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INSTITUTIONAL ARCHITECTURE OF BOSNIA AND HERZEGOVINA AND THE POSSIBILITIES OF ITS REDESIGN - CONSOCIATIONAL AND FEDERAL APPROACH

Summary:

The institutional architecture of Bosnia and Herzegovina and the possibilities of its redesign are the subject of numerous political and theoretical discussions and initiatives. The consequence of this is the fact that from 1995 until today, a number of political-systemic changes and political experiments have been carried out. They were most often the product of foreign interventionism embodied in the actions of high representatives. High representatives, in addition to their Dayton competences, and with the power of the Peace Implementation Council, replaced legitimately elected representatives and passed laws instead of parliaments. This made the Constitution and democracy in Bosnia and Herzegovina meaningless, and the warring nations were further divided and frustrated. The agreement of the national-party elites in Bosnia and Herzegovina regarding constitutional changes and the departure of the high representative is the most important political priority. However, the initiatives of the national-pariah elites for the political-systemic redesign of Bosnia and Herzegovina are completely opposite. Bosniak parties and civic-oriented circles advocate centripetal solutions, while Serbian and Croatian elites advocate a centrifugal political system. The thesis of this paper is that in the conditions of the divided and post-conflict society of Bosnia and Herzegovina, it is necessary to accept the centrifugal, consociationally shaped federation that was largely defined in Dayton, with rational changes that will lead to a more stable and functional system. The

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experiences of countries with similar institutional frameworks, such as Belgium and Switzerland, show that the consistent application of consociational logic and federalism can prove extremely successful.

Keywords: *Bosnia and Herzegovina, divided society, Dayton Peace Agreement, Constitution of Bosnia and Herzegovina, consociational democracy*

The subject of research in this work is the possibilities of constitutional redesign of Bosnia and Herzegovina. We are talking about a state that belongs to the group of highly divided and post-conflict societies of contemporary Europe. Numerous works have been written about the divided and post-conflict society of Bosnia and Herzegovina. The books of Milorad Ekmečić (Ekmečić, 2007), Mirjana Kasapović (Kasapović, 2005; Kasapović, 2020), Nenad Kecmanović (Kecmanović, 2017), Goran Marković (Marković, 2012), as well as our earlier works published on similar topics (Simović, 2019; Simović, 2017; Simović, 2018; Simović and Ilić, 2022). In the mentioned researches and theoretical analyses, there is a consensus that Bosnia and Herzegovina is a divided society in which the basic line of social cleavages is the tri-national division into Bosniaks, Serbs and Croats. This division to the greatest extent also integrates the religious division into Muslims, Orthodox and Catholics. Bosniaks are mostly Islamic, Serbs are Orthodox, and Croats are Catholic. Miroljub Jevtić wrote in detail about the ethno-religious type of nationalism in Bosnia and Herzegovina (Jevtić, 2008: 171).

The national-religious divisions in Bosnia and Herzegovina have given birth to political elites who cannot reach a consensus on the constitutional formation of the state. The existing Constitution of Bosnia and Herzegovina is defined within Annex 4 of the Dayton Peace Agreement, which makes it a political and theoretical specific. In our study entitled "People, parties and democracy in Bosnia and Herzegovina", we call this phenomenon "forced consent" (Simović, 2019: 9-15, 163-191). The Constitution of Bosnia and Herzegovina, like the Dayton Peace Agreement itself, was created by the intervention of major powers without the real "consent" of all three constituent peoples in Bosnia and Herzegovina (Bosniaks, Serbs and Croats) and their political elites. Shaped in this way, the constitutional design of the state did not have essential "consent", but was most often seen as a "transitional solution". Proof of such a thesis are numerous changes to the Constitution made after the signing of the Dayton Peace Agreement, as well as numerous initiatives and lobbying for its further amendment. Theoretically and in practice,

it is clear that where the Constitution as a "social contract" was not created by the elites of the sovereign people and where it was not given sovereign "consent" through a referendum or a vote in the representative body, such a Constitution as a rule has major problems in its acceptance and interpretation.

The proposals for changes to the Constitution, as well as for the adoption of a new one, are dominated by two basic theoretical concepts of the approach to democracy. The first advocates the realization of a model of classical representative democracy without elements of ethno-territorialization and ethno-constitutional forms of "checks and balances", while the second is a consociational model. It is a model of democracy which, through the experiences of relatively successful consociations such as Belgium and Switzerland, advocates a form of government in which the power of the elites of a divided society is balanced and where there is no stable and functional system without the agreement of "grand coalitions" composed of the most important parties of the national-party blocs of a divided society. society.

The Constitution of Bosnia and Herzegovina has undergone a number of changes over the past twenty-seven years . In certain periods, changes to the Constitution of Bosnia and Herzegovina were more intense (primarily at the end of the nineties and the 2000s), as were the pressures to do so, and in certain periods less or none. It depended on the intensity of activities of foreign actors, as well as on the policies of domestic actors. Regardless of the more or less vigorous activity of advocating the change of the Constitution of Bosnia and Herzegovina, the fact remains that this activity has never been completed and that the constitutional redesign of Bosnia and Herzegovina is still an actual issue. In this context, the answers to this problem are not only located in the world of real politics, but also among the scientific community, which is expected to offer scientific analyzes and works that can help solve this problem.

The basis of the thesis of this paper is that in the conditions of the divided and post-conflict society of Bosnia and Herzegovina, it is necessary to accept the consociational logic of shaping the constitutional design of Bosnia and Herzegovina. The applicability of this practice, as a good one, is confirmed by the experiences of the consociational states of Belgium and Switzerland, which we consider to be successful European democracies. In this context, in this paper, we offer certain solutions for the constitutional transformation of Bosnia and Herzegovina, marking the advantages and disadvantages of each of the offered models.

Why the consociational and federal approach to the constitutional redesign of Bosnia and Herzegovina?

Political science knows and investigates numerous forms of government. Over time, the opinion that democracy is the most desirable form of government and that all societies and countries of the world should aspire to it has crystallized among the majority of the scientific public, and even political elites and citizens. This attitude has led to the fact that most contemporary topics within political science, directly or indirectly, deal with democracy. That is why it is not surprising that Nenad Kecmanović stated that in the modern world everything else is "OUT", and only democracy is "IN" (Kecmanović, 2011). It is no coincidence that Nenad Kecmanović, with extensive political experience, uses jargons of the modern age. This is done with a complete scientific foundation, because no political phenomenon has gained such social popularity and has not entered everyday speech as much as the notion of democracy. Not infrequently, on the street, at school or in a sports club, we hear people saying, in the stages of discussions and the need to decide on some disputed point of conversation, let's decide democratically, let's behave democratically and the like. It is enough to be a careful listener of both the pulse and thoughts of the people around us, as well as the media, so that we can rightfully confirm the accuracy of these claims.

The aforementioned theses lead to the conclusion that this is the age of scientific and political-social domination of democracy, or at least the need for it. Her contemporary appeal has not made the work of political scientists who study her any easier. To a large extent, they turn into democrats, putting to the fore a series of research questions: What is democracy? How is it governed? What are its ranges? What are her levels? What are its consequences for society? What are its most desirable forms and the like. This opened a great debate among the scientific public about the models of democracy. The different experiences of democratic countries contributed to this. Some of them achieved their political stability and functionality thanks to classical representative democracy, while others achieved the model of consociational democracy.

This brings us to the need to clarify what one and what another model of democracy represents. In defining these two types of democracy, Arend Leiphart's name is indispensable. This theoretician devoted most of his career to the study of democracy, making a great scientific contribution in defining consociational democracy and determining its basic differences in

relation to the model of classical representative democracy of the Westministerial type.

Clarifying the difference between these two models of democracy, Arend Leiphart states the following: "According to the majority interpretation of the basic definition of democracy, it means "the rule of the majority of the people". The idea is that the majority should rule and the minority should be in opposition. This position is opposed by the consensual model of democracy" (Lajphart, 2003: 95). Leiphart goes on to conclude: "In deeply divided societies, such as Northern Ireland, majority rule leads to majority dictatorship and civil strife rather than democracy." What such societies need is a democratic regime that emphasizes consensus rather than opposition, that includes rather than excludes, and that tries to maximize the size of the ruling majority rather than settle for the narrow majority that consensual democracy entails' (Lajphart, 2003: 96).

Allison McCulloch writes similarly: "Consociation implies the representation and participation of all important social segments in the management process." As a form of power sharing, it is used in places as diverse as Belgium, Burundi, Malaysia, Northern Ireland, South Tyrol and Switzerland. It influences the formulation of international policy for conflict zones, such as in Afghanistan, Bosnia and Herzegovina and Iraq. It was proposed as a model for conflict resolution in Cyprus, Fiji, Kenya, Lebanon, Macedonia, South Africa, Sri Lanka, Zimbabwe and other divided societies. Indeed, there appears to be a growing trend among constitution makers – national and international – to support a consociational solution' (McCulloch, 2014: 501).

Allison McCulloch adds the following: "Consociation settlements are being negotiated precisely at the moment when group identities are politically most salient and polarized." In conditions of uncertainty, it is unlikely that groups and their representatives will settle for anything other than a strong guarantee of their share of power, regardless of electoral prospects" (McCulloch, 2014: 502).

This thesis does not agree with the anti-consociational logic of the liberal supporters of classical representative democracy who believe that those who won the majority should participate in the distribution of power without any elements of pre-guaranteed group quotas or group "power sharing" in the government system. However, as Allison McCulloch states, "insecurity" forces groups in a divided society to seek an advance constitutional "guarantee of their share in the distribution of power." As much as this seems undemocratic to liberals and pandering to social divisions, this is the logic

of thinking of all those actors within divided societies, especially if they have survived the trauma of conflicts, as is the case with the divided societies of Bosnia and Herzegovina, Lebanon, Rwanda, and the like.

On this track, Pippa Norris poses a logical question: "Do power-sharing regimes generally serve to mitigate armed conflicts in deeply divided multi-ethnic societies and thereby create a lasting peace settlement, political stability and the conditions under which sustainable democracy flourishes?" Or will they instead, as critics charge, freeze boundaries between groups, reinforcing latent ethnic identities, preventing state rebuilding in the early stages of recovery from violent internal conflict, thereby failing to enable sustainable multi-ethnic democracy?" (Pippa Norris, 2008: 4)).

There is no doubt that the critics are right to a certain extent when they say that with the introduction of consociational democracy, the conflict freezes, and the divisions latently strengthen, which makes the society not multi-ethnic, but still divided and thus more democratically unstable. On the other hand, those who say that consociational democracy is still a form of democratic government that maintains a system of "checks and balances" in a society where division and distance are so strong that the divided groups do not trust each other enough to leave the constitutional design without a clearly defined system of "divided power" in advance, where the extent of political power that the elected representatives of each of the divided groups constitutionally belongs to is specified.

Nebojša Vladisavljević gives an interesting interpretation of this problem, or rather the dilemmas for and against consociation in the context of its non-functioning in certain, primarily transitional, societies: "The absence of cooperation and inter-national disputes in plural societies after the war often do not stem from consociation as a mechanism for conflict regulation, but from the non-democratic environment in which those institutions function. The democratic deficit of consociational democracy, in the form of limited accountability of state officials to citizens and encouragement of collective at the expense of individual rights, has a negative impact on consociational arrangements in authoritarian and mixed regimes. The examples of socialist Yugoslavia and Bosnia and Herzegovina and Macedonia after war conflicts - modern mixed regimes - show that consociation is considered a mechanism for dividing the spoils, not for encouraging cooperation and mutual control of people's representatives in a plural society. Democracy should ensure the vertical and horizontal responsibility of the authorities to citizens and the protection of individual rights, and thus enable the effective functioning of the association" (Vladisavljević, 2018: 82).

The interpretation that in "mixed regimes" consociation is treated as a good mechanism for "spoils sharing" is the diagnostically correct assessment of Nebojsa Vladisavljević. It largely corresponds to the political practice of contemporary Bosnia and Herzegovina, whose Constitution contains consociational mechanisms of parity (institutional division of functions according to the "national key"), institutional veto (voting by qualified majority and "vital national interest") and segmental autonomy (decentralized asymmetrical federal "sui generis" arrangement). Along with the mentioned institutional mechanisms of consociational democracy in political processes, thanks to the electoral design, "big coalitions" are formed at the state level. As they are in permanent conflict and without an agreement on the most important constitutional issues, it is clear that it is most often a "guild agreement on the division of the spoils".

However, no matter how true this may be, even those "guild agreements about the division of the spoils" have their positive side in Bosnia and Herzegovina, along with all the negative ones, of which partocracy and clientelism stand out, which we wrote about earlier (Simović, 2019: 191-261). . In the case of Bosnia and Herzegovina, the "guild deals" of the party elites is undoubtedly clientist, they are regressing society, they do not disturb the peace achieved twenty-five years ago and they maintain the political system and the functioning of institutions. The problem arises when partocracy, clientelism, independence of the judiciary, bad business climate and other categories that make democratic consolidation impossible are on the agenda. It is not obstructed by the Dayton Peace Agreement and consociational democracy, but primarily by a lack of political literacy and an authoritarian legacy. Numerous papers have been written about the level of political culture in Bosnia and Herzegovina, which is dominated by parochialism, subservience, partocracy and clientelism. The books and essays of Đorđe Vuković (see more in: Vuković, 2019; Vuković, 2020) are particularly significant, with the help of which it is possible to build the idea that the bad political situation in Bosnia and Herzegovina is not the product of an institutionalized consociation, but a bad political culture or rather a bad political inheritance.

Insisting that consociational democracy does not destroy, but on the contrary protects Bosnia and Herzegovina, first of all in terms of maintaining peace, and then also from the point of view of the possibility of internal agreement among the national elites, we cite the interpretations of Nenad Kecmanović and Mirjana Kasapović. They are advocates of institutionalized consociation in Bosnia and Herzegovina, and authors of numerous works in

the field of democracy and phenomena of contemporary Bosnia and Herzegovina.

Analyzing models of democracy, Nenad Kecmanović defines consociational democracy as "an answer to the problem of the "terror of the majority" over the minority that occurs in classical representative democracy." In this context, Nenad Kecmanović writes: "The question of what to do with an individual or a group that finds itself in a democratic minority has been asked for a long time. Should an individual or a small group unreservedly accept the decision of the majority as their own, or can they stick to their own position? The democratic principle of the majority suggests that an individual or group should stand in solidarity with the majority, but doesn't that mean a requirement to work against their own convictions? If the arguments of the other side had been convincing enough for them in the previous discussion, they would not have been in the minority, but in the majority, and the fact that there were a few more raised hands against their opinion is no argument at all. After all, who was right and who was wrong can usually be checked only later, when the decision is put into practice. Then, does it make sense to ask someone to act contrary to his conviction in the name of recognizing the democratic majority, and isn't that imposing a double morality: One thinks, and the other speaks or does? The problem can be solved technically by allowing a minority or an individual to keep his position and to continue to advocate for him in the discussion, and even to abstain from joint action, but not to sabotage it" (Kecmanović, 2011: 55-56).

Taking into account the experiences of Switzerland and Belgium, which for years built political arrangements in which equality for all was guaranteed and the "tyranny of the majority" over the minority was prevented, Nenad Kecmanović writes: "First of all, they replaced the principle of the majority with the principle of consensus, that is, the general agreement of all participants in the discussion. They decentralized the power as much as possible, so that everything that individual parts did not expressly delegate to common bodies falls under the jurisdiction of the parts. Finally, the right of veto was introduced, which stops any solution that any group considers to threaten its vital interests. For the good functioning of this model of democracy, agreements between political elites, which represent each of the segments of a deeply divided society, play a particularly important role" (Kecmanović, 2011: 57).

The scientific community owes theoretical discussions about Bosnia and Herzegovina as an institutionalized consociation to Mirjana Kasapović. She was the first in her book "Bosnia and Herzegovina, Divided Society

and Unstable State" to describe Bosnia and Herzegovina as a country with institutionalized mechanisms of consociational democracy embedded in its Constitution. This author believes that consociational democracy is the only possible form of government for Bosnia and Herzegovina. This thesis is based on the context of the divided society of Bosnia and Herzegovina, the different desires and conflicts of its constituent nations. Mirjana Kasapović's theses were criticized by numerous Bosniak and civic circles in Bosnia and Herzegovina, as evidenced by a series of polemical texts in the Mostar magazine Status (Status, 2004-2013). However, this author has a clearly defined position in support of the thesis that for the political organization of Bosnia and Herzegovina it is necessary to apply consociational mechanisms, and in any further constitutional revision - a consociational approach.

In this context, Mirjana Kasapović writes that "it is evident that in Bosnia and Herzegovina there are main structural factors that favor the establishment and survival of consociational democracy: distinct religious and national divisions that divide society into three recognizable segments; an almost "ideal" three-segment structure of society that excludes dual competition for complete supremacy, as well as the effort of the most numerous segment to dominate the other segments, etc. ustva; geographical concentration of segments and institutionalized partial "administrative federalism"; spatially and populationally small country; relatively large internal cohesiveness of the segments. It is about so-called orthodox factors that are considered necessary conditions for the establishment and maintenance of consociational democracy or, as the determinists would say, about factors that significantly determine the fate of consociationalism in a country" (Kasapović, 2005: 159-160).

The logic of consociationalism in Bosnia and Herzegovina is opposed by numerous Bosniak, pro-citizen and liberal-oriented theoreticians. Omer Ibrahimagić, referring to Mark Plattner, asks the question: "Who are the people in Bosnia and Herzegovina who decide?" Are they Bosniaks, Serbs, Croats, who each decide for themselves and only in favor of their own interests about Bosnia and Herzegovina, or are they Bosnians and Herzegovinians, citizens of Bosnia and Herzegovina, regardless of their ethnic and religious affiliation, who decide in favor of Bosnia and Herzegovina, therefore in the interest of all three nations and all citizens" (Ibrahimagić, 2010: 16). Similarly, Jens Woelk writes that citing the report of the International Commission for the Balkans, he concludes about Bosnia and Herzegovina that ""the existing constitutional architecture is dysfunctional" and requires new constitutional debates and changes, and "... a transition from the current sta-

tus of a protectorate... to a sustainable self-governance led the EU accession process"" (Woelk, 2010: 48)

We can contrast Ibrahimagić's and Voelk's statement with examples of successful consociational democracies that reconciled the national and civil, and with a complex federal arrangement, not only maintained peace and stability, but also achieved constant socio-economic progress. Such is the case with Belgium, which we wrote about in detail in our earlier works in a comparative analysis with Bosnia and Herzegovina (Simović, 2017; Simović, 2018). That consociational democracy is not an obstacle to the development of the civilizational standards of the Western world is also shown by the example of the Austrian consociation, which we compared with the one in Bosnia and Herzegovina, giving lessons for its further development (Simović and Ilić, 2022).

Expressing reservations about consociational democracy in Bosnia and Herzegovina, Asim Mujkić states: "Consociation can only satisfy the interests of ethno-oligarchy, while feelings of fear will continue to be fueled among citizens, which will be verified in every subsequent election" (Sarajlić, 2007: 57).

This thesis of Asim Mujkić is largely correct. We wrote about the projection of fear of each other, which is carried out by national elites in order to maximize votes, in our earlier works (Simović, 2014). And that is one of the biggest flaws of consociational democracy in Bosnia and Herzegovina. However, with all this knowledge, a logical question arises: what is the solution for Bosnia and Herzegovina? Is it a return to the democratic framework from the beginning of the nineties? Historical facts speak in favor of the fact that even in such a system national-party polarization and national segmentation of voters took place. There were no mechanisms to protect the minority from the "tyranny of the majority", which ultimately led to war. On the other hand, the institutionalized consociation in Bosnia and Herzegovina maintains a system of national-party segmentation with all the deficits of democracy (strong nationally segmented partocracy and deepening divisions). And it is not possible to factually dispute that. Just as it is not possible to factually dispute that peace and a certain level of democracy are maintained in Bosnia and Herzegovina thanks to the consociational arrangement from Dayton, which is on the rise compared to two and a half decades ago.

Analyzing consociationist and anti-consociationist positions related to Bosnia and Herzegovina's approach to possible constitutional redesign, we conclude that it is necessary to take into account the context of its divided and post-conflict society. With a contextual approach, we arrive at the con-

sociational approach as a rational choice for a society whose political culture and history cannot, at this moment, build better political relations and democratic forms than those based on the model of consociational democracy. In this context, this paper, in further analysis, approaches the possible redesign of the BiH Constitution from the point of view of the consociational approach to the democratic modeling of Bosnia and Herzegovina.

The existing asymmetric federal organization of Bosnia and Herzegovina, ethno-territorialization, national-party conflicts and strong centrifugal tendencies leave no room, at this historical moment, for a different institutional architecture than the consociationally and federally organized Bosnia and Herzegovina. The federal framework leaves room for the preservation of Bosnia and Herzegovina as a state, which is the interest of the Bosniak elite, and the system of inter-national "check and balance", in the form of consociational and federal mechanisms, which is the interest of the Serbian and Croatian elite. We will write about the possibilities of redesigning the existing Constitution of Bosnia and Herzegovina in the final chapter.

Constitutional critics, constitutional defenders, constitutional changes and "packages of constitutional changes" in Bosnia and Herzegovina

Many agree that Bosnia and Herzegovina is a phenomenon in many respects experts from various fields, from anthropologists, theologians, mediaologists, economists, lawyers, to political scientists. This assessment is confirmed by the manner in which the Constitution of Bosnia and Herzegovina was adopted and the subsequent attitude towards this document. Bosnia and Herzegovina is one of the few modern, formally sovereign and democratic countries in the world whose Constitution was adopted by the will of foreign actors through an international peace agreement. Numerous authors have written about this phenomenon, such as Mirjana Kasapović (Kasapović, 2005; Kasapović, 2020), Radomir Nešković (Nešković, 2013), Goran Marković (Marković, 2012, Marković, 2021), Čedomir Antić and Nenad Kecmanović (Antic and Kecmanović, 2016) and others.

Relying on the mentioned authors, we drew certain conclusions about this phenomenon in our earlier works: "The Dayton Peace Agreement in Bosnia and Herzegovina created a kind of theoretical and political anomaly in relation to the previous practice of the democratic world." With the Dayton Agreement, which is a product of the interventionism of foreign actors, Avnoje's Bosnia and Herzegovina survived, regardless of the fact that the

Serb-Croat majority was against it. This created a forced minimum of centripetality in Bosnia and Herzegovina. The agreement achieved peace that has lasted for twenty-five years, and that is its greatest reach. However, past practice has shown that the conflict between centrifugal and centripetal tendencies in Bosnia and Herzegovina has never ended. From the war, he moved to the political form of party confrontation. For two and a half decades of its existence, the Dayton agreement failed to integrate the conflicting actors of the divided society in Bosnia and Herzegovina. The Dayton constitutional arrangement had numerous changes, most of which were imposed by the will of foreign actors. Regardless of all additional foreign and internal interventions, the Dayton Peace Agreement is a point of numerous disputes in Bosnia and Herzegovina. Its initial defenders were concentrated in the Bosniak political elite, who saw this agreement as a temporary solution in the further process of centripetalization of Bosnia and Herzegovina. The Serbian side was initially dissatisfied with the Dayton solutions. Over time, the political elite in Republika Srpska realized the benefits of the high degree of autonomy that this entity has and the protective mechanisms of consociational democracy, so today they are the biggest defenders of the Dayton Agreement. Due to the asymmetric arrangement and their fundamentally worse political-systemic and demographic position, the Croatian political elites in Bosnia and Herzegovina are the biggest proponents of changing the Dayton Constitution. Those demands are directed towards the creation of an asymmetrical three-entity federation" (Simović, 2019: 163-164).

Conflict of national-party elites, absence of political agreement, war, foreign intervention, octrous constitutionalism, "forced" consent, "frozen" conflict, partocracy, defenders of the constitution and destroyers, are terms that can be used to describe the political situation in contemporary Bosnia and Herzegovina. From the mentioned concepts, it is possible to determine the cross-section of the state of BiH society and the state. In this context, Bosnia and Herzegovina can be defined as a nationally divided and post-conflict country with a strong partocracy, a "frozen" conflict, the absence of a political culture necessary for rational observation of political processes and the achievement of inter-national consensus, questionable sovereignty, foreign tutelage and continuous conflict between those who want to change even those who want to keep the existing Constitution or, in the best case, add to it.

Constitutional redesign is a key issue in Bosnia and Herzegovina. At the beginning of this chapter, we wrote that in the first years of Dayton Bosnia and Herzegovina, the Bosniak elite insisted on preserving the exist-

ing Constitution, while the Serbian elite had reservations about it, and the Croatian elite initially opposed it. Over time, the Serbian and Bosniak elite exchanged positions, so the Serbian bloc of parties became the biggest defender of the constitution of Dayton Bosnia and Herzegovina. On the other hand, the Bosniak, Croat and civic elite in Bosnia and Herzegovina became the biggest critics of the Constitution of this country and the initiators of its changes. Croatian demands are on the track of creating a decentralized system with the mechanisms of consociational democracy, which is in contrast to Bosniak and civil options that insist on a more centralized country without ethno-territorial division and ethno-democratic mechanisms of power sharing. The interventionism of foreign actors regarding the issue of the state organization of Bosnia and Herzegovina did not stop in Dayton. The largest Western powers, through the Council for the Implementation of Peace and the Office of the High Representative for Bosnia and Herzegovina, remained an active participant in the redesign of the political system of Bosnia and Herzegovina.

This thesis is supported by numerous constitutional changes that changed the Dayton constitutionality of Bosnia and Herzegovina, as well as "constitutional packages" that offered new constitutional solutions. For the purposes of the work, it is important to mention how constitutional changes can be made in Bosnia and Herzegovina. A concise explanation is provided by Goran Marković stating the following: "The Constitution of Bosnia and Herzegovina is specific in that it can be revised without changing its text. Such a revision of the Constitution is not possible with regard to each of its provisions, but only with regard to the division of competences and, accordingly, the eventual establishment of new institutions. more areas of social life than originally given to them by the Constitution and than what is written in it. Therefore, the revision of the Constitution of Bosnia and Herzegovina is carried out in two ways: by the amendment technique, which the Constitution foresees in Article X, according to which the Constitution of Bosnia and Herzegovina does not differ from other solid constitutions, and by the agreement of the entities on the transfer of competences or other ways of establishing additional competences, which does not encroach on the text of the Constitution, but its content is still changed" (Marković, 2012: 310).

Changes to the Constitution of Bosnia and Herzegovina or the adoption of those laws that "do not interfere with the text of the Constitution, but change its content" have often gone beyond what is stipulated in Article X of the Constitution of Bosnia and Herzegovina. The Constitution of Bosnia and Herzegovina was "substantially" changed in a large number of cases

by the High Representative for Bosnia and Herzegovina. It is an institution defined in Annex X of the Dayton Peace Agreement. This institution has a mandate to supervise the implementation of the Dayton Peace Agreement and, in situations where it is necessary, to participate in solving difficulties in the implementation of the civilian part of the Agreement (see the General Framework Agreement for Peace in Bosnia and Herzegovina in more detail). However, in the years after the signing of the Dayton Agreement, the Peace Implementation Council, composed of representatives of major world powers, passed a series of decisions that expanded the powers of the High Representative for Bosnia and Herzegovina. These are decisions from Madrid and Bonn (see more details in: Simović, 2019: 261-323). With this, the institution of the High Representative for Bosnia and Herzegovina received the powers to delegitimize the will of the sovereign people (this can be seen in the dismissal of elected officials), as well as to pass legal acts that essentially changed the content of the Constitution of Bosnia and Herzegovina.

The decisions of the high representatives for Bosnia and Herzegovina are explained by Goran Marković, stating the following: "The high representative did not directly intervene in the text of the Constitution of Bosnia and Herzegovina, but changed, supplemented or elaborated it by passing certain laws." With those laws, he supplemented the constitutional matter or regulated it differently than the constitution maker did. On December 16, 1997, the High Representative issued a Decision on the Promulgation of the Law on Citizenship, which elaborated the constitutional matter from Article I 7 of the Constitution of Bosnia and Herzegovina. He promulgated the Law on the Flag of Bosnia and Herzegovina on February 3, 1998, and the Law on the National Anthem of Bosnia and Herzegovina on June 25, 1999, thereby replacing the institutions of Bosnia and Herzegovina in the exercise of competence from Article I 6 of the Constitution. Referring to Annex X of the Dayton Peace Agreement and Article XI of the Bonn Declaration, on January 13, 2000, the High Representative issued a Decision on the Promulgation of the Law on the State Border Service of Bosnia and Herzegovina, which entered into force immediately, with the commitment of the Parliamentary Assembly of Bosnia and Herzegovina to subsequently adopt it without amendments. Another state institution was established by this law. Very important was the decision from 2000, by which the high representative promulgated the Law on the Court of Bosnia and Herzegovina, which was later adopted by the Parliamentary Assembly of Bosnia and Herzegovina" (Marković, 2012: 323-324).

In the continuation of the analysis, Goran Marković cites other deci-

sions of high representatives that fundamentally changed the constitutionality of Bosnia and Herzegovina. It is about the Decision on the establishment of the Brčko District of Bosnia and Herzegovina (2000), then the Law on the High and Judicial and Prosecutorial Council of Bosnia and Herzegovina (2002), the Law on the Council of Ministers of Bosnia and Herzegovina (2002 and 2007) and similar decisions (see more details in: Marković, 2012: 324-329).

From the above, it is possible to determine that the high representative intervened in the formation of parts of the judicial branch of government in Bosnia and Herzegovina, the redefinition of its executive body - the Council of Ministers, the change of the two-entity structure with the introduction of the Brčko District, which became a condominium of two entities, and in other numerous areas of the political organization of the country . This calls into question the actual sovereignty of Bosnia and Herzegovina. Whether this is an independent country or a hybrid creation with supervised sovereignty is the central question of numerous works on the subject of contemporary Bosnia and Herzegovina.

The problem with most of the aforementioned changes to the Constitution and reforms is that they are not the product of the consensus of the national-party elites in Bosnia and Herzegovina, but the product of pressure and "imposed" decisions. The very fact that an "agreement" is created by pressure and decisions are "imposed" in a formally sovereign and democratic country makes its society divided and its political system hybrid.

This is exactly what Bosnia and Herzegovina is like, on the one hand the podium desired and without the consensus of national-party elites on the most important constitutional issues, and on the other hand, supervised by foreign actors who exercise power through the institution of the Office of the High Representative, became the subject of numerous initiatives to revise its constitutional design. These initiatives are contained in the packages of constitutional changes offered during the two thousand years.

It is about the "April Package", the "Prud Agreement" and the "Butmir Package". These were attempts to create a balance between ethnic and civil to the extent that it was acceptable to the logic of a nationally divided society, as well as an attempt to solve problems such as the "Sejdić-Finci" verdict, which obliges Bosnia and Herzegovina to eliminate systemic discrimination of non-constituent nations (Bosniaks, Serbs and Croats) for the election of members of the Presidency of Bosnia and Herzegovina (see the verdict in more detail in: Simović, 2019: 261-323). These packages of constitutional changes were not supported, mostly by Bosniak parties, and were not ad-

opted. Thus, the attempts for Bosnia and Herzegovina to carry out a constitutional review and open up space for further democratization of society, political and economic development failed.

The previous changes to the Constitution of Bosnia and Herzegovina and the constant pressure to redefine its political system make this country unstable and poorly functional. Opting for the consociational approach, in the following chapter we define the possibilities of constitutional redesign of Bosnia and Herzegovina.

Instead of a conclusion: Possibilities of constitutional redesign of Bosnia and Herzegovina

In the period from 2005, when the book "Bosnia and Herzegovina, a divided society and an unstable state" was published (Kasapović, 2005), until 2020, when a monograph entitled "Bosnia and Herzegovina 1990-2020" entered the world of science. War, State and Democracy" (Kasapović, 2020), Mirjana Kasapović described Bosnia and Herzegovina as a consociational democracy, clarifying its advantages and disadvantages, identifying its problems and offering solutions. She argued intensively with critics, largely returning consociational democracy and federalism to the focus of interest of researchers in the region of the former Yugoslavia, but also beyond. She uses a number of sources and authors, regardless of whether they are foreign or domestic authors, their pro or anti-consociation positions.

With her works, Mirjana Kasapović, supported by the research of numerous authors, managed to demonstrate the "logic" and "spirit" of consociationalism through applicable political practice in the institutional shaping of plural states and the resolution of their internal conflicts. With the risks of the author's misperception of the above-mentioned scientific opus, the mentioned authors and their scientific motives, we cannot escape the impression that the scientific scene of the post-Yugoslav space, supported by some foreign authors, intensified the study of consociational democracy and the idea of federalism. With increasingly strong divisions throughout the countries of the world, crises and wars, this theoretical discussion gains its scientific importance.

Bosnia and Herzegovina is an internationally recognized country about which there is no internal "substantial" agreement, which was written about by numerous authors and whose works we collected in our earlier studies, making our own contribution to this thesis (Simović, 2019). If there is no agreement on the state, Mirjana Kasapović writes that "in principle,

two ways out of the crisis are possible: the division of the state or attempts to build a consensus on the state by applying special institutional arrangements that temporarily or permanently regulate the divided state" (Kasapović, 2020: 389).

Goran Marković writes that constitutional reforms in Bosnia and Herzegovina "can only proceed within the framework of the federal state system" (Marković, 2010: 135). He adds that "the Serbian political elite is not alone in advocating for Bosnia and Herzegovina as a federally organized state. Her views on this issue partly coincide with the views of the Croatian political elite. The basic similarity is that both political elites stand for the same form of state organization, whereby federal units should primarily be based on ethnic and historical criteria. In this matter, the Bosniak political elite, which is an advocate of the regional organization of Bosnia and Herzegovina, is problematic, which means that it emphasizes the need for a radical constitutional reform, on which obviously no consensus can be reached" (Marković, 2010: 138).

Having collected the experiences of the authors we have cited in this and earlier chapters, their research, attitudes and guidelines, and above all respecting the historical experience of Bosnia and Herzegovina, we are inclined to present in the last paragraph of this paper proposals for the institutional redesign of this deeply divided and post-conflict state, which some theorists rightly called "neoprotectorate".

Bosnia and Herzegovina is a socially vulnerable country. Most of its history is a migrant one. It is a product of the passivity of its regions, lagging modernization, small and underdeveloped cities, weak road infrastructure, poor education and health system, parochial-subservient culture and frequent inter-ethnic conflicts. The troubles we write about have developed a special form of solidarity among the majority of people, above all in the Dinaric regions. It has weakened in the era of neoliberal transition, but it is still a mental characteristic of the majority of people. This is why social policies are natural for Bosnia and Herzegovina. Thus, in addition to political categories, it is important to introduce a social component into the Constitution.

Due to all of the above, we propose that the first and basic provision be included in the amendments to the Constitution of Bosnia and Herzegovina, from which the rest of the constitutional determinants and the logic of BiH constitutionalism would derive, which reads: "Bosnia and Herzegovina is a democratic and social state of the constituent nations of Bosniaks, Serbs and Croats and of all other citizens, which rests on "natural rights" as inalienable, on decentralized three-entity organization (with Communities) and conso-

ciational mechanisms of political organization". This constitutional provision emphasizes the democratic and social character of Bosnia and Herzegovina, the national triconstituency, reconciles the national and civil through respect for the "natural rights" of all its inhabitants as inalienable, and its clear federal character with the institution of the Community as a model taken from the Belgian federal logic and political practice . This would create a more stable and functional state that could meet the standards and practice of developed consociational democracies with all the characteristics of a plural society.

We have already stated in the aforementioned constitutional provision that the Community system as a political-systemic category would exist in parallel with the federal structure. We are talking about three Communities that would be formed as a political-systemic institution provided for by the Constitution of Bosnia and Herzegovina. These are: the Bosniak national community, the Serbian national community and the Croatian national community, which would be composed of deputies elected on the entire territory of Bosnia and Herzegovina by a proportional system within one electoral unit (similar to the curial suffrage applied in 1910 in Bosnia and Herzegovina). National communities would discuss the status of their nation within Bosnia and Herzegovina (national, educational and cultural policies) and, in addition to state and entity institutions, they would be involved in negotiations on changes to the Constitution of Bosnia and Herzegovina, and in the event of a threat to the vital interests of their constituent nations, they would have the right veto It is a modification of the Belgian model of state organization, which proved to be one of the most successful consociational democracies (see more in: Vasović, 2007; Simović, 2017; Simović, 2018; Simović, 2019). This is primarily a concession to the consociationist and centrifugal interests of the Serbian and Croatian elite and the nation. However, the fact that the Bosniak national community can always block any changes to the Constitution that do not suit it, especially secession, is a concession to the Bosniak elite and the nation, even though the demands of the Bosniak elite are centripetal and anti-consociationist. However, plural societies of radically divided segments, practice has shown, can only survive in peace and democracy while balancing the power of their divided segments.

The concession to the Bosniak (partial) and civil elites would be all other provisions that would be of a federal character and would not have "national exclusivity", but only "entity" that are civilly regulated. This would solve problems like the "Sejdić-Finci" verdict and others. Several questions are raised here: which institutions are planned to remain as state, how will inter-entity parity and veto be defined, which institutions will the entities

have and how will decisions be made in them, and how will the entities be territorially redefined in view of the change two-entity to three-entity structure?

The most important state institution would be the Parliamentary Assembly of Bosnia and Herzegovina. It would change its name to the Assembly of Bosnia and Herzegovina and would remain bicameral. Its first house would, as before, be the House of Representatives, while the second house would grow from the current House of Peoples, according to the logic of federalism, into the House of Entities. The House of Representatives would be expanded to 103 deputies (about 33,000 voters per one deputy), and each entity would be one electoral unit as a whole. Thus, electoral units for the election of deputies to the House of Representatives would not cross entity borders. The number of representatives of the House of Representatives, from each of the three entities, would be proportional to the number of voters. This would mean that the Bosniak majority entity would have the most representatives, followed by the Serb majority and finally the Croat majority. In the House of Representatives, "entity voting" would be applied, which would require a majority of the votes of deputies from each of the three entities to make a decision. The entity house would have three entity clubs. Each of the entities would elect 15 delegates to their entity club of the House of Entities within their entity assemblies. In order for a law or a decision in the House of Entities to be adopted, a supermajority of each of the three entity clubs would have to vote for it. The House of Entities would consider all adopted decisions of the House of Representatives, but they would have the right to initiate the institution of veto with or in case of jeopardizing entity rights and interests. If the House of Entities vetoes a certain law or decision, it would return to the House of Representatives for reconsideration and adoption, until it receives the consent of the House of Entities. If members of the House of Representatives assess that a specific law or decision is being vetoed without real justification and with the aim of obstructing the work of the House of Representatives, the adopted law or decision may be sent to the Constitutional Court for constitutional review. Also, in the event that one of the entity clubs in the House of Entities initiates the institution of veto, and does not receive the consent of the other two clubs, the entity club that believes that the rights and interests of the entity it represents has been violated can initiate its constitutional review. The decision of the Constitutional Court of Bosnia and Herzegovina will be final. In the event that all the institutions of Bosnia and Herzegovina and the entities come to a complete crisis, the role of the only legitimate negotiators, peacekeepers and creators of political and

systemic solutions will be taken over by the national communities defined in the previous paragraphs.

There would be three constituencies for election to the House of Representatives of the Assembly of Bosnia and Herzegovina. One in each entity. The electoral law would imply positive discrimination on the basis of gender and region. In this way, women and regions would be represented, and the lists would be of better quality and the equivalent of the vote would be obtained, in contrast to the current situation where we have more constituencies in each of the two entities. D'Ont's electoral formula would be applied instead of the current Saint Lagi formula, while the electoral threshold for political parties would be 5%, and for coalitions 7%. Compensatory mandates would also be abolished, while the mandate of the elected deputy would still be his, and not the property of the political party that nominated him. The number of preferences within closed unblocked lists would be maintained, but reduced to just one preference. Digitization of vote counting would be introduced. The Central Election Commission would be expanded to at least fifteen members. Five from each of the three entities would have the right to be political scientists in addition to lawyers. These solutions would achieve parliamentary stability, clearer ideological positions of the parties, and thus facilitate the negotiation process and decision-making between the elites of a divided society. The same electoral solutions, with only one electoral unit, would be applied in the process of electing representatives of entity and local assemblies.

The Presidency of Bosnia and Herzegovina is a good mechanism of representation and negotiation between entities. They also have a symbolic function, so they would remain part of the institutions of Bosnia and Herzegovina. A three-member Presidency would represent three entities, not three nations. Each of the members of the Presidency would have the right of veto in case of jeopardizing entity rights and interests. Thus, the members of the Presidency would not have a national but only a federal prefix and would protect the interests of the citizens of the entities that elect them. The members of the Presidency would be elected directly by a majority electoral system of the two-round type within each of the three entities.

The Council of Ministers of Bosnia and Herzegovina would remain at nine ministers, with three ministers each from three different entities. Each would have two deputies who would come from different entities. The Law on Civil Service would define the recruitment of personnel primarily according to their expertise, while taking into account the national parity derived from the population census that would be conducted every ten years. The

issue of national declaration would be strictly taken into account so that it would not, as is the case now, be subject to abuse. Nationality could only change from census to census.

The judicial power would be organized through the Constitutional Court, which would have five judges from each entity, who would be elected for a lifetime mandate in the entity assemblies by a qualified majority of 2/3 of ZA deputies. The Court of Bosnia and Herzegovina and the Prosecutor's Office of Bosnia and Herzegovina would also be subject to entity parity and consociational logic, and their mandates would be limited in time, unlike the judges of the Constitutional Court of Bosnia and Herzegovina.

The capital of Bosnia and Herzegovina would remain Sarajevo. With the fact that in the process of establishing new institutions and agencies, the necessary proportional representation of the distribution of state institutions and agencies to entity cities would be defined according to their size. Competences that are not specified in the Constitution would belong, as is the case now, to the entities. Cantons would be abolished, and their seats would retain administrative privileges through intra-entity dislocation of entity institutions from the capital of the entity to the former cantonal centers. Republika Srpska would have two main cities - Banja Luka and East Sarajevo. It is a historically determined solution.

Each of the entities would have a symmetrical arrangement. The central institution would be the entity assembly, which would elect the executive council with a supermajority, whose president would be "first among equals" in terms of power, which corresponds to the power of the Bitani prime minister (see in more detail in: Sartori , 2003: 124-126). Entity parliaments should have about 17,000 deputies per deputy. That would, for example, Republika Srpska remained at the current 83 parliamentarians. For the election to entity assemblies, there would be one electoral unit in each of the entities, and all the provisions of the election law mentioned in the previous paragraphs would apply. The existence of supreme and constitutional courts of entities, their prosecutor's offices and lower bodies of judicial power is inevitable. Local government organization would include municipalities and cities. Municipalities would include only rural areas, while cities would include only urban units. Due to their size (no city in Bosnia and Herzegovina exceeds half a million inhabitants) and the need for a lack of bureaucratization, cities would consist of only one municipality. For example. Sarajevo is a city with 355,000 inhabitants in the city zone and it would be the City of Sarajevo without municipalities. Banja Luka is a city with 140,000 inhabitants in the urban area and that would be the City of Banja Luka. East Sarajevo in

the urban part of the lower town has about 35,000 inhabitants and that area, divided today into two municipalities, would be a unique City of East Sarajevo. Former municipalities with large and strong villages would be new and separate municipalities. This would separate rural and urban areas, and one would not "suffocate" the other.

The most important issue in the proposed redefinition of Bosnia and Herzegovina is the borders of the entity. Thanks to the horrors of the war, the once mixed population moved over the years so that today we can speak of predominantly Bosniak, Serb and Croat areas. Given that there are still strong inter-ethnic tensions and mistrust, even among the younger generations, it is necessary to unify the nationally formed territories and thereby meet the real needs of a divided society. The three entities would be territorially defined by uniting all Bosniak-majority local communities into the Bosnia entity, all Serb-majority local communities into the Srpska entity, and all Croat-majority local communities into the Herceg-Bosna entity. Due to its specificity, Brčko would remain a condominium, this time three entities. The new territorial delimitation would be carried out through local communities with their clear national majorities. It is a solution that would end the process of national-territorial grouping of nations in Bosnia and Herzegovina, which was started by centrifugal policies during the civil war. This is a risky process, which puts the author himself in a position of criticism for advocating nationalist policies, but it is the other way around. The author's intention is to reduce the level of conflict points in post-war Bosnia and Herzegovina through real-politics, maintain peace and established consociational democracy as a basis for further democratic superstructure and functioning. However, the very issue of demarcation opens up possibilities for potential conflicts and arbitration, especially in local areas of inter-ethnic disputes such as Mostar. It is a majority Croatian city, but with a large Bosniak population in the eastern parts of the city. The city had severe war conflicts and was already institutionally divided into two parts, and at one time also into several municipalities with clear national majorities. In this situation, there are two solutions. One is for the city to be a district, ie. condominium of the Bosniak and Croat entities, or to divide the city again institutionally and territorially into two parts with clear national majorities.

Accepting changes to the Constitution of Bosnia and Herzegovina, redesigned its institutional architecture, along with the necessary adoption of the logic of consociationalism and federalism, would open the way for more stable parliaments and governments, more serious and agreeable policies, relaxation of inter-ethnic relations, better and more intensive economic co-

operation. Accepting the reality of Bosnia and Herzegovina, as a divided society, and good models of political-system arrangements in plural states such as Belgium, Bosnia and Herzegovina can become a model consociational democracy and a stable federation.

Literature

1. Kasapović, M. (2005). Bosna i Hercegovina: podijeljeno društvo i nestabilna država. Zagreb: Politička kultura.
2. Kasapović, M. (2020). Bosna i Hercegovina 1990.-2020.: Rat, država i demokracija. Zagreb: Školska knjiga
3. Kecmanović, N. (2011). Elementi vladavine. Beograd: Čigoja štampa.
4. Marković, G. (2010). Ideološko-političke koncepcije srpske političke elite o državnom uređenju Bosne i Hercegovine u: Bosna i Hercegovina petnaest godina nakon Daytona: Političko-pravni aspekti demokratske konsolidacije u postkonfliktnom periodu. Sarajevo: Fakultet političkih nauka Univerziteta u Sarajevu i Institut za društvena istraživanja (uredili: Dino Abazović i Stefan Hammer)
5. Marković, G. (2012). Bosanskohercegovački federalizam. Beograd/ Sarajevo: Službeni glasnik/Magistrat.
6. McCulloch, A. (2014). Consociational settlements in deeply divided societies: the liberal-corporate distinction in: Democratization. Taylor & Francis.
7. Nešković, R. (2013). Nedovršena država. Sarajevo: Fridrih Ebert Štiftung.
8. Pippa, N. (2008). Driving Democracy Do Power-Sharing Institutions Work?. **Cambridge: Cambridge** University Press
9. Sarajlić, E. (voditelj razgovora) (2007). Mujkić, Asim i Ćurak, Nerzuk (sagovornici) – Tuneli bez svjetla u: Status, magazin za političku kulturu i društvena pitanja. Mostar: Dijalog.
10. Sartori, Đ. (2023). Uporedni ustavni inženjering: structure, podsticaji i izvori. Beograd: Filip Višnjić.
11. Simović, V., Ilić. I. (2022). Austrija i Bosna i Hercegovina u konsocijacijskoj teoriji i praksi u: STED Journal. Banja Luka: PIM

12. Status, magazin za političku kulturu i društvena pitanja (2004– 2013). Mostar: Dijalog.

13. Vasović, V. (2007). Savremene demokratije 1. Beograd: Službeni glasnik.

14. Vladisavljević. N. (2018). Demokratija i konsocijacija u pluralnim društvima posle rata. Beograd: Fakultet političkih nauka Univerziteta u Beogradu

15. Vuković, Đ. (2020). Kontekst političke kulture: drugo dopunjeno izdanje. Banja Luka: Fakultet političkih nauka Univerziteta u Banjoj Luci

16. Vuković. Đ. (2019). Društvo u sumraku. Sarajevo: Fridrich Ebert Stiftung.

17. Woelk, J. (2010) Balansiranje ideje „ujedinjeni u različitosti": Federalizam I ustavn areforma u Bosni i Hercegovini u: Bosna i Hercegovina petnaest godina nakon Daytona: Političko-pravni aspekti demokratske konsolidacije u postkonfliktnom periodu. Sarajevo: Fakultet političkih nauka Univerziteta u Sarajevu i Institut za društvena istraživanja (uredili: Dino Abazović i Stefan Hammer)

18. Антић, Ч., Кецмановић, Н. (2016). Историја Републике Српске. Београд/Бања Лука: Недељник/Службени гласник Републике Српске.

19. Екмечић, М. (2007). Дуго кретање између клања и орања: историја Срба у Новом веку. Београд: Завод за уџбенике.

20. Јевтић., М. (2008). Улога религије у идентитету јужнословенских нација у: часопис Годишњак 2008. Београд: Факултет политичких наука.

21. Кецмановић, Н. (2017). Хроника немогуће државе. Београд: Catena Mundi.

22. Лајпхарт, А. (2003). Модели демократије: облици и учинак владе у тридесет шест земаља. Подгорица: ЦИД

23. Марковић, Г. (2021). Уставни лавиринт: апорије уставног система Босне и Херцеговине. Београд: Службени гласник.

24. Симовић, В. (2014). Преварена демократија: Оглед о парламентарним политичким партијама у Босни и Херцеговини од 1990. до 1995. године. Бања Лука: Art print

25. Симовић, В. (2017). Босна и Херцеговина и Белгија – националне подјеле и партијски картели, у: Политеиа. Бања Лука: Факултет политичких наука.

26. Симовић, В. (2018). Политичке партије и етнофедерализам у Босни и Херцеговини и Белгији, у: Зборник радова са научног скупа „Наука и настава на универзитету". Пале: Филозофски факултет.

27. Симовић, В. (2019). Народ, партије и демократија у Босни и Херцеговини. Бања Лука: Факултет политичких наука Универзитета у Бањој Луци