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CITIZENS' PROTEST INNOVATIONS IN A CONSOCIATIONAL SYSTEM: THE CASE OF BOSNIA-HERZEGOVINA

Abstract. *This article tackles the tensions in consociational political systems between the politics of the collective and the politics of the individual citizen. It focuses on the particular form of consociationalism that was introduced by the international community into Bosnia and Herzegovina as a political solution following the 1991–1995 war. Based on a theoretical framing of the tensions between collective consociational and citizen-based politics, the article conducts a multi-method empirical analysis of the causes and timing of the 2014 Bosnian Spring and the lessons learned from the political innovations of these protest movements.*

Keywords: *democracy, political system, consociational, civil society, protest, plenums, Bosnia and Herzegovina*

Introduction

This article tackles the broader issue of the relationship between citizens and distinct ethnic, religious or linguistic social groups within consociational democracies. Our aim is to shed light on the problems of constitutional systems from a domestic point of view as well as on some of the emerging bottom-up political innovations in such systems. We will consider both the theoretical and actual tensions between the consociational democracy and the political involvement of its citizens. This tension has been rarely recognised; yet understanding it may prove critical to finding solutions to the current crisis in certain consociational systems in the Western Balkans. In our analysis, Bosnia and Herzegovina will serve as a critical case study (Flyvbjerg, 2006).

The latest wave of protests in BiH, which began in February 2014, appeared to confirm the development of a liberal political paradigm based on the mobilisation of citizens. This paradigm differs considerably from Bosnia's current ethnically-based political paradigm since it features

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a number of bottom-up liberal democratic institutional innovations which can be both re-mobilised and included in a reformed political system. We believe that, since this new political paradigm has emerged autonomously from and independently of the externally-funded NGO sector, this bottom-up innovation is comparable to the recent bottom-up pressures for liberal democratic innovation in Western consociational systems.

Our analysis pays particular attention to the 2014 Plenum movement¹ in BiH which epitomises the current tensions between the political involvement of citizens and the rule of the ethnic elites and may therefore provide a basis for amending the current institutional system with citizen-based innovations.

We begin by presenting our theoretical- analytical framework. After an overview of the protests in BiH, we will test the value of our analytical framework for the case of BiH, and conclude with a summary of policy-relevant findings.

Theoretical-analytical Framework

Research Question and Methodology

Our main research questions are: (1) Why do citizens seek venues of political participation outside the consociational model? (2) Which factors explain the particular *timing* of the bottom-up liberal-based protest against the prevalent ethnic-based institutional politics? (3) What lessons can be learned from the protest movements and their political innovations in terms of revising the consociational system to make it more functional? Since we are primarily interested in the macro determinants of citizens' political participation, we will adopt the 'European contextual approach' because it connects the macro level structural change with the micro level individual participation in collective action. This contrasts with the 'American approach' which focuses on the resources that determine an individual's decision to participate in collective actions (for more on the distinction between the two approaches see Klandermans, 1991).

Based on our theoretical framework, which is presented in greater detail in the next sub-section, we hypothesise that institutional politics and macro socio-economic factors determine a citizen's political participation and can explain *why* citizens in a consociational system (notably in BiH) seek political venues outside the constitutional model. Furthermore, we hypothesise

¹ *The Plenum movement were established as open public spaces for citizens to debate opinions, demands and interests. (Throughout the text, we use a capital 'P' when referring to the particular phenomenon of the Plenums as a bottom-up political innovation that is particular to the BiH context.)*

that the particular *timing* of the bottom-up liberal-based protests against the prevalent consociational institutional politics can be explained by the recent financial and economic crisis which has magnified the prior causes of bottom-up protest activities.

We have chosen BiH as our critical case study for several reasons. *Firstly*, BiH's consociational political system with its externally engineered constitution pits individual rights against the collective premises of the consociational structures (Stroschein, 2013: 11). In practice, this has led to some citizens not being recognised as citizens in a particular administrative unit due to their having the 'wrong' ethnicity, rendering them 'invisible citizens' (Hromadzic, 2012). In this sense, the constitution upholds the ethnic cleansing that took place during the war. *Secondly*, external political engineering suffers from internal conflict. On one hand, the Dayton Agreement set in stone BiH's historical tendency to subordinate the liberal citizen to collective ethnic-based politics. On the other hand, there has been a counter policy to promote the Western democratic liberal paradigm of individual citizens' rights. *Thirdly*, the externally implanted consociational arrangements have been petrified to such an extent that the system is failing to respond to the increasingly high level of poverty in the country. This institutional intransigence even infamously led to the inability to issue passports to infants in need of specialist health treatment abroad, subsequently resulting in their deaths. *Fourthly*, in recent years, the autonomous participation of citizens in BiH politics has transcended the prevalent ethnic-consociational political model.

We will take as our empirical case the 2014 Spring Movement in BiH against the ethnic-based consociationalism. We will build on the following: the expert knowledge of the BiH political system and the civil society sector; articles published in *Zeničke sveske* (University of Zenica), *Odjek* and *Status* (Mostar), *Tuzlarije* (Tuzla); the academic research into the historical evolution of interest groups in the territory of BiH; domestic and international statistical data on interest groups and their contextual characteristics; the commentary on Plenums published in the newspapers *Dani*, *Slobodna Bosna* (Sarajevo) and *Nezavisne novine* (Banja Luka); Mediacycenter online; and a review of primary sources-Facebook group *Plenumi u Bosni i Hercegovini*, *Bosnia-Herzegovina Protest Files* as well as certain legal documents that determine the political system and civil society development in BiH.

We will begin by examining the literature which identifies the tension between the consociational and liberal democratic patterns of political participation as well as the three factors that are theoretically relevant to our research questions, namely: (i) the characteristics of institutional politics; (ii) the socio-economic factors; and (iii) the recent socio-economic crisis. Following an overview of the broader traditions of political participation in

BiH and the 2014 protests and the Plenum Movement, we will argue that two primary factors explain the bottom-up rise of civic activism in BiH in 2014: the characteristics of institutional politics and socio-economic factors. Meanwhile, the recent socio-economic crisis explains the *timing* of the Bosnian Spring.

The Tension between Collective-based Consociational and Citizen-based Majoritarian Democracy

Academics studying civic and political participation have often reproduced the liberal distinction between the citizen and the state, in which citizens aggregate into political parties, mobilise into various collective actions and create associations in order to influence policy-making. No other collective political intermediation has a place in the liberal democratic model of politics. However, in ethnically and racially segmented societies, political participation is shaped quite differently since none of the socio-cultural groups is able to form a majority. Consociationalists believe that in such a segmented society a consociational democracy emerges in order to integrate the large minority groups. Thus, citizens do not stand or act as individuals *per se*, but rather as members of a distinct ethnic, religious or linguistic social group. In fact, in consociational democracies, the policy process is primarily about making decisions in the course of bargaining, compromising or doing deals within the consociational cartel of elites (Armingeon, 2002: 82–83). The Netherlands and Switzerland are classic cases of consociational democracies. In the Netherlands, the socio-cultural groups have been the Calvinists, Catholics, socialists and liberals (Lijphart, 1968; Schulze and van den Brink, 2006); while in Switzerland the political institutional structures have been occupied by regional and linguistic groups (Lehmbruch, 1974/1993; Steiner, 1974).

Due to the particularities of political rule in majoritarian liberal democracies and in consociational political systems, a transition from one model to another is unlikely. However, consociational systems face pressure to amend their form of democracy with citizen-based democratic institutional elements. For example, in the Netherlands there has been an increase in the segment of political parties organised on the basis of left-right divisions.

While there has been little analysis of the increasingly mixed consociational and liberal democratic elements in the Netherlands and Switzerland, critical findings have been published on consociational experiments in other parts of the world, such as in Northern Ireland (McGarry and O'Leary, 2006), Africa and the Asia-Pacific (Lemarchand, 2007; Reilly, 2007; Norris, 2008). Despite the even wider research gap in the post-socialist part of the world, we can nevertheless identify certain facts about the post-socialist countries located in the EU's neighbourhood.

Following the first free elections in post-socialist countries, external agencies began to enter the domestic political systems to promote both the majoritarian liberal democratic model (polyarchy) as well as the consociational model of politics. Some of these post-socialist countries have also been either entirely internationally engineered into consociational political systems (as the Dayton Agreement did for BiH) or pressured into adapting their previously-existing liberal democratic institutions to produce a more consociational political system – as has been the case in Macedonia and Kosovo (Delaney, 2015).

Paradoxically, while the consociational model has been exported from the West, it has become apparent that consociational democracies in Western Europe evidently need to include citizen-based liberal democratic elements. This trend prompts two questions. Firstly, *whether and how* consociational democracies limit the participation of citizens. Secondly, *why and when* political participation takes place outside of consociational political venues. The literature on consociational democracies – notably those on the Netherlands and Switzerland – identifies consociational institutions and macro socio-economic determinants as the primary two factors that determine the political participation of citizens in consociational systems. More recently, a third factor has also been identified: the recent financial and economic crisis.

Factors of Consociational System Adaptation

Although it remains unproven that consociational systems produce better, kinder and gentler democracies, they do have some advantages when it comes to the integration of large minorities (Armingeon, 2002: 99). Nevertheless, consociational systems do limit the scope for citizens to establish direct contact with the state. As a rule, citizens in a ‘pillarised system’ (see Schulze and van den Brink, 2006: 62) are integrated into the whole structure of the particular pillar to which they belong (Lepszy, 2003: 362). Here, the state appears to be ‘*less than society*’ (Kennedy, 2004: 237). In consociational systems, democratic inclusiveness takes the form of political accommodation, tolerance and consensus (Schulze and van den Brink, 2006: 64), rather than the participatory ideal of citizens’ democracy.

Dutch citizens have recently departed from tradition by participating through less conventional means, such as by demonstrating, protesting, and through direct contact between local communities and state officials (Derksen, 1994; Lepszy, 2003; Schulze and van den Brink, 2006). In spite of these developments, the Dutch political-administrative and academic elites do not view participation ‘as an essential feature of democracy, but at best as an instrument to improve the current functioning of representative

democracy' (Michels, 2006: 323). In other words, participation is perceived as an instrument for electing political representatives.

Similarly, Switzerland's multicultural system also includes consociational arrangements among its large linguistic-cultural groups. However, unlike the Netherlands, the Swiss model institutionalises direct democracy in the form of referendums. Although this form of direct democracy (at least theoretically) allows citizens to exercise their veto, and thus represents an element of power sharing between citizens and the political elites (Linder and Steffen, 2006; Stutzer and Frey, 2006), Serdült (2007) has observed that citizens rarely participate in referendums and that referendums may be misused by political parties, interest groups, employers' and employees' organisations. Nevertheless, Serdült (2007: 11) argues that the introduction of such a direct democratic element into the Swiss Constitution represents 'a critical juncture' in its history.

Besides institutions, the macro socio-economic determinants of political participation have also played a role in the development of consociational systems. As with other political systems, nation building, urbanisation, industrialisation and modernisation have all shaped political divisions. The major divisions and conflicts between the groups in Switzerland have been accompanied by left-right conflicts (Linder and Steffen, 2006: 5). Likewise, the political competition on the left-right spectrum in the Netherlands has intensified; calls for direct democracy have become louder and single-issue citizens' action groups are on the rise (Andeweg and Galen, 2014: 54-55). Indeed, Pennings and Keman (2008: 174-176) characterise Dutch politics as a dynamic mixture of consensual and adversarial politics.

The recent international financial and economic crisis has played a key role in shaping public political participation in segmented societies which have consociational systems. As a result of the crisis, political participation has increased in the Netherlands, particularly among the resource-poor strata of society. The rise in political participation has been so great that it has reduced the participation gap between resource-rich and resource-poor citizens (Linssen et al., 2013). The recent development of new socio-economic inequalities has also added to the proliferation of left-right conflicts within segmented societies (Linder and Steffen, 2006: 5).

In the following sections, we will present an overview of the protests in BiH, test the value of our analytical framework for BiH, and then summarise any policy-relevant findings.

An Overview of Civic Activism in BiH- with a Particular Focus on the Post-1980s Period

The Historical Traditions of Political Participation in BiH

Since the beginning of the nineteenth century, interest associations in BiH have exhibited four main characteristics. Firstly, most associations have had ethnic and religious characteristics. They have emerged from the Jewish community (among them the *Jevrejsko humanitarno društvo La Benevolencija*), the Serbian community (*Srpsko kulturno-prosvetno društvo Prosveta*), the Croatian community (*Hrvatsko potporno društvo*), and the Muslim community (*Muslimansko dobrotvorno društvo Gajret*) (Petrov, 1997: 14; Džaja, 2004: 74–78). These associations have focused primarily on humanitarian and cultural-educational activities, such as promoting literacy, organising reading clubs (*čitaonice*) and publishing newspapers (Mađar, 2001: 3). Secondly, in order to safeguard their ethnic identity and solidarity, immigrant communities have continued this pattern of establishing associations (Mađar, 2001: 3). Thirdly, some of these associations have been formed on the initiatives of political parties. For instance, trade unions initially emerged as an initiative of the Social Democratic Party of Bosnia and Herzegovina, and their organisations were often associated with ethnic or religious groups – so-called ethnic trade unions (*nacionalni sindikati*), such as *Organizacija radnika Hrvata*, and later *Matica radnika Hrvata*, *Organizacija mladih katoličkih radnika*. However, prior to the First World War, trade unions represented a marginal segment of citizens' associations, even though the main umbrella organisation, *Glavni radnički savez*, united 17 trade unions and more than 120 local trade union organisations.

Associationism in BiH can trace its origins to the disintegration of the Austro-Hungarian Empire after the First World War and the establishment of the Kingdom of Serbs, Croats and Slovenes – later the Kingdom of Yugoslavia. Although the June 1921 constitution (*Vidovdanski ustav*) enshrined the right of association, this right was limited and shortly thereafter restricted by the 6th January Dictatorship (*šestojanuarska diktatura*) from 1929 until the adoption of the new constitution in 1931. The interwar period witnessed the re-emergence of ethnic associationism. However, in addition to the re-emergence of the former domestic organisations with their particular ethnic and religious communal associations, new associations also emerged with their headquarters in Serbia and Croatia (*Savez Hrvatskih sokolskih društava*, *Sokolski savez Srba*); these were also joined by organisations favouring the establishment of a Yugoslav nation (e.g. *Jugoslovenski sokolski savez*, *ORJUNA – Organizacija jugoslovenskih nacionalista*) (Džaja, 2004: 40–45) and ethnically mixed pro-Yugoslav associations. For example, in 1919 the

national *sokol* unions united into *Sokolski savez Srba, Hrvata i Slovenaca*, changing their name in 1920 to *Jugoslovenski sokolski savez* (Hadžibegović, 2004: 91). These groups tended to favour the regime. The Second World War interrupted the activities of the some of these associations; others were integrated into the system established by the occupying forces. In the one-party socialist regime established in Yugoslavia following the Second World War, the ruling ideology traversed ethnic divisions. As in the other Yugoslav republics, several waves of protest movements took place in BiH. These included: the peasant movement in Cazin Krajina during the 1950s; the minor echo of the 1968 student movement; and the nationalist Croatian Spring of 1972.

It was not until the mid 1980s that a pro-liberal discourse began to take shape in BiH, greatly encouraged by the political liberalisation taking place in Slovenia at the time. However, by the late 1980s and early 1990s, the forces of liberalism had already lost ground to the politics of ethnicisation.

Protest Activism in BiH up until the 2014 Spring

From the 1990s onwards, issue-oriented protest activism has been on the rise in BiH. This began with the anti-war protests of the early nineties. In the post-war period since 1995, hundreds of strikes, peaceful protests, traffic blockades, petitions, round tables and similar forms of contentious politics have focused on particular social and ethnic issues. According to research by Maglajlić and Hodžić (2006: 307), 57.2 percent of Republika Srpska citizens and 67.1 percent of Federation citizens believe that strikes are the only way that workers are able to assert their rights. Since even classic strike action (i.e. stopping the production process) has proved ineffective, strikes have assumed more drastic forms, such as hunger strikes, which became particularly frequent in 2006 and 2007 (Tipura, 2007; Sejfića, 2009: 11).

Since 2006, several waves of protests have mobilised considerable numbers of citizens on specific issues. In 2006, these included the '*Tutto Completo*' associations which defaced the Seat of the Presidency of BiH with paint (remembered as the 'Flamboyant Revolution'). In 2008, the movement '*Dosta*' ('Enough!') protested against police brutality and the fragility of security, demanding the resignations of both the Mayor of Sarajevo and the Prime Minister of the Sarajevo Canton (see Touquet, 2008). Neither demand was realised. In 2009, one hundred demonstrators disrupted the regular session of the BiH House of Representatives following the decision to exclude deaf and partially-sighted citizens from 'The Law on the Basis of Social Protection'. After many hours of discussion, the meeting proceeded and a new law entitled 'The Law on the Basic Rights of Impaired Persons' was passed (Sejfića, 2009: 144). In 2013, the 'ID' protests began. These protests were

also known as the *Baby-lution* ('Baby Revolution'), sparked by the cases of a number of infants who required specialist health treatment that could only be performed in Germany for which they required passports. When the administration refused to issue the passports more than 20,000 citizens from across the country gathered in front of the Parliament of BiH in a spontaneous peaceful protest that lasted for days and prevented the parliamentary electives from leaving the building. The elected members nevertheless refused to compromise and issue the documents and even tried to stigmatise the protests as undemocratic acts of violence. As a result, two infants died.

The ethnic political elites refused to learn any lessons from any of these protests.

The 2014 Protests and the Plenum Movement – Challenging the Institutional Framework of BiH

The mass spontaneous articulation of civic dissatisfaction occurred first in February 2014 in Tuzla. Initially, workers from four factories demanded their salaries in front of the Cantonal Government. The factories were threatened with *bankruptcy*. The news spread rapidly over the social networks and on 6th February, around 10,000 citizens took to the streets of Tuzla. The protests ended in violence with 130 people injured – 104 of them policemen. Several buildings were set alight, including the Cantonal Government and City administration building. Similar events occurred in Sarajevo, where parts of the State Archive were also burnt down. The protests rapidly spread to other cities: Zenica, Sarajevo, Mostar, Bihać, and more than 20 municipalities joined the protests in both the FBiH and RS. Four Cantonal Government buildings were torched in the Tuzla Canton, the Unsko-Sanski Canton, the Sarajevo Canton and the Zenica-Doboj Canton.

The movement drew support from workers, pensioners, disabled war veterans, students, the Women's Network of BiH, and intellectuals (Balorda, 2014; Women's Network of BiH, 2014).

The political protests took several forms: workers' protests; general street demonstrations; and major civil disobedience, which resulted in injuries and damage to property. Public condemnation of violent protest helped steer the demonstrations into more institutionalised modes of citizen activity, namely Plenums which began to apply consistent pressure on the authorities. By participating in Plenums, citizens could represent themselves as free individuals.

The protesters not only demanded a solution to the country's social and economic problems, but also some political-institutional innovations. Among these were the dissolution of the cantons, 'death to nationalism',

and the demand that BiH once again become a single state without entities. These demands directly challenged the non-functional state organisation of BiH that had been established by the Dayton Agreement (Padalović, 2014).

On a few occasions, the demands of the Plenums were met. Three Cantonal Prime-Ministers resigned during the protests. The Municipal Assembly of the Tuzla Canton denied its electives their 'white bread' (the right of executive and legislative electives to continue receiving high salaries even after their mandate has ended). Meanwhile, the same body in the Sarajevo Canton acknowledged the demands of the Plenums: to create a social map of the Sarajevo Canton; to balance the benefits of social categories against their real needs; to provide subventions for the unemployed which should not be less than one third of an average salary in the Sarajevo Canton; to establish urgent programmes for the unemployed and the self-employed; and to fine employers who do not pay pensions and health security to their employees. The electives of the city council of Goražde were also denied their 'white bread', while representatives of the Assembly of the Sarajevo Canton accepted a 20 percent reduction in their salaries.

However, the governing political elites refused to engage with the underlying question of overhauling the current political system. Surprised by the strength of the demonstrations and the violence they unleashed, their response was to change the law regulating public gatherings. At first, the ethnic political elites tried to demonise the protestors; they later sought to dismiss them as merely representatives of a single ethnic group. When the international community grew alarmed, each entity portrayed the protests to the international community as examples of 'inter-ethnic conspiracies', or as proof of how their own entity was superior to the other (Sejfića, 2014: 11). In short, the ethnic political elites did not take them seriously (Kazaz et al., 2014: 7). The ethnic political elites even pressured the mass media to present individual protests as the protests of a particular ethnic group against the interests of other ethnic groups in BiH (Kazaz et al., 2014; Balorda, 2014).

In October 2014, in the wake of the protest movements, elections were held at all state levels except the local level. However, they failed to usher in any major change to the politics of BiH (Dmitrović et al., 2014). As bottom-up political innovations of direct democracy, the Plenums proved to be a form of protest which at any time could be re-constituted through social networks (Kazaz et al., 2014: 6).

Overall, the Plenum movement made demands concerning wages, privatisation and social welfare which clearly cut across narrow ethnic concerns, as expressed by the slogan 'We are hungry in three languages' (*'Gladni smo na tri jezika'*) (Balorda, 2014). The Plenums also demanded an end to the economic privileges of the political elites, which resulted in some government resignations, new expert appointments, and the imposition of

anti-corruption and transparency measures (Mujanović, 2014). While the demonstrations and Plenums called for 'a functioning system that will give people what they are paying their taxes for' (Jansen, 2014), no major constitutional overhaul took place. Nevertheless, the Plenums did represent a political innovation (Krajišnik, 2014) and some of their demands have triggered debates on the fundamentals of the BiH constitution.

Explaining the Bottom-up Rise of Civic Activism against the Political Establishment in BiH in 2014

Institutional Politics

The political system built on the Dayton Agreement of 1995 is based on all four of the main consociational organisational characteristics: executive power-sharing; autonomy; proportionality; and veto-rights. However, due to the deep divisions between ethnic groups, and due to informal agreements between the elites under international pressure, it is difficult to talk of any 'grand coalition' (Balić and Izmirlija, 2013: 128).

BiH can be defined as (1) a state of two entities – the Serbian entity, *Republika Srpska*, and the Federation of BiH, *Federacija BiH*; (2) a state of three constituent peoples – Bosniaks, Croats and Serbs; and (3) a state of all citizens. There is also a third entity, the Brčko District (*Distrikt Brčko*), which is regulated by international law. The *Federacija Bosne i Hercegovine* is further decentralised into ten cantonal governments. In total, the entire country has 14 administrative units, five levels of administration and more than 150 ministries and government agencies as well as some 600 legislators at various levels of authority. Most governmental functions are exercised within the framework of the two entities which renders the central government weak.

There are some 63,000 units financed by the public purse while the salaries in these structures account for as much as 13 percent of GDP (Gavrić et al., 2013). The public sector in BiH – namely, the public administration, education and health-care sectors – employs around 194,000 persons, while public companies at all levels of territorial organisation employ about 38,000 persons. Furthermore, support for this administrative structure is available through the international monetary fund (IMF). The result is that the 232,000 public servants in question are interested in preserving the current institutional arrangements to preserve their own jobs and salaries which are dependent on foreign loans (Dmitrović et al., 2014: 3).

Citizenship is primarily based on ethnicity and is therefore exclusivist (Kukić, 2001; Sarajlić, 2010). This has been confirmed by the decision by the *European Court of Human Rights in the Case Sejdić & Finci vs. BiH* (see

Gavrić et al., 2013: 27–28). However, Article Two of the Constitution of BiH guarantees *'the rights and freedoms as set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols'* and part III of the same article enshrines freedom of thought, conscience, and religion; freedom of expression; freedom of peaceful assembly; and freedom of association. While the Book of Regulations of the National Assembly in RS provides that a group of 3000 voters may file a draft legislative proposal, and the Rules of Consultation in the Process of Proposing and Enforcing New Legal Acts (2006) ensure opportunities for public and civil society participation in policy-making, these laws are rarely upheld in practice. Public access to information on the functioning of the legislative, judicial, administrative, executive and other state-level institutions is also guaranteed by the Freedom of Information Act (enacted at the state level in November 2000, in Republika Srpska in November 2001, and in the Federation of BiH in February 2002). The Act in particular endorses the transparency of the legislative institutions (Sejfija, 2009: 191).

Referendums ensure a formal venue for direct communication between citizens and the state. Furthermore, several institutions, namely The Commission for the Non-Governmental Sector under the authority of the BiH Ministry Council, and the Office for Co-operation with the Non-Governmental Sector, as well as *The Co-operation Agreement between the BiH Ministry Council and the Non-Governmental Sector* (Sarajevo, 15. 7. 2007) formally facilitate communication between the NGO sector and the government. The quality of such communication is in theory guaranteed by the adoption of 'The Quality Standards of Co-operation between the Government and the Non-governmental Sector in BiH'. Nevertheless, state agencies are only prepared to co-operate with NGOs within the limitations of particular projects and with only minimal interaction (Fagan, 2010).

Various public advocacy campaigns, round tables and civil society organisations have managed to achieve some results of political significance. One such success has been the *Centri civilnih inicijativa* campaign, which established consultations with the ruling and oppositional political parties to promote the direct election of municipality mayors in the FBiH. Another was the campaign to amend the constitution, which resulted in 69 representatives of the FBiH House of Representatives proposing amendments to the constitution in line with citizen lobbying on 24th March 2004 (Sejfija, 2009). A similar initiative was launched at both the municipal and cantonal levels. These initiatives, however, have proved ineffective. At the end of 2008, the non-governmental sector network *'Agreement plus'* was formed to target the institutionalisation of civil dialogue in BiH, and by the end of May 2009, 64 associations from across BiH had joined the network (Sejfija, 2009). Nevertheless, no major political changes were effected. Civil society organisations

have also failed to monitor public policies efficiently (Žeravčić and Bišćević, 2009: 145). Citizen activism has been misused to legitimise pre-made decisions and political processes.

The lack of any effective institutional venues for citizens to express their discontent has strengthened the case for constitutional change. Yet, because BiH's externally engineered consociational system was built on a minimum consensus—a 'consent to peace' (Balić and Izmirlija, 2013) – and an attempt to find common ground between ethnic elites, the system entirely lacks the sort of adaptational capability which Western consociational systems have developed as a result of domestic political evolution.

Macro-economic Determinants

The consociational political system in BiH was implanted in unfavourable economic circumstances. At the end of 1995, the country's production had been reduced to just 20 percent of its pre-war levels; unemployment was as high as 50 percent; and 50 percent of the country's inhabitants lived on the poverty line or in poverty. With the 963 million dollars of external aid, the economy of BiH gradually improved. By 2006, due in part to the stabilisation of public spending in the 2004–2006 period, the economy of BiH became reasonably sustainable (Trkić-Izmirlija and Efendić, 2013). However, the misuse of international aid, along with the destruction of the industrial sector, limited the scope for the development of the BiH economy and at the same time structurally transformed the social landscape, erasing terms such as 'workers' and 'middle class', while increasing poverty (Trkić-Izmirlija and Efendić, 2013; Kazaz et al., 2014).

In order to transition to a free market, BiH has – under international pressure – privatised its state industry. The effect of this is similar to the primary accumulation at the beginning of capitalism. Sixty percent of small business and 30 percent of large businesses are now either privately owned or in the process of being sold (Sejfija, 2014: 12). Because the process of privatisation has been entirely decentralised and lacking in oversight, it has often taken the form of robbery (Sejfija, 2009: 44), turning BiH into a socio-economic wasteland. In the run up to the 2008 global economic crisis, the unemployment rate in BiH was 40.6 percent, with around 18 percent of the population living below the poverty line and 48 percent surviving on the very edge (Sejfija, 2009: 17).

The Financial and Economic Crisis

One of the greatest impacts of the international financial and economic crisis on BiH has been the increase in the already high level of

unemployment: from 493,250 (40.5 percent) in 2009 to 516,045 (41.4 percent) in 2010, 529,600 (43.4 percent) in 2011, and 554,881 (44.6 percent) in February 2014 (Agencija za statistiku BiH, 2014/2). In 2011, public spending exceeded 50 percent of GDP, the lion's share of which was earmarked for public sector salaries, with social transfers and subventions also increasing. In 2013, 26 percent of BiH citizens lived below the absolute poverty line (compared to 18.6 percent in 2007) (Cenić et al., 2013: 11).

Following the 2010 general elections, the political situation deteriorated as the political elites were unable to constitute a single cantonal government, let alone a functioning entity or state. It took Republika Srpska 88 days after the elections to form a new government at the entity level. It took five months to elect the delegates of the House of Peoples of FBiH, as well as the President and the two Vice-Presidents of the FBiH. The House of Representatives of the FBiH acknowledged the nomination of the Government of the FBiH 167 days after the election. A deadlock brought the FBiH House of Peoples to a standstill. Meanwhile, the deadlock in the House of Representatives in the Parliament of BiH impeded the regular functioning of the state. The state authorities were not established until some 16 months later following the nomination of a new Ministry Council. The state legislative bodies were able to implement only 36 laws (29 of which were amendment proposals) while 34 legislative proposals failed to pass (Cenić et al., 2013). Yet, this state of political 'catalepsy' suited the ethno-political elites well, for they were better able to preserve their political positions.

Conclusion

Unlike the liberal democratic model that was disseminated in post-socialist countries during the latest wave of democratisation, consociational democracy has thus far not gained the status of an ideal type of democracy. Nevertheless, in some post-socialist countries which have experienced ethnic conflict, there has been a blending of (1) Western liberal democracy strategies and (2) Western post-conflict management strategies. Neither of these two types of strategies appears to have functioned optimally. Furthermore, consociational political system solutions have proved insufficient so long as they lack a liberal democratic venue for citizens to communicate directly with the state.

While it has been possible for Western consociational systems such as Switzerland and the Netherlands to incorporate liberal democratic elements autonomously, BiH's externally engineered consociational system was a post-war solution that was deliberately constructed to block any internal institutional changes that might endanger the peace. This has resulted in the petrification of what is an increasingly dysfunctional political system.

Indeed, analysis of the 2014 Bosnian Spring reveals three combined answers to the question of why citizens search for venues of political participation outside of the consociational model. The three answers are: (1) BiH's exclusivist ethnic-based citizenship, which has led to a violation of certain basic human rights; (2) the political system that lacks even a minimal responsiveness to citizens' policy demands; (3) the inability of BiH's political elites to agree modifications to the consociational democracy, while the constitution itself was externally designed with wide-ranging powers of veto to prevent modification. The question of 'Why now?' can be answered by reference to the international economic crisis.

Furthermore, the case of BiH also poses several other theoretical and politically relevant challenges. *Firstly*, the study of BiH demonstrates that a consociational political system may be in line with the historical traditions and circumstances of a certain segmented society and yet still lack domestic legitimacy. *Secondly*, a consociational system requires individual citizen-based elements to ensure both political efficiency and political legitimacy. *Thirdly*, political elites need to be responsive and earn their legitimacy in macro policy matters as well as on policy issues which matter to citizens at the local level. *Fourthly*, while the political crisis (the crisis of legitimacy) may endure, the peak of the socio-economic crisis may determine the timing and the scope of protests against the non-functional political elites, as well as determine the emergence of alternative forms of political engagement. *Fifth*, the external pressure to liberalise the economy as well as to fund the petrified political elites through international loans must be re-thought. *Sixth*, the search for optimal solutions in each political milieu needs to be based on principles of deliberative policy analysis and include all stakeholder segments as well as bottom-up institutional innovations, rather than just the political elites. *Seventh*, the case study of BiH confirms McGarry and O'Leary's (2006) analysis of (1) the importance of the role of external actors in the promotion and operation of consociational settlements, (2) the importance of trans-state self-determination disputes and (3) the greater level of real-life internal complexity than is usually discussed among consociationalists. This is particularly critical in BiH where two out of three ethnic groups are inextricably tied – often with dual-citizenship – to neighbouring nation states which share their ethnicity. *Eighth*, McGarry and O'Leary's analysis can be amended by taking into account the broader regional and global integration processes, which, in the case of the Western Balkans, means that the recent global power re-arrangements as well as the EU's enlargement policy have considerable impact.

These findings should also prove useful to the external policy-makers who shape constitution-building and civil society development policies for countries like BiH. While the United States was the primary engineer of BiH's constitutional system within the framework of the Dayton Agreement,

today's citizens in BiH expect the EU to play the leading role in political reforms. A 2013 poll of citizens revealed that 66.9 percent believe the EU should have most influence on the future of BiH². Furthermore, many opinion leaders associate closer EU integration with the opportunity to seek broader solutions to BiH's major political problems and to reshape BiH's constitution. Indeed, re-thinking both the EU's enlargement policy and its involvement in the constitutional engineering of the Western Balkans countries should be high on the EU's political agenda.

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² *The Office of the UN Resident Coordinator in Bosnia and Herzegovina, (2013) Public Opinion Poll Results. Available at «ba.one.un.org/content/unct/bosnia_and_herzegovina/en/home/publications/public-opinion-poll.html», p. 48, 12. 11. 2015.*

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