

# *Ethno Bureaucratic Patrimonialism: The Political Regime of Bosnia–Herzegovina*

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## **Abstract**

*This article, by following theories of informal institutionalization and not of democratic consolidation, aims at conceptualizing the existing post-Dayton or post-transitional political regime in Bosnia–Herzegovina (BH). The study applies a structural approach to regime building, identifying the set of institutionalized rules structuring the interaction of the political power center and its relation with the broader society. The first part of the article explains the specificities of both first and second transition in BH and identifies its main actors, thus setting the conditions for posterior analysis. The second part of the article elaborates on the existence of ethno-national hegemony in BH socio-political space, and examines the importance of bureaucratic office and its patrimonialization for the structuring of what we define as Ethno Bureaucratic Patrimonialism (EBP). Towards the end, the analysis is completed through inclusion of both possibilities and realities of civil society development inside of this informally institutionalized regime whose most palpable characteristic is the inexistence of a protective state and the arbitrary rule of power.*

**Keywords:** *Bosnia–Herzegovina, Ethno Bureaucratic Patrimonialism (EBP), Informal Institutionalization, Democratic Consolidation, Ideological Hegemony, Civil Society.*

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Dugotrajno robovanje i rđava uprava mogu toliko zbuniti i unakaziti shvatanje jednog naroda da zdrav razum i prav sud u njemu otančaju i oslabe, da se potpuno izvitopere. Takav poremećen narod ne može više da razlikuje ne samo dobro od zla u svetu oko sebe nego ni svoju vlastitu korist od očigledne štete.

Lingering servitude and bad governance can confound and disfigure the understanding of one people to such a degree that its common sense and right judgement turn thinner and weaker, to the extent that they become completely distorted. Such disordered populace can no longer distinguish neither the good from the evil in its world nor its own benefit from an obvious detriment.

Ivo Andric, *Znakovi pored puta* (eng. *Signs along the road*)

*(Quote translated by: Marija Ivanovic)*

## Introduction

With the fall of the Berlin Wall, collapse of the Soviet Union, twilight of the communist regimes in Eastern Europe, democratic upsurges in authoritarian Yugoslavia, and the retreat of military dictatorships in Latin America – marking the Huntington's third way of democratization, studies of democracy and transitology would acquire a prominent place in the field of political science. The dominant interpretation of the time, representing some sort of “manifest destiny” for transitional regimes, and well captured by Fukuyama's claim of “the end of history”, assumed unquestionably that soon the world will be populated only by democracies. More precisely, each and every new polyarchy supposedly faced inevitable future democratic consolidation due to the widely held belief that democracy could everywhere become “routinized and deeply internalized in social, institutional, and even psychological life” (Linz and Stepan 1996: 15), thus acquiring the status of “the only game in town” (Przeworski 1986).

Nevertheless, this initial enthusiasm, upon facing innumerable obstacles and witnessing the existence of various paths to democratization, would meet serious challenges. In this sense, the new born democracies, although formally democratic regimes, came to assume life of their own, diverging from the prescribed ideal. Besides, as these unconsolidated democracies have, against all odds, endured over time, new type of hybrid regimes, neither easily identifiable as democratic nor authoritarian, has emerged on the scene. At this point, the theoretical framework of democratic consolidation, for being essentially inspired in the western models of democratic regime functioning, proved unable to account for the reality of “arrested development” prevailing in vast number of recently democratized societies, whose political, socio-cultural and historical context is alien to that found in the models of the northwestern world. Thus, by simply asserting how they “are incomplete

and are not managing to consolidate” (O’Donnell 1996: 70), political scientist proved unable to properly conceptualize specificities of these democracies, leading us towards theoretical limbo. In the light of such conclusions, already by the early 1990s Guillermo O’Donnell signaled a change of theoretical course, and has in his vivid essay “Illusions About Consolidation” (1996) advocated a “complete rethinking of the dynamics of post-authoritarian regimes by avoiding the usage of ‘flat’ theories of democratization and accepting how these may institutionalize in “ways we dislike and often overlook” (O’Donnell 1996: 70).

Most specifically, slowly but surely academics have come to accept that in many of these polyarchies, particularism and informal institutionalization coexist in a very specific relationship with formal institutions and rules. In this sense, it turns out that many of unconsolidated democracies do not lack institutionalization, but our fixation on complex and highly formalized organizations impedes us to see other extremely important, but many times covered institutions (O’Donnell 1996). Therefore, these parallel and competing informal rules and practices can, and many times do, become more powerful than the formally declared ones, having thus a high potential to become the real norms. For example, focusing simply and exclusively on the formal rules of the game called democracy seriously constrains our understanding of specific executive-legislative relations in Latin America, or many neo-patrimonial norms that took hold in various Eastern and South-Eastern European countries. In many of these cases, informal institutions, ranging from corruption, clientelism, patrimonialism or any other particularism, have an overwhelming effect on the functioning of political regimes. In this sense, using only formal indicators has the tendency to force political scientists to solely concentrate on one equilibrium, even when in fact there may be many. Therefore, if the formal “rules of the game” that structure political life coexist with, or are subverted by the informal “rules of the game”, then a comprehensive regime analysis requires both sets of these rules to be considered (O’Donnell 1996).

Consequently, we can argue that the process of consolidation of democracy can have two end results. One is the establishment of the model type of democracy, while the other is the institutionalization of a particularistic regime. If this is valid, then instead of going about the consolidated democracies, we could investigate distinct possibilities of regime consolidation-institutionalization. Therefore, we could ask what type of regime, if not the northwestern type of democracy, did get consolidated in a particular country. Also, if we conclude how democratic values were not cultivated, learned, or even deeply institutionalized, we should additionally ask what kind of values did get institutionalized.

Following the previously presented, this article, by using techniques of informal institutionalization, aims at conceptualizing the existing post-Dayton or post-transitional political regime in Bosnia-Herzegovina (BH). Most of the studies

done so far have simply claimed that BH represents unconsolidated democracy or a hybrid regime. However, such findings do not get us any further than reiterating what this regime is not – a well behaving copy of an idealized theoretical model. This study aims to investigate particularistic and informal mechanisms that have been institutionalized in the political regime of BH. We believe how these informal institutions make this regime, regardless of how improbable such claim may seem in the light of its externally perceived instability, highly resistant to any kind of metamorphosis. BH political regime, that we define as “Ethno Bureaucratic Patrimonialism”<sup>2</sup> (EBP) is, despite all disastrous results it has produced over the last 25 years, very well anchored in the deep tissue of the society it hosts and with whom it constructs its existence.

## Theoretical framework

Following O’Donnell (1994: 3), “an institution is a regularized pattern of interaction that is known, practiced, and accepted (if not necessarily normatively approved) by actors who expect to continue interacting under the rules sanctioned and backed by this pattern”. Both types of institutions, formal and informal, act as rules and procedures that structure social interaction of certain political regime by constraining and enabling actors’ behavior. In this sense, institution may be defined as “the society’s rules of the game” (North 1990). However, while formal institutions are openly codified in constitutional framework and official functioning of a political regime, informal institutions are less clearly identifiable. More specifically, informal institutions as socially shared rules, are usually unwritten, and are created, communicated, and enforced outside of officially sanctioned channels (Helmke and Levitsky 2004: 727).

In many polyarchies, formal institutions are unable to guarantee the order for which they were created and rather “a discrepancy between the behavioral norms of formal institutions and the actual behavior of individuals” is observed (Helmke and

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<sup>2</sup> Ethno Bureaucratic Patrimonialism (EBP) is the term we use to define as a type of political regime established inside of territorial borders of Bosnia-Herzegovina during what is normally considered as second transition to democracy. In this sense, Ethno Bureaucratic Patrimonialism is a type of political regime inside of which political behavior of people is overdetermined by: 1) the absolute hegemony of ethno-national objectivity of the social world and 2) absolute patrimonialization of the bureaucratic public office, which is the main employer in the economy. While ethno-national hegemony leads to conversion of what are supposed to be citizens into politically instrumentalized subjects, ensuring absolute monopoly of ethno-national parties over the political life; patrimonialization of the public office, leading to the patrimonialization of the state itself, has the power to discipline citizens in such a way that it turns an impersonal relationship between independent voters and politicians, into a disciplined relationship between patrons and their clients. The exercise of political power, derived nominally from the people, turns in such environment entirely discretionary, as rules and limits are imposed directly by the political administrators.

Levitsky 2004). Thus, many outcomes that may be of interest to institutionalists are not adequately explained by formal institutional design, and many of the 'rules of the game' guiding political behavior are not found in the formal rules (Helmke & Levitsky 2004). Instead, informal constraints shape more often actors' incentives in systematic and robust ways. "One can define this situation negatively, emphasizing the lack of concordance between the formal rules and the observed behavior; but, as anthropologists have known it since long ago, this does not substitute the study of the rules observed in reality; neither does it authorize the supposition that there is a certain tendency towards the increasing respect of the formal rules" (O'Donnell 1996: 78). Thus, "when informal rules are widely diffused and have deep roots it can be said that these rules (rather than the formal ones) are highly institutionalized" (O'Donnell 1996: 78). In such ambient these informalities, rather than formalities, become the real norms of political (regime) functioning.

Furthermore, the main problem with "traditional" approaches to democratic transformations is the uncritical application of universalism – one conducive to vertical and horizontal forms of accountability – to all types of polyarchies (Munck 1996). Quite on the contrary, in many polyarchies that we examine and consider, particularistic motives, and not universalist orientations of public welfare and benefit, are the real guides to individuals that perform functions in political and state institutions (O'Donnell 1996). Besides, these particularistic elements, even if foreign to theories of democratic consolidation, are overwhelmingly found in informally institutionalized polyarchies.

Moreover, even if this work may occasionally refer to some type of cultural-particularistic characteristics of a polyarchy, we are strongly against culturally deterministic treatments of a political regime. Rather, the fact that "political experience and the quality of governance have such large autonomous effects on the way citizens think, believe, and behave politically" (Diamond 1999: 162) has led us to take a system-deterministic (structural) approach. This approach takes into account the interplay of all relevant actors under the structures created by them. "As the three decades of research since the publication of *The Civic Culture* have shown – the cognitive, attitudinal, and evaluation dimensions of political culture are firmly "plastic" and can change quite dramatically in response to regime performance, historical experience, and political socialization" (Almond 1990: 144).

Nevertheless, we do not consider how the complete construction of political regime can simply be analyzed through the prism of dominant actors that format it. Rather, a thorough understanding of political regime has to involve set of social interactions that are established inside of it, allowing us to comprehend the type of relations that exist between the state and society at large. After all, "the political regime itself is the expression of social processes, pointing at the interconnectedness of politics with various other types of human social activity" (Pasic 1976: 22).

Still, even if the society is never a mere observer it still does not hold the same power in every context. Thus, acknowledging the importance of the relative weight of actors (both ruling and societal) cannot be avoided, because the specific normative preferences of mayor actors in some political regimes, especially in predominantly informally institutionalized ones, have significant effect on the regime institutionalization. In this sense, “a political regime is thereby designated to be an institutionalized set of fundamental formal and informal rules structuring the interaction in the political power center (horizontal relation) and its relation with the broader society” (Skaaning 2006: 13)

Following the established theoretical framework, we assert how the polyarchy of Bosnia-Herzegovina is highly informally institutionalized political regime. Therefore, the citizens of BH, situated in this new regime dynamics (BH after the collapse of Yugoslavia), even if just as rational as citizens of other ‘consolidated polyarchies’, adapt to the specific real conditions, both physical and sociological, that mark BH political landscape. Also, they submit to informal institutions that govern them, thus developing a particularistic rationality in accordance to the society’s rules of the game. This particularism, which may be defined as anomaly or defect by some, through the passage of time and subsequent rooting (25 years since the Dayton Agreement) turns into a process of cultural learning, in which both elites and society become accustomed to its norms and values. Consequently, and due to the process of mere habituation, the sanctifying power of tradition and custom evolves, converting the EBP (Ethno Bureaucratic Patrimonialism) into a “normal state of matters” (Weber 1978).

To sum up, if we accept that institutions in general are regularized patterns of interaction that are known, practiced and regularly accepted by social agents, we have to recognize that these institutions can, but not necessarily, become embodied in buildings, procedures or codified laws. Unlike formal institutions which are openly and officially known and codified in, “informal institutions constitute vehicles through which influence is exercised on the democratic functioning of a polity, beyond the channels of participation provided by the formal institutions of government. “To be considered an informal institution, a behavioral regularity must respond to an established rule or guideline, the violation of which generates some kind of external sanction” (Helmke and Levitsky 2004: 727). All countries have varying degrees of influence exercised by informal institutions, as well as a mix of different types, but not all of them are characterized by such pervasive influence of informal rules and irrelevance of formal ones. In certain polyarchies, that usually lack the same or similar type of socio-cultural or socio-economic conditions that characterized the ‘old polyarchies’, the institutionalization of existing and practiced codes of social and political behavior is, exactly due to specificities of socio-cultural context, many times structured in ways unaccountable by theories of

formal institutionalization. Thus, political and social behavior in many cases comes to be more strongly determined by existing socially embedded rules of behavior, rather than by the rules codified in written laws or constitutions. In these cases, we seem to observe that informal rules of behavior are actually more institutionalized among the populous than the formal rules, simply due to the fact that they are the ones that are widely spread and more determinant for actors when undertaking behavior. In other words, even if created and communicated outside of officially sanctioned channels, this does not change the fact that they are nevertheless widely enforced, actually much more than the formal rules.

Therefore, scholars who fail to consider these informal rules of the game upon studying certain polyarchies are at risk of being unable to adequately explain politics and social systems that are objects of their research. In this sense, studying Bosnia-Herzegovina by analyzing the work of its formal institutions does not go any further than asserting what this polis is not. By now, academics have demonstrated time and again how this country is unconsolidated democracy, meaning that formal rules of democratic functioning do not serve the purpose they should, meaning that political conflicts and political behavior will be hardly influenced by such channels. Thus, stories of unconsolidated democratic institutions do not in many ways explain us how is the political behavior actually structured in this society, because as we shall know, the rules, even if unwritten, exist, and as such they do influence political behavior of this polis and they produce certain outcomes.

For such reasons, we take the case of Bosnia-Herzegovina and examine it through the lenses of informal institutionalization, taking a societal structural approach, trying to establish a model which could explain political outcomes this regime has been producing for the first two decades of its existence. Especially since we are dealing with regime that has not significantly changed for such a long period of time (since 1995), we believe that it should be about the time to quit saying how it is not managing to consolidate, since such affirmations seem rather inappropriate by now, as they say almost nothing about the real behavior we observe, or about the social, that is unwritten, rules that dominantly structure the behavior of actors in this polis.

## Methodology

Collection of primary data: I will be looking at news stories in order to find the necessary documents that reveal corruption practices in Bosnia-Herzegovina, considered to be deeply embedded in the functioning of the society and its implication for the structure of political regime. Furthermore, I will be looking at data available from international organizations (Transparency International, World

Bank, United Nations, and Open Society Fund) to understand certain aspects of functioning of economy, promotion of certain political policies in education, and the official data collected on the importance of corruption for the functioning of this polyarchy.

Analysis of political discourse: I will be looking at publicly available speeches of party leaders and other influential politicians, during the time span between September 1 of 2016 and January 1 of 2017, in order to provide us with a better understanding of construction of narratives that aim at disintegration of society, promotion of particular views of social reality and protection of the status quo in the country.

## **Two Transitions: from Communist Yugoslavia to Dayton “Democratic” Bosnia-Herzegovina, and a detour from the path of Democratic Consolidation<sup>3</sup>**

Bosnia and Herzegovina (BH) as we know it today, was established in 1995 by the Dayton General Framework Agreement for Peace (GFAP), drafted in American military base of North Peterson Ohio and signed in Paris. Annex 4 of GFAP represents the Constitution of BH, and as such provides a legal framework of this country. The constitution, ironically written in English only, attributes great role to the international community (IC), making BH into some kind of semi-protectorate of great powers. In this sense, the highest authority in the country does not belong to any locally elected official but to the Office of the High Representative (OHR). Virtually unaccountable to BH citizens, the High Representative (HR), appointed by the IC Steering Board and endorsed by the UN Security Council, holds wide powers and is virtually the highest legislative and executive level in the country (Sali-Terzic 2006). Thus, as it was established by the Dayton Peace Agreement (DPA), BH is undeniably a product of “political engineering” of international community (IC), or more specifically of a foreign policy mind of the United States at the time (Curak 2016). As such, IC (generally the United States at first, later to be replaced by the European Union) appears as the most significant actor shaping the system from the outside during both first and second transition.

Additionally, and probably as a result of perplexities of ‘the Bosnian problem’ and difficulties to fully comprehend this war torn country, IC (being the main transitional actor) accepted the warlords (the ethno-national elites) as the only legitimate partners in the processes of war-ending, peacemaking and democracy building. In this way, the IC effectively bestowed upon them the role of the main

<sup>3</sup> Transitologists usually consider two transitions: while first transition implies a shift from authoritarian regime towards officially democratic system, second transition implies a movement from new democratic regime towards consolidated democracy.

internal actors. As such, the constitutional act of BH statehood, highly determined by *realpolitik* and war-like approach, essentially institutionalized the results of war. This initial mistake of the IC would have serious and overwhelming consequences for the posterior institutionalization of Ethno Bureaucratic Patrimonialism (EBP) in BH. Besides, it is important to have in mind that while the impact of internal actors (ethno-national elites) would be overwhelming for the interior structuring of the political regime, their power would always (during both first and second transition) have to correspond to enabling or restricting of the IC.

Moreover, if we consider the concept of modes of transition (Mainwaring 1989) we can assert that first transition in BH was simply initiated and concluded by the act of war. Therefore, Dayton BH is a war product, imagined by war, and conditioned by its result (Curak 2016). No matter whether we do one or one thousand researches on the process of the second transition towards consolidated democracy, we would not reach any significant conclusions, simply because this type of second transition was never in plans of the main actors established by the DPA itself.

Besides, considering the degree of control over both transitions (Juan Linz 1990) we can affirm how the warring elites together with the IC had complete domination over these two processes. In this sense, constitution of BH does not represent a constitutional act of BH *demos* (Sarcevic 2008: 155). Rather, by following Lijphart's consociational model of democracy (2004) Dayton BH is by definition itself a government of elite cartel. This specific type of transition would have overreaching influence on the future regime construction to be undertaken in BH, especially for the reason that the society was left at the outskirts of politics from the start.

Furthermore, BH transition has to be considered with special lenses because of the assertion that "in the periods of extreme uncertainty, politics becomes less constrained by structural factors than is normally the case, and actors and their choices matter much more" (O'Donnell and Schmitter 1986: 19). Having in mind how in BH both first and second transition took place in war or post-war setting, the importance of the elites turns underlining for posterior regime construction. As such, the most palpable result of DPA with regards to de-escalation of the crisis in BH was a ceasefire. In this sense, DPA brought peace to BH only if we define peace as the absence of war (Curak 2016).

Moreover, and in order to assure their complete control over the political space in the time to come, ethno-national elites would make sure that crisis becomes a perpetual characteristic of BH socio-political landscape. Thus, rather than concentrating on the healing process of society in the post-war period, the political elites did quite the contrary. The deep fears and war traumas, resulting from the war, are constantly re-incepted in the collective consciousness through perpetual

propagation of ethno-national symbols inside of the socio-cultural space. In this sense, repeated calls for referendum for Republic of Srpska's (RS) national day or its separation from BH, unitary visions of the country coming from the Bosniak elite, or reenactment of Herzeg-Bosnia and the establishment of the third entity from the Croat side are the essence of such 'civil wars of memory'. Regardless of the hopes some may cherish, this crisis is unlikely to come to its end because "if by some miracle, all national interests would be solved, the existence of three ethno-political parties in Bosnia-Herzegovina would become senseless" (Mujkic 2006: 74).

Besides, IC has itself also played a role in this crisis maintenance mode. Lacking a promising meta-narrative for BH (i.e. the return to Europe of the Eastern Bloc), it has always favored security over developmental dilemma in its approach to "the Bosnian Problem". Thus, any involvement of international actors in BH would focus its attention towards the avoidance of major crisis. Anything that falls short of this terrible scenario would not deserve any serious attention of international actors, which have thus accepted the narrative of perpetual political crisis in BH as a normal state of affairs. The recent reaction of OHR, United State of America (USA) or the European Union (EU) with respect to clearly anti-constitutional (thus anti-DPA) referendum of the entity of RS is also very explanatory. The current HR, Mr. Valentin Inzko, while commenting the unconstitutional referendum in RS, had declared an act that in other countries could be considered as coup d'état as only "illogical" (Dizdarevic 2016). In this sense, the international community declared the constitutional crisis produced by this event as relatively satisfactory, as the 'threat of war' was successfully avoided.

Furthermore, and now considering especially the second transition, the one supposedly leading towards consolidated democracy, we affirm that the main constructor of BH, namely the IC did not (throughout the years) do enough to put the country on the right path of democracy building. Overall, OHR did not show necessary decisiveness in the establishment of basic democratic institutions and procedures, thus unclearly defining rules of the political game (Mujkic 2006) and leaving space for undemocratic interpretations. Such involvement essentially equalized the process of mere electoralism as the most important feature of democracy. Besides, international involvement in BH, especially during second transition, would further decline as the attention of the USA would move to other more problematic regions, especially after the 9/11. The primacy of the USA was replaced by that of the EU which, for lacking a "stick" in its foreign policy did not find an appropriate way to deal with BH political elites. Consequently, taking into account how the elite political culture is crucial to democratic consolidation, without whose real commitment democracy cannot work, previously mentioned developments have undoubtedly resulted in a detour on BH road towards democratic consolidation.

Last but not the least, and due to the actions of the main actors, one of the major results of the transitional processes is the inexistence of State in Bosnia-Herzegovina. Essentially, even if “many state institutions are there, created either through consensus of local powers or by imposition of international representatives, few of them embody the authority and functionality sufficient to secure the well-being of the nascent Bosnian democracy” (Sarajlic 2011: 10). Due to the great difference between *de jure* and *de facto*, the prevailing system is based on the arbitrary use of power. In such setting, law and order cease to exist, and chaos, mess and violence begin their reign. Besides, due to the lack of functional formalities, political power and social influence remain deeply rooted in informal institutional design. This converts the alternative channels of influence into the most important feature of Bosnian-Herzegovinian political regime.

Thus, in such a system it is rather absurd to even think about political accountability. In this sense, upon being defied recently by the BH Constitutional Court for going along with the prohibited referendum, President of RS entity, Milorad Dodik, declared how “The Constitutional Court can hang its decision on a cats’ tail” (Dizdarevic 2016). Unsurprisingly, he was right indeed, and the Constitutional Court was not been able to bring him in for hearing. Once again, and as Mr. Dodik likes to repeat in his interviews, he effectively is the main *baja* (meaning the main guy, who when enters the room makes everyone stop and stand up) of this regime (TV1 2016). To make the outlook just a bit worse we should note how Mr. Dodik’s case is more rule than an exception, as in BH 91 decisions of the Constitutional Court were not respected, which says enough about the rule of law in this polyarchy (Klix 2015).

### **Ethno-national ideological hegemony and domination of imagination**

At the onset of the new regime, the new leaders - its main actors, for facing few or no impediments to their unrestrained rule, and abusing of ambiguity of DPA itself and due to the ambivalent approach of the IC, have in Gramsci’s terms (2001) effectively created the ideological hegemony of ethnic discourse in BH. The concept of hegemony states that man is not ruled by force alone, but also by ideas. Thus, through hegemony political leadership is based on the consent of the led – the population, a consent that is “secured by the diffusion and popularization of the world view of the ruling class”, which converts its interests in the interests of society at large (Gramsci 2001: 19). According to Althusser (1984: 20), unlike the Repressive State Apparatus (RPA) which functions by violence, the Ideological State Apparatus (ISA) functions by ideology. It includes many apparatuses, from

religious, educational, political, and cultural and media institutions, which even if diverse, function in fact unified “beneath the ruling ideology, which is the ideology of ‘the ruling class’”. Here, ideology is the system of ideas and representations, which dominate the mind of a man or a social group (Althusser 1984: 32). Without the ideological hegemony, the ruling class would face greater constraints to its rule, because it is only through the domination made possible by the ISA that particular ideology becomes the ruling ideology. In this sense, when thinking about BH and its ethnic complexities, rather than following the well-known paradigm of deep ancient hatreds and trans-historical conflicts, we should consider ethnicity in terms of practical categories, cognitive schemas, discursive frameworks, organizational routines or political projects (Brubaker 2002). Therefore, it is important to reiterate how ideology is a perspective of a specific social group, implying certain political goals. As such it does not represent “the system of the real relations which govern the existence of individuals, but the imaginary relation of those individuals to the real conditions in which they live” (Althusser 1984: 39). Thus, by producing political subjects, ideological hegemony also modifies, in accordance with some political goals, the conception of the world of those subjects, revealing its ability to “enslave the minds of others through domination of their imagination” (Althusser 1984: 37).

Furthermore, as Marx said, every child knows that a social formation that does not reproduce the conditions of production at the same time as it produces would not last a year (Marx, 1868, p. 209). In BH case, reproduction of conditions of production primarily implies the crisis maintenance through the “civil wars of memory”. Thus, every political game in BH is deliberately interpreted, by the ISA as a zero-sum game (Mujkic 2007) between the existing ethnic groups. In this sense, the dominant BH political discourse creates a narrative that constitutes and organizes social relations according to the wishes of the ruling class, that is, by superimposing an ethnic issue to other more existential ones.

In this way, Mladen Botic, president of SDS (Serbian Democratic Party), unsurprisingly commented on the decision of the Constitutional Court to forbid the RS referendum to be “in accordance with the practice of making decision against the Serbian people” (Nezavisne Novine 2016). Also, and in the good fashion of this ethno-political discourse, Dragan Covic, President of the HDZ (Croatian Democratic Community), and the Croat member of the Presidency of BH, declared how “since 2000 there is an idea to extinct Croats from the BH territory” (Bljesak 2016). With such reproduction of conditions of production (conflict between the three ethnic groups), the main national parties (SNSD, HDZ and SDA) monopolize the role of the only true representative and protector of “its” constituent peoples (Serbs, Croats, Bosniaks). Thus, every question, even when completely unrelated to national issue (i.e. BH National Census of 2013),

is somehow related to it. As such, it is suddenly turned into a concern of life or death where one ethnic group either wins or loses, and by which the survival or extinction of “our own” species is decided, thus increasing the perceived potential for conflict and gathering people in defense around the national parties.

Furthermore, ethno-nationalist ideological hegemony is additionally strengthened through the other ISAs, especially those of intellectual thought, education and religion, which, by feeding citizens with daily doses of nationalism, chauvinism, xenophobia, moralism, hatred etc. injects them a necessary dose of the EBP “know-how” (Althusser 1984). Probably the most absurd example of this practice is the attempt of ethno-linguistic-intellectuals to make Bosnian, Serbian and Croatian languages, which literally contain fewer differences than various Italian dialects or many versions of Spanish in Latin America, strictly differentiated and “unintelligible” to one another.

In the same fashion, main ethno-national parties control large part of the print media in BH, whose purpose is then reduced to paying lip service to the defense of ethno-national truths, leaving little or no space to other interpretations (Perisic 2010). Likewise, the official history imposed by the ruling class is rather ideological, and as such many times contains no historical but rather trans-historical “truths”, and other types of myths. For example, President of RS personally ordered the publication of “History of RS” from the University of Banja Luka, which rather than containing real history of Serbs inside of BH historical context, is strictly concentrated on the “historical strives of Serbian people in BH” (Susnica 2016). However, and as Mujkic (2006a) notes, the specific micro identities of Bosnian Serbs and Croats can only make sense inside of a history of BH and not inside of official histories of neighboring countries of Serbia and Croatia, which are generally the ones thought to ethnic Croats and Serbs in Bosnia-Herzegovina.

Moreover, the ISA has, through the complete control it exercises over the educational system, for being this in most of the cases the very first institution a child interacts with, enormous power of socialization of its future citizens. As it is understood, schoolbooks that are used in the national educational programs, serve the function of becoming the cultural role models for future citizens of a particular regime (Bogdanic 2009). Especially in societies that are fighting with divisions and inter-group tensions, education is a powerful potential source of both integrationist and dis-integrationist forces. In the case of BH, we can without a doubt claim how an educational separatism exists. Thus, all children in EBP study under three different educational programs. If by some ‘mistake’, the school is attended by children from different ethnic groups, these are kept separate from each other by being placed in different shifts, in the infamous EBP invention of “two schools under one roof”. Unsurprisingly, research “Education in BiH: What do we teach the children?” (Fond otvoreno drustvo 2007), has demonstrated that the school

books of national groups of subjects (history, religion, language, geography) are “equally directed at promoting one people, one part of the country, one religion, one cultural heritage, this being the one to which the majority of population on a particular territory on which the books are used belongs” (Fond otvoreno drustvo 2007: 178-179).

Last but not the least, Catholicism, Islam and Orthodoxy, three dominant monotheistic religions in the county, which are also the main source of differences between the existing ethnic groups, and a ‘hallmark of nationhood in the Balkans’, are misused, with or without the approval of the religious leaders, to emphasize clear borders and “enormous” differences that exist between the Croats, Bosniaks and Serbs (Abazović 2006).

In this way, ethno-political ISAs have overwhelming influence in creation of Homo Daytonous, who, rather than being a fully-fledged citizen, is converted into a strictly ethno-national subject instrumentalized for political goals. In this end, it is the ideological hegemony enforced through the ISA that interprets for the subject its relation to the “real” conditions of existence, providing an imagined causality by distorting subjects perception of reality. Thus, contaminated by ethno-nationalist ideology, Homo Daytonous is incapable to recognize this as an imposed condition, but rather assumes it as something natural, submitting himself unconditionally to its logic. For being formed in this specific cultural, social and political ambient is rationally irrational when he votes for his “true representative”. This kind of Domination (in Weberian terms) can be defined as traditionalist authority, as it is based on the creation of the system of inviolable norms that are considered sacred; an infraction of which (i.e. distancing yourself from the nationalist discourse) could result in magical evils (i.e. the extinction of ethno species).

## **Bureaucratic patrimonialism in BH**

To fully understand the functioning of the EBP, we need to identify the sources of its material support. The Dayton constitutionalism, besides constructing an ethnically minded country, also hyper-institutionalized it. BH has fourteen governments, the same number of parliaments, and 260 ministries (Mikulic 2010). Depending on different projections, it is affirmed how 55-65% of total BH GDP is spent on financing this incredible bureaucratic machinery, standing this figure in “normal” countries around 10% only (Zelenika 2010). In this sense, BH of today has the biggest and most complex bureaucratic structure not only in Europe but in the whole world as well. This information inevitably leads us to conclusion that Dayton BH as such exists significantly due to permanent bureaucratization as means of extorting material support for regime construction, making of bureaucratic office

the main motor of the economy and consequently the main employer. Out of total number of about 720.000 people working in BH, around 240.000 of them are employed in institutions, firms and agencies in state ownership (BHAS 2016). Being the next main employer, the agricultural sector, and considering the reality of high interconnectivity of private sector with the public one, there is little space for autonomous economic entrepreneurship inside of EBP. Additionally, the fact that the unemployment level in BH stands at around 45%, youth unemployment being at 60% (UNDP 2016; World Bank 2016), only increases this already exacerbated importance of this type of employment in the total economy.

Moreover, this hyper-bureaucratization of BH, once paired with the inexistence of the State, the importance of arbitrary power, and monopolistic rule of national parties that continuously operate outside of the formally institutionalized order and essentially control the public sector, opens up space for patrimonialization of the bureaucratic machinery and thus patrimonialization of the State itself. The bureaucratic office of the State as such does not serve the impersonal interest, which is the imaginary being of the State, but rather the actors who expropriate this office. Following Weber (1978) we can note how the type of bureaucratic office that prevails in BH “lacks above all the bureaucratic separation of the “private” and the “official” sphere” (Weber 1978: 1028-1031). Consequently, political administrators treat the public office and the State itself as part of their personal property and, being all positions in this sector filled by party appointments, the duty of office is transformed from signifying interpersonal bond with the State into signifying a strictly personal relationship between patron and client. In this sense, selection of officials is based solely on personal trust and loyalty, making the material power of employability one of the main methods of political influence, converting the notion of the physical whip used for the control of slaves into a wage whip controlling the populous. Report of Transparency International (2016), very affirmative of declarations made here, states how in BH party membership and family connections are the key factors in obtaining employment and how education virtually plays no role. Consequently, research also affirms how public institutions are essentially transformed into family firms. Besides, clientelism and nepotism are due to private control of judiciary quasi-legalized. In this sense, legal institutions, which in theory belong to the imaginary being of the State, in BH reality, are extended hand of the political parties.

Moreover, people of BH are conscious of this situation and they, due to their functionality, consequently internalize these “values”. Thus, following the EBP logic, a great part of citizens will come to accept theft, corruption, bribes, clientelism or crime as not only profitable, but also desirable personal traits. In such system being capable obtains a completely inverted meaning, and it simply signifies the capacity to cheat and steal from others. In a survey done by UNDP (2009) 95% of

respondents say that having personal connections is always, or sometimes, useful for gaining access to basic social services, and 85% of them consider personal connections as the only way to get a job. In 2015, 27% of BH citizens were in a situation to bribe one of the public servants (Transparency International, 2016). Also, more than 50% of them declared how it is socially unacceptable to declare corruption, due mainly to fear of arbitrary power (33%) or for believing how this will produce no effect (20%). In the same way, many of BH citizens decide to vote for certain politicians, not because they think how these offer the best political program, since in reality BH political parties do not have any particular programs, but rather to try securing their employment. In the case that they choose the “wrong” candidate they may be punished for lack of loyalty. Such practice is not uncommon for EBP, as in 2016 municipal elections the main party of ethnic Serbs (SNSD) openly sent text messages to citizens saying how “our observers have noted that you have not shown up at the voting booths so far”, thus simply sending them the heads up (Buka 2016). Therefore, and due to the reasons described in this article, in BH we have a reversed meaning of public government, in a sense that rule is not done for the people, but upon them.

In this sense, the bureaucratic-patrimonial aspect of BH political regime has the power to discipline the population, as it produces the likelihood, on the basis of an ingrained attitude, that a command will find prompt, automatic, and blind obedience among a specific group of people (Weber 1978: 1020- 1022). As such, one of the main sayings in Dayton BH turns out to be “Either submissive or stupid”, reinforcing once again the rooting of authoritarian-minded political culture, inside of which a strong distaste for criticism of any type of authority is widely ingrained. In such regime, it is maybe not so irrational to observe BH citizens repeatedly choosing politicians that have enriched themselves through expropriation of State resources and other crimes for their representatives.

## **Civil Society inside of EBP dynamics**

The sole concept of civil society, developed as an essential consequence of historical processes that occurred in Europe, is based on the premise that formal democracy on its own is not sufficient to ensure the democratization of society (Diamond 1999). In this sense, civil society emerges as a space between the State and the market, which by its action pressures the State structures from “below”, forcing the corrections of its imperfections.

However, the idealized version of the concept, one that tends to emphasize its civility (meaning something carrying positive and progressive connotations), fails to comprehend the very distinct and particularistic evolutionary realities

of state-society relations in non-western parts of the world. As such, it many times fails to consider the effects that this particularistic socio-cultural realities may have for development of “civil” society in certain parts of the world. Thus, the concept of civil society should comprehend the totality of social processes that form state-society relations and constitute the essence of socio-political construction of the state. In this sense, the notion of civility does not have to be unquestionably attributed to any “civil” society. For such reasons, we decide to place emphasis on society as a whole in the particular regime we are dealing with, as we believe this perspective to be more fructiferous for analysis of BH realities.

Therefore, in order to understand the construction of (civil) society in BH it is indispensable to place its development in historical, socio-cultural, socio-economic and socio-political context. In this sense, historical legacy of undemocratic regimes that prevailed on the territory of current BH, have resulted in a specific type of historically structured learning, giving little experience of democratic character to this socio-cultural space. Besides, the particularistic type of BH transition to “democracy”, essentially completed through very undemocratic means and fought for nationalistic and not democratic ideals, did not clearly imply a change of previously mentioned historical direction. Such type of transition did not necessarily bring about posterior societal development conducive to democratic values.

Rather, developed in an environment of existential crisis, it only reinforced the importance of the main actors, thus leaving the society at the outskirts of post-transitional politics. In this new context, ethno-national “liberators”, passing on the dominant values of their “class”, simply changed one dominant ideology (communism) with another (ethno-nationalism). Both of these ideologies, for being rather absolutist and authoritarian, and certainly not democratic, stand far from the ideal implied by the pluralistic liberal notions conducive to healthy development of civil society. In this sense, the dominant political culture passed on from the elites to society at large, well consolidated through the domination of ethno-nationalist ideological hegemony, has resulted in a creation of a sociocultural context in which ideal civil democratic virtues were replaced by predominantly ethno-national ones. Consequently, the core value of BH identity, evident in the presence of nationalism for example, could be characterized as “*Odi ergo sum*” (I hate, therefore I am). Here, the trait of aggressive collectivism has emerged as one of the main characteristics defining post-transitional BH society which, by excluding any possibility of unity in difference and by imposing uniformity is one of violent kind (Babic 2012). In this sense, “the most tragic result is that such collectivism produced collective hate in BH” (Babic 2012), as it consequently resulted in “de-civilization of civil society”.

Moreover, in this socio-cultural environment where “reality” is generally interpreted through the prism established by the ruling class, prevailing anger and dissatisfaction of BH populous, produced as a result of unfavorable conditions dominating this dysfunctional country, rather than being directed towards the national representatives, are projected in anger towards other ethnic groups that supposedly “do not want our State to function”. In this sense, the 2014 demonstrations (the most important in the history of Dayton BH), even if coming as a result of conditions equally shared by all constitutive communities, have found serious impediments to cross the inter-ethnic lines, as the dominant ethno-narrative successfully characterized them as an unitarist Bosniak-Muslim movement.

Moreover, the ethno-national domination of “civil” society’s imagination is also reinforced through the patrimonial aspect of this regime. As such, ethno-national values, having the tendency to be rather divisive, are well embedded in the functioning of many CSOs (Civil Society Organizations) that call themselves independent. Thus, through the material support available to them in form of the highly-bureaucratized state, the ruling elites reinforce, now in a more elaborate way, the propagation of the most desirable values - promoting conflict rather than cooperation. In this sense, local governments arbitrarily fund organizations that are loyal to their cause, being most of the money awarded to organizations generally lacking civil culture in the Balkans, like sport organizations (34.3 percent) and associations originating from the civil war (16.0 percent) (Papic 2016). Consequently, instead of controlling the work of the government, many of BH CSOs essentially function as ancillary organizations of the parties in power. Being directly dependent on financing from government, most lack necessary autonomy and instead forge a patron-client relationship with the ruling elites. Recent demand by the President of Student parliament of Sarajevo University (who is also a member of the youth of the main ethno-nationalist Bosniak party) is very indicative of this symbiosis that exists between the government and the “independent” CSOs. Thus, this organization, supposedly representing all students regardless of their ethnicity, religion or any kind of identity, strongly advocated for obtaining free time on Friday for performing namaz (Muslim pray). As a reaction to this, in an open letter by STAFF (Student Association of University of Philosophy) such move was criticized as serving the interests of the ruling party by appearing as an independent organization and ignoring other, more relevant issues affecting the student population (STAFF, 2016). At it can be concluded by now, in EBP of BH many “independent” CSOs simply serve as control points of ethno-national unity and ethnic divisions.

Furthermore, current economic reality of precariousness affecting the size of the middle class and the virtual inexistence of the protective State cannot be

ignored when thinking about civil society in Bosnia-Herzegovina. Most of all, a strong democratic legal state, a crucial correlate of a strong society is inexistent in the environment we consider. Also, reality of economic hardship in the real sector makes most of the citizens' struggle for everyday survival and impedes the development of the independent middle class necessary for creating spaces of free thought. Rather, the only real middle class in BH is one employed in the public sector, and due to its particular relations with the ruling regime it is unlikely to offer any kind of critical thought.

Likewise, the specific type of capitalist transition underwent by Bosnia-Herzegovina, marked by the inexistence of the State and disappearance of previously existing social security, resulted in socialization that is marked by wild individualism as another underlining trait of BH society (Fjodorov 2006). Here, the complete destruction of society has resulted in the creation of what Dean calls 'the survivor subject'. This subject, for having its behavior determined by pervasive fear of both present and future, and mistrust towards everyone, embodies the psychotic culture which prefers to confront the power alone (Dean, 2016). This type of individualism, resembling pure egoism, is very distinct from individualism of responsible and constructive type. Interestingly, this mistrust is now directed towards everyone, and not only towards those belonging to other ethnic groups. Thus, this ambiance of general abandonment and general lack of trust, highly felt by citizens of BH polyarchy, leads to a situation of war, where all fight against all. Consequently, an individual, feeling alone in the fields of BH Hobbesian jungle, is literally incapable of any type of meaningful cooperation. In this sense, the UNDP (2009) research that notes how the levels of social trust in BH (10%) are significantly below other regional countries (Slovenia 17%) and miles behind other more cohesive societies (Scandinavian countries stand around 60 %), clearly demonstrates the detrimental social effects that EBP has brought upon its citizens.

Consequently, and as Putnam argues (1995: 67), social capital, that produces good government insofar as it produces trust in others and facilitates "coordination and cooperation for mutual benefit", thus broadening citizens' "sense of self, developing the 'I' into 'we'" is nowhere to be found in BH. Rather, in this political regime we find something that could be defined as 'bad type of social capital'. This one, due to the rooting of mistrusts towards anyone and everyone, has effectively led to complete destruction of healthy social relations in Bosnia-Herzegovina as a whole. In this sense, even if uncountable reasons to protest cause parts of BH civil society to explode from time to time for all kinds of ad-hoc motives, its incapacity to metamorphose from disorganized mass into an organized collective makes it unable to sustain serious political pressure over time. Such social thought has the unfortunate effect to result in general apathy of population, inside of which any possibility of hope towards change is immediately discarded.

## Conclusion and Recommendations

In conclusion, the case study of BH post-Yugoslav transition has challenged the supposed “manifest destiny” of transitional and post-authoritarian regimes, which was rooted in the erroneous assumption of the end of history. The case of BH showed us that the democratization process could have a number of outcomes, one of them being the establishment of a non-democratic regime. Precisely due to this fact, this study has avoided the standard approach of democratic consolidation. Rather, it has tried to shed the light on the particularistic features of the consolidated regime by way of deconstructing the transitional process of the country and looking at its main actors and institutions, whether formal or informal. In order to achieve this, structural (systemic) approach has been used, one that considers “society’s rule of the game”. Furthermore, the political regime was understood as a result of institutionalized set of fundamental formal and informal rules structuring the interaction in the political power center (horizontal relation) and its relation with the broader society (vertical relation). The following paragraphs will summarize the main features of BH political regime, and the characteristics of the main actors that participate in it, namely the political elites and the (civil) society. Finally, some recommendations for future research will be provided.

One of the most distinctive features of Dayton BH is that it represents a product of “political engineering” by the IC. The IC appears as the most significant actor shaping the system from the outside during both first and second transition, and is the one that effectively accepted the ethno-national elites as the main internal actors (who would posteriorly structure the regime from the inside). In this sense, while the first BH transition simply signified the act of war, the second transition (initiated and framed by the DPA itself) would be strongly conditioned by its result, leading to consensus democracy of an ethno-national elite cartel. Moreover, the fact that both transitions were marked by the (post)war atmosphere of uncertainty and crisis had a significant effect in increasing the importance of the main actors, and effectively keeping the society at the outskirts of politics. Both the ruling elites and the IC further maintained this crisis mode. While the former abused of war experiences by promoting ‘civil wars of memory’, the latter, for lacking a promising meta-narrative for BH accepted crisis as a normal state of affairs. Additionally, as the IC did not do enough to put the country on the right path of democratization, and as clearly undemocratic elites concentrated only on the ‘theft of the state’- rather than state building -, political power and social influence became deeply rooted in informal institutional design – making this the most important feature of BH political regime.

Furthermore, the ethno-national ideological hegemony, through its power to modify the conception of the world of subjects, and in accordance with its power interests, superimposed ethnic question to any other more existential one, thus enslaving the minds of BH citizens through domination of their imagination. Through ISA “the State” fed its citizens with daily doses of nationalism, chauvinism, xenophobia, moralism, hatred etc. injecting them a necessary dose of the EBP “know-how”, thus securing the diffusion and popularization of the worldview of the ruling class, and converting its interests in the interests of society at large. In this way, ethno-national ideological hegemony has reached moral, intellectual, cultural and political leadership, completely converting BH citizens into politically instrumentalized ideological subjects whose main duty would be pseudo-political. Thus, through the process of cognitive re-mapping, ethno-national elites have effectively monopolized the role of the only true representatives of “national” interests, converting themselves in “Salvadores de la Patria” (Saviors of Ethnic-Nation).

Besides, the hyper-institutionalized Dayton BH, in which 60% of total GDP is spend on financing the most complex bureaucracy in the whole world, would become a voting machinery par-excellence of the ruling class. Monopolistic rule of the ethno-national parties in this polyarchy has resulted in patrimonialization of bureaucratic office and consequently in patrimonialization of the State itself. As such, the duty of office is converted into a strictly personal relationship between patron and client, and by having the effect to discipline the population it made “either submissive or stupid” into one of the most important norms of the EBP. Thus, as it turns citizens into servants of their politicians and not the other way around, the meaning of public government is completely reversed in a sense that the rule is not done for the people, but upon them. This particularism, which may be defined as anomaly or defect by some, with the passage of time and subsequent rooting turned into a process of cultural learning, in which both elites and society became accustomed to its norms and values. Thus, by reinforcing the authoritarian-minded culture, it has made clientelism, corruption, loyalty and obedience into the most important society’s rules of the game.

Moreover, historically structured learning, which implied little experience with democratic values, made BH society at the onset of the new regime very susceptible to directions of elites. In this sense, ethno-national wars, fueled by nationalistic and not democratic ideals, did not imply the posterior societal development conducive to democratic values. Rather, ethno-national “liberators” simply changed one dominant ideology (communism) with another (ethno-nationalism), which, for being absolutist and authoritarian, and certainly not democratic, stood far from the ideal implied by the pluralistic liberal notions conducive to ideal development of civil society. This continuation of the legacy of authoritarian culture has resulted

in the reinforcement of the values very suspicious of open criticism of authority and fond of mass culture of loyalism, obedience and piety towards authority. As such, through its ideological hegemony it replaced civic by ethnic virtues, resulting in de-civilized civil society. Likewise, the patrimonial aspect of this regime further propagated rather divisive ethno-national values, by corrupting and financing CSOs that simply function as its ancillary organizations.

Additionally, inexistence of a protective and democratic legal state, paired with reality of economic hardship in the real sector, has resulted in institutionalization of wild individualism and 'survivor subject' as another defining characteristic of BH society. This one, for making individuals literally incapable of any type of meaningful cooperation results in 'bad type of social capital' and leaves protestors more in a state of disorganized mass than an organized collective. In this sense, the reconstruction of social relations, historically much more important for BH socio-political space than the State itself, is likely to be the main future obstacle for the development of BH society. If this condition does not change, society's negotiating power vis-a-vis the ethno-national elites, and its return from the outskirts of politics is rather unlikely.

Nevertheless, the protests of February of 2014 still deserve to be hailed as the most important social awakening in the history of the current political regime. Despite all of its failures, it represented the first open challenge to the dominant ethno-national ideological hegemony. After almost 20 years of lethargy, the citizens have "woken up" and tried to "de-ethnicize" the dominant form of discourse and to show that the biggest division in our society is not between Croats, Serbs and Bosniaks but rather between the haves and have-nots, between the ethno-national elites and huge mass of marginalized and disenfranchised. Of course, these new social symbols are still weak and the grip of the ruling parties still strong, especially considering the patrimonial control of the state bureaucracy and so many years of ritualized ethno-national engagement.

As the things stand now, the ruling elites are unlikely to change their practice and work in the interest of BH citizens, as they do not want to give up the enormous power they have. In this sense, without a more decisive involvement of the EU and the US, using more "stick" in its policy towards the BH elites, the state of the matters is unlikely to change. However, such hopes, considering the positive reviews of European Commission that constantly congratulate this EBP of BH for its "progress" on the way of EU integrations seem rather discouraging at the moment.

Finally, for future recommendations I find it appropriate to invite other academics to focus more on investigating alternative ways in which unconsolidated democracies may actually institutionalize or consolidate their "arrested development". Also, comparative studies between different countries or even

different regions seem quite an interesting option. Here, I would especially point at regions of the Balkans (esp. Kosovo, Macedonia), Eastern and Central-Eastern Europe, the Caucasus, and Latin America. Besides, this article, for being truly interdisciplinary also invites future research on other variety of topics: identity studies in conflictive multi-ethnic societies, role of political instrumentalization of identity (in both developed and developing world), role of international actors and their influence in regime transitions of weak countries, and role of exclusive identity for peace and conflict studies (both locally and internationally).

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