there is still oppression towards the common life with Bosniaks within one entity, despite of the existence of cantons within FBIH. This might be caused by the recent disputes over the forming

of the government, and lack of agreement on the running of Mostar. The significantly high support of Serbs towards this question is backed by the political rhetoric of Milorad Dodik who also proclaimed support for the creation of the Croat entity. However, the lack of any support for this from the side of Bosniaks is worrying, as it points out a possible continuation of disputes between the two ethnic groups if more concrete actions towards the creation of the third entity emerge.

The question about the enlargement of the autonomy of RS was only given for the sake of the symmetry, as the question of a third entity is a question of autonomy enlargement for the Croats. However, majority of Serbs said they would support such a move, which speaks to a clear line of tendency towards further disintegration of the country. However, as anticipated, the support of independence of the RS is present in less than a half of respondents, which points out to a move among the youth when it comes to the secessionist aspirations. Nonetheless, 22.2% of Serbs chose the option ''I do not have an opinion on this'', which points out to possible swing votes in case there ever was a referendum on this question. The attitudes are not firmly on the side against secession enough to claim that this option is impossible in future.

5.2.5 Wishes for the Future of Bosnia and Herzegovina's Structure

Very interesting findings came out of the section of the questionnaire which focused on the future of Bosnia and Herzegovina's structure and respondents' aspirations towards the state's development. A certain pessimism can be found in Bosnia and Herzegovina's youth regarding changes in the country's structure as 71.5% said that the political and administrative structure is most likely or likely to remain the same as now. All three ethnic groups answered in a similar fashion, with only about 5% in differences. Only 12.9% think that entities might be erased, while only 24.9% believe a different kind of division might be imposed. For the suggestions of different federal or confederal models, the data is very similar, a large majority does not believe it will happen. This speaks to a political apathy among Bosnian youth, as they

clearly indicated a dissatisfaction with the country's current structure model, but they do not believe in change, obviously diminishing their influence onto it by responding this way.

On the other hand, 50.8% would want entities to be erased, with 19% remaining neutral on this question. The support for this was highest among Bosniaks, followed by just a little less than half of Croats and almost only one tenth of Serbs. Furthermore, 63.1% would want a different administrative and political division, while only 17.2% would not want this. However, when certain other models are offered, such as a federation or a confederation, only 24.1% and 19.7% respectively, would opt for those.

In this section, respondents were also offered to rank the importance, according to their aspirations, of certain aspects of life in Bosnia and Herzegovina. The choice entitled ''Peace'', was ranked the highest, as 32.3% of respondents put it in the first spot, while ''political structure'' came second with 17.2%. The choice of ''social prosperity'' came in the third place with 17.2%, while economy, justice and the rule of human rights followed in the last three spots respectively. I find it very interesting that twenty one years after the ending of the Bosnian war, the youth is still putting peace to the top of the list of priorities, which points out to their awareness of the severity of the political situation.

The most important aspect that points to the gap between the political agendas and politicians' work is portrayed by the answers provided in the question that asked the participants whether their political representatives work for, or propagate attitudes they expressed in the questionnaire. Only 1.9% answered ''absolutely'', 4.8% mostly and 20.3% ''somewhat'' while 60.2% said ''no'' or ''not at all'' and 7.9% are not sure. This is saddening since 75.4% said that they voted in the last parliamentary and presidential elections.

6. Conclusion

Ever since its birth, modern Bosnia and Herzegovina has carried the mark of self-determination. A legal concept, strongly rooted in international politics, developed as a two-sided term that caused a lot of debate on its meaning and scope of application. Self-determination entered a whole new era of development with the dissolution of Yugoslavia, and caused a lot of turmoil in the scholarly world. However, legally it did not develop much, not even in the continuation of region's disintegration crowned by the independence of Kosovo. When the legal and scholarly debate on the world of self-determination is overviewed, not much can be said, except that it remains an unclear and an underdeveloped rule of international law, and a vague concept within international politics and humanities.

It is exactly this lack of clarity, development and concise internationally recognized meaning of the term that allows for the continued interpretation of the concept according to the aspirations of local politicians and their efforts at fueling of ethnic nationalism. The politicians in Bosnia and Herzegovina, who represent Serbs and Croats in the country's complex political apparatus, use this opportunity and wave with threats of autonomy enlargement or secession on a regular basis.

On the other hand, the complex system of consociational power sharing, colored by the ethnic-oriented political and administrational structure of the state, allow for these tools of segregation to be sounded in the everyday political discourse. The country is progressing slowly when it comes to establishing a firm peace, economic growth, social prosperity, and in its Euro-Atlantic integration. Too far into its existence, Bosnia and Herzegovina is struggling and constantly seeks the help of the international community, while it maintains a topic of scholarly work in many spheres of knowledge due to this.

All of this creates a painting of a country of troublesome affairs where self-determination still finds its place within politics elected by dissatisfied citizens. However, the future generations are showing signs of possible change.

The youth respondents of this research, aged 18 to 30 and enrolled in higher education institutions, show acceptance of the state by a majority. More than half of respondents in all three ethnic groups analyzed here, expressed that they perceive Bosnia and Herzegovina as their homeland. Furthermore, aspirations towards the secessionist movements are low and do not represent even a half of respondents with neither Serbs nor Croats. However, Croats expressed the wish for a larger autonomy through creation of a third majority Croat entity within the state. Moreover, Serbs, by majority, expressed support for the scenario of the enlargement of Republic of Srpska's autonomy. Unfortunately, this is a sign of aspirations along the line of further segregation of the political apparatus, instead of integration.

At the same time all the respondents agreed that the current structure of Bosnia and Herzegovina is not good and that it needs change. However, they perceive the current structure in very different ways when divided down the line of ethnicity, and problems in perceptions of the country and importance of entity and cantonal divisions is striking. It seems as if they are aware that this complexity is not helping the development of the country, but they are not ready to take down the walls their predecessors fought for, with the exception of Bosniaks, whose politics are reflected in the wish for the centralization of the state ever since its independence. The theory presented in the chapter on background of self-determination which attaches the concept to usage for the prior political decisions is obviously recognized by the Bosnian youth, who, by a large majority, found that the opinion of the international community would be important for the legality of usage of self-determination.

The research question is answered by the results in two ways: there is a difference between the political rhetoric of Bosnian politicians on the question of secession, as they do not

have the support of the youth for this aspect of self-determination; however, the support for the enlargement of autonomy among the youth exists.

The research has come up with very interesting results on the attitudes on youth and their discrepancies from the everyday Bosnian politics. However, it points to the many aspects that could be researched much more. First of all, it would be interesting to develop the questionnaire in such a way that certain sub-questions would help understand why the important questions are answered in a certain way. Furthermore, the most necessary action this research calls for is a replication of the survey at a certain time cycle, so that it can be measured whether there is a growing or falling trend in the difference of political discourse and youth's attitudes, as well as whether the youth's opinions are changing towards stronger or weaker aspirations for autonomy and secession.

The research results point out to a still clearly visible array of differences in feelings and attitudes of youth of different ethnic groups on certain issues of the ethnicized state politics. Hopefully the canvas used for the painting of the country of Bosnia and Herzegovina will not be another one used for further sketches and blueprints on self-determination.

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