Serious about Integration or Political Posturing? Political Elites and their Impact on Half-hearted Europeanisation in Bosnia and Herzegovina[1]

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Abstract: *This paper deals with the sluggish Europeanisation efforts of the current political elites of Bosnia and Herzegovina. A typical explanation for the lack of progress would be the complex structure of consociational democracy of the specific Bosnian confederation. The authors, however, claim that the structural obstacles could have been bypassed given the real will of political elites of all three nations to cooperate. The authors examine the role of the structure of the peculiar political system in comparison with the influence of the agency of Bosnian elites on the integration process. The empirical analysis focuses on the situation after the general elections in 2018. The authors discuss the contrast between the official declarations of consistent support for a European future with the real political performance of the various Bosnian party elites. These elites often misuse the institutional settings of the political system to block reforms. They also prefer the politics of obstruction to cement their leading positions within their constituent nations. More than a quarter century after the Dayton Peace Treaty and adoption of the Constitution, the lack of genuine intrinsic motivation to pursue Europeanisation has remained the main reason for the reluctant rapprochement of Bosnia to the European Union.*

Keywords: ***Bosnia and Herzegovina; Europeanisation; Political Elites; Political Culture; Integration Process, Consociational Democracy***

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Introduction

Bosnia and Herzegovina (BiH or Bosnia in the following text) officially applied for EU membership in February 2016, but the origins of their relationship go back much earlier – to the late 1990s. Despite the long-term political cooperation and significant financial aid from the European Union, substantial progress towards membership is lacking. Compared with its neighbours in the region, BiH is lagging behind significantly in the integration process. In 2019 an Opinion on Bosnia's application was adopted by the European Commission (EC). The document identified 14 key priorities the country needed to address to be recommended for opening accession negotiations. While the EU fulfilled its part of the deal, it is up to the country's political elites to respond to this challenge. Simultaneously, the most powerful political parties agreed on a pro-EU direction which they also declared in their programmes and approved agendas for the 2018 state elections (SDA 2019; SNSD 2020; HDZ BiH 2016; DF 2013). The experts we interviewed reported nothing like Euroscepticism in Bosnia, but the generally accepted consensus across the political spectrum on the country's European future.

The renaissance of Europeanisation, as a topic in BiH's academic and media discourse, relates to the membership application and the requirements resulting from the EC's Opinion. Although the current literature commonly refers to the key political elites lacking the will to reform and failing to achieve consensus, a more in-depth analysis of Bosnia's actual performance in the integration process is absent. Even though it would not be right to ignore the external effects of the integration process dynamics, local political elites continue to be the critical players in determining the country's direction and at the same time the cornerstone of the required reforms. It is desirable to look closer at the steps they have taken towards, or more likely away from, the prospect of EU membership. Using the concept of Europeanisation, this paper aims to explain how the Bosnian elites affect the EU integration process dynamics, considering the current political system's limitations and benefits.

Our analysis investigates the current political elites whose term in office originated from the election in October 2018 and the following nominations. We consider the length of their mandate to date as sufficient to analyse their performance and actions taken to deliver the required results. The paper searches for answers to the four following questions: Does the political system's current setting hinder the Europeanisation process? How do the Bosnian political elites operate within the system regarding the dynamics of the accession process? Are the current elites able to push through the necessary reforms? Do they try to challenge the system sufficiently and modify it so that it complies with the requirements of the accession process? To answer these questions, the paper relies on evidence gathered through semi-structured interviews with academics,

representatives of the international community, the EU's Delegation in Bosnia, surveys and numerous research papers.

The structure of the paper is as follows: first, the necessary theoretical background is explained in order to delimit the role of agency and domestic actors in the process of the Europeanisation of BiH. We present our source of information afterwards. Further, we sketch out the structure of the political system of BiH to understand the institutional settings of the agents and the specific political culture of Bosnian political elites so that we may contextualise our research in the long-term trends of political attitudes and behaviours of the elite. Empirical analysis of the situation after the 2018 elections constitutes the core of the paper, followed by a discussion and concluding remarks.

Structure, agency and the Europeanisation of Bosnia and Herzegovina: Literature review and theory

There is a vast critical literature regarding the political arrangement set by the General Framework Agreement for Peace in Bosnia, known as the Dayton Peace Accords (Keil 2016; Kapidžić 2020; Piacentini 2019; Arnautović 2019; Belloni – Ramović 2019; Hulsey 2010). Many authors have turned their attention to the EU as a normative and transformative power, and to the EU enlargement process in the Western Balkans region (Čepo 2019; Pejanović 2017; Blagovcanin 2016) covering *inter alia* the Bosnian case. In the papers on Bosnia specifically, there is, however, a clear trend. Critical yet optimistic visions of Bosnia being attracted by the EU slowly but decisively (Tzifakis 2012) have been replaced with much bleaker visions of contested states struggling with the rule of law, an inappropriate constitutional framework and problems with the assurance of equal citizenship rights (Džankić – Keil 2018).

As we saw, many authors blame the peculiar and complex structure of the Bosnian political system for the lack of progress in reform and Europeanisation. On the other hand, human beings including politicians are rational actors who pursue their goals within societal, economic and political structures (Wendt 1987). This means that the structure cannot explain everything, and we have to pay the same attention to the role of agency: individual and collective actors, in our case, politicians and political parties (Dowding 2008; Friedman – Starr 1997). To capture the behaviour and motives of BiH actors, we use the concept of Europeanisation as modified to include specificities of the process of the EU enlargement vis-à-vis the Balkan countries.

Transformation of structure, adaptation in order to achieve a 'goodness to fit', triggered by the adaptation pressure of the EU institutions – this has been a 'baseline model' (Exadaktylos – Radaelli 2015) of Europeanisation studies. The entire idea of 'transformative power' (Grabbe 2006) and of the logic of appropriateness driven by the EU's demand to comply (Schimmelfennig – Sedelmeyer

2005) focused more on the institutional adaptation than on the active approach of the agents. This made sense in the context of the 2004/7 EU enlargement, with its clear reward and functioning conditionality.

The context of the potential enlargement of the EU to take in the countries of the Western Balkans has been very different. There are two factors limiting the EU's transformative power. First, as the substantial literature shows (Bieber 2011; Börzel – Grimm 2018; Džihić – Wieser 2008), the belated processes of state-building were related to the necessity to stabilise and consolidate the area after the dissolution of Yugoslavia. Stability was simply more important than Europeanisation as compliance with EU settings. The second factor has been a certain remoteness of the 'carrot' – no vision of EU membership. The combination of 'enlargement fatigue' and 'stabilitocracy' (Čermák 2019; Vučković 2021: 5) limits the adaptational pressure of the EU (Börzel 2016; Mendelski 2015; Mendelski 2016). As Petrovic (2019) argues, the inconsistency of the EU approach is one of the main factors hampering the enlargement process. The problems with Europeanisation can be, however, attributed largely to a lack of reforms in the Western Balkan countries (Elbasani – Šabić 2018; Vučković – Đorđević 2019). Since there is literature discussing the particular effects of the 'balkanised Europeanisation' on the increasing state capture (Richter – Wunsch 2020; Vachudova 2018) and the setting of illiberal patterns of governance (Stojarová 2020), in our study we will focus on the role of domestic actors and institutions as (at least potential) promoters of further Europeanisation and on examining their disappointing performance in this field.

Returning to Schimmelfennig and Sedelmeier's (2005: 8) models of Europeanisation of domestic actors, the above said demonstrate limits on external incentives and the social learning model. Therefore, we will analyse the BiH political actors to find the elements of the lesson-drawing model of Europeanisation. In practical terms, this model implies mainly the identification of the domestic actors with the EU, in political discourse, and tangible policy steps taken or advocated (Sedelmeier 2011: 13 and 16). Our analysis will unravel to what extent the identification with the EU in words and deeds happens in the current BiH politics.

Sources for analysis of Bosnian post-2018 politics

In order to answer the questions, we will analyse the post-2018 process of political development in Bosnia in the context of long-term trends and developments. The analysis is of the published primary and secondary sources. We will work with the documents and statements issued by the political parties to demonstrate the discrepancy between the highly pro-integration rhetoric and the lack of any real policy measures leading to enhanced Europeanisation. To complete the picture, we conducted interviews with local experts and stakeholders.

All interviews were conducted in Sarajevo in February 2020. The people interviewed included local academicians from the University of Sarajevo (Kapidžić 2020; Dautović 2020; Džananović 2020) and foreign stakeholders from the European Union's delegation and diplomatic representations of the member states based in Sarajevo (Respondents A, B, C, D 2020), whose names and work positions we are not able to reveal due to the requirements of the institutions they represent. The interviews are used only as an additional resource given their number and the unequal representation of all parties involved, namely the domestic political actors. However, they offer valuable insights into the practical problems associated with the power-sharing system and the actual political performance of domestic elites.

The Bosnian political system as a structure constraining, yet not excluding, Europeanisation

The signing of the Dayton Peace Treaty (DPA) in 1995 ended the civil war in BiH but also established one of the world's most complex political systems. The highly decentralised federal system based on the ethnic principle seemed to be the only solution for preserving the country's territorial integrity. The Constitution's final version divided the country into the autonomous district of Brčko and two political units, or entities: Republika Srbska (RS) and the Federation of Bosnia and Herzegovina (FBiH); both are controlled by three constituent peoples: Serbs, Croats and Bosniaks. The ethnical division dominates not only the political setup and functioning, but all spheres of public life. Belonging to a constituent nation is closely and inextricably linked with religion. The BiH political system is based on the principles of equality and non-discrimination. The equality of the three nations is the fundamental basis of the Constitution. Ethnic power-sharing is reflected in each central institution, specifically in the three-member revolving Presidency, a two-chambered Parliament, the Council of Ministers, the Constitutional Court and the Central Bank.

Keil (2020) argues that such an imposed union in the Bosnian case unfavourably affects the political institutions' ability to act and is the reason for the political standoffs and constant disputes among the elites representing different constituent peoples. Since establishing the 'union' was neither voluntary nor approved by local elites, its imposition has become a focus of the contestation of the state, and the subject of constant challenges and undermining. The result of the union being imposed by external actors is a barely functioning state of peoples who do not identify with it and do not respect the diversity, nor the existence of such a state. It does not fit Todd's definition (2020) of constructive unionism or Franck's understanding (1968), supporting his argument that a federation's ability to avoid disintegration relies on leaders who must themselves feel federal.

Regarding the cumbersome process of drafting and passing legislative revisions, the system has remained virtually unchanged for the last 25 years and has mostly been ineffective in terms of flexibility and ability to adopt necessary reforms. Even though, in the past, we witnessed several amendments within the centralisation of crucial policies which helped to make the rigid power-sharing system looser, it is important to say that the revisions were mainly enforced by the external overseer – the Office of the High Representative. Nevertheless, most political and economic powers are concentrated in the hands of the entities (RS and the FBiH). Also, in practice, the dominant part of the central institutions' income depends on contributions from the entities (Keil 2013; Kapidžić 2019)

Bosnia used to be an example of a theoretically perfect or classic consociation following the key principles of consociationalism enshrined in the Constitution (Merdzanovic 2017; Keil 2016). They include a grand coalition based on a strict ethnic quota, two quasi-autonomous political units and a complex system of veto players – these players from each national group have the right to block in the central Parliament. Merdzanovic (2017) argues that establishing a consociational governing model within a heavily divided country and hoping that it would work is not enough; Fraenkel (2020) called it an externally imposed experiment. It is important to underline that the international community was from the very beginning aware of the fact that consociationalism produces deadlocks, and the country may have trouble with overcoming these obstacles on its own. Based on evidence, these assumptions led to distinctly international intervention, mostly in the first decade after signing the DPA. Merdzanovic (2017) identifies the Bosnian consociational system as a vicious circle where international intervention is necessary to overcome deadlocks, but at the same time aggravates other problems such as domestic dependency and the incapability of local elites to take political ownership.

Moreover, the local elites are not interested in seeking compromises since their government positions depend on keeping the ethnonational cleavage important, rather than on their actual policy and political performance. Although the consociational model guarantees that the constituent peoples are directly and equally represented in political institutions, it is necessary to emphasise that *de facto* it excludes other nationalities such as Roma or Jews from political life. The European Union requires the removal of discriminatory laws to enable progress in the European integration process (Piacentini, 2019).

Since the Council of Ministers is often ineffective and lacks consensus, the major decisions are taken by the Presidency, and executive power resides in the Parliament rather than in the Council of Ministers. To pass a bill, it is necessary to acquire the support of the majority, which must include at least one-third of the votes from the territory of each entity, specifically the Republika Srpska and the Federation in the House of Representatives. The Decision-making process in the House of Peoples should be preceded by meeting the quorum, which consists

of at least three out of five representatives of each constituent nation. Any bill may be blocked if it is seen as a possible violation of vital national interests. The agenda of the Council of Ministers is often blocked by entity vetoes, mostly from the House of Representatives. Moreover, the principle of 'vital interest' as enshrined in the Constitution, which allows the veto to be used, is vaguely defined and often serves as a political bargaining tool (Fraenkel 2020).

The complexity of the system brings many veto-actors to the decision-making process. Due to the absence of a unified Bosnian-Herzegovinian identity, political actors primarily represent their own constituent nation's interests. The EU has repeatedly pointed out the dysfunction of the BiH political system and the need for it to be reformed. Recommendations for reform were included for the first time in 2009 in the EC's BiH report. To defrost the blocked political system caused by the (in)activity of local elites, the Commission recommended defining vital interests more precisely. A key milestone in the relationship between the European Union and Bosnia was the enactment of the Stabilisation and Association Agreement on 1 June 2015, seven years after it was signed. The political leaders took advantage of this event and in 2016 officially applied for membership (Pejanović 2017; DEI 2019).

Following the final submission of the questionnaire on 29 May 2019, the European Commission adopted an extensive Analytical Report and Opinion on Bosnia's application for membership, proposing a comprehensive reform plan. The Opinion identifies 14 key priorities that the country must meet to be recommended for opening accession negotiations. Although the EU expressed its worries about the country's potential progress under such a political system, it has explicitly said that the current system does not conflict with accession conditions (European Commission 2019; Čepo 2019). Therefore, we cannot expect more immense adaptation pressure leading to external incentives for the further Europeanisation triggered by the EU institutions and policies. This was confirmed during the interviews with foreign stakeholders, considering that the political arrangement itself is not a problem as long as it meets democratic criteria and the necessary reforms can be adopted within it. Despite the above, the Constitution defines necessary procedures for its reform and offers ample legal opportunities to revise the system from the ground up. All that is missing in the country is the will of the elites to seek compromise and agreement (Respondents A, B, C 2020).

The political culture of the elites as a persistent, primary problem

Despite our focus on the activities of 'current' political elites after the general elections in 2018, the parties' current configuration in the state institutions has been unchanged for a number of decades. Most of today's elites emerged after the break-up of the single-party system during the 90s or were formed after the

BiH declared independence. This period was affected by the absence of a well-established rule of law and a legal vacuum. It allowed the emerging political elites to accumulate vast assets through direct budgetary transfers, black-market trading and the illegal privatisation of state property (Blagovcanin 2016).

Besides the specific form of corruption, the phenomenon of political clientelism based on ethnic criteria is extensively present in Bosnia and Herzegovina. Political representatives offer goods, economic resources, jobs and protection to the members of a specific nation in exchange for political support and votes through this mock patronage system. By abusing institutional and economic capacities, ethno-nationalist political leaders can easily gain the support of a specific constituent nation. Given the extensive practices of political clientelism in BiH, civic alternatives find it challenging to succeed in such a political system. The party system's development proves that even if a slight change occurs, it is usually not in favour of those who call for moderation and the politics of compromise (Piacentini 2019).

For the political elites, a loss of power would imply a threat to their own political existence, including the possibility of criminal prosecution (Hulsey – Keil 2021; Respondents C, D 2020). The blocking of institutions, boycotts and similar signals often serve merely as a façade, behind which the material interests of the incumbent elites are hiding. Besides strengthening ethnic nationalism, a destructive side effect of the political crises and the accompanying rhetoric is that they distract attention away from the fundamental problems in society including low living standards, poverty, high unemployment rate and environmental damage (European Western Balkans 2020).

Ethno-nationalist political parties dominate in all the state institutions. The strongest parties, the Party of Democratic Action (SDA), the Croatian Democratic Union (HDZ) and the Alliance of Independent Social Democrats (SNSD), are directly related to the long history of patronage politics, corruption scandals, nepotism and the systematic violation of media freedom. As Bosnian politics has gradually lost its potential for change, the election turnout has decreased over the years. It appears that most of the people who regularly come to the ballot box do so for the strategic reason that it will help them keep their job or enjoy other benefits offered by the ruling party (Belloni – Ramović 2019). All this affects relations with the EU.

Bosnia and Herzegovina's foreign policy orientation towards the European Union has developed slowly yet steadily, in ebbs and flows. Throughout this time, the country's foreign policy direction has been accompanied by domestic ethnic fissures and a complex institutional structure. But the EU too has for many years lacked a coherent and unified strategy to build relations with BiH (Pejanović 2017), even though after the 2003 Thessaloniki summit the interest of the EU definitively shifted, from post-war stabilisation to the economic and political integration of the region (Blagovcanin 2016).

In February 2016, the leaders of Bosnia and Herzegovina officially applied for EU membership, exploiting a shift made possible by the coming into effect of the Stabilisation and Association Agreement seven years after being signed, thus breaking a stalemate. Despite this, the country continued to suffer from many deficiencies in public administration, a vague distribution of powers and a lack of effective mechanisms of coordination (Čepo 2019).

Even before issuing the Opinion on the country's readiness to join the EU, the Commission prepared a preliminary report, serving to monitor progress in fundamental areas including the rule of law and human rights, public administration reform and economic development. The EC report makes it clear that BiH not only suffered from a lack of political will in adopting action plans and broader strategies, but also failed substantially in implementing the measures adopted. The report repeatedly draws attention to a persistent chasm between the political will declared and the concrete results achieved, which are mostly absent. Bosnia and Herzegovina exhibited substantial shortcomings in virtually all of the key areas covered by accession negotiations (European Commission 2018). Over the past two decades in pursuing its enlargement policy, the EU has strengthened conditionality and brought the adherence to the rule of law principles to the forefront (EU Delegation 2019b).

Complications in adopting the essential reforms to achieve progress in the integration process are due to the number of actors holding a veto as well as failures in the approach taken by the political elites and in the Bosnian political culture as such. Even the preparation of the questionnaire itself proved to be a Sisyphean labour – it took nearly two years to develop it while including political actors from all levels of governance; in other countries of the region the task took a few months (Respondent C 2020). But more than by the size of the team, the process was impacted by the fact that the members were political party nominees and not independent experts, causing work inefficiencies and prolonging the process (Čepo 2019). Once the questionnaire was finally submitted on 29 May 2019, the Commission adopted an Opinion on BiH's application for EU membership, in which it proposed a comprehensive reform plan. Of the political criteria, the Opinion emphasises the need to improve the election framework and the functioning of justice, and to strengthen the fight against corruption and organised crime including money laundering and terrorism. Bosnia and Herzegovina should also improve its border management and its migration and asylum systems. Progress must likewise be achieved in public administration reform. The document also appeals to BiH to establish a parliamentary committee for EU affairs[2] and to develop a National Programme for the Adoption of the *acquis communautaire* (NPAA) (European Commission 2019b).[3]

2 The operating rules of the committee were adopted in mid-2020 (European Commission, 2020b).

3 Bosnia and Herzegovina started the work on developing its integration programme in autumn 2020.

There are two phenomena present in the relationship between BiH and the EU that substantially influence the integration process. The first is a general, declaratory consensus across the constituent peoples and the political entities on support for full BiH membership in the EU structures (Presidency of Bosnia and Herzegovina 2018). The second phenomenon – which does not influence just the integration process, but also Bosnia's foreign and domestic policy – is the country's inability to set aside the incessant rivalries between the constituent peoples and their representatives and adopt such top-level decisions that do not have to reflect the ethnic divisions at any cost (Sadowski 2008); this while the country's official foreign-policy strategy acknowledges the necessity of involving all administrative levels in consideration of their constitutional powers, as required by such a complex process.

The strongest political parties in their election manifestos have likewise set full membership of the European Union as a foreign policy priority (Čepo 2019). In their programmes these parties are agreed on a pro-European direction for Bosnia and Herzegovina; yet only some of them propose specific measures to accelerate the integration programme and increase its efficiency. Most of the parties declare their readiness to comply with the Commission's recommendations, and to make use of the potential provided by the Constitution to make progress with the integration process, by implementing the recommended reforms of the judiciary and of the Constitution itself (SDA 2019; SNSD 2020; HDZ BiH 2016; DF 2013). Interestingly, there is virtually no Euroscepticism in BiH. All political parties describe themselves as pro-European, and any Eurosceptic rhetoric could hamper their position in party competition. Yet experts admit that membership of the EU or obtaining membership candidate status is only a declared priority of political parties and elites, and actually occupies a very low place in their order of priorities (Respondents A, B, C 2020; Kapidžić 2020 and Džananović – interviews 2020). Čepo (2019) sees a problem in the incessant presence of a normative conflict, between efforts to maintain the *status quo* as set by the Dayton Agreement Constitution and the integration into a supranational Union that could significantly threaten the positions enjoyed by the political elites who derive their prosperity from the post-conflict configuration that continues to apply today. The topic of European integration thus becomes overshadowed by nationalist and populist rhetoric, which is always mainly directed at protecting the interests of the constituent peoples.

Parties' electoral campaigns have a significant effect on the integration process, mainly because state and local elections alternate in a two-year cycle, which means that the country finds itself in a nearly continuous campaign. This slows down the dynamism of integration considerably; the integration process is not an attractive electoral issue, and the elites and voters alike tend to overlook the topics linked with it before elections (Respondent B 2020). As the completed questionnaire was submitted to the president of the European Commission in

2018 and there were some supplementary questions the following year, there was a renaissance of sorts within the public debate for the topic of BiH obtaining candidate status. Yet candidate status does not fulfil the strategic ambition of full membership; Bosnian politicians exploit this topic, because they see an opportunity to score political points by bringing 'good news', but the respondents actually have interpreted the membership application as merely a strategic move on the part of former BiH Presidency members (Respondents A, B 2020).

Respondents agreed that the transactional approach of the Bosnian elites towards the integration process is wrong. According to them, being a part of the EU has become a meaningless slogan that the local political elites use from time to time but only to score political points (Respondent A, B, 2020). Dautović (2020) said that the EU is an elite club, and if Bosnia and Herzegovina wants to move forward to EU membership or candidate status, it must start meeting the requirements. The current European Union is not able to give anything for granted since BiH participates in SAP voluntarily.

The gradual strengthening of the relationships between the local leading political parties and partially authoritarian but influential foreign players such as China, Turkey or Russia might also be problematic. The rise of influence of these state actors not only in Bosnia but across the whole Western Balkan region can be explained by the weakening position of the EU and thus filling the vacuum left by its power withdrawal.

Chinese – Bosnian relations are based mainly on Chinese business interests, which are focused on facilitating its access to European markets by developing numerous infrastructure projects and expanding business opportunities for Chinese companies, including the support of the export. While there has not been any proven incorporation into political activities so far, China does not face any crucial obstacles to further strengthening its influence in the country. Unlike the EU's conditionality, its termless loans of enormous size and investments make China a likeable and recognised partner. Its projects, however, often lack transparency, and the actual long-term consequences are unclear, mainly given the degree of impact on the future dependence and indebtedness of Bosnia (Chrzová 2019).

Turkey has become a traditional external actor positioning itself as the protector of Muslim communities in the Western Balkan region. Within the years, it has managed to build tight connections with the SDA and above-standard relationships with many political representatives of BiH, especially the party leader Bakir Izetbegović. While Turkey officially supports the Eurointegration of BiH, it also applies its neo-Ottoman foreign policy by providing political support and funds for Bosniak leadership. Likewise, Russian presence, Turkey's engagement is accompanied by various business, religious and cultural activities (Rašidagić – Hesova 2020). The Kremlin's influence in the country is predominantly based on its close relations with RS and Serbian nationalists.

Russian representatives directly support Dodik's SNSD while the ties with the other constituent peoples stay cold. Russia's engagement in BiH's politics is evident since it has also affected the election processes and results in the last decade. Russia also manages to exert its influence through the Orthodox church, to which most Serbs profess by positioning itself as the protector of Orthodox values and traditions. Russia also plays a crucial role in the oil and gas industry in Bosnia and Herzegovina (Chrzová 2019).

On the other hand, the EU has lately faced several internal crises, which have admittedly disturbed the trust in the Europeanisation process as the only option for the Western Balkans, and has undoubtedly opened the door for other external actors to exercise their influence in this strategically positioned region. The one to mention is the unprecedented withdrawal of a member state from the European Union structure. Long-lasting and not sufficiently successful negotiations affected the dynamics of EU policies and blocked the capacities of the institutions for a considerable time. Many authors claim the latest developments within the EU could result in a long-term stalemate in enlargement policy. This, for a long time, has been considered one of the most successful policies of the EU (Bieber 2019; Lopandić, 2017).

The more complex the integration process becomes, the more it reflects the overall fatigue and crisis within enlargement policy.[4] The double veto over the opening of accession negotiations with North Macedonia has largely shaken the perception of the EU by Western Balkan countries and their vision of future membership, and weakened the credibility of the whole integration process (Bieber 2019; Fouéré 2019). Failure to fulfil promises has provided an excellent alibi to those who have sought to maintain the status quo for a long time; vice-versa, it has disadvantaged those who want to fight the growing nationalism in the countries (Džananović – interview 2020). Under such circumstances, not even financial compensation would be sufficient to motivate candidate states to develop further.

The analysis shows that there was an evident lack of internally driven Europeanisation among the BiH political actors. Manifestos and campaigns before the 2018 parliamentary elections showed a passive approach of Bosnian political parties: pro-integration rhetoric remained on the surface, EC recommendation remained the prevailing frame of promised reforms and, in general, the BiH actors showed a lack of any of their own initiative to proceed with the deeper Europeanisation of BiH politics and policies.

4 Statements by President Macron had a particularly negative effect. Besides creating disillusion among Western Balkan countries about their potential EU accession, Macron triggered a diplomatic conflict with Bosnia and Herzegovina. In his statement he described BiH as a ticking time bomb. The statements of the French president outraged the public in Bosnia and disrupted diplomatic relations (Politico 2019). Evidently, the political elites of BiH are not the only actors who complicate and hinder the process of the country's Europeanisation. However, the role of the international community is a topic for another article.

Current political developments in Bosnia and Herzegovina and their impact on the integration process

In the October 2018 elections, the traditional parties (SDA, HDZ, SNSD), reaffirming their strong support, secured the most seats in the House of Representatives. Despite the success of multi-ethnic and non-ethnic parties such as the Social Democratic Party of BiH, Our Party and the Democratic Front, currently represented in the House of Representatives, the Bosnian party system continues to be dominated by ethno-nationalist parties. Because of the legal setting of the state administration, the three strongest parties, each representing one of the constituent peoples, are able to control almost all economic resources and distribute them to their loyal supporters (Kapidžić 2020 – interview).

The results of the presidency elections did not bring any surprises either, since only political veterans were elected: the former president of the Republika Srpska Milorad Dodik from SNSD, Šefik Džaferović as the Bosnian candidate from the SDA and Željko Komšić from the DF representing Croats. The recent elections confirmed the trend of a strong ethnic cleavage within the Bosnian party system. Despite the slight strengthening of multi-ethnic parties, their actual representation in state institutions remains marginal. However, it is crucial not to overlook the trend reflected by the 2016 regional elections and later confirmed by the national elections of 2018, which indicates an increase in the number of citizens who call for a non-nationalist alternative (Kapidžić 2019; Hulsey – Keil 2021).

Immediately after the 2018 elections, the incumbent three-member Presidency of BiH together went on a first official visit to Brussels. This meeting took place in January 2019, i.e. before the completed questionnaire was submitted. During the meeting, the Croat and the Bosniak in the Presidency expressed hope that BiH would soon obtain candidate status. All three members of the Presidency pledged to continue their journey towards a 'European future'. This idyll, presented by the Presidency to the EU leadership in Brussels, was seen as a sign of unity, willingness to cooperate and a good signal for progress in the integration process, and for the country meeting its commitments. However, the reality of politics in Bosnia became manifest almost immediately after the meeting (European Western Balkans 2019; EEAS 2019).

Bosnia and Herzegovina was without a regular government from October 2018 to December 2019. It took 14 months from the elections until the three most powerful parties representing Bosniaks, Croats and Serbs respectively agreed on who would be prime minister and then the other members of the Council of Ministers, which was crucial for any move forward. In 2019, the Parliament was practically dysfunctional. After protracted negotiations, the controversial politician Zoran Tegeltija of the SNSD party was chosen as prime minister. Together with Tegeltija's appointment, the Presidency adopted a new

Reform Programme that allegedly defines BiH's future relations with NATO and the EU; however, the exact content of the document remains unknown to the public to this day (October 2021). Thus, we can only proceed on the basis of varying interpretations made by the representatives of the three main nationalist parties (Balkan Insight 2019).

The political system was frozen for more than a year by the inability on the part of the political parties to agree on a government coalition. The question of NATO membership was one of the main problems during the negotiations.[5] While the Bosniaks and Croats insisted on a reform plan being produced necessary for accession to NATO, Dodik was only willing to discuss targets required for EU accession. The question of BiH's future orientation not only caused the freeze during the negotiations about the new government, but also caused further escalation of tensions among the constituent peoples (Euronews 2019).

The formation of a government was expected to allow the planned reforms to continue and to unlock many of the EU-funded projects blocked in Parliament. It was also crucial for progress in BiH's integration into the EU, as noted repeatedly by the European Commission, among others (European Commission 2019c). Furthermore, a functional government was needed to implement the necessary social and economic reforms (Respondents A, C 2020). Yet immediately after the stalemate was resolved, a new crisis appeared. Tensions among the political elites arose when the Constitutional Court of Bosnia and Herzegovina ruled as invalid a law, adopted in Republika Srbska, on agricultural land previously owned by Yugoslavia.[6] Protesting the Court's decision, Serbian representatives in February 2020 unilaterally suspended their participation in state institutions' decision-making and hence also debilitated the work of state authorities. They indicated that they would continue to be inactive until an act was adopted suspending the three international judges at the Constitutional Court from office. No such act has been adopted to date. Both the SNSD and HDZ have long found the presence of foreign judges at the Constitutional Court problematic. Here the EU admitted that they could be suspended as part of the implementation of the judiciary reform. However, foreign stakeholders argue that Bosnia and Herzegovina is not ready for the suspension of the judges from abroad, as they oversee at least a minimal standard of independence of this institution. They also say that such an act should only be adopted on the premise that comprehensive reform of the judiciary be carried out (Balkan Insight 2020; Respondents B, C 2020).

5 In 2010, BiH pledged to implement a Membership Action Plan, a precondition of accession to NATO. In 2018, NATO greenlighted BiH's membership. Headed by Milorad Dodik, the SNSD as the strongest party of Bosnian Serbs has long rejected NATO membership, however. While officially arguing in favour of neutrality, this may be caused by SNSD's pro-Russian policy.

6 Republika Srpska unilaterally declared the land in question its property, and the Constitutional Court ruled this unconstitutional. Furthermore, the Court decided that Bosnia and Herzegovina and not Republika Srpska is the owner of the land (Balkan Insight, 2020)

Along with the protest of the Serbian representatives came Milorad Dodik's threat to call a referendum on the status of Republika Srpska and its potential independence. This was not the first time. While some observers and politicians considered Dodik's repeatedly deployed slogan 'Goodbye BiH, welcome RS-exit' as a means of exercising pressure on his political opponents and the international community, others saw it as a political campaign for the local elections, held in October 2020.[7] Dodik certainly needed to improve his image with the electorate, having recently compromised on the formation of the Council of Ministers. It might simply have been an attempt on his part to draw attention to himself as the patron of the Serbian Orthodox community (OBCT 2020).

Republika Srpska representatives boycotted the central institutions from February 2020, and they suggested to respondents that the reform of the Constitutional Court was not the only change necessary. Dautović (2020; and Respondent D 2020) said in an interview that the current system needed a comprehensive overhaul. The issues in the country cannot be resolved by taking one problem out of the 'Dayton package' without paying attention to others. Bosnia and Herzegovina today clearly needs broader and deeper reform of its political system as such. The Commission's Opinion and Analytical Report are also concerned about the make-up of the Constitutional Court, but these documents note the shortcomings linked with the election of the domestic judges. The Commission has expressed concern about the election of six constitutional judges in an exceptionally politicised procedure, and the possible repercussions of this on the independence and professional quality of the institution (European Commission 2019).

By dragging out the systemic crisis, the nationalist parties have been able to forestall a resolution to the biggest problems, namely, reform of the judiciary and improvements in the quality of the rule of law, demanded by the EU with an ever-greater vehemence. The situations as they arose only confirmed to the international community that the original structures must be maintained as they were set up, and that the international community must keep its grasp on the mechanisms available, should a more serious crisis appear in the country

7 The results of the 2020 local elections were surprising and could herald a new political paradigm in Bosnia and Herzegovina, especially if the trend is confirmed in the 2022 elections. The traditional nationalist parties SDA and SNSD were significantly weakened. SDA lost most of its seats, largely in the Sarajevo Canton and its municipalities, and a new political group, 'Četvorka' – a coalition of four political parties pledging an anti-corruption programme and working towards the prosperity of citizens, can be considered the winner of the elections. The election of Srđan Mandić of Our Party (*Naša stranka*), the mayor of Sarajevo, who identifies as a Serb, provides clear evidence of national identity gradually losing its relevance, at least in the larger cities. Likewise, the office of the mayor in Banja Luka, traditionally an SNSD stronghold, was won by an opposition candidate of the Party of Democratic Progress (*Partija demokratskog progresa*). This fundamental change in the electorate's preferences is probably linked with the civic protests in 2017 and 2018 following the murder of David Dragičević. SNSD also lost positions in Republika Srpska's second economic centre, Bijeljina (NDI 2020).

(European Western Balkans 2020). The dispute between the domestic leaders was transferred to the level of European institutions during a meeting between the chairman of the Presidency of BiH Željko Komšić and the president of the European Council Charles Michel in mid-February 2020. The working meeting took place before the May summit in Zagreb attended by other Western Balkans leaders. This was the first meeting of the region's leaders since the renewal of EU political representation in 2019. Before the planned meeting took place, Milorad Dodik sent an official letter to the European Council president claiming that anything Komšić said was not and could not be considered the official BiH position, as Komšić was not authorised to speak on behalf of the country. This was inconsistent with the setup of the revolving Presidency, where the chairman does represent the country abroad (DPA 1995; *Sarajevo Times* 2020; N1 2020).

With the Covid-19 pandemic, the attention of Bosnian leaders turned to managing the crisis, as in other countries. Attempting to unify the top leadership in an effort to save lives, Dodik decided to abandon his boycott of institutions and collaborate with his political opponents on stopping the Covid-19 outbreak (FENA 2020). But in foreign policy another controversial matter soon appeared. This was the visit by the Russian foreign minister, Sergey Lavrov. While Dodik was happy to meet Lavrov, the other two members of the Presidency boycotted the meeting. This was because Lavrov said that the Dayton Peace Agreement must be preserved in its current form – a view opposed by both the other two Presidency members and Western partners, who have long talked about revising the Agreement. Likewise controversial were Dodik's unilateral proclamations at the joint meeting to the effect that BiH was not planning to accede to NATO. Among other things, Lavrov's visit caused a diplomatic conflict between Ukraine and BiH when the official gift was presented to the Russian minister. This was an Orthodox icon from the Luhansk Oblast, which had probably been stolen (Daily Sabah 2020; Radio Free Europe 2020).

Such crises and unconstructive disputes among the country's political leaders do not cast a good light on Bosnia and Herzegovina, which does not appear a credible and trustworthy partner. This problem has been highlighted by the Commission in its annual report on the country, which mentions nearly all of the situations discussed above. On the other hand, the Commission admits that work has started on some of the 14 priorities it set for BiH as of key importance in its Opinion. The Commission also noted the problems in dealing with the pandemic, stemming from the complexity of the political system. This situation required a high degree of coordination between the various levels of governance, which proved ineffective. The central authorities were unable to develop a unified strategic plan for fighting the pandemic, and the resolution of the crisis remained in the hands of the lower administrative units (European Commission 2020b).

Assessing the scope and motives of Europeanisation, we can conclude that we did not find any substantial change. Within all of the limits, the external pressure of the international community has remained the only source of (weak) adaptation pressure. Domestic actors consumed political energy in nationalistic struggles and activities without any signs of internally driven changes of their political commitments to more profound Europeanisation.

Conclusions

Does the Bosnian political system's current setting hinder the Europeanisation process? We find the multi-layered and complex political system of Bosnia to be a not insignificant obstacle to potential accession. While it indeed suffers from many shortcomings and affects the speed and flexibility of political action and the adoption of reform, the institutions are stable and could be used in an effective way if there were cooperation among the plural Bosnian political elites. Whereas procedural mechanisms for amending and passing laws exist and are guaranteed by the Constitution, they also contain instruments that would allow the Constitution to be changed. The Dayton Peace Agreement itself envisaged further adjustments to the Constitution according to the country's needs and presupposed more fundamental reforms. The respondents confirmed that the DPA contains all indispensable instruments to redraw the system, particularly given that the agreement was designed as a temporary solution to end the armed conflict. According to Keil (2016), the problem is not the system itself but its rigid and strict application, which offers too little room for informal agreements between elites. Also, the European Commission states in the Opinion that, although the Dayton system was not designed perfectly, the Constitution itself is far from the only and insurmountable obstacle to the progress of the integration process. The EC explicitly stated that the current political system of Bosnia and Herzegovina was compatible with the accession criteria of the EU. However, it admits that several tough reforms of its institutions are needed to enable and simplify cooperation among the political actors in order to implement and subsequently enforce the acquis (European Commission 2019c).

How do the Bosnian political elites operate within the system regarding the dynamics of the accession process? Are the current elites able to push through the reforms required by the European Union? In our findings, the political elites constitute the biggest obstacle in the process of integration, being neither able nor willing to cooperate to reach a compromise among the constituent peoples and their representatives at various levels of governance. Besides that, the quite frequent use of veto as a 'normal' political strategy – a veto power established by the Constitution to protect constituent peoples' vital interests – complicates the whole progress. The pretended patronage of the highest political representatives over their nation serves as the perfect alibi to avoid reform, which would

restrict the elites' power or threaten their personal and economic interests. The system works well, especially for the nationalist parties and their leaders, often noted by authoritarian tendencies while exercising their political power. The current system helps them constantly strengthen their positions even without honest dealing with the problems the country faces since they tend to blame the system's dysfunctionality for their own (in)activity.

This paper argues that the *status quo* is beneficial for the political elites and that they have no interest in significant changes to the system which are partly required by the European Union. Despite the constantly declared support of local elites for EU accession, they have shown a negligible will to surrender their own advantages which they present in the guise of 'national interest'. This is proved not only by their political actions but also by their behaviour and speeches domestically. Čepo (2019) argues that meeting the EU requirements would make the legal system work and improve the quality of the rule of law, which is ruled out by the current impunity of the ruling elites. Today's political elites could quickly lose their access to power by gradual transformation towards the Union's standards. Therefore, such minimal progress in recent years is a clear sign of the elites' reluctance to seek the consensus needed to implement reforms and a lack of political will to prioritise issues related to the integration process.

Do they try to challenge the system and modify it according to the requirement of the accession process? We agree with Sasso (2020), who says that BiH wasted a year in 2019, when it had a chance to make progress in European integration. Though some progress was made centrally in the second half of 2020, in the near future not much can be expected, not least because of the complicated pandemic situation. The approach taken by BiH political elites towards the process of EU integration has remained unchanged for several years. We could even argue that their post-election activities put a total freeze on the process. Such political crises do not improve the image of BiH as a relevant and reliable partner for the EU. In our interviews the foreign stakeholders agreed that, by regularly providing technical and financial assistance and issuing critical documents – the Commission's Opinion and Analytical Report – the EU authorities have completed their task. The ball is now in the domestic political elites' court. But rather than using every opportunity to achieve consensus and coordinate the lower levels of governance, the Bosnian political elites today seek to bend the political system, aiming to maintain the *status quo*, and they do so in such a way that might not only freeze the political system, but even cause the country to regress.

Returning to the conceptual debate on Europeanisation, our research confirmed assumptions of shallow Europeanisation and the negative impact of 'stabilitocracy' concerns of the EU and international community in general. Therefore, neither external incentives nor social learning models worked to-

wards the progress of depth and intensity of Europeanisation. Given the intact institutional framework of the DPA and specific consociational Bosnian polity, only the internally driven change of the BiH political actors could have been the mechanism pushing Europeanisation forward. As our findings clearly showed, the BiH political actors remain intact by such impulses so far. Europeanisation does not seem to be the functioning explanatory framework of the current Bosnian politics.

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