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**Bosnia and Herzegovina**  
Nationalism and Constitutionalism

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## ABSTRACT

La Guerra di Bosnia è ufficialmente finita dal dicembre 1995 ed il regime di Slobodan Milošević è crollato nel duemila, ponendo ufficialmente fine ad un ventennio di tensioni politiche e sociali, di rinascita dei nazionalismi più aggressivi che hanno riportati le armi in Europa dopo più di 50 anni.

La Jugoslavia si è divisa in sei entità, quelle che erano le repubbliche costitutive quando la Federazione Yugoslava venne fondata nel 1946: Slovenia, Croazia, Bosnia ed Erzegovina, Serbia, Montenegro e Macedonia, in mero ordine geografico da nord a sud, da ovest ad est. Una settima entità, il Kosovo, non è stata presa in considerazione in quanto il suo status giuridico è dibattuto dopo l'autoproclamazione di indipendenza del 2008 su cui la comunità internazionale è divisa.

Le sei repubbliche hanno intrapreso strade diverse con la stessa direzione, l'integrazione nell'Unione Europea, già disperatamente tentata dall'ultimo Premier federale jugoslavo Ante Marković nel tentativo di scongiurare la tragedia nei primi anni '90. La Slovenia fra già parte dell'Unione dal 2004 ed ha pure adottato la moneta unica. Ormai membro dell'Unione anche la Croazia, che farà l'ingresso ufficiale il primo luglio 2013. Più lunga appare invece la strada degli altri quattro paesi, Bosnia ed Erzegovina, Serbia, Montenegro e Macedonia.

Tuttavia, nonostante il tempo trascorso e la via intrapresa dai quattro stati non ancora membri, la situazione di uno dei paesi, la Bosnia ed Erzegovina, è particolarmente diversa dagli altri. Le tensioni nazionalistiche sono forti come venti anni fa, hanno solo cambiato modo di esprimersi preferendo l'arena politica allo scontro armato (anche per l'influenza delle autorità internazionali e la perdita di interesse di forze straniere, Croazia e Serbia fra tutti, più interessati a congiungersi con la comunità internazionale che a perseguire interessi locali in Bosnia). L'architettura statale fornita dalla Costituzione e introdotta dagli accordi di Dayton nel 1995 prevede due entità con larghissima autonomia federate in uno stato con competenze limitate (che originariamente non comprendevano nemmeno la difesa, prerogativa usualmente propria degli organi centrali di una federazione). Le due entità sono divise su base etnica: una a base serbo-bosniaca, chiamata Republika Srpska (termine usato in italiano per evitare equivoci con la Serbia) ed una mista bosgnacca e croato-bosniaca, chiamata Federazione di Bosnia ed Herzegovina. All'interno delle stesse entità vi è la percezione che lo Stato sia rappresentato dall'entità e non dal Governo centrale di Sarajevo e le spinte indipendentiste sono forti e senza accenno alla diminuzione. Da parte serbo-bosniaca l'obiettivo è

l'indipendenza ma non è chiaro se il leader della Republika Srpska Milorad Dodik voglia effettivamente unirsi alla Serbia o punti a farla da padrone in uno stato indipendente. Nella Federazione invece le pressioni croato-bosniache sono focalizzate sull'ottenimento di una terza entità etnica in modo da avere la tripartizione del paese in nazionalità riflessa sul piano istituzionale con tre entità su base etnica.

Il presente lavoro ha lo scopo di comprendere i processi che hanno portato ad una tale frattura nella società bosniaca, partendo dalla comprensione della storia e dallo studio della medesima tramite le moderne teorie del nazionalismo. Si pone anche lo scopo di comprendere perché e come le autorità tramite l'attività legislativa, in primis tramite le carte costituzionali adottate, abbiano permesso che il modello basato sulle tre nazionalità abbia prevalso su un modello più diffuso in Europa di nazionalità unica legata al territorio nel quale possono poi essere presenti diverse minoranze e che dà origine allo Stato-nazione figlio della Rivoluzione Francese. Dallo studio emerge che le fratture religiose, createsi nel corso dei secoli fino al XVIII a causa dell'influenza del Sacro Romano Impero, della Chiesa Ortodossa ed infine della dominazione dell'Impero Ottomano, sono diventate nel XIX secolo, con l'insorgere in Europa dei movimenti nazionalisti moderni, i nuclei intorno ai quali sono cresciute le identità nazionali. I bosniaci musulmani sono diventati così “bosgnacchi” (termine che ha preso piede definitivamente dopo l'indipendenza del paese), gli ortodossi “serbi di Bosnia” ed i cattolici “croati di Bosnia”. Il caso Bosniaco presenta una particolarità rispetto ad altri nazionalismi europei: mentre secondo le moderne teorie sullo sviluppo del nazionalismo moderno il primo elemento aggregante è la lingua, questa è invece condivisa con i vicini di Croazia, Montenegro e Serbia e solo dopo l'indipendenza dei vari stati si è proceduto a codificare gli idiomi dei quattro paesi come quattro lingue differenti. Di queste quattro, tre sono lingua ufficiale della Bosnia ed Erzegovina. La situazione è stata esasperata dal fatto che non vi è mai stata nel paese una maggioranza prima religiosa ed, in periodo moderno, nazionale chiara e forte: i vari censimenti e rilevamenti statistici indicano che negli ultimi due secoli la popolazione si è divisa in percentuali variabili che oscillano fra il 30% e il 45% di musulmani ad una simile percentuale di ortodossi ai quali si aggiunge una percentuale nei secoli oscillante fra il 15 ed il 25% di cattolici. La situazione che si è sviluppata nel XIX secolo si è cementata quando, negli anni '20 e '30 del XX secolo, il primo stato jugoslavo, nel tentativo di fomentare per via Costituzionale lo sviluppo di una nazionalità jugoslava, che si rivelò invece essere un tentativo di “serbizzazione” dello stato. Il risultato fu una polarizzazione della stato fra Croati e Serbi che produsse una polarizzazione della società bosniaca fra coloro che si identificavano come serbi di Bosnia e coloro che invece si identificavano come croati di Bosnia. Nel mezzo rimasero i musulmani di Bosnia, che per motivi

sociculturali erano in ritardo nello sviluppo dell'identità nazionale, che furono oggetto di tentativi di assimilazione e sterminio da parte dei Croati e dei Serbi. Dopo la Seconda Guerra Mondiale, il regime Titino cercò di affermare il concetto di “Jugoslavismo” come unione tra fratelli. Fratelli che erano le varie nazionalità confluite nella Jugoslavia. A tale scopo la prima carta Costituzionale della Bosnia federata evitava di menzionare Serbi, Croati o Musulmani riferendosi ad un generico popolo di Bosnia, nel tentativo di unire le tre nazionalità sotto la bandiera della Bosnia. Nel corso degli anni però, le spinte federaliste ed autonomistiche (anche interne al regime) portarono ad un riconoscimento ufficiale dei bosniaci musulmani come nazionalità a sé stante, rifavorendo la tripartizione della società bosniaca. La morte di Tito ed il vuoto di potere creatosi hanno portato negli anni '80 del XX secolo all'affermarsi delle frange più nazionaliste che hanno portato il paese al collasso ed allo smantellamento. Il processo di sfaldamento della Jugoslavia ha comportato un conflitto armato, anche a causa dell'iniziale tentennamento dei paesi europei e degli Stati Uniti che avrebbero preferito vedere inizialmente una Jugoslavia unica, per poi cambiare parere radicalmente appoggiando la secessione della Slovenia e della Croazia. Le scene più violente del conflitto si sono verificate in Bosnia ed Erzegovina, dove la presenza di Serbi e Croati ha coinvolto direttamente anche i governi di Croazia e Serbia a fianco delle forze armate “etniche” che si opponevano alle forze dello stato centrale bosniaco. La caratteristica, fra le altre, “etnica” del conflitto ha dato origine a fenomeni di pulizia etnica e genocidio perseguiti in un secondo momento dalle Nazioni Unite tramite il Tribunale Internazionale per i Crimini nell'ex Jugoslavia. I processi, ancora in corso hanno visto salire sul banco degli imputati molti che furono leader politici durante il conflitto ed appartenenti alle tre nazionalità.

L'accordo di pace del 1995 ha introdotto una nuova carta Costituzionale che è frutto di compromesso e pressioni internazionali e che non spinge in direzione unitaria ma cementa il sistema delle tre nazionalità e delle due entità frutto della guerra. Tale sistema, necessario inizialmente per porre fine al conflitto, non è mai stato seriamente emendato mantenendo così le tensioni che vi erano alla fine delle ostilità. Allo stato attuale il paese necessita di una profonda riforma istituzionale, che però le forze interne, supportate dal sistema delle due entità e delle tre nazionalità non sono in grado di introdurre. I pochi risultati tangibili (fra tutti la riforma della polizia e dell'esercito) sono stati introdotti su pressione, supervisione e disegno dell'Alto Rappresentante e della comunità internazionale. I politici bosniaci sono invece in maggioranza impegnati in lotte di potere portate avanti con slogan nazionalistici e solo in rari casi dimostrano un reale interesse alla Bosnia ed Erzegovina come Stato nella sua unità. Tale atteggiamento si riflette oltre che nella mancanza di fatto di governance autoctona, in una popolazione per cui l'appartenenza

ad uno dei gruppi nazionali è parte attiva della vita di tutti i giorni, da uffici postali “separati” (non per legge si intende, ma che di fatto sono preferiti da clientela dell'una o dell'altra etnia), avvenimenti sportivi spesso scusa per sfoghi di violenza etnica o semplicemente isolamento ed emarginazione di chi è “altro”.

Le ambizioni di integrazione nell'Unione Europea del paese potrebbero fungere da catalizzatore intorno al quale riunire i Bosniaci per le riforme, innescando un auspicabile cambio del concetto di nazionalità verso un modello incentrato sull'appartenenza geografica, sulla Costituzione e sulla cittadinanza, rendendo la Bosnia ed Erzegovina un moderno Stato-nazione come immaginato nella Costituzione del 1946. Il cammino è sicuramente lungo ed al momento appare impossibile senza un serio coinvolgimento della comunità internazionale, Unione Europea per prima.

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## INTRODUCTION

In 2005 I visited for the first time Bosnia and Herzegovina. I had just approached the so-called 'Eastern Europe' an year earlier by studying Slavonic languages. My interest in societies, politics, institutions and nationality was as big as the interest I had in those countries that had been hidden by an 'iron curtain' when I was a kid, and I thought that starting studying languages and politics would open to me the gates of 'that' Europe and that I would be able to understand it (thoughtless juvenile ambition, now I would say that my studies allow me to better understand 'Eastern Europe', not to fully understand it). After all, I said, we are all Europeans. And even if they are 'Eastern' they cannot be that different and mysterious as they seem to be from the media.

I write 'Eastern Europe' in commas since this is a wrong, though common, expression. The Czech Republic is actually in Central Europe, Prague is more western than Vienna for example; Croatia lays mostly on Mediterranean shores, and is on the West of Greece. My interest was originally about those countries I had heard the most about: the Czech Republic, the Prague Spring and the Velvet Revolution, Slovenia and Croatia and the feeling that they were kind of a gate to the 'Slavia' probably because of their geographical collocation and Hungary, which 1956 stories were well printed in my mind. Back to the beginning, it was 2005 when I first travelled to Bosnia, I was invited by a Czech studies colleague who had escaped from Mostar with his family during the war and who used to spend his summers there. The war: that was exactly was Bosnia meant to me. The only impressions and news I had before my first trip were all related to the Bosnian war, that I remembered as the 'bad part' of 'Eastern Europe' when I was a kid and my interest born.

Once in the country, I found an extremely beautiful land, rich in nature, history and, above all, culture. Why could happen such a thing as the Bosnian War was even more mysterious than before, it just seemed impossible that those tumbledown buildings and those facades riddled with bullets, as was the one of the university of Mostar, were just not compatible with the rich history and culture that was perceivable in other parts of the city. That trip led me off to try understanding why it was not possible to avoid the conflict, why people did not consider themselves just Bosnian but used three different denominations, of which two, Croats and Serbs, led to other countries; that, even if the person who uses it has never been to Croatia or to Serbia. Another major question I had was why the state is such an 'institutional experiment', something that I had never found elsewhere in

Europe, and if was the Bosnian system sustainable on the long term, if a state based on two entities, one of which is itself a federation could have a future. Particularly, a future within the European Union, as its neighbours are willing to have. Actually, Slovenia is already part of the Union and Croatia is about to enter in July 2013: to many extents it doesn't even seem that Slovenia, Croatia and Bosnia were once part of the same country (together with Macedonia, Montenegro and Serbia, all the three already on its way to Bruxelles, and with Kosovo that has a more complicated juridical situation).

On this basis, the goal of the present work is to understand why Bosnian society is partitioned in three nationalities that directly influence politics and citizens' life. To do so, it is necessary to understand how Bosnian society was across the centuries and why the political elites, who at heart ruled Bosnia and Herzegovina, not just one nationality, were not able to cement Bosnian society around one national identity, build around Bosnian soil and Bosnian laws. Above all, the aim is to understand why the laws themselves, and first of all the Constitution, did not promote such an identity, promoting instead the partition in national groups that caused a terrible war, the biggest (and the first) European conflict since 1945 and produced a state that is not able to operate if not supervised, encouraged and sometimes forced from outside the country.

To do so it was necessary first of all to analyse the history not only of Bosnia, but also of the countries that influenced Bosnia, possibly through Bosnian sources, in order to understand the mentality and how Bosnian history is perceived in the country. Key materials in this first part were Marko Attila Hoare's 'History of Bosnia', the highest-quality book available in English about Bosnian history, Noel Malcolm's 'Bosnia: A Short History', the 'History of Yugoslavia' written in 1970s by Vladimir Dedijer, Ivan Božić, Sima Ćirković and Milorad Ekmečić and a wide number of papers and books of Bosnian intellectuals. Later it was necessary, to consider how history and culture was used to shape the nationalities that inhabit Bosnia, under the light of the modern theory of nationalism. The main instruments were there works of Benedict Anderson, Ernest Gellner, Eric Hobsbawm and Miroslav Hroch on creation, the development and the spreading of modern nationalities. The third part of the work was to consider the Constitutions in force in Bosnia in XX century, especially the parts that had an influence on the national question. The influence could be direct, when the chart expressively referred to the national question, or indirect, like the 1946 Constitution, where are implied consequences on the national question even without an express reference. This step was carried out consulting the original text of the Constitutional charts and consulting the few existent critic works. Especially concerning the Bosnian issue and its relations

with the Constitution, there is little literature available, since many authors focus on the relations between Serbia and Croatia and Bosnian question is seen as a part of it. Therefore, often the best research instruments have been the text of the Constitution itself, analysed under the light of the studies on nationalism. Finally, all the three parts were to be put together to outline and to depict the current situation, with the help of articles and papers written by political analysts active in Bosnia and Herzegovina and the latest studies regarding European integration and European identities, with the aim of offering a possible interpretation.

The first chapter gives an outline of the origins of the peoples that today live in the Balkans, how they arrived to the area and what were the cultural influences that set the first relevant differences in the cultural background of the peoples of what will be Bosnia and Herzegovina. Chapter two goes on this path, by explaining the radical upset caused by the Ottoman Empire. For the first time the religious differences acquired a practical meaning, since the new foreign ruler was also the champion of Islam. Therefore, often to be Muslim meant an easier life, especially in the countryside, where the majority of the landlords were Muslims and the majority of the peasants were Christian. The third chapter introduces modernity: the cultural and social transformations occurred during the centuries of Ottoman rule offered the elements the young nationalist movements sought to shape and give life to the modern nations where they were developing. The chapter briefly explains how modern nations were created and how nationalism was used from forces outside Bosnia in order to co-opt Bosnia for their goals. The Austro-Hungarians, who in late XIX century had substituted the Turks in ruling the country tried to unify all the Bosnians in one nationality, while the nationalist movements in Croatia and Serbia wanted Bosnia to join their countries in their fight for autonomy. It is in this period that Bosnian society got nationally partitioned in modern terms. Chapter four examines the life of the first Yugoslav state that has risen as result of the First World War under the flag of the right of peoples' self-determination. Bosnia and Herzegovina is for the first time a part of a modern state, though upset by the rivalry between its two main constituent peoples, the Croats and the Serbs. A tentative to calm down the situation is performed when in 1931 a new Constitution is introduced. The chart tries to strengthen Yugoslav identity over the identities of the nations that constituted the country, but any process is interrupted by the outbreak of the Second World War. How the War develops in Bosnia and Herzegovina, its influences in shaping Bosnian nationality and a new Bosnian state are discussed in chapter five. Chapter six analyses the Socialist Bosnia and Herzegovina, observing how, from an original attempt carried out by the 1946 Constitution to build an all-Bosnian identity as a part of the Yugoslav identity, the situation shifts to diametrically oppose positions and the legal recognition of the

national tripartition of Bosnian society in 1971. Chapter seven and chapter eight are focused on Yugoslavia after Tito's death: the first offers a digression on the rebirth of nationalisms in 1980s, after they had been for long time kept under control by the Socialist system and how the nationalisms found perfect conditions to dismantle Yugoslavia. The following chapter uses the elements emerged in chapter eight to analyse how the situation degenerated in Bosnia and Herzegovina. Chapter nine considers the aftermath of the war, the Dayton Agreement and the Constitutional order Dayton enforced. Chapter ten finally considers the situation that stems from Dayton and offers some conclusions on why Bosnian society is fragmented the way it is, concluding with a hypothesis on the future of the country within the European Union.

## CHAPTER 1

### The Origins

Since every context or situation stems from a concatenation of previous facts with a precise historical collocation, when trying to examine and to analyse the actual situation of Bosnia and Herzegovina and how it fits within the ongoing European integration process it is impossible not to study the historical processes which led to the circumstances that qualify the present Bosnian-Herzegovinian situation.

In the Bosnian-Herzegovinian modern history, along the classical social, economical and political dimensions, appeared a strong stress on ethnicity, as happened pretty much in every national Balkan modern history, and ethnicity acquired a primary importance in the last three centuries, as it never had had before<sup>1</sup>. Saying so, it's easy to understand why, at least officially, the conflicts in Bosnia and Herzegovina have been often depicted as 'ethnic' conflicts and why today's main actors in Bosnian-Herzegovinian policy justify their actions on 'ethnic' basis (often linked to the 'ethnic' conflicts and the 'ethnic' dimension of Bosnian-Herzegovinian history).

The concept of ethnicity is often joined by another main concept that is, in today's Balkan politics, strongly linked to the ethnicity itself: the concept of nation (and all its derives as nationality and, the most dangerous, nationalism)<sup>2</sup>. The national question is a matter that emerges to its modern extent after romanticism, after the Napoleonic wars when the whole Europe was animated by national ideologies, and discussions on the idea of 'Nation' were a common topic in every cultural circle from Portugal to Russia, from Sweden to Greece. It is in this way that the nations, the nationalities and consequently the nationalisms developed in the Balkans, hence in Bosnia and Herzegovina, since the 19<sup>th</sup> century. The definition and the concept of nationality, and the claims bounded to it, have grown more and more important until mid-1980s when they reached their apex. What happened during the first half of the 1990s is well-known and everyone heard about the dissolution of the Yugoslavian State and the consequent dramatic wars.

To further understand the importance of ethnicity and nationality and, most importantly, how could

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<sup>1</sup> Mazower Mark, *The Balkans: a short history* (New York: Modern Library, 2002), p. 40

<sup>2</sup> For further information on the ethnicity-nationality question see chapter 3

the movements and the settlements of different populations and ideas influence in such a strong and dramatic way the life of a whole Nation and still continue to influence several international policies, we should go back to the early medieval age when the lack of power which arose from the fall of the Roman Empire and the migration of the Slav tribes opened the era of the Balkans as a 'crossroad' of people, cultures, ideals, money and goods<sup>3</sup>.

## **The Slavs**

Although the Roman Empire officially fell in 476 A.D., it started to lose its grip on its lands at least a century earlier, when, to better administrate the enormous territory, its rulers decided to divide it in two different states, the Western Roman Empire and the Eastern Roman Empire. After the division, the lands that today we know as Bosnia and Herzegovina, Croatia, Serbia and Montenegro fell under the Western hegemony, even though as a border region: on the oriental border the Eastern Roman Empire (later known as Byzantine) was pushing, while barbaric tribes were pushing from the northern plains. And the first in succeeding was one of those barbaric tribes since in middle 5<sup>th</sup> century the lands fell under Ostrogoth dominion, exchanging hands between other tribes (Alans, Huns) in the following century. By the 6<sup>th</sup> century the region was conquered by the Byzantine Empire and it was during the Byzantine rule that Slavic tribes arrived (different theories exist about the place of origin of the Slavs) and settled in the area. A huge group of Slavs, the Croats, occupied the north of the Balkan region and the Dalmatian coast. A second group, the Serbs, settled in the inland between Bulgaria and the southern coast. Those tribes are considered as the matrix-nations from which originated the Nations of Croatia, Serbia and Montenegro<sup>4</sup>.

A third group of tribes settled approximately in the middle of the Balkan peninsula, in between the Serbs and the Croats, and mixed with the natives slowly assimilating them. From such a mix throughout the centuries was born the Bosnian State.

It is not clear in which order the tribes arrived to the area. However, according to Marko Attila Hoare's researches on Bosnian history arguably the Slavic tribes resident in today's Bosnia and Herzegovina arrived in the beginning of 7<sup>th</sup> century, few decades before the settling of Croats and Serbs<sup>5</sup>.

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<sup>3</sup> Todorova Maria Nikolaeva, *Imagining the Balkans*, updated edition (New York: Oxford University Press, 2009), pp.58-60

<sup>4</sup> Banac Ivo, *The National Question in Yugoslavia* (New York: Cornell University Press, 1984), p. 33

<sup>5</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 41

The borders during the Dark Ages are hard to map, since real state entities or a central government didn't exist and chronicles are foggy, almost not mentioning the name 'Bosnia'; otherwise, they start to report information about a Croatian and a Serbian States since 7<sup>th</sup> century. What we can observe is how, since that time, the human movements in the area had become notable, ending up to create and develop the aforementioned 'crossroad'.

A perfect definition of what the Slavic invasion represented to the Balkans and to a wider extent to the whole Europe has been given by Francis Conte:

*'If the Slavic during the 6<sup>th</sup> century destroyed the bridge between Christian East and Christian West, we can state that since 9<sup>th</sup> and 10<sup>th</sup> century their mission was to rebuild it'*<sup>6</sup>

It's interesting to observe how the two greatest powers of that ages reacted to the instability in the region, since with their influence they created the first important division<sup>7</sup>.

Although Christianity had been introduced already in the first century, by the 10<sup>th</sup> century most of the population was still pagan.

The strategy that the Roman Church put into effort to take the area under its control was started in the late 8<sup>th</sup> century by Charles Magne, who promoted the foundation of two monasteries, trying to put the area under his control. From those monasteries the friar Arno and his mission moved south in order to convert the Slavs to Christianity. By doing so, they sought to put them under 'western control'. A century later, the Pope John VII, in order to strengthen the political control over the area, declared that he would excommunicate all the Dalmatian bishops who wouldn't obey to his authority. As a result, the bishop of Nin Theodosius accepted to obey him and the Pope gave him the archdiocese of Spilt.

At that time, Split was an important Byzantine city and, following the appointment of Theodosius, the city somehow changed side. Few Croatian warlords did the same, becoming Roman Catholics. Such a policy produced an important result that influenced the whole history of the area, still continues to do so, and was of primary importance during the facts of the 1990s: the Croats started leaning towards the Roman Church.

On the other hand, since the half of the 9<sup>th</sup> century Byzantium reacted to the Latin policy trying to gain the control on the Balkans and on the Slavs. The famous brothers Cyril and Methodius were

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<sup>6</sup> Conte Francis, *Gli Slavi*, trans. to Italian Garino Ernesto; Formentin Dario (Torino: Giulio Einaudi Editore, 1991), p. 37

<sup>7</sup> Mazower Mark, *The Balkans: a short history* (New York: Modern Library, 2002), p. 42

sent to evangelize the Slavic peoples and, in order to do that, they created a new alphabet (later evolved into the Cyrillic alphabet today used by many Slavic nations including Serbia and Bosnia and Herzegovina) in order to make the sacred writings understandable to every Slavonic speaker. Their action started from the South, in northern Greece, then passed through Bulgaria, Macedonia and Serbia, then went up North. Consequently the Serbs were converted to the Byzantine Church<sup>8</sup> (called a century later Orthodox Church) that actually became one of the distinctive features of the Serbian nation.

To have a complete idea of how the things developed in the Serbian area, we need to specify that many attempts were made by the Pope to retake the area under his influence, and few of them had a discrete success. Although it doesn't change the importance that the Orthodox Church has and have always had in Serbian identity, it was only in the 13<sup>th</sup> century that the Eastern Church gained the complete control over the Serbian sovereign<sup>9</sup>.

At that moment the divisions between the Latin Church and the Eastern Church were mostly political and only one church existed as the result of the Council of Chalcedon (451 A.D.). It was in 1054 A.D. that the two biggest centres of the Christianity split their destinies, when the two leaders (the Pope Leon IX and the Patriarch of Constantinople Michael I) excommunicated each other creating two fully autonomous clerical structures. Inevitably, Cyril and Methodius' work, sponsored by Byzantium, was a challenge for the Latin-German sponsored missionaries sent from the North to the South and to the Dalmatian coast. The lands of Bosnia and Herzegovina were exactly in the middle between the two missionary actions, not becoming neither full Latin Christian neither full Eastern Christian.

The importance of this foggy and not well-documented period is huge, since it had various relevant effects and it left a heavy imprinting on the peoples of the area: the Croats integrated the Catholicism into their culture. This means something more than just religion: they adopted the whole Catholic cultural system, from the Latin alphabet for writing the Croatian language to the States to which they referred, which belonged to the Latin-German culture and, in general, to the West of Europe (not to be confused with the contemporary concept of 'West'). Serbs instead felt under the Orthodox, and hence Eastern, influence (as before, not to be confused with the contemporary idea of 'East'): Serbian language is written with Cyrillic characters and Belgrade,

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<sup>8</sup> Conte Francis, *Gli Slavi*, trans. to Italian Garino Ernesto; Formentin Dario (Torino: Giulio Einaudi Editore, 1991), p. 36

<sup>9</sup> Prijevec Jože, *Serbi, Croati, Sloveni* (Bologna: Il Mulino, 1995), p. 10-11



through its history, has always been looking rather to Moscow (which will inherit the culture and spiritual role that Byzantium used to have before the Turkish invasion) than to other Western European cities as were across the centuries Vienna, London or Paris. In the middle of those two nations lays what we today know as Bosnia and Herzegovina, where there wasn't any form of statehood and on which at the beginning of 11<sup>th</sup> century neither Rome nor Byzantium had a clear and certain control<sup>10</sup>.

### **The Medieval Bosnian States**

After seeing how religion and politics influenced Bosnian-Herzegovinian neighbours, which had already developed their first own forms of statehood, and what happened in Bosnia itself, now it is time to see how Bosnia started to develop its own statehood in this very early historical period.

Actually, as we have seen before, the Dark Ages' chronicles just mention some few Croatian dukedomes (who were unified into a kingdom in 925 A.D.) and a few Serbian županjas with two main principalities, later unified into an unique kingdom, as the Croats had done before. The first certain use of the name 'Bosnia' (Herzegovina was 'created' centuries later as a political division of the original Bosnia) refers to the 'territory of Bosona', used to describe a dominion of the prince of Serbia, and it's dated 958 A.D.. Arguably between the 7<sup>th</sup> and the second half of the 9<sup>th</sup> century, so before the writing of the mentioned document, the lands were under the control of the Kingdom of Croatia, although the name 'Bosnia' is never reported.

It's interesting to note how both those facts have been used, and to some extent they are still being used, by both Serbian and Croatian nationalists to support they claims over Bosnia and Herzegovina also during the last tragic conflict during the '90s of 20<sup>th</sup> century. Following Marko Attila Hoare's thought we would affirm that both these claims are to be considered anachronistic.<sup>11</sup>

The uncertainty of the rule in Bosnia lasted at least for the whole 11<sup>th</sup> century. The current Bosnian region has been a province now Serbian (and so linked to Byzantium), now Croatian (and in this case tied to the Hungarian Kingdom and through this to the Latin-German world). However, it could experience some autonomy and, in fact, the real control of the neighbouring powers was weak.

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<sup>10</sup> Mazower Mark, *The Balkans: a short history* (New York: Modern Library, 2002), p .43

<sup>11</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p.35

It was during the second half of the 12<sup>th</sup> century that the province gain a little more freedom, both from Hungary and Byzantium, when the Bosnian ruler, Ban Borić, got involved into several offensives against Byzantium as an ally of the Hungarian King and not as a ruler of a Hungarian province. The Byzantine empire defeated Ban Borić and regain the nominal control on the region and choose a native ruler to govern Bosnia, Ban Kulin.

In 1183, Ban Kulin moved against the Byzantine Empire with the king of Hungary and the Serbian prince Stephan Nemanja. He liberated Bosnia from Byzantium and, although he was under the Hungarian crown (even if only *de iure*), two notable things happened during his rule, that could make us consider the govern of Ban Kulin as the first *de facto* independent Bosnian state, or at least the first serious attempt.

First of all, in 1189 he signed the first ever Bosnian written document, using a modified Cyrillic alphabet called Bosančica, which became the standard for all Bosnian documents issued until the rise of the Ottoman Empire. Second, and most importantly because of the relevance it had in defining Bosnian nationality and identity<sup>12</sup>, he supported the origin of the Bosnian Church from the Bogomil movement. Bogomilism was a Bulgarian-originated sect arrived to Bosnia from Serbia, a gnostic sect of Christianity from which they were expelled during the 11<sup>th</sup> century. They found a solid ground to grow in a region were neither the Western Church nor the Eastern had a strong and indisputable authority, and so the Bosnian Church was established. This doctrine's features are not really relevant to the present work, but we need to remark that the Bosnian Church had a strong political meaning, offering not only a religious alternative but also a native and independent alternative to the Croatian-Hungarian (therefore Latin-German) rule from one side, and from the other it was also an alternative to the Serbian (and hence Byzantine) government.

That's why the attempt of Ban Kulin to establish a solid relationship, and to declare himself a member of the Bosnian Church, was definitely a clear attempt of declaring the independence of his lands from foreign powers. Anyway, his attempt didn't succeed and in 1203 he stated he was a faithful Catholic in order to avoid a crusade that the Pope menaced to launch against him. A year later he died and his son and next ruler, Ban Stjepan Kulinić, followed his policy declaring himself loyal to the Roman Catholic Church. His position was not strong as his father's, and the backstage games between Rome and Byzantium to control what now we can call the Banate of Bosnia started

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<sup>12</sup> In fact the proper name for a Bosnian nationality not linked to any foreign state will be 'Bosniak' and we will use it after introducing further information on the subject, since the word changed meaning through centuries.

again. Stjepan was dethroned in 1232 by the Bogomils, backed by the Byzantine Empire which had the interest to keep the Roman and the German influence as far as possible from its borders.

The Banate was divided in few smaller banates. The Banate of Lower Bosnia was under Hungarian influence while the Upper Bosnia was shared between local landlords.

The core of the Banate of Kulin was unified by the beginning of 14<sup>th</sup> century by the Croatian Catholic family of Šubić, which administrated the land as an Hungarian vassaldom. A Bogomil landlord, Stjepan I Kotromanić ruled the country until 1314 when the Šubić's came back to power. Just few years later, Stjepan II was recalled by the Bosnians and he included into his dominion a principality called Hum, which is going to become later what we know as Herzegovina, giving the state an access to the Adriatic Sea. Despite these successes, the state was not stable and, in order to count on Hungarian protection, the Ban embraced Catholicism, turning his back on the Bogomils and on the Bosnian Church who supported him.

In 1353, Stjepan's nephew Tvrtko was appointed ban by the Hungarian king Louis I. Under his rule, the Bosnian State reached its largest extent and its greatest importance. In 1377, after reunifying the whole Banate under his control and conquering cities and territories from other States, he crowned himself King of Bosnia and Serbia, and 13 years later, after conquering Dalmatia he changed the title to King of Raška, Bosnia, Dalmatia, Croatia and Primorje under the name of Tvrtko I. By crowning himself king, he declared Bosnia independent from Hungary, although formally he was always a Hungarian vassal.

It's interesting to notice that the Bosnian king was considered by many Yugoslavian historians as a 'proto-Yugoslavian' leader, who represented a hope for both Croats and Serbs<sup>13</sup> and who gave Bosnia the occasion to fulfil its historical mission as a link rather than a boundary between Croats and Serbs, including both in his state<sup>14</sup>.

He died in 1391 and his heirs were not able to keep the power, giving the local landlords a perfect occasion to get more autonomy. The Principality of Hum changed name to Herzegovina under the prince Stjepan Vukčić who obtained from the Holy Roman Emperer Frederick III the title of Herzog (duke) and was not any more under central Bosnian control.

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<sup>13</sup> Novak Viktor, 'Antologija jugoslovenske misli i narodnog jedinstva (1390-1930)' quoted in Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day*, pp.15-16

<sup>14</sup> Čorović Vladimir, 'Politicke prilike u Bosni i Hercegovini' quoted in Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day*, p.73

The central state was weaker and weaker and it felt again under foreign vassaldom, at times Hungarian or Turkish Ottoman (who had conquered and replaced the Byzantine Empire in 15<sup>th</sup> century) until 1463, when it finally became an Ottoman vassaldom. Not even 20 years later, in 1482, Bosnia (including the briefly independent lands of Herzegovina) became an Ottoman province ending its experience as an independent state.

It's possible to consider that the arrival of the Ottomans somehow put the end to an era and, before moving on to see what happened in Bosnian lands after the coming of the Ottomans, we should stop and analyse what this era left, in particular those features such as ethnicities and identities that would become a leitmotiv across the centuries up to the speeches of today's leaders and that we will find really often when further analysing today's situation of Bosnia and Herzegovina.

What this confused period left is a division between the Slavic tribes who lived in the area in three peoples: the Croats who lived into the Kingdom of Croatia, a personal union of the Hungarian Crown, the Serbs living in Serbia which felt under foreign rule many times but which was never destroyed as a nation, and the Bosnians<sup>15</sup> who lived in what it was the Banate of Bosnia, exactly in the middle between Croats and Serbs and on the boundary between Eastern and Western Churches.

At this point we cannot use the word 'nation', at least to its modern extent, to define these three populations. If its true that the modern idea of 'nation' is a 19<sup>th</sup> century product, it doesn't mean that these three populations didn't have differences at all, nor that the belonging to a certain community was not a shared feeling, especially between the cultural and political elites.

In one of the most ancient books the human kind wrote, the Bible, there is a recall to the 'nations' and the idea that the divinities who created the world divided it into 'nations', often direct heirs of a mythological character, it's easy to find in pretty much every cultural tradition. This concept of 'nations' has little to share with the 'nations' developed in 19<sup>th</sup> century but it denotes that a cultural 'national consciousness' had always existed.

The national consciousness that the pre-romantic populations had didn't regard political or even specific cultural goals. It was more like the consciousness of having shared traditions and cultural features with other people and was a matter for intellectual circles<sup>16</sup>, that lately used such a traditions as nation-developing elements.

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<sup>15</sup> The word 'Bosnian' referred to this period has a different meaning than what it has today as we will see in the following chapters. Now we use it as 'inhabitant of what it developed to the Banate of Bosnia' since we can not talk about clear nationalities in its modern extent until the middle of the Ottoman period

<sup>16</sup> Banac Ivo, *The National Question in Yugoslavia*, (New York: Cornell University Press, 1984), pp. 21-27

Medieval Croats (both those living in the Kingdom of Croatia and those living in Bosnia), Medieval Serbs (from Serbia and from Bosnia) and Medieval Bosnians had a lot in common starting by the Slavic origin, the sharing of the territory (we must not to forget that the boundaries in the medieval age were not clear and certain as they developed later) and a common and irrefutable cultural background, characterized principally by the languages they spoke, considered by linguistics, in the less optimistic view, as a dialect continuum.

But they had also a deep difference, which was of course the religious issue. This actually hides the real and the basic difference we could notice in these first centuries of history and state institutions in the Balkans: religion did spread foreign culture, which created the basis for the foreign influence on the states. The Roman Catholic Croatian State was tied to the 'West', the Orthodox Serbian State was tied to the 'East' and the Bosnian State was in the middle, trying not to fall neither under one power nor under the other. They could count on a native church supported by many landlords and local nobleman (we saw that also few Bosnian kings were members of the Bosnian Church before they denied their faith to gain foreign support, not desired but necessary to keep the power).

Actually in Bosnia the three confessions lived in a substantial harmony and the religious issue had two meanings: for the rulers, as we saw, was an important political weapon; for the people of the countryside, instead, it left traditions and folklore that, although they had no great matter in everyday's life, constituted one of the main reasons for the identification into nationalities during the 19<sup>th</sup> century for the religious groups living in Bosnia (and two of these three groups had a link, found they core in foreign countries like Croatia and Serbia<sup>17</sup>).

As seen, this policies were reflected by the choices that the political elites took in the centuries we analysed, and will become more and more clear and decisive in the next centuries we will examine, at least until the birth of the idea of 'Yugoslavia'.

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<sup>17</sup> One of the key points in the Bosnian national question is that two group are aiming to merge with foreign countries instead of having their own State within Bosnia.

## CHAPTER 2

### Under Foreign Powers

The Ottoman Turkish had conquered Byzantium in 1453 and were heading to Europe already since the second half of 14<sup>th</sup> century. The lands of Bosnia were in the Ottoman aims since the very first moment and the lack of power caused by the death of Tvrtko made things for them even easier. Already in 1463, Bosnia was an Ottoman vassaldom, and not even Hungarians could face them. This put Bosnia under their influence once again. In 1482 the Province of Bosnia was established. It's necessary to remark that when referring to the Province of Bosnia we are talking about an area covering approximately the former Bosnian Kingdom, so this means both today's Bosnia and Herzegovina (just for a short while in 19<sup>th</sup> century Bosnia and Herzegovina will be two different provinces within the Ottoman Empire).

#### **The Ottoman Rule**

The three centuries of Ottoman rule (it lasted until 1878) brought important institutional reforms as well as huge social transformations that moulded the Bosnian society on the three-nationality pattern we find today, taking the country to the modern era.

About the institutional reforms, the territory of the Bosnia Eyalet (Ottoman province), ruled by the *beylerbeyi* was divided in many *sanjaks* (a smaller administrative unit) that were across the years merged and reduced in number. For few years, between 1833 and 1851, Herzegovina formed its own Eyalet. Both the *elayets*<sup>18</sup> were reunified in 1864 to form the Bosnian Vilayet, a new administrative division of the Ottoman Empire. This reform was part of a reform that for the first time attempted to introduce a modern legal framework, though not a proper Constitution in its modern meaning. It would happen only more than thirty years later, in 1910.

In 1875 the *sanjak* of Herzegovina was separated once again to form its own *vilayet* and when the rebellion of 1875 started it was widespread between the international public opinion as the rebellion of Bosnia and Herzegovina provinces. In 1877 the Vilayet of Bosnia was once again established but

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<sup>18</sup> When using the word 'elayet' and 'vilayet' we will use the capital letter when referring to the Bosnian (or other) Turkish province. Otherwise the word refers to the general concept of Turkish province.

when in 1878 the Austrian took the leadership the name they used to refer to their new province was 'Bosnia and Herzegovina', which has become since then the name of the country<sup>19</sup>.

Beside the institutional evolution which set up the modern shape of Bosnia and Herzegovina, we can observe a huge transformation of the society. Before the coming of the Ottoman, we had three populations living in the country, even though they embraced different faiths. The real division was between the landlords, which choose one or other faith according more to political, rather than religious reasons. As Hoare observes, the three pre-existent faith groups didn't turn automatically into the three nationalities started to develop during the Ottoman period and on which is based today's Bosnia<sup>20</sup>: the Bosniaks (or Muslim Bosnians), the Bosnian Croats (or Catholic Bosnians) and the Bosnian Serbs (or Orthodox Bosnians)<sup>21</sup>. The process was complex and is not possible to reduce it to a simple equation 'Bosnian Christians = Muslims' or 'Catholics = Croats'.

The first noticeable thing studying the Ottoman period is the enormous amount of people that moved through the Eyalet from almost everywhere in Europe. The migratory movement didn't have a stop and every group of people brought something to the Bosnian culture.

As expected, the new rulers came in a large number, bringing a new faith which was, until then, unknown in the Balkans: the Islam. However, also large amounts of Jews arrived in different waves, the first in 1492 when Spain exiled all the Jews who refused conversion from its territory.

In the 17<sup>th</sup> century other Muslims arrived from Hungary and in 19<sup>th</sup> century from Serbia, when the lands were reconquered by the Christian powers.

The Catholic immigration was also large: many individuals from different nationalities arrived to Bosnia (for instance from Dubrovnik or from Italy). A part of them converted to Islam whilst the rest were integrated or assimilated mainly by the Bosnian Croat nationality that was originating during this age. A really good explanation of what such a mix produced can be find in the words, once again, of Marko Attila Hoare:

*'...just as blood ties between members of the different Bosnian nationalities could be strong, so blood ties between members of the same Bosnian nationality could be weaker.'*<sup>22</sup>

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<sup>19</sup> We will use when possible (for instance when referring to culture or to the land in general) only the name Bosnia and the adjective Bosnian, whilst the name Bosnia and Herzegovina and the adjective Bosnian-Herzegovinian will be used only when strictly necessary (for instance when referring to the government or other state institutions).

<sup>20</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), pp. 41-43

<sup>21</sup> See Chapter 9 for further information about the question on current denomination of the three nationalities.

<sup>22</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 44

In listing all the migrations that interested Bosnia we remarked the religion of each group. That's because it's undeniable that the modern nationalities grew out from the religious communities which lived in Ottoman Bosnia. Ottoman society, hence also the Eyalet (and later the Vilayet) of Bosnia, was organized following strict religious principles (the Sultan of the Golden Horn was both a political as well as a religious leader). The growth of the Muslim or Bosniak nationality was determined mainly by such a state system. The formation of the other nationalities from other religious communities were largely determined by the role, mainly political and cultural, the respective community was able to play in a multi-religious context.

During the medieval ages, the faith of an individual represented a cultural and spiritual matter, linked to traditions, holidays and epic songs. Only for the landlords it represented a weapon in power games. In the Ottoman period instead, with the strong rule of a foreign state, the power games changed their essence and the belonging to a certain religious community became a social factor with practical reverberations on the normal life of the singles, especially in the countryside. Among the urban society, the religious matter became more like a background for the cultural elites than a real social distinction. The transformation of the communities into nationalities will happen, as explained later, when the intellectual movements from the cities will meet the social distinctions of the countryside; the urban elites will use the 'national consciousness' we mentioned before to develop the idea of 'nation' to its modern extent, with clear social and political goals (what we defined as 'pre-romantic national consciousness' rarely had these objectives).

It's necessary to add that the shape of the three communities that became nationalities, at once very similar and very different, was also influenced by the relations they had during the whole Ottoman period (even if this applies also for the Austrian and, to some extent, also to the Kingdom of Yugoslavia period). The communities had developed a 'Bosnian' interest which grew stronger and stronger, since every community resided in Bosnia was bound to share the land with the others, but also an 'extra-Bosnian' interest, since they felt somehow close to people who had other homelands (Serbia and Croatia).

We start by taking into account how the first community started to evolve into the Bosniak nationality, also called the Muslim Bosnians.

Before the arriving of the Ottoman, there already existed a community which was neither Catholic nor Orthodox: the Bosnian Church. Although there is a popular myth about its foundation,



according to which almost the totality of the members of this church embraced the Muslim faith and originated the Bosniak nationality, in reality things are not so simple. We saw that Bosnia was touched by many migratory waves that influenced the demographic composition and which had an utmost importance in the inception of the Bosnian Muslim nationality.

A Muslim elite emerged mainly in Bosnian cities alongside the Ottoman urban expansion. The most important cities in Bosnia grew in importance thanks to the Ottoman expansion, and was in the urban centres that the Islamisation activities were more intensive.

It's important to say that in the urban areas cohabitation was easy between Muslims, Catholics, Orthodox and Jews whilst the tensions were present in the countryside, where the property of the land and the exploitation of it by the landlords was more evident.

The Vienna War had a great effect on the birth of a national identity among the Muslim community. After the fight, Bosnia represented again the boundary between East and West, the Province facing Christianity. The re-organisation of the defence of the province involved the creation of a Bosnian military, consisting of Islamic population. The leadership of each district called *kapetanija* was held by a *kapetan* who was directly under the authority of the *beylerbeyi*.

Furthermore, to make the mobilisation easier in case of a new war, the Muslim population of the countryside was almost freed from any feudal obligation. Muslim peasants therefore had a better social condition than that the Christian peasants had and that on a religious ground.

The position the Muslims had after the military reform, as members of an autonomous defence force against the Christian powers, understandably shaped and influenced their identity.

In 1737 Austria was trying to invade Bosnia and the *beylerbeyi* Ali-Pasha, when the notables decided to resist to the invader and to disregard eventual contrary instructions from the Sultan. They achieved a stunning victory in Banja Luka and it was an independent Bosnian success, not led nor organised from Istanbul.

Both the Orthodox and the Catholic community helped the achievement and not only the autonomous Muslim defence force fought against the Austrians, but in the popular Bosniak consciousness the battle of Banja Luka has a primary place also today.

The military facts we have just analyzed did act as a kind of incubator of the Bosniak national identity, which will develop further and finally emerge in 19<sup>th</sup> century, when the Bosniak elite rose against the Ottoman state.

At the beginning of the 19<sup>th</sup> century, the Muslim elite of Bosnia was forced to face the reality: the

Golden Horn was introducing reforms which would change in a more oppressive way the structure of the state; the Christian powers were eager to expand on the Ottoman lands and, whenever they succeeded, they used to expel the Muslim population out of the conquered territories; the Bosnian Christian population was unhappy because of the oppression by the Muslim elite. Considering this, it is clear that the interest of the Elayet didn't coincide with those of Istanbul any more, and alternative ideas started to circulate between among the Bosniak elite (similar facts and thoughts were common to all the Muslims of the European part of the Ottoman Empire). It's interesting to notice how the post-Ottoman identities and sceneries were born between those who were the most close to Istanbul and that always had felt identified with the Ottoman Empire.

The occasion for an uprising of the Bosnian elite occurred in 1830 when the Sultan decided to transfer few territories (six municipalities) to the newly autonomous Principality of Serbia. The revolt was an attempt to defend the rights and the autonomy that Bosnia had gained in centuries of key role-playing for the Ottoman empire; this is considered the first modern autonomist revolt against the central power.

The leader of the revolt was Husein-kapetan Gradašćević, who tried to emulate the Serbian neighbours who, some few years earlier, had established with a similar revolt the aforementioned *de facto* independent Principality of Serbia. He had a conception on Bosnia based on ethnicity: Bosnia had to be the state of the Bosniaks, what he consider to be only the Muslim Bosnians; thus, he never tried to involve the Christians into the rebellion, nor to change the discriminatory condition in which they lived. He did not even try to put the national identity on a higher level than the religious one, calling himself a Turkish and addressing the Ottoman regular army as an 'infidel'.

Despite Gradašćević's declarations, historical proofs about a Christian involvement in the revolt does exist, meaning that in its latter phase it had a wider Bosnian rather than Bosniak (in Gradašćević's meaning of the term)<sup>23</sup> dimension.

The revolt was crushed also with the help of a Herzegovinian landlord named Rizvanbegović, who was aiming to build an own dominion (in fact Herzegovina was established as an independent *eyalet* as a reward for the help against the rebels), but the existence of a proto-nationality born from the Muslim community was already a fact and it will later indentify itself with the concept of Bosniak nationality developed in late XIX century by the Austro-Hungarian rulers, starting a major issue of Yugoslavian domestic policy in XX century .

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<sup>23</sup> Referring to the note 8. let's observe how the adjective Bosnian is used to refer to the inhabitants of Bosnia (and often of Herzegovina as well) and the word Bosniak to refer to the nationality born from the Muslim Bosnian community. For further information see note 16.

Now, we have to consider the second nationality which started to come out during the Ottoman: the Bosnian Serb, or Bosnian Orthodox nationality.

In the same way as the Bosniaks (or better what the final meaning of the word will be), there already existed a group called 'Serbs' in medieval Bosnia, mostly of Orthodox faith, residing in Herzegovina and linked to the Serbian states vassals of the Byzantine empire. Again, in the same way as the Bosniaks did, those Serbs didn't evolve straight into the Bosnian Serb nationality; instead, they rather assimilated, and mixed with the other communities.

What is different, is that the real core of the modern Bosnian Serb nationality is made of the Orthodox Vlachs, who arrived in Bosnia during the Ottoman period, and who were slavified and integrated by the resident populations<sup>24</sup>. The medieval Serbs must indeed be included among the ancestors of the modern Bosnian Serb nation, but their emerging as a nationality is a product of the Vlach emigration during the Ottoman years.

They came to Bosnia from Serbia after the fall of the Bosnian medieval states; Even if they were not originally from Serbia, during the time they resided there they converted to the Orthodox faith and started to share with the Serbian people the same religious traditions.

Within the Ottoman military machine, they could count on their own troops, autonomous and dislocated on the northern border; like the military system had helped in building the Bosniak identity, it had the same effect on the Bosnian Serbs.

The main role in developing the national identity was played by the Orthodox Church: in 1577 the Serbian Patriarchate was re-established and the Bosnian Orthodox Church fell into its jurisdiction (and it was re-established by a Muslim ruler of Orthodox origin, Mehmed-Pasha Sokolović).

Until the matrix of the nationalisms of 19<sup>th</sup> century had not risen and stated the existence of a Bosnian Serb nationality, we can talk only about an incubation of the nationality characteristics among the Orthodox people; however, the patterns of this incubation were different between the urban and the rural population.

The urban population lived in a richer context where the skills and the interaction were important as the cultural or religious factors. This means that, beside the religious and 'proto-national' sentiments, the urban population developed an urban feeling shared with Muslims, Catholics and Jews.

They often had common positions against the central government and their identification of Bosnia as their homeland often recalled the one the Muslims had. After the Ottoman reform, developed

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<sup>24</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), pp. 70-81

during the middle of the 19<sup>th</sup> century, they become able to play a role in collecting taxes. This placed them on the social ladder just below the Muslim elite, but above the Orthodox villagers who were actually exploited by the people with whom they shared the same faith.

Otherwise, in the countryside the religious break represented also a different social condition: the words 'Muslim' and 'Orthodox' were tied to the words 'Land-holder' and 'Peasant' respectively. The rural society was pretty much moulded on medieval patterns, with high taxation and servile obligations. For the view a 18<sup>th</sup> or 19<sup>th</sup> century peasant had, the enemy was rather the local Muslim landlord rather the whole state system run by the Sultan, and the church was seen as the only relevant friendly institution.

The Bosnian Serb national identity emerged more clearly and started to develop towards what it is today when the urban incubator met the rural one. It happened in early-middle 19<sup>th</sup> century when the whole Europe was crossed by national and nationalistic post-romantic ideas.

The first Bosnian Serb national movements in 1840s called themselves 'Bosniaks', as the Muslims had done before. This ideology included all the elites, even not excluding the Muslim one, and had a strong urban and Bosnian character. Serbia was regarded as a sister, but not as a homeland<sup>25</sup>.

In the '60s, a Bosnian Serb movement emerged with the goal of a Bosnian uprising against the Ottoman rule. One of the main leader of this movement was the Serbian Prime Minister Ilija Garašanin, who was also one of the ideologist of the Great Serbia project.

Muslim beys were favourable since they were totally alienated from the Ottoman centre (the Muslim Bosnian led revolt had been defeated 30 years earlier) and were also fearful of the Austrian expansion.

From his side, the Serbian government was favourable to maintaining the properties and rights of the Muslim elite, but only if they would accept the Prince of Serbia as their sovereign in case of the success of the movement. The Bosnian Serb nationality (we can now define it clearly a nationality since their characteristics and their political activity denotes that the incubation period finished) was favourable to cooperate with the Muslim Bosnians (they were not calling themselves Bosniaks any more as they were doing 20 years earlier) but the initial enthusiasm slowly cooled down as they started to instil a pro-Serbian mentality and identity among the Muslim Bosnians. Instead, in the aforementioned 'rural incubator', the Bosnian Serb ideas about rising against the Ottoman were

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<sup>25</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), pp. 53-54

accepted and became popular. By meeting the rural part of the Bosnian Serb population, the Bosnian Serb national movement started to move in an anti-Muslim direction, looking rather to Serbia than to Bosnia. By doing so, it developed as one of the three nations of Bosnia and Herzegovina.

To conclude the analysis of the social transformations occurred during the Ottoman period, we must see how the third nationality did start to grow out. The Bosnian Croats, or Catholic Bosnians, are undoubtedly the national group which has kept the strongest ties with the medieval Croat population dwelling in the Banate of Bosnia in pre-Ottoman ages.

The Catholic tradition was preserved by the Franciscan Order, which was introduced in Bosnia in 1291, when the north of the country was ruled by a Croatian family, the Šubić's. The Franciscan friars were institutionalised by the Pope in the mid-14<sup>th</sup> century, and they were trying to defeat the Bosnian Church that was influencing many Bosnian landlords.

After the Ottoman conquer, they were awarded recognition by the Sultan Mehmed II, who considered and treated them as the representatives of the Catholic Church in Bosnia.

Even after the Vienna War, which caused an exodus of the Catholic population and the reduction of their jurisdiction in mid-18<sup>th</sup> century, they succeed through great efforts in granting the survival of a Catholic community, which in the future would turn into the Bosnian Croat nationality. Despite the traditions it shared with the ancient Croat community, between the 18<sup>th</sup> and 19<sup>th</sup> century the Catholic community spoke a language they called Bosniak and they carried the values and the idea of a unique, non religiously-divided Bosniak nationality<sup>26</sup>, as the Muslims and the Orthodox movement did in the same years.

During the 19<sup>th</sup> century, the widespread of the trans-confessional Bosniak-oriented ideology taught by the Franciscan (all the Catholic schools were controlled by Franciscan Order) has to be interpreted into the wider context of that time, when a new ideology was getting the upper hand: the South Slavic community, a proto-Yugoslav ideology which was developing among intellectuals in Serbia and in the Austrian-Hungarian Empire.

Ivan Franjo Sukić, a Bosnian Catholic intellectual and Franciscan friar, wrote a book in 1851, entitled 'Geography and Short History of Bosnia', in which he stated that the Bosniaks were one of the three South Slavic nations, together with the Croats and the Serbs.

The Bosnian Catholic friar Antun Knežević, who worked in the last years of the Ottoman rule,

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<sup>26</sup> In its origin the term 'Bosniak' referred to all the natives of Bosnia regardless of the religious faith. It's after that there is a clear division of the Bosnian society into nationalities and especially after the creation of the Yugoslav state that it started to be referred precisely to the Muslim nationality. For further information see page XX

further developed the idea of Bosniaks as an unique nationality, independent of their religious faith. According to his thought, all Muslims, Catholics and Orthodox were Bosniak by nationality, a concept that somehow anticipated the post-Yugoslavian war concept of Bosnian Citizenship despite the religious faith.

In the 19<sup>th</sup> century, the Catholic Bosnian community was smaller in numbers than the other two communities, and the Bosnian Catholic Church did not have enough strong ties to the Croatian Church as much as the Bosnian Orthodox had towards the Serbian Church. That's the reason why we see many scholars of the second half of 19<sup>th</sup> century who are still talking about a Bosniak nationality; it is also the reason beneath their slower transformation into a nationality: they identified themselves as a distinct national group only after the fall of the Ottoman Empire.

The decisive influence came from abroad, from Croatia and Dalmatia: the first leader of the Bosnian Croat movement was not a Bosnian Catholic, but a Croat from Dalmatia who was willing to create an opposition to the rising Bosnian Serb movement. Other influences came from outside in a series of Croatisation activities supported from abroad. The Croatian nationalist Josip Strossmayer, who founded a seminary in 1857 to train in Croatian national ideology the future Franciscan friars of Bosnia, had a strong influence on the movement; this was followed in 1865 by the foundation of the first Croat school in Sarajevo. When the Ottoman Empire left Bosnia in 1878, the Croatisation had already had some impact on the Catholic Bosnian community. The identification of the community with a nationality, which had already been done by the Bosniaks and the Bosnian Serbs, became a reality soon after<sup>27</sup>.

After seeing the birth of the three national groups that form the modern Bosnian society, we have to make some considerations on what the Ottoman period left before moving on to the facts of 1878 and the establishment of the Austrian province of Bosnia and Herzegovina.

The rise of three distinct national consciousness during the Ottoman period is indeed the result of the intellectual activity of the urban elite; however, the division of the Bosnian society into the three main national groups was possible only because of the character of the rural society, which was divided into the religious groups. These groups were not only not mixed together; what's more, the relations among them were vertical, rather than horizontal. Only at the time when the ideologies which were born in an urban context did meet the social system of the countryside, Bosnia was clearly divided into different into groups that call themselves 'nationalities', even if at that moment

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<sup>27</sup> Donia Robert J., 'The Proximate Colony' in *Wechselwirkungen. The Political, Social and Cultural Impact of the Austro-Hungarian Occupation on Bosnia-Herzegovina, 1878-1918* (New York: Peter Lang, 2008): 2, <http://www.kakanien.ac.at/beitr/fallstudie/RDonia1.pdf>

they lived in a substantial harmony with good-neighbourliness relations and, the most important, with no inter-ethnic tension or hostility. But in any case, quoting the Bosnian Serb partisan Dejan Kočović from Hoare's 'History of Bosnia':

*'...the word 'nation' which continued to divide us into 'us' and 'them' ....'*

And again:

*'Up till now I had not been able completely to understand that the term 'nation' or 'nationality' [...] was the same among the Muslims as it was among the Serbs and the Croats in Bosnia'<sup>28</sup>*

It is possible to say that the nations and the rise of nationalisms, at the end of the Ottoman period, are still in an early post-romantic phase. Nations are considered as different flowers in a beautiful garden and little or no conflict at all is present<sup>29</sup>.

To better comprehend the state of the 'national question' in mid and late-18<sup>th</sup> century, we can analyse it through the phases defined by the Czech scholar Miroslav Hroch. During those years, Bosnia was at the end of the so-called B-phase: after a romantic idealistic phase, in which played an active role exclusively the intellectual circles (A-phase), some intellectuals started to get into politics and to spread the ideals developed within their circles among the mass. This was generally done in a non-violent way, even against the 'oppressors' (in this case the Ottoman Empire, seen as an invader). When the complete support by the masses was obtained, it is possible to define the transition towards the C-phase, where the national states, shaped as we know them today, were established<sup>30</sup>. We will see that during the years of the Austro-Hungarian government and with the establishment of the Kingdom of the Serbs, the Croats and the Slovenes (later Kingdom of Yugoslavia).

Considering the analysis we have done, we can somehow use the term 'protonationalities' to define the national movements rising in Bosnia in mid 18<sup>th</sup> century. Those movements started to move towards a modern national concept of "nation", but where still little more than ethno-religious groups trying to gain a role in state administration.

To see the final shift from ethno-religious groups to national and nationalist movements, it's necessary to examine what happened during the Austrian period, when modern institutional state structures were introduced (and consequently, the social and economical structures were joined

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<sup>28</sup> Vučković Milan, 'Dobrovoljac (srećna nova 1941)' quoted in Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day*, p.57

<sup>29</sup> Banac Ivo, *The National Question in Yugoslavia*, (New York: Cornell University Press, 1984), pp. 27-28

<sup>30</sup> Hroch Miroslav, *V národním zájmu*, (Praha: Nakladatelství Lidové Noviny, 1999), pp. 14-16

and began to turn into European standards)<sup>31</sup>.

Before moving on to examine the colonial period, there is a fourth proto-national movement in addition to the Muslim-Bosnian, the Orthodox-Serb-Bosnian and the Catholic-Croat-Bosnian that deserves to be mentioned and briefly examined. This movement is going to be basically unsuccessful until the establishment of Socialist Yugoslavia, and that many intellectuals and politicians are trying to re-propose after the independence of the country in the 1990s: the idea of a non-religious oriented Bosniak nationality, supported by Muslim, Orthodox and Catholic intellectuals. As we saw the idea was not successful, and was absorbed by the three national 'religious' movements. However, it still represents an important heritage for the modern days and for the post-bellum context.

### **The Austro-Hungarian Takeover**

A new phase in Bosnian history opened in late 19<sup>th</sup> century when the Ottoman Empire started to withdraw from the Balkans and the Austrian-Hungarian Empire tried, and succeeded, in filling the lack of power the retreat created. This new era will be determinant in structuring the nationalities model and will end with the creation of the Kingdom of Yugoslavia, carried by the wind of self-determination.

In 1875, an important rebellion against the Ottoman Empire promoted by the Christian elites -and particularly by the Orthodox- took place in Bosnia and Herzegovina. The factors behind this move are to be found in one of the principal features of the Bosnian Serb nationality's 'rural incubator': the contrast between the situation of the Orthodox peasantry, oppressed by taxes, and the members of the leadership front, who resided into the 'urban incubator' and were represented by the intellectual Bosnian Serb elite of the cities with a national consciousness. Members of the rebel leadership met up in late 1874 and established what they called the 'Bosnian national parliament' which appealed to the foreign powers for international recognition.

During the revolt, the Orthodox elite expressed once again the dualism we were able to observe since the early stages of the development of the nationalities. They appealed to the "Serbian land of

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<sup>31</sup> Donia Robert J., 'The Proximate Colony' in *Wechselwirkungen. The Political, Social and Cultural Impact of the Austro-Hungarian Occupation on Bosnia-Herzegovina, 1878-1918* (New York: Peter Lang, 2008): 1-3, <http://www.kakanien.ac.at/beitr/fallstudie/RDonia1.pdf>



Bosnia”, recognizing it as a Serbian territory, but conserving indeed its own character.

This became stronger after March 1877, when Serbia signed a peace treaty with the Ottoman Empire, whilst the rebellion was shaking Bosnia.

Revolt leaders understood at a later stage of the revolution that their goal should have been first of all the independence of Bosnia, and only afterwards they should work to reach the union with Serbia.

One of the best explanations of such a dualism can be found in the writings of Vaso Pelagić, a Bosnian Serb who exalted the character of Bosnia as his fatherland and who stated that all Bosnians Catholics, Muslims and of course Orthodox were Serbs by nationality. The first achievement, according to Pelagić’s works, would have been a full independent Bosnia, and only later it should join Serbia in union on equal basis; other Balkan realities should then join the state, always as equal peoples. In doing so, Vaso Pelagić can be put between those who proposed a transnational idea that we will examine later and that will bring to the Yugoslavian state (although he was claiming the 'national unity' of the Serbs anyway).

Despite the effort of the Orthodox, the revolt was squashed; however, it gave the pretext to Russia to move against the Turkish Empire and extend its influence over the Orthodox peoples of the area (Bulgarians were involved in the turmoil as well). The consequent peace treaty (Treaty of San Stefano, March 3<sup>rd</sup>, 1878), promised to Bosnians an autonomous religiously-shaped parliament within the Ottoman state. The autonomy project was not destined to last: in June and July 1878 was held the Congress of Berlin, in which the European powers established new borders in Europe, affecting also Bosnia.

The country was assigned to Austria-Hungary for a provisional occupation; notwithstanding the fact that the Sultan was still being the ruler *de iure*, the state became an Austro-Hungarian colony.

After obtaining the promise of a autonomy in San Stefano, the Bosnian political elites were eager to start the parliamentary experience and Berlin's decision brought them together in organising some form of resistance to the new occupants in order to keep the benefits.

In fact the Muslim community, which held the majority of the key positions during the Turkish period, was split in two. The faction including the Muslim elite, to which belonged also the rich landlords, was favourable to receive Austria’s international protection, since they feared a Serbian or a Montenegrinian invasion and eventual annexation; they were aiming to keep social privileges, regardless to the ethno-religious belonging, and they called all the Catholics, the Orthodox and the Muslims to cooperate with the Dual Monarchy.

The other faction, which included Muslim populist and radicals, intended to resist the occupiers and had originally a strong Islamic character (they had already been involved in anti-Orthodox actions in early 1870s).

An authentic uprising against Austria-Hungary stemmed from the meeting of both movements. The populist and radical faction took the leadership with a contradictory attitude: as their first move they called to the revolt all the Bosnians, without any consideration to the religious faith. In doing so, they seemed to have shifted from original strong religiously-oriented positions to more non-religious ones, similar to those backed by the Muslim elite.

Nevertheless on the other hand they tried to dismiss all the non-Muslims from any public position, to remove the bells from the Orthodox Cathedral of Sarajevo and, most importantly, to impose sharia as the law of the State.

Following a short mediation their position was reconsidered and changed and they called only for the union of all the Bosnians against the Austrians. On the 5<sup>th</sup> of June the People's Assembly met for the first time.

The first assembly included only Muslim members. However, 5 days later, the composition of the assembly was restructured in order to involve all the ethno-religious groups in the fight against the Austrians. The Muslims had 12 seats and the Orthodox had 2, soon incremented to 5 after complaints by the Orthodox. The other ethno-religious communities represented were Catholics (2 seats) and Jews (one seat). All the delegates were from Sarajevo, while two extra seats (one for a Muslim and one for an Orthodox) were reserved for delegates from the other 6 sanjaks.

The final setting of the assembly was set in mid July and included thirty Muslims, fifteen Orthodox, three Jews and two Catholics. Few days later, between July 27<sup>th</sup> and 28<sup>th</sup>, the crowd revolted against the Ottoman commander, who was arrested and forced to resign by the People's Government established by the People's Assembly.

The assembly established also a People's Army and started to organise military resistance (many Muslim landlords, who were favourable to the Austrians, left the movement) and on August 7<sup>th</sup> the People's Government declared:

*'We who live in Bosnia, Muslims, Christians and Latins [i.e. Orthodox and Catholics], are united in our belief in resisting the enemies....The defence of the homeland is the duty today of all the peoples, who live within it'<sup>32</sup>*

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<sup>32</sup> Imamović Enver, 'Historija bosanske vojske' quoted in quoted in Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day*, p.69

Despite the efforts and the heavy resistance, ten days later, on August 19<sup>th</sup>, Sarajevo was forced to surrender to the Imperial Army and the Austro-Hungarian era could start.

Although its lack of success, the movement is still remembered because of its 'Bosnian' character. Ethnicities are never (or little) mentioned; leaders instead referred often to Bosnians with 'different faiths', confirming that it is not possible yet to speak about a proper national or at least ethnic division of Bosnian society: it is indeed divided, but the source of this division at the start of the Austro-Hungarian period is more a religious than a 'national' issue.

We need to notice that during those days the Muslims tried again to implement the sharia, as reported by the British council but overall the multinational or better the Bosnian<sup>33</sup> character was pre-eminent.

The Dual Monarchy replaced the Golden Horn, even if at the moment just *de facto*, and was willing to establish a strong control over the region in order to prevent Russian intervention as well as a Turkish (unlikely) comeback.

Imperial policy-makers considered and recognized Bosnia as a colony as well as the public opinion did. A peculiar feature of the relation was that Austria-Hungary and Bosnia shared common borders, a fact that is actually very unusual in colonial relations where usually the colony is far away from the motherland. If at that time the colonial status could be attributed because of the vertical relations between colonizers and colonized, and the 'mission' the colonizers used to claim they had, the true reason making Bosnia a colony is to be found elsewhere.

The scholar Frederick Cooper, in his works regarding European colonialism in Africa, demonstrates how, more than the relations between the two societies, the real core of colonialism can be found in the deep consequences it has left, including the social changes, often unintended and unexpected, on both the colony and the colonizing state.

In this context it is definitely easy to find those changes both in Bosnian and in Austro-Hungarian societies. In fact, often those changes were even deeper and stronger than those occurred elsewhere because of the proximity of the two parts<sup>34</sup>.

The Austro-Hungarian control would last until the end of the First World War and would shape the Bosnian society forever, playing a decisive role in the final phase of shaping Bosnian society before

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<sup>33</sup> By using the word 'Bosnian' in this case we mean that the main focus of the ethno-religious group was not to pursue national goals. The main focus was on defending the common borders of Bosnia and Herzegovina from an external menace acting almost as an unique nationality, even if keeping the different religious feelings.

<sup>34</sup> Donia Robert J., 'The Proximate Colony' in *Wechselwirkungen. The Political, Social and Cultural Impact of the Austro-Hungarian Occupation on Bosnia-Herzegovina, 1878-1918* (New York: Peter Lang, 2008): 1, <http://www.kakanien.ac.at/beitr/fallstudie/RDonia1.pdf>

the creation of Yugoslavia. Austro-Hungarian Bosnia was meant to be a 'model colony', at least in Vienna's intentions, to be developed and deeply reformed in order to bring it to the 'European standards', converting Bosnians into a faithful and docile nationality under the Dual Monarchy. In fact, the intentions clashed with social and economic interests, and the intended effects were almost not produced. Different policies were studied and applied, but if on one side urbanization and industrialization increased, on the other side little was obtained and ethno-religious differences and national consciousness grew considerably.

The Austro-Hungarian colonisation established a perfect ground for 19<sup>th</sup> century nationalism to penetrate into Bosnian society. We have analysed how the first national movements started to rise in the first half of the century and how they could take profit from the religious and social divisions that had developed in the Bosnian society to start spreading modern European national ideas. The Austro-Hungarian government helped those movements in radicalising their positions and in creating a fracture between nationalities: the ethno-religious groups completed their transformation into the three proper nationalities mentioned all along the chapter. It is important to notice that not always the three nationalities were in conflict between each other: on the contrary, from time to time they cooperated, and 50 years later, during Tito's government, serious attempts to "unify" the three Bosnian nationalities into a unique one were made.

## CHAPTER 3

### Modernity in Bosnia

It is now necessary to briefly introduce the concept of modern nation and to explain why it is different from any other concept of nation mentioned so far. At the beginning of the chapter, it has been stated that the modern concept of nation emerged after the Napoleonic wars; however, it did not appear from nothing.

#### **The development of Nationalism**

The word 'nation' is used in most books since the beginning of human history, since human beings have always been organised in groups<sup>35</sup>. Nevertheless, the word 'nation' has had, across the centuries, different meanings. At heart, it derives from Latin, from the word '*natio*', in English 'birth', and it was referred to individuals who shared the same blood origins. The concept of 'we' and 'others' was reduced to small communities. When it comes to bigger entities, as the Roman Empire, language became the discriminating factor (the 'others' where in fact '*barbarus*', from Greek language, a word that meant stuttering, referred to those who could not speak and understand the same language). The word 'nation' was actually not linked to the concept of state. The link emerges only after the peace of Westphalia, when the nation-state (centralised, unified and sovereign) starts its life. But in its origin, the nation-state is just a theoretical concept that still has to be developed.

The development of the nation-state comes with the French Revolution and Modernity, as was argued by Hans Kohn<sup>36</sup> already in 1939, during the climax of nationalisms in Europe. All the most appreciated scholars consider the current meaning of nation and nationality as a product of modernity. To better understand the reason behind this statement, it is necessary, first of all, to consider what a collective identity is. Identity, when mentioned in this work and when speaking of nations, is always referring to collective identity. Individual identity is the object of study of other branches of knowledge, and is usually considered as the factor that makes the individual univocally

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<sup>35</sup> Gellner Ernest, *Naciones y Nacionalismo*, trans. to Spanish Seto Javier (Madrid: Alianza Editorial, 2001), p. 77

<sup>36</sup> Kohn Hans, 'The Nature of Nationalism' in *The American Political Science Review*, Vol. 33, No. 6, (12/1939): 1001, <http://www.jstor.org/stable/pdfplus/1948728.pdf>

recognisable by the individual him/herself and by the others. Modernity introduced a collective identity through social, economical and political changes, that led people to seek identification into groups. Collective identity is the extension of individual identity to 'we': in the same way as individual identity makes the individual recognisable, collective identity makes a group of people recognisable, according to what they are and what they are not, creating a link among themselves while separating from the 'others'.

The nation is a response to the need of a collective identity; or, as it should be better said, nationality is the response, since the word, that starts to be widespread in early XIX century, defines and refers to the people who belong to a nation. Generally, in Slavonic languages -and for the sake of this work, in Serbo-Croatian- the word 'nation' and 'people' in the sense of a group of individuals who share some common features are both referred as '*narod*'<sup>37</sup>. Last but not least, nationalism is the active expression of nation and nationality, the exaltation of the national consciousness that could be pushed to different extents. It was largely used in XX century as part of those ideologies that focused on the exaltation of the superiority of a nation with respect to the others, but it was employed also by decolonisation movements such as, among the others, those in Indonesia or Western Africa.

The Irish scholar Benedict Anderson argues that modern nation nationalism has its roots in the fights for freedom of the Americans of European heritage, and that it arrived in Europe with the French Revolution<sup>38</sup> during the late XVIII century. He defines the modern nation as an imagined community, limited and sovereign. It is imagined in the sense that the members of the nation will likely never know every other single member of the community, but claim to just 'feel' their existence, making the nation itself alive in their minds. By stating this, Andersen did not intend that the nation is a 'false' community and that there exist a 'true' community; in fact, he argued that all the communities larger than just a village, where all the members are in close contact with each other, are in fact 'imagined'. Furthermore, it is a community because, despite the social differences, it is conceived as something to which everyone who has the national characteristics belongs. Under this light, the nation emerges as a socio-cultural concept, while nationalism emerges as a socio-cultural manifestation on the same level of religion or family relations rather than a political ideology<sup>39</sup>. Nation and nationalism are not necessarily a bad thing, as they are instead for other two

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<sup>37</sup> For this reason when speaking about constitutions the two words will be used in practically interchangeable way. When the terms won't coincide further explanation will be given.

<sup>38</sup> Anderson Benedict, *Comunidades Imaginadas. Reflexiones sobre el origen y la difusión del nacionalismo*, trans. to Spanish Suárez Eduardo L., 2<sup>nd</sup> Ed. (México D.F.: Fondo de Cultura Económica, 1993), p. 82

<sup>39</sup> Anderson Benedict, *Comunidades Imaginadas. Reflexiones sobre el origen y la difusión del nacionalismo*, trans. to Spanish Suárez Eduardo L., 2<sup>nd</sup> Ed. (México D.F.: Fondo de Cultura Económica, 1993), pp. 21-25

major scholars who studied the phenomenon, the British Ernest Gellner and Eric Hobsbawm. Gellner, like Anderson, argues that nationalism that invents the nation comes first; however, the British scholar depicts this phenomenon in negative way, placing its origins in Europe, explaining his theories through the fictional Empire of Melagomania and the State of Ruritania<sup>40</sup>, borrowed from Anthony Hope's Ruritanian romances. A concept on which they agree is that the modern concept of nation is an outcome of modernity and that it was 'invented' or 'created', according to Gellner or according to Anderson, using the cultural elements that could merge together, thus developing a nation.

Cultural elements have always been present in human life. The cultural elements present in human groups were however reconsidered during the early XIX century in a process that Hobsbawm, maybe too harshly, calls the 'Invention of Tradition'. To someone who has not read Hobsbawm's work, it could seem that tradition was created from nothing, while instead both Anderson and Gellner (and Hobsbawm himself) explain that it has been built from elements, such as the language, that are and have always been present in human life<sup>41,42</sup>. That baseline culture is what is called 'proto-nationality' in this work. What happened is that 'proto-nationalities' had been remoulded, their histories have been rewritten (facts have been changed, often invented) and their languages have been recreated, as it was necessary in order to give the nation a shape and a background. The significance of the cultural characteristics of the 'proto-nationalities' had been completely different than the significance the culture has for the modern nationality. It is not a feature any more, it becomes identity. Under this light, Hobsbawm's 'Invention of Tradition' gives perfectly the sense of what happened. Both for Gellner and Anderson, the first element in the nationality-building process was generally the language: languages were codified and standardised and consequently, through the press, widespread among the nation, where people often spoke just a dialect, intelligible with the official language to different extents. The language has always been a fast way to divide 'we' from 'the others'; with respect to that, the Greek -and then Latin- case of '*barbarus*' has already been mentioned. The Slavs did the same towards the Germans, their greatest rival at the time they settled in Central Europe. The Germans were called 'mutes', *n'm'c'* in Old Church Slavonic (and today *nijemac* in Serbo-Croatian, in similar in all the other Slavonic languages), since their language was not understandable to the Slavs. The theory is plausible and it works perfect when creating a national tradition: even if there are other theories, the one of the 'mutes' creates a sense of 'we' and

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<sup>40</sup> Gellner Ernest, *Naciones y Nacionalismo*, trans. to Spanish Seto Javier (Madrid: Alianza Editorial, 2001), pp. 83-86

<sup>41</sup> Anderson Benedict, *Comunidades Imaginadas. Reflexiones sobre el origen y la difusión del nacionalismo*, trans. to Spanish Suárez Eduardo L., 2<sup>nd</sup> Ed. (México D.F.: Fondo de Cultura Económica, 1993), pp. 28-30

<sup>42</sup> Gellner Ernest, *Naciones y Nacionalismo*, trans. to Spanish Seto Javier (Madrid: Alianza Editorial, 2001), p. 79

'the others' way better than attributing the origin of the name, for example, to an unknown village in Germany.

Another key role in some nationalisms, as in the case of this work in Bosnia and Herzegovina, is religion: it played a primarily role in shaping national features.

How the nation and nationalism widespread and became popular among the mass was studied and argued by Miroslav Hroch, who points out the three phases already explained in chapter 2<sup>43</sup>. When it was accepted by the masses and this is undeniable even in Anderson's view according to which nationalism is not necessarily bad, nationalism often had a role into political ideologies and in policies that took the world to war and caused the death of millions of human beings in the XX century. Anderson himself explains how it happened: nationalism turns into a dangerous thing when it is perceived as something higher, purer and unavoidable, since the nation is part of the fate of the individual. The complete disinterest of the nation, a higher and purer entity, was therefore perceived by the mass as the essence of the nation itself. On the other hand, elites and leaderships do not act that way: 'national interest' is often present in the minds of the politicians and the elites (cultural, economical and so on)<sup>44</sup>. In fact, it is from above, by the elites, that the process is guided and widespread, as argued by the cited scholars.

### **The specificity of the Bosnian case: the Linguistic question**

The development of nationalism in Bosnia and Herzegovina, or better of nationalisms since three main nationalities emerged, happened pretty much as elsewhere in Europe. But it has indeed few specificities that make it different from any other nationalism (and that led, in fact, to three nationalities). First of all, it was influenced from outside the country: nations with their core somewhere else than in Bosnia influenced portions of the Bosnian population, making them feel as belonging to nations outside country's borders. The second is the primary role of religion instead of the more 'classical' role of the language as the first element of national identification. In 1983, when Gellner first published his 'Nations and Nationalism', he spoke about a case in which the language was not enough to establish differences in what in 1983 was still Yugoslavia<sup>45</sup>. What was used to separate Serbs from Croats from Bosnian Muslims was instead religion ,on the basis of

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<sup>43</sup> See note XX

<sup>44</sup> Anderson Benedict, *Comunidades Imaginadas. Reflexiones sobre el origen y la difusión del nacionalismo*, trans. to Spanish Suárez Eduardo L., 2<sup>nd</sup> Ed. (México D.F.: Fondo de Cultura Económica, 1993), pp. 202-203

<sup>45</sup> Gellner Ernest, *Naciones y Nacionalismo*, trans. to Spanish Seto Javier (Madrid: Alianza Editorial, 2001), p. 98-99



which a tradition was consequently imagined. The imagination of the national tradition required a language, but only at a later stage. It was in this occasion that the political elites came to a problem. According to linguistics, there is only one language for Bosnians, Croats, Montenegrins and Serbs. The Yugoslav state referred to it in different times as the Serbo-Croat-Slovene, that actually makes no sense since Slovene is a complete different (though Slavic) language, or to the Serbo-Croatian. The latter reached an widely accepted standard already since the mid-XIX century (exactly when nationalism in the Balkans was in its early phase) with two different written forms, one that used the latin alphabet, used mostly by the Catholics (i.e. the Croats), and one that used the cyrillic alphabet, employed by the Orthodox (i.e. the Serbs). During Kallay's attempt of unifying Bosnia in one single nationality<sup>46</sup>, the language used in Bosnia was referred as Bosnian (again, the importance of language for nationalism). After the separation of Yugoslavia, the situation was taken to a ridiculous limit. Officially, today there exist four official languages (treated in linguistics as four standards of one language, BCMS from Bosnian-Croatian-Montenegrin-Serb), three of which have official status in Bosnia and Herzegovina, although are basically the same language. New words have been created and regional differences accentuated<sup>47</sup>, showing in contemporary years how the models proposed by Anderson, Hobsbawm and Gellner worked in XIX century.

## **Etnicity and nationality**

There is another word that often appears and it is 'ethnicity'. It is necessary to briefly go through the differences between 'ethnicity' and 'nation' in the contemporary context, in order not to confuse them, although they can coincide, especially in an optic such as Anderson's where nation is seen as a socio-cultural phenomenon. Instead, according to Hobsbawm, ethnicity is the socio-cultural factor that gives the nation the 'pedigree' it lacks. Ethnicity can be considered as the 'real', if such a word could be used, sense of collective identity; on the other hand, nation is the formalisation of such a sense performed by nationalism<sup>48</sup>. For this reason, the term is today used often to refer to minorities of modern nation-states, since the affirmation of the nation-state model forces often to refer to a state and a nation as a single thing. Therefore, the ethnicity is the group without a nation, without a state<sup>49</sup>.

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<sup>46</sup> See Chapter 2

<sup>47</sup> Stevanović Marjana, 'Jezička politika – Šta je to?' *Danas*, November 02, 2012. <http://www.naslovi.net/2012-11-02/danas/jezicka-politika-sta-je-to/4035573>

<sup>48</sup> Hobsbawm Eric, 'Ethnicity and Nationalism in Europe Today' in *Anthropology Today*, Vol 8, No. 1 (2/1992): 4, <http://www.rationalites-contemporaines.paris-sorbonne.fr/IMG/pdf/Hobsbawm.pdf>

<sup>49</sup> Calhoun Craig, 'Nationalism and Ethnicity' in *Annual Review of Sociology*, Vol. 19 (1993): 235,

Considering this, it is possible to speak of Bosnia both as a multinational country, as defined by the Constitution, and as a multi-ethnic country, according to its demographical situation, since there is not a clear major national group<sup>50</sup>, as shown by the last census in 1991<sup>51</sup> (a new census will be held in 2013).

### **Towards a modern Bosnia and Herzegovina**

Austro-Hungarian policies in Bosnia were implemented basically to develop the country in order to have a safer (and shifted towards south) Ottoman border, that had always been problematic in the last 300 years, and to have a modern province that could act as a proper contemporary province of the Empire. To do so, new administrators were willing to leave society almost untouched and focus just on economical development. But such a transformation in the economy led to unavoidable deep social transformations: social concessions had to be made in order to contrast socialism and the anarchist movement (maybe could be helpful to remind that those were the years during which the German chancellor Otto von Bismarck- Schonhausen 'created' the modern welfare state, quite for the same reasons) but, on the other hand, policies had to be balanced not to disappoint or, even worse, to upset the influent Hungarian aristocracy that had huge economical interests in the country, especially in the north.

For the first four years since Austro-Hungarians took over the new colony, the priority was to define its status, to decide whether it would have been administrated by the Austrian Empire or the Kingdom of Hungary: the final choice was to turn Bosnia into a so called Crown land, not being part of neither entities but being part of the Empire. Ottoman laws were still in force, as was the basic Ottoman organisation. What Austria-Hungary did was to slowly substitute the old functionaries with Austro-Hungarian personnel and to rename everything in German<sup>52</sup>.

In 1882 the ministry of finance Benjamin von Kállay was appointed administrator of Bosnia. He was considered an expert of Southern Slavic peoples and during the late '60s, when he was the

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<http://www.columbia.edu/itc/sipa/U6800/readings-sm/calhoun.pdf>

<sup>50</sup> Marko Joseph, 'Bosnia-Herzegovina: Multi-ethnic or Multinational?' in *Societies in Conflict: the Contribution of Law and Democracy to Conflict Resolution*, ed. Volk Vojko et al. (Strasbourg: Council of Europe Publishing, 2000) 5-6, <http://www.jus.unitn.it/users/toniatti/accl/reading/marko.pdf>

<sup>51</sup> All the data of post-1961 censuses (including the one of 1961) are provided by the Federal Office of Statistics of the Federation of Bosnia and Herzegovina and can be found at the url: <http://www.fzs.ba/Dem/Popis/NacStanB.htm>

<sup>52</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 138

imperial consul in Belgrade, he was seriously against the overtake<sup>53</sup>.

The first objective for his government was to regain the control of Bosnia, and that happened in July 1883<sup>54</sup> when the last notable revolt against the Austro-Hungarian rule ended. This obviously doesn't mean that the rebel or banditry movements that had been promoting revolts since the very early years of Imperial dominion, were eradicated; however, after the aforementioned revolt, it is possible to state that Benjamin von Kállay and his cabinet were actually in force. The efforts to truly develop the economy of the country were remarkable, new roads and railways were built to connect Bosnia and Herzegovina to the rest of the Empire and villages and cities were rebuilt. Architects and engineers from Austria arrived to the major cities, monumental architecture was planned for Sarajevo, where the Austro-Hungarian government tried to move people away from secular nationalist and social movements, potentially dangerous for the Empire, by enhancing the status of the religious leaders, now bound to the Government thanks to the governmental power to appoint the religious leaders. Appointing the leaders of the Orthodox church in Bosnia and establishing two Islamic councils to appoint Muslim clergy were also used as instruments to avoid any interference from the Golden Horn and the Sultan, formally still the suzerain of Bosnia. Such measures would indeed have not been needed to the Catholic church and the Catholic community in Bosnia, since it was depending on Rome and especially since Austria-Hungary was a prominent Catholic state.

Although Austro-Hungarian policies obtained some success in major cities, considerably less success was obtained in the countryside. Most peasants expected that the new ruler would finally enact a land reform, but such an option has never been really considered, at least seriously, by Kállay's cabinet. The first reason for this was the fact that the Government did not want to upset the Hungarian landowners as stated before. The cabinet just regulated the relations between peasants and landowners, enforcing new rights for peasants (many abuses were eliminated), but working on landowners' side in collecting tributes<sup>55</sup>. Secondly, the main aim of the Empire was to modernise the country's agriculture. Consequently the priority was to import and adopt new and modern techniques: novel model farms were built, including stud-farms and a vineyard nearby Mostar, but this is not what peasantry expected to obtain.<sup>56</sup> It is impossible to state that Austria-Hungary did not care about the development of the countryside, but the way they acted (consequent with the goals

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<sup>53</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 136

<sup>54</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 139

<sup>55</sup> Donia Robert J., 'The Proximate Colony' in *Wechselwirkungen. The Political, Social and Cultural Impact of the Austro-Hungarian Occupation on Bosnia-Herzegovina, 1878-1918* (New York: Peter Lang, 2008): 2, <http://www.kakanien.ac.at/beitr/fallstudie/RDonia1.pdf>

<sup>56</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 142

they had) was not the right way to transform Bosnians and Herzegovinians into proud and docile subjects of the k.u.k. Empire.

The other field in which Austro-Hungarians put a major effort was education, an issue which had primary importance in modernising Bosnian mentality and was strongly bounded to the relations with the three main religious communities (that had already started the process from which the three modern Bosnian nationalities would develop<sup>57</sup>). Both in the countryside and in cities a number of new schools were established, including four higher education institutions and a teacher-training academy<sup>58</sup>. Such a big effort in impart learning clashed with the way the new schools were organised and run. Instruction was given separately to each religious community by teachers appointed by the clergy, while just few of them were turned into inter-confessional state schools. The aim of the Austro-Hungarian Government was probably the same it had while building religious monuments in Sarajevo, to keep people away from dangerous secular national and social movements. However, the Government had not considered that by the 1880s Bosnian Orthodox had already started to call themselves Serbs by nationality and Catholics had started to define themselves Croats by nationality<sup>59</sup>, being both communities important actors in the development of nationalisms.

In his attempt to fight such a dangerous link between the two Christian religious communities in Bosnia with nationalisms, that could develop to be harmful to the Empire (Serbia had already its own country and Croatia was shaken by many different movements which aimed at least to be parified to Hungarian and Austrian nationalities within the Austro-Hungarian Empire), Benjamin von Kállay sought to create a new model of national identity, that is 'Bosniak'<sup>60</sup>. In his aim, 'Bosniak' nationality should have been based on the common belonging of all the citizens of the colony to the Bosnian land, regardless of the religion. By doing so, every person could keep away both from secularism (they were still part of their own religious community, backed and supported by the Government) and from dangerous forms of nationalism as the mentioned Serbian and Croatian.

In practice, von Kállay was relying on the Muslim elite to realise his project. He could not, at the beginning, count on the help of the Serb Orthodox and the Croat Catholic politically active elites, since most of them were already involved in antagonist national projects. Instead, the Muslims were in a different position: they didn't have links with movements outside Bosnia and Herzegovina. Although they shared the same faith, they had little in common with the Turks or the other Muslim

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<sup>57</sup> See page XX

<sup>58</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 144

<sup>59</sup> See chapters 6 and 9

<sup>60</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 74

peoples of the Empire. They were more likely to become what Serbia was for the Orthodox and Croatia for the Catholics for the Bosnian Muslims themselves, with the hope, to become the core of a nationality including the Orthodox and the Catholic Bosnian communities, with whom their shared pretty much everything but religion.

The result was that the 'Bošnjanstvo' (the native name for the whole national project), formally open to all the confessions and strictly non-religious, was in fact based on the sole Muslim community. A major role in von Kállay's project was played by the Mayor of Sarajevo Mehmed-beg Kapetanović-Ljubušak, who held the office from 1893 up to 1899. In his writings are possible to notice his efforts to give the Muslim community, which had already developed some features of what is possible to call a 'proto-nationality', a stronger national character. His trial to develop a modern (a term that in this context, means developed during the late XIX century) national mentality; was far ahead for the Muslim mentality of the time. Consequently, he gained little support, and only from Muslim elite members, who actually believed in a cross-confessional national Bosniak identity. The large majority of Muslims still considered themselves mainly as a group based on religion and rather used the word 'Muslim' than 'Bosniak' when referring to themselves. On the other side, politically active<sup>61</sup> Orthodoxes and Catholics were little or not committed at all to this trans-confessional project, considering rather Serbia and Croatia as their national homelands, and if it's true that Muslims considered themselves as a religious community, in practice they acted as a national group. Such a group had two main features: its people were part of the Muslim community and were born in Bosnia and Herzegovina. Considering this, it is possible to see how the Muslim community and the all-Bosnia national project finally merged, turning Bosniak nationality in a *de facto* Muslim Bosnian nationality<sup>62</sup>. The religious feature of the Bosniak nationality, its features and the problem whether it should be based only on territorial bases or not (regardless of the religion, or including both geographical and religious factors), would constitute a major issue in the political agenda during the XX century, especially during socialist Yugoslavia: its practical effects are tangible up till now.

It is interesting to see how the Austro-Hungarian policies aimed to enact the project of a unique Bosniak nationality had the opposite effect<sup>63</sup>: Serb Orthodoxes from Bosnia shifted definitely to Serbian nationality and sought an union or at least a partnership with the Kingdom of Serbia, whose relations with the Austro-Hungarian Empire were more and more fraught. On the other side,

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<sup>61</sup> It's important to remind that XIX and XX century ideologies and thoughts such as nationalism, were shaped, theorised and pursued by politically active elites. Their ideas were then widespread between those masses which were, due to cultural and emotional reasons, receptive and that will then (actively or passively) support the movement based on the ideas.

<sup>62</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 76

<sup>63</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 75

Croatian Catholics in Bosnia mostly embraced the causes of Croats from Croatia (which were various, including mere claims for acknowledgement of the Croatian nationality within the Empire as well as various projects for establishing an independent state, alone or within a Slavic federation). Finally, Bosnian Muslims acted as a nationality itself practically following out the Austro-Hungarian project but adding a religious feature to it.

Such unwanted (by the rulers) social transformation got along with the growing political consciousness that was typical of the late XIX and the early XX century in the Balkans as well as all across Europe. If, while talking about the first years of Imperial rule, it has been said that the original anti-Austrian rebel and banditry movements were neutralised, due to all the processes and policies seen up to this point, it is a fact that new, different rebel movements had grown out. It is possible to identify four different antagonist paths, although their roots are basically just two single factors: religious-nationalistic claims and social demands.

While during the years of socialist Yugoslavia the workers' movement and their 1906 strike gained a huge popularity in Bosnian consciousness, the other three movements, with their religious and nationalistic roots, are those which had, in fact, wider influence on what happened in Yugoslavia during the 1990s and in shaping what is today's Bosnia and Herzegovina.

The first movement taken into account is actually a combination of two different movements that shared similar goals. However, one was born among the Muslim elites, while the other is a product of the Serb Orthodox<sup>64</sup> elites who tried to cut for themselves a larger autonomy from the Imperial Government both in the fields of education and religion. Originally, they stemmed from issues related to religion, and never claimed the right of Bosnia and Herzegovina to be a sovereign subject, but were demanding continuously autonomy on a religious basis. Nevertheless, they marked the birth of a national political movement for Muslims and the strengthening of the Serb Orthodox political movement which wanted its Serbian features to be recognised. Such a movement did not rise among Croat Catholics because they saw in the k.u.k. Empire, a highly Catholic state, an occasion to merge with Croats from Croatia.

It is possible to distinguish a Serb Orthodox and a Croat Catholic movement also for the second of the movements with national roots. What both groups did was, in fact, addressing respectively to Serbian political elites in Serbia and to the Croatian political elites in Croatia the issue of two distinct nationalities in Bosnia and to work towards establishing closer ties with them. One of the most relevant results of those relations was that Serbian and Croatian nationalities addressed and

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<sup>64</sup> In late XIX and early XX century a great part of the Orthodox community call itself Serb by nationality, that's why the expression 'Serb Orthodox' will be used from now. The same will be done when referring to the Catholic community that, few years later than the Orthodox, identify itself as Croat by nationality, therefore the expression 'Croat Catholic' will be used.

identified themselves with something which had (and still has) its core outside Bosnia and Herzegovina. This fact helped in spreading widely the ideology that for both groups the homeland was elsewhere, other than Bosnia. This played an important role during the XX century especially after Tito's death, when nationalisms sprung up again.

Finally, the last movement consists on an array of nationalistic movements with different beliefs that had in common some features such as the fact that they consisted of young, idealistic nationalists, who were ideologically close to early post romantic nationalism, willing to die and to kill to reach their goals.

The borders of these three categories of movements were of course not clear: an example is the movement 'Mlada Bosna'<sup>65</sup>, made up by young nationalistic revolutionaries, and its link with the secret society 'Crna Ruka', active in Serbia and supported at home by many important political figures.

Within a scene definitely more politically active, at least compared with how the situation was when Austro-Hungarians occupied the country in 1878, the different movements started to better organise themselves and, a little bit later than in other European regions, they acted as the initial spark for proper political parties. Taking into account both the features that developed in Bosnia and the nature of the movements, it is clear that nationalism had indeed a major role within the brand new parties, and that it had substituted pure religion as the main dividing reason in Bosnian society (anyway religion was still a primary matter since Bosnian nationalism was founded on religion itself<sup>66</sup>).

Muslims and Serb Orthodox Bosnians established their first parties in 1906 (the 'Muslim National Organisation') and 1907 (the 'Serb National Organisation') while the Croat Catholic Bosnian national movement acted in two different ways: a Croat Catholic party was founded in 1906 under the name of 'Croat National Movement', but in 1910 Archbishop Josip Stadler split from it and founded the 'Croat Catholic Association'. The first movement was basically nationally tolerant, considering Bosnia as a homeland for the Croat nation and was willing to cooperate with Muslims, if possible co-opting them for the Croat nation. The 'Croat Catholic Association' instead, was more similar to the original Muslim and Serb Orthodox parties, considering religion a primary feature of their nation. Therefore, non-Catholics were not accepted in the party. Although in 1912 the Catholic Association was disbanded and its members joined massively the 'Croat National Movement', the

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<sup>65</sup>See p. XX

<sup>66</sup> Lopasić Alexander, 'Bosnian Muslims: A Search for Identity' in *Bulletin (British Society for Middle Eastern Studies)*, Vol. 8, No. 2 (1981): 115, <http://www.jstor.org/stable/pdfplus/194542.pdf>

split between those Croat Catholics who saw Bosnian-born people as part of the Croat nation, and those who instead considered as Croats only those belonging to the Catholic church remained in place, and those who originally were part of the 'Croat Catholic Association' had a great influence on the party's policy. It is necessary to add that in 1909 in Sarajevo, was founded the Social-democratic Party for Bosnia and Herzegovina, the only relevant party not founded on national basis but on socio-economic foundations. It will have almost no immediate success but will have a growing influence on the development of socialism that will rule the country after 1945, being one of the founders of the Socialist Labour Party of Yugoslavia in 1919<sup>67</sup>.

By the formation of the three main political ethno-religious parties, a direct expression of the national movements and of the Bosnian-Herzegovinian domestic situation, the society of Bosnia and Herzegovina was definitely divided into three main national groups<sup>68</sup>, in a way that never happened before: up to the XIX century they had not been major tensions between the three major communities. Every religious group was jealous of its autonomy and of its position toward the others. Some tension was experienced but overall they cooperated. In XIX century the religious communities, defined as 'proto-nationalities' because of the features they developed, started to clash and to organise into proper XIX-century national movements, seeing the 'other' as a rival rather than as a neighbour. In early XX century such a situation drove to a split within the Bosnian society, that by 1910s was divided between those who considered themselves Muslims by nationality and were *de facto* a product of the Bošnjanstvo project and the Muslim community, those who considered themselves as Serbs by nationality (and thus, a product of the development of the Orthodox community) and finally those who considered themselves as Croats, a product of a certain, probably more influential part of the Catholic community. A fourth large movement was represented by the heirs of XIX-century pan-Slavism, who wanted to build a Yugoslav state including all the Slavic nations of the area. This has to be seen not necessarily as an antagonist for the national movements in Bosnia since a few Bosnian nationalists were themselves supporters of the Yugoslav ideology: they considered themselves as members of a nation, but were willing to build a multinational state for all the other nationalities.

National cultural societies that saw light in the late XIX and the very early XX century were cooperating with political parties to widespread national ideas and ideology: if the party could

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<sup>67</sup> Anđelić Neven, *SDP-Prvih Sto Godina: Kratki Pogled na Socijaldemokratiju u BiH* (Sarajevo: Forum Lijeve Inicijative, 2009), pp.11-16, [http://www.sdp.ba/dokumenti/publikacije/Crvena\\_Knjiga\\_Web\\_izdanje.pdf](http://www.sdp.ba/dokumenti/publikacije/Crvena_Knjiga_Web_izdanje.pdf)

<sup>68</sup> It's important not to forget that along the three main national groups (that represented about 99% of the society) there were also other communities such as the Jewish, considerably influential especially in Sarajevo, and the Romani.



promote national interests within the institutional context, the cultural society could do the 'social job', educating people by spreading their thoughts in order to force the mass to identify with their nationality.

A major issue still not considered happened in 1908, exactly while the national movements constituted into political parties. In 1876 the Constitution was restored in the Ottoman Empire, mainly due to turmoil winds blowing from the Balcanic provinces<sup>69</sup>. Soon political elites in Bosnia started to make claims. If the Croat movements, as seen before, had little to complain about the Austro-Hungarian rule, both the Muslim Bosnian party (Muslim National Organisation) and the Orthodox Serb Bosnian Party (Serb National Organisation) addressed the Governor Ban István Burián in order to apply the Ottoman Constitution, being Bosnia and Herzegovina still officially a part of the Ottoman Empire. Along this request, in a join demand to the Ban, they claimed the establishment of a Bosnian parliament to deliberate on local issues. Austro-Hungarians felt under the pressure on one side of the nationalisms in Bosnia, which recalled their *de iure* political status and their belonging to the Ottoman Empire to gain more autonomy and perhaps independence, and on the other side under the pressure of the new, ambitious, political course the Turkish followed after the restoration of the Constitution.

Under those circumstances, Vienna decided to annex Bosnia and Herzegovina to the Empire, recalling a note on a treaty signed in 1881 by Austria-Hungary itself, Germany and Russia<sup>70</sup>. The formal annexation made the country enter the modern institutional era other European countries had been experiencing for circa fifty years: first of all, the special status of the former colony as a Crown land made Bosnia not to be incorporated neither to Austria nor to Hungary, and for the first time in history people from Bosnia and Herzegovina were officially Bosnia-Herzegovina national citizens<sup>71</sup>. Two years later, in 1910, Bosnia and Herzegovina got its first modern constitution which gave the country a Parliament and some legal guarantees that had slowly become the standard all across the continent since the French revolution through all XIX century's turmoil. The 1910's Constitution defined the country as a unique, unified political body under the administration of the Austrian-Hungarian crown. Establishing Bosnia and Herzegovina as a unique territory should help, according to Austro-Hungarians, to keep people away from both Croatian and Serbian nationalism.

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<sup>69</sup> Although Bosnia and Herzegovina was *de facto* in Austro-Hungarian hands, a large part of the Balcan Peninsula was hold by the Ottomans up to 1912.

<sup>70</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 144

<sup>71</sup> Hoare Marko Atila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 82

The Constitution saw the light after long and harsh discussions and the Muslim and the Serb Orthodox communities through its major political parties reacted to Austro-Hungarian annexation acting together on behalf of the 'people of Bosnia and Herzegovina'. A committee made up by representatives of the three main national-religious communities was invited to overview the works on the draft of the Constitution, but the two main Bosnian parties, the Serb National Organisation (SNO) and the Muslim National Organisation (MNO), refused to join it due to formal issues and basically being their goal to obtain real and proper autonomy for Bosnia and Herzegovina (to which is possible now to refer with the term 'country'). Instead, the Croat National Union backed the Austro-Hungarian project and took part to the survey committee since there were afraid of a Bosnian autonomy within the Ottoman Empire.

A document of great importance to properly understand what were the shared feelings among Serbian Bosnian and Muslim Bosnian political elites was produced by Nikola Stojanović, an SNO representative, in 1909. His critic to the draft Bosnian Constitution shows how the SNO, although its Serbian national nature, was aiming at autonomy for Bosnia and Herzegovina. He believed that the divisions and the polarisation in Bosnian society between Muslims and Christians would soon disappear: consequently, in his claim for autonomy he stated that Bosniaks<sup>72</sup> and Herzegovinians were 'joined by a common past and origins'<sup>73</sup>. On the other side he also stated that Bosnia and Herzegovina was a Serb state, therefore Bosniaks and Herzegovinians were part of the Serb nation. The annexation of the country and the subsequent Constitution and parliament somehow broke the alliance between SNO and MNO since was clear that no autonomy, not even under Istanbul control was possible. The Serbian National Organisation and the Muslim National Organisation in fact represented different parts of the society, especially in rural areas where Orthodox were mainly peasants while the land belonged usually to Muslim landlords.

### **The 'Zemaljski Štatut'**

The Constitution was completed and sanctioned by the Emperor Franz Josef on 17 February 1910, as the fundamental law of a system of six laws: the *Zemaljski Štatut* (Provincial Constitution, the official name of the Constitutional chart) was followed by the Election Law, the Parliamentary Rules of Procedure, the Bosnia and Herzegovina Companies Act, the Bosnia and Herzegovina

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<sup>72</sup> He used the word 'Bosniak', a word related to nationality rather than 'Bosnian', a word that in today's language has a quite more geographical meaning.

<sup>73</sup> Hoare Marko Atila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 83

Assemblies Act and the District Councils Act.

Thanks to the introduction of a modern legal framework, a parliamentary system was enacted. The parties that had emerged had finally a political stage where to be active: however, this was only possible for those parties built on ethno-confessional basis, while there was no chance for a party such as the Socialdemocratic Party of Bosnia and Herzegovina to join the parliament. Despite the Austro-Hungarian government pushing for an unique nationality, the creation of a scene for the ethno-religious groups did contribute to the future definitive national divisions in Bosnian society, since the national parties founded on ethno-religious basis grew stronger. A major topic of the discussions of the parliament, along the agrarian question, was the linguistic question, on the use and the name of the official language of the country.<sup>74</sup> This demonstrated the great importance language had in developing national identity in this phase.

In any case, the Constitutional framework was developed in order to pursue the interest of the Austro-Hungarian Empire in Bosnia and Herzegovina<sup>75</sup>, but represented also the occasion for Bosnia and Herzegovina to have its first modern parliamentary experience, even if short-lived (the parliament was reunited only four times before it was suspended), helpful in building competencies for the new Bosnian political class and for Bosnian society.

Following the opening of the Parliament, when the risk of being once again under the Golden Horn had ceased, the Croat National Union, that until then had been the most pro-Austro-Hungarian Bosnian party, joined the SNO and the MNO in what was their common battle: to extend the Parliament's functions and competences. On other fields the parties were not acting together, and both Christian parties were eager to ensure Muslim cooperation<sup>76</sup> in order to get the majority at the assembly.

Orthodox Serb Bosnian representatives linked their positions to more 'social' oriented policies asking for a solution to the serfs' problem. A radical minority led by Petar Kočić turned the issue into a nationalistic conflict: according to this vision, the serfs were Orthodox Serb, while Muslims were landlords. Therefore the social conflict found a national framework to develop.

This 'Bosnian peasant patriotism', pro-Serb and anti-Muslim, helped Muslim representatives to sign an agreement with the CNU. According to this agreement, the CNU should have backed Muslim

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<sup>74</sup> Imamović Mustafa, 'Zemaljski Štatut U Ustavnoj Historiji Bosne i Hercegovine' in *Historijska Traganja/Historical Searches*, Vol. 7 (2011): 35

<sup>75</sup> Imamović Mustafa, 'Zemaljski Štatut U Ustavnoj Historiji Bosne i Hercegovine' in *Historijska Traganja/Historical Searches*, Vol. 7 (2011): 34

<sup>76</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 152

positions on the agrarian reform, while the MNO would have backed an issue that started developing in the XIX century, often closely tied with the development of nationalism, that would become a major issue up to today: if the SNO wanted the language of the country to be referred as 'Serbian language', the CNU demanded that language to be referred as 'Croat or Serb language'<sup>77</sup>. It is interesting to note how today Croatian, Serbian and Bosnian (and Montenegrinian, although it doesn't regard this work) are considered by linguistics as a dialect continuum. Nevertheless all the three speeches enjoy the status of 'official language' in Bosnia and Herzegovina<sup>78</sup>.

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<sup>77</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 86

<sup>78</sup> For further details about the linguistic issue in today's Bosnia and Herzegovina see chapter 3

## CHAPTER 4

### The First Yugoslavia

Soon after the establishment of the Bosnian parliament and the consequent *de iure* entrance of the country among the 'modern' *Rechtsstaats*, the Balkan Wars took place, with dramatic consequences in shaping the Balkan peninsula and in defining the alliances that a couple of years later would fight the First World War. Following the wars that shook the Balkans in 1912 and 1913, the Ottoman Empire lost practically all its European possessions, keeping solely the East Thrace.

#### **The outbreak of the First World War**

Although the conflicts didn't interest the lands of Bosnia and Herzegovina, it re-shaped the region (accelerating the outbreak of the First World War) and had the effect of moving away the Turkish border, therefore reducing Turkish influence over the Austro-Hungarian province. In terms of domestic policy, it meant that Muslim landlords were not as relevant for Vienna as they were before, leading to a possible non-national polarised solution to the agrarian question. But time didn't help: although a non-national polarised solution could help the formation of a true multi-national Bosnian identity, only one year after the Second Balkan War cease-fire the Archduke Franz Ferdinand was murdered in Sarajevo. This gave the Austro-Hungarians the *casus belli* to directly intervene in the region, starting what would later be known in history as the First World War, and it represented the end to any attempt of agrarian reform in Bosnia and Herzegovina and to any activity carried out by the Bosnian Parliament.

The attack to the Archduke was performed by an organisation that has a lot to do with Bosnia: the name itself of the organisation was 'Young Bosnia' (Mlada Bosna) and was one of these movements that stemmed from the late XIX-century social transformations. It was created by young idealistic and nationalistic students with a strong Orthodox background and had an almost mystical character. At the beginning the movement had the features of a Great Serbian movement, but across the years it moved on towards Yugoslavist and federalist positions, accepting members of all the nationalities. Although they were moved by their faith in a Bosnian country within a Southern Slav federation, it

was later proved that the assassination of the Archduke Franz Ferdinand was not only backed, but also organised by the Serbian society 'Crna Ruka' (Black Hand), that had clear Great Serbian purposes.

The Bosnian society was divided between those who supported Serbia and a large part of the population who remain loyal to the crown. In fact, the troops who fought in Serbia on the Austro-Hungarian side were made up by a large number of Orthodox Bosnian Serbs, and included a considerable number of Catholic Bosnian Croats (along Croats for Croatia) and Muslim Bosnians. On the other side many Bosnians, regardless of the confession, fought on both Serbian and Montenegrin sides as volunteers, leading to strong repressive actions by the Bosnian Austro-Hungarian movement against those suspected of Serb nationalism or conspiracy<sup>79</sup>.

The military situation shows a more interesting debate that involved the Bosnian society. Its majority remained loyal to the Habsburg Empire. The Orthodox Serb bishop of Sarajevo, despite of the original religious background of 'Young Bosnia', stated that Gavrilo Princip and Nedeljko Čabrinović were the Antichrist; generally, the Serb elite was willing to show off their fidelity to the Emperor in order to make the anti-Serbian measures, introduced by the Government, softer. The majority of the Bosnian political elite, while staying on the Austro-Hungarian side, acted as many times in history (somehow recalling Stojanović's and Kapetanović-Ljubusjak's statements about Bosnians as people who, despite the differences, shared a common land, a language and a history): they considered the nationalities as an internal feature of a unique entity (as once were the ethnic-religious communities) and rejected the idea of the country to be treated as a Croatian or Serbian land. The reis el-Ulema use the word 'brothers' in a pledge against persecution on Orthodox Serb Bosnians and a joint demand to stop the anti-Serb pogroms was put forward to the Austro-Hungarian governor.

The war made clear that the future status of the country would be different. The political elites were united in considering Bosnia and Herzegovina as a unique country but were in disagreement on where such a unique body should stay. The Muslim elite was divided between those who were for a Southern Slav federal state (Mehmed Spaho), those who wanted Bosnia and Herzegovina to be an autonomous province within Hungary (Šerif Arnautović), and those who wanted it to be an autonomous province within a future Croatian state (Safet-beg Bašagić). Those divisions among Muslims somehow reflected the division that, on a wider extent, were present in the whole of the

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<sup>79</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), pp. 157-158

Bosnian society, divided basically into those who wanted to stay with Austria-Hungary and those who wanted an independent state under different conditions.

In 1915 was established in London a Yugoslav Committee, in order to pursue the building of a Yugoslav state and to give the Yugoslav project itself a strong impulse. The final goal was to build an independent state with the help of the allied government. To make so it was obvious they needed to be the most credible alternative to the Balkan state question: national self-determination in those years became more and more of a leitmotiv, until it became one of the fourteen points issued by the American President Woodrow Wilson in 1918. It meant that the new world, in case of Allied victory (that became very likely after U.S. Intervention in 1917), would be built on those basis, that there was no more space for wide multinational states as the Austro-Hungarian Empire and that therefore for the Yugoslav Committee the Yugoslav alternative had to become the Allied priority over Great Serbia projects. To get Bosnian support to the project became a matter of primary importance for the Committee. Meanwhile, Serbia saw the possibility to complete its plans for a Great Serbian state<sup>80</sup> and informed the Entente about the Serbian aim to liberate all the Southern Slavs. For that reason it backed the Yugoslav Committee in London, while in fact it was more a project of 'Serbian unification' than of 'liberation'<sup>81</sup>. The institutional form of the new state would be discussed during the war within the committee.

At the Committee Bosnia and Herzegovina was represented solely by three Bosnian Serb Orthodox politicians, Nikola Stojanović, the same Serb National Organisation member who in 1909 criticised the draft of the Bosnian Austro-Hungarian Constitution, Milan Srškić and Dušan Vasiljević. Their position was ambiguous: on the one side they were willing to form an union with the Serbian Crown, considering themselves Serbs. On the other, they were Bosnians by birth and they wanted Bosnia and Herzegovina to represent an mediator between Serbian and Croatian positions, to keep some form of autonomy within the new state. Such an ambiguity brought in March 1917 to a public manifesto in which Stojanović stated the willing of a union with the Kingdom of Serbia; nevertheless, the union should be the constituent core of the future Southern Slavs' state. According to Stojanović's view, Serbia should be the leader and the state building factor of the new entity. When Serbia lost its main ally, Russia, that left the war following the October Revolution, the Serbian Prime Minister Nikola Pašić asked Nikola Stojanović to pursue only the cause of the union of Bosnia and Herzegovina with Serbia. The Bosnian member of the Committee rejected this

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<sup>80</sup> Šepić Dragovan, 'The Question of Yugoslav Union in 1918' in *Journal of Contemporary History*, Vol. 3, No. 4: 1918-1919 From War to Peace (10/1968): 33-34, <http://www.jstor.org/stable/pdfplus/259849.pdf>

<sup>81</sup> Banac Ivo, *The National Question in Yugoslavia* (New York: Cornell University Press, 1984), pp. 116-117

position, since it would bring a serious rupture risk between Serbia and the Croats and the Slovene at the Committee, making it harder to establish the Yugoslav State and creating, in that case, the risk of a partition of Bosnia between the Kingdom of Serbia and the Croats of the future state. In fact the Yugoslav Committee had not interfered in Serbian matters regarding the union between Serbia and Montenegro and also regarding the question of Macedonia.<sup>82</sup> However they would not accept Serbia to directly intervene in Austro-Hungarian lands, as Bosnia and Herzegovina was, since the Yugoslav Committee was basically the representation of the Southern Slavs who lived under Austro-Hungarian rule<sup>83</sup>. The aim of the Yugoslav Committee was to create a state with Serbia that would not be absorbed under Serbian rule, as it has been analysed. This was the real reason behind the Serbian Government's cooperation with the Committee itself. A final commitment for cooperation between all the anti-Austro-Hungarian forces was agreed at the Corfu conference.

Along the work at the Committee, a debate about the future of the country was ongoing among the Bosnian political elite. On the domestic scene, Bosnian Catholic Croats and Bosnian Orthodox Serbs shared common positions and were in favour of the Southern Slav State, even if with different ideas about its future institutional organisation. In September 1918 they presented a joint memorandum where they expressed the willing to exit the Habsburg Empire and to create a new Yugoslavian state. Bosnian Muslim elites were originally divided<sup>84</sup> but when Count Tisza visited the capital, Arnautović's and Bašagić's position had become a minority, while the pro-Yugoslav position expressed by Mehmed Spaho was dominant. Although no common position between the three national movements was reached, the common will of the Bosnian political elites was to abandon the Austro-Hungarian Empire and to enter a new, culturally closer body, in which, hopefully, they would enjoy more autonomy. In the same month Count Tisza visited Sarajevo, Bosnian elites took the decision to exit the Empire and established the 'National Council of Bosnia and Herzegovina', decidedly joining the other Southern Slavs under Austro-Hungarian rule, supporting the Yugoslav Committee and waiting for further developments of the situation. A month later, on October 6<sup>th</sup> the 'National Council of Slovenes, Croats and Serbs' was established in Zagreb and on October 29<sup>th</sup> they seceded from the Empire founding the State of the Slovenes, Croats and Serbs (*Država Slovenaca, Hrvata i Srba* in Serbo-Croatian<sup>85</sup>, for that reason from now

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<sup>82</sup> Šepić Dragovan, 'The Question of Yugoslav Union in 1918' in *Journal of Contemporary History*, Vol. 3, No. 4: 1918-1919 From War to Peace (10/1968): 35, <http://www.jstor.org/stable/pdfplus/259849.pdf>

<sup>83</sup> The Yugoslav Committee never got official recognition, as instead got Czech and Polish Committees, mainly due to disagreements between the Entente, basically because of Italian opposition. So they were in the curious position of being the *de facto* interlocutor for Entente concerning the Yugoslav Question without having its *de jure* recognition.

<sup>84</sup> See page XX

<sup>85</sup> For further information on the linguistic question see chapter 3



also referred as State SHS) . The day after, cooperating with the National Council for Bosnia and Herzegovina, the brand new state appointed the first National Government for Bosnia and Herzegovina. The governmental body in Zagreb was formed by Slav politicians who were in Austria-Hungary during the war and with whom the Emperor tried to negotiate during the war years. They represented on the domestic scene what the Yugoslav Committee represented on the international playground and they were invited to sit together with them at the Geneva conference, held from November 6<sup>th</sup> to November 9<sup>th</sup> , and were took part also the Serbian Government and the opposition. At the Geneva meeting, the Serbian Prime Minister Nikola Pašić agreed to recognise the State of the Slovene, Croats and Serbs and asked the allies of the Entente to do the same. They also established that the long-discussed new Yugoslav state should be established between Serbia and the State SHS on equal basis.

Following a month of negotiations, during which Montenegro merged with Serbia on November 26<sup>th</sup>, representatives of the State SHS arrived in Belgrade on November 30<sup>th</sup> in order to proceed with the unification of the two states. The decision had been taken a week earlier, on November 24<sup>th</sup>, after the outbreak of the peasant turmoil in Croatia and the failure of the National Council in Zagreb to prepare a widely accepted draft of the institution of the new state. The delegates of the State of the Slovenes, Croats and Serbs had instructions on how to carry out the negotiations with the Serbian Government, based on four points. The delegates of both parties worked to speed up the meeting work and decided to leave the details to a further future conference. Just few common wishes and willing were settled and no strict conditions or guarantees were discussed. On December 1<sup>st</sup> the Regent Alexander proclaimed the unification of the Kingdom of Serbia and the State of the Slovenes, Croats and Slovenes and established the Kingdom of the Serbs, Croats and Slovenes. The failure of the National Council to develop a credible model for the new state and the lack of established guarantees and legal borders during the works that led to the proclamation of the new kingdom gave the new state some features that were in Serbian projects of a Greater Serbia during war and pre-war years<sup>86</sup>.

The internal divisions on the Bosnian domestic political scene, especially the lack of a common Bosnian national sense, brought to a point where 'Bosnian' was not one of the nationalities that could stay at the table of negotiations, but could seat only as 'geographical' representatives of a province. Bosnian Catholic Croats were seen as part of Croatian nation, Bosnian Orthodox Serbs as part of Serbian nation and Bosnian Muslims as a mere religious expression, though they were *de*

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<sup>86</sup> Banac Ivo, *The National Question in Yugoslavia*, (New York: Cornell University Press, 1984), pp. 133-140

*facto* a nationality, as it has been shown by the present work. They had the will to develop a trans-confessional nationality, but they never completely succeed in doing so, mainly because of the presence of two 'core nations', Croatia and Serbia, in which Bosnian of beliefs other than Muslim identified themselves during Ottoman years. Although the three groups had in common almost everything but religion, social issues in late XIX - early XX century led to a full identification of Bosnian Catholic Croats with Croatia and Bosnian Orthodox Serbs with Serbia. Muslims were in the middle and the support to a wider national Bosnian idea that came from the other two groups was little or nothing. Semantics also didn't help the formation of a stronger Bosnian idea: when political parties raised in Bosnia and Herzegovina, Muslim representatives used the word 'Muslim' instead of 'Bosnian' even if most of them were still followers the Bošnjanstvo project. If it is true that the Bošnjanstvo project got little support from Bosnian Catholic and Bosnian Orthodox communities, on the other side to name it after a religion didn't help the unification of all Bosnians under a common flag.

This lack of unification led to a lack of representation when things were decided. It meant that Bosnians had no recognition as a constituent people of the brand new state. In fact the name of the state was Kingdom of Serbs, Croats and Slovenes: no mention to Bosnians was made and Bosnia and Herzegovina was just a region of the state.

### **The formation of the SHS**

The work at the Committee had focused on both 'what to get' and 'how to organise it' and it took several years. The Kingdom of Serbia saw its cooperation with the Committee as the role Italy had in freeing the Italians under Austro-Hungarian rule; therefore, Serbian Government considered the Yugoslav solution as an extension of the Kingdom of Serbia. Within this action, it has to be noticed the aforementioned pressure made by Serbia on the Bosnian members at the Committee (Bosnian Orthodox Serb by nationality) in favour of an union of Bosnia and Herzegovina with the Kingdom of Serbia. On the other hand the Committee aimed to get a federal or confederal solution including the Kingdom of Serbia, not being a mere extension of it.

The new state established in late 1918 needed to get a Constitution to give the country a legal framework and an institutional system. Originally the Bosnian political elite tried to form a common Bosnian party to attend the sessions of the provisional parliament that should set the rules, after what the first Yugoslav election should be held. Although they failed in this task, due to

prevailing national interests, part of Bosnian Orthodox Serb politicians kept on working for a unitary movement on Yugoslav instead than on Bosnian basis. This denotes an evolution of the current Bosnian autonomism, represented by Bosnian Orthodox Serbs, into pure Yugoslavism, rejecting the idea of 'Bosnian' and 'Yugoslav' being two different concepts<sup>87</sup>. The Bosnian Orthodox Serb's attempt to build a Yugoslav consciousness developed into the Democratic Party, founded in Sarajevo in February 1919. Because of these Yugoslav positions, they became the main rival of the Radical National Party (*Narodna Radikalna Strana in Serbian*, NRS), the party of the Serbian Premier Nikola Pašić that pursued a Great Serbian design. Although both parties had a Serbian matrix, the Democratic Party involved politicians from the former Austro-Hungarian lands on centralist and Yugoslavist basis, while the Radical National Party was a pure Great Serbian country that saw the new kingdom as an extension of the Serbian Crown. Despite this attempt, no considerable results were obtained by Bosnian national groups, mainly because of the centralist character of the movement. Even if only few non-Bosnian Orthodox Serbs joined the party and were chosen to go to Belgrade, the reference for Bosnian Catholic Croats was still their old party 'Croat National Union'. On the other side, the Muslims founded a brand new party, the Yugoslav Muslim Organisation (JMO), led by the Yugoslavist Mehmed Spaho. Once again, they acted as a national group using a religious name and giving the party a formal religious identity. Nevertheless, the leadership of the party made a great effort to give the party a religious connotation and to commit to the cause of provincial autonomy or self-determination.

Forty-two bosnian representatives to the provisional parliament were therefore chosen on the basis of the three nationalities of Bosnia and Herzegovina. Twenty-one of them were Bosnian Orthodox Serbs, almost as twice as much as Bosnian Muslims and Bosnian Catholic Croats, who got eleven and ten representatives respectively. If analysed according to political parties, this data shows that the majority of Muslims were chosen among those who militate in the Democratic Party, that obtained thirty seats. Nevertheless, Bosnian Orthodox Serb masses never completely supported the Democratic Party, and this means the Bosnian Orthodox Serb cultural and political elite, rather preferring the NRS. The main reason behind this reaction is the national view Bosnian Orthodox Serb masses had about the social conflict against Bosnian Muslim landlords. In fact, their view was coherent to their support to the Great Serbian ideology of NRS. Those Bosnian Orthodox Serbs who were more active in demanding land reform against Muslim landowners created their own Labourers' Organisation. During 1919 and 1920 the fragile entente between NRS and Democratic Party deteriorated, with the latter abandoning the most radical positions on land reform. Therefore,

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<sup>87</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p.105

the Labourers' Organisation cut its relations with the Democratic Party, emerging as the Bosnian wing of the League of Farmers, basically a Bosnian Orthodox Serb party. As it would be shown by the elections that were held later that year, Bosnian Orthodox Serb masses shared their preferences between the League of Farmers and the NRS. This fact set a milestone in Bosnian Orthodox Serb nationalism: after the unification of Yugoslavia, Bosnian Orthodox Serb masses always found its reference rather in Belgrade than in Sarajevo, considering themselves completely and purely Serbs. They stopped supporting any Bosnian autonomy and, even if with little exceptions, from this point on Bosnian Orthodox Serb masses would get less and less involved into any trans-confessional Bosnian nationality project.

The year that followed the birth of the provisional parliament was indeed complicated. Bosnian politics were influenced by the political situation in the country, but for the first time in modern history, what happened in Bosnian politics directly influenced the all-national scene.

### **The 'Vidovdan Constitution'**

Elections to the Constitutional assembly were held on November 28<sup>th</sup> 1920 and the so called 'Vidovdan Constitution' was ready in June. The Yugoslav Muslim Organisation supported those who wanted the Constitution after coming to a compromise<sup>88</sup>: without it, the Constitution could not have been approved. On a total of 419 members, 163 of them abstained from the vote and the Constitution passed with only 223 votes, a slight majority of the Assembly<sup>89</sup>. The Constitution had a strong centralist<sup>90</sup> character and left no space not only for federative, but also for autonomist aspirations. The King had a strong control over the unicameral legislative body; the administrative divisions were as well under royal control, being the governor (*župan* in Serbo-Croatian) appointed by the King<sup>91</sup>.

Such a Constitution was disappointing for many of those who fought for the creation of Yugoslavia.

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<sup>88</sup> Becherelli Alberto, 'The National Question in the Kingdom of Serbs, Croats and Slovenes. The Croatian Case' in *Mediterranean Journal of Social Science*, Vol. 2, No. 3 (9/2011): 268, [http://www.mcser.org/images/stories/2\\_journal/mjssso203september2011/mediterranean%20center%20of%20social%20and%20educational%20research%20online%20version.pdf](http://www.mcser.org/images/stories/2_journal/mjssso203september2011/mediterranean%20center%20of%20social%20and%20educational%20research%20online%20version.pdf)

<sup>89</sup> Donia Robert J.; Fine John V.A. Jr., *Bosnia and Herzegovina: a tradition betrayed* (London :C.Hurst & Co (Publishers) Ltd., 1994), p.126

<sup>90</sup> All the references and quotes from the Vidovdan Chart are based on the version available at the website of the Digital National Library of Serbia. Url: <http://scr.digital.nb.rs/document/RA-ustav-1921>

<sup>91</sup> Montalbetti Dario, 'L'organizzazione Costituzionale della Jugoslavia, 1928-1992' in *La Transizione alla democrazia di Serbia e Montenegro*, ed. Cermel Maurizio (Venezia: Marsilio, 2002): 42

Those who attacked the most strongly the chart were the members of the Croat Republican Peasant Party. The leader of the party was Stjepan Radić, the only person who voted against the National Council in Zagreb on the union with Serbia in October 1918<sup>92</sup>, being himself a republican. Radić, who will become a dominant figure of the Yugoslav political scene during the first years of existence of the Kingdom, alongside with other Croatian political leaders did not recognise the Constitutional chart. They would turn around their position only for political opportunism four years later, in 1925.

The respected leader of the Slovenes, Monsignor Anton Korošec, who had had a primary role in promoting the Yugoslav idea inside the Austro-Hungarian Empire and who had been the first chairman of the National Council in Zagreb, felt that the new Constitutional order responded to a 'Great Serbian' design and accused the promoters of the chart of destroying any possibility of growth for Slovenes and Croats, thus being disrespectful towards the two nations.

If, on one side, the first Constitution of the new state was regarded as a fiasco by those who had fought for autonomy and worked for the recognition of a 'Bosnian' nationality based on historical, cultural and mainly geographical reasons instead of a mere religious consideration of the people of Bosnia and Herzegovina (and therefore to somehow promote the full identification of Bosnian Catholics with Croats and of Bosnian Orthodox with Serbs) or, alternatively, the recognition of an unique Yugoslav nationality, on the other side Mehmed Spaho and his Yugoslav Muslim Organisation worked to reach the aforementioned compromise and achieved a considerable result over the administrative division of the country. Article 135, Clause X stated:

*'Zakonom o razgraničenju oblasti, Bosna i Hercegovina će se razdeliti u oblasti u svojim sadanjim granicama. Dok se to zakonom ne uredi, okruzi u Bosni i Hercegovini važe kao oblasti. Spajanje tih oblasti vrši se odlukom oblastnih skupština dotičnih oblasti donetom većinom od dve trećine glasova u granicama određenim 3. stavom Čl. 95 Ustava. Pojedine opštine ili srezovi mogu iz svojih oblasti izlučiti i pripojiti drugoj oblasti u sadanjim granicama Bosne i Hercegovine ili izvan njih, ako na to pristanu njihova samoupravna predstavništva odlukom od tri petine glasova i tu odluku odobri Narodna Skupština.'*

In English:

*'By the law on the regional division, Bosnia and Herzegovina would be divided with its today's' borders.*

<sup>92</sup> Becherelli Alberto, 'The National Question in the Kingdom of Serbs, Croats and Slovenes. The Croatian Case' in *Mediterranean Journal of Social Science*, Vol. 2, No. 3 (9/2011): 266, [http://www.mcserr.org/images/stories/2\\_journal/mjssso203september2011/mediterranean%20center%20of%20social%20and%20educational%20research%20online%20version.pdf](http://www.mcserr.org/images/stories/2_journal/mjssso203september2011/mediterranean%20center%20of%20social%20and%20educational%20research%20online%20version.pdf)

*Until it will not be determined by law, districts would be considered as regions. The merge of those regions will be possible by approval of the respective Assemblies, that must be obtain a majority of two thirds as established by Article 95, Clause 3 of the Constitution. The municipalities or the districts could abandoned their region to merge with another region within today's borders of Bosnia and Herzegovina or outside them, subordinating the decision to the approval by the representatives of regional administration. The decision, in order to have legal effect should get the three fifths of the votes and be then ratified by the National Assembly'*

This meant that the boundaries of historical Bosnia and Herzegovina would remain untouched by the new internal structure brought by the Vidovdan Constitution<sup>93</sup>. Nevertheless, it was only a pyrrhic victory, since the following years will show that not only there was no place for autonomy or autonomous development for Bosnia and Herzegovina, but also that within the Kingdom of the Serbs, Croats and Slovenes there was no place for a nationality other than the three cited on the official name of the state. Actually, despite Korošec prestige, the Slovenes too would play a minor role, acting sometimes as mediators along Bosnian Muslims (considered by the other nationalities as a national political actor only if necessary, while usually most of time they were considered solely a religious group, as stated by article 10 of the Agreement with the Allies and by point 7 of the Corfu declaration, where Muslims were mentioned only in religious terms as a religious minority<sup>94</sup>), in an all-Yugoslav framework dominated by the growing rivalry, if not conflict, between Croat and Serb nationality. A conflict that had already started to involve Bosnia and Herzegovina, with the two nationalities willing to get the control of it.

The elections and the sanctioning of the Constitution changed priorities. The new kingdom was in fact a modern, though young and with internal problems, state on the international scene and Bosnia and Herzegovina was only a province of it. In few years since the Constitution was sanctioned, the Bosnian Catholic Croat support to Bosnian autonomy was lost too: right after the promulgation of the *Vidovdanski ustav*, timid federalist positions were still pursued by the Croat Popular Party, mainly due to economical and financial reasons. Following the 1923 elections (first parliamentary elections in the new state), the Bosnian Catholic Croat politicians had lost all their appeal on Bosnian Catholic Croat masses. The radical 'Great Croat' party of Stjepan Radić, the Croat Republican Peasant Party, had gained the control on the vast majority of Croats and Bosnian Catholic Croats. Again, as it happened for Serbs during the pre-Constitutional period, Bosnian

<sup>93</sup> Ibrahimagić Omer, *Državno-pravni Razvitak Bosne i Hercegovine* (Sarajevo: Vijeće Kongresa bošnjačkih intelektualaca, 1998), p.30, <http://vkbi.open.net.ba/Aktuelnosti/OIbrahimagic2.pdf>

<sup>94</sup> Friedman Francine, *The Bosnian Muslims: Denial of a Nation* (Boulder : Westview Press, 1996), p. 107, [www.questia.com/read/8994449/the-bosnian-muslims-denial-of-a-nation](http://www.questia.com/read/8994449/the-bosnian-muslims-denial-of-a-nation)

Catholic Croats' support for Bosnian autonomy, despite few exceptions, was lost; if Radić ever pursued such a solution, it was only in a wider optic, as a part of the complicated relations between the two larger peoples of Yugoslavia, Serbs and Croats.

### **The 'Vidovdan Constitution' period and the modern shaping of nationalities in Bosnia and Herzegovina**

The years that followed the 1923 elections had a dramatic importance in shaping the national division of today's Bosnia . Bosnia and Herzegovina was involved in the plays between Croats and Serbs, both seeking to take the lead of the country and realising a 'Great Croat' or 'Great Serb' project.

Bosnian Catholic Croat and Bosnian Orthodox Serb masses were not committed anymore into a Bosnian autonomist project. Their felt their fates to be instead tied to those of Croatia and Serbia, even if they were born and raised in Bosnia and they had never gone to Croatia nor Serbia, somehow unbinding themselves from the land where they lived (Bosnia and Herzegovina), or even better, considering the portion of Bosnia and Herzegovina where they lived as a part of another country. The polarisation reached a degree that a considerable part of Bosnian Muslims in the '20s called themselves Muslim Croats or Muslim Serbs<sup>95</sup>, mainly due to political reasons. There was even a Muslim pro-Serbian radical movement called 'Osman Đikić', affiliated to the paramilitary organisation 'Serb National Youth'. But behind the development of Bosnian Catholics into Bosnian Croats and of Bosnian Orthodox into Bosnian Serbs, the only real ground was the shared faith with the people of Croatia and Serbia. Only under the religious influence they could slowly adopt customs and tradition from those lands. However, religion was the only thing that Bosnian Muslims simply could not share with Catholics and Orthodox. Therefore, their identification with either the Croat nation or Serb nation was simply unsustainable on the long term, since it lacked the true, deep element that brought to identification of Catholics with Croats and Orthodox with Serbs, the shared religious faith with Croatia and Serbia.

In such a context, dominated by the 'Great Croat'-'Great Serbian' conflict, the Yugoslav Muslim Organisation ended up to be the only major political party that represented the interests of Bosnia and Herzegovina in its entirety.<sup>96</sup> Though JMO's hopes of getting some support between Jews and

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<sup>95</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 165

<sup>96</sup> Donia Robert J.; Fine John V.A. Jr., *Bosnia and Herzegovina: a tradition betrayed* (London: C.Hurst & Co (Publishers) Ltd., 1994),p. 125

Bosnian Catholic Croats were soon disappointed, they succeed in keeping at least a pre-eminent role among Muslims, keeping Bosnian Muslims united. Thanks to good relations and cooperation links with other Yugoslav parties, as it was often part of Yugoslav governments in Belgrade, the JMO achieved a considerable success in the 1920s, ensuring to Bosnian Muslims at the 1928 elections more representation at local level than the Bosnian Orthodox Serbs had, despite on population terms Bosnian Muslims were less than Bosnian Orthodox Serbs<sup>97</sup>.

The good success enjoyed by the Yugoslav Muslim Organisation and the unsolved Bosnian Muslim-national question caused a conflict with the Bosnian wing of the National Radical Party, led by Milan Srškić, one of the Bosnian members at the Yugoslav Committee, that cooperating with the 'Osman Đikić' organisation promoted a campaign against the JMO and its leader, Mehmed Spaho, who was victim of an attempt of murder<sup>98</sup> on September 6<sup>th</sup>, 1927.

Srškić considered that Bosnian Muslim acting, or better trying to act, as a nation, was against Bosnian politics based on Croat and Serb nationalities. In his mind, to actively participate in politics, Muslims should stop acting with what he defined 'religious organisations' and join Croat or Serb political organisations. Although the leader of the Bosnian wing of the NRS sought to absorb Bosnian Muslims into Serb nationality, he declared that if they didn't want to be Serbs they could choose to be Croats, but, since he saw them as a mere religious expression, he couldn't accept them to form a third nationality: Srškić was not against the Islamic religion itself but he didn't accept it as a nation of Yugoslavia, considering it merely as a religion of just a fraction of the Croat or Serb population.

The position of Milan Srškić could be seen sometimes as grotesque, since the two parties had often been allies on the national level during the 1920s, while he was in open conflict with the JMO on the Bosnian scene. However, this shows that the perception of Bosnian Muslims as an expression of a religious movement was a fact, not only between a portion of the Bosnian Muslim population, but also among the political elites.

In reality, the debate on what Muslims should do shows that the word 'Muslim' had been acquiring a political meaning alongside the religious one. Concerning the religious meaning of 'Muslim' in Bosnia and Herzegovina, it is necessary to notice that Bosnian followers of the Islamic religion had never been fanatic. Instead, as often seen during the years, they had stood against the Turkish

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<sup>97</sup> Donia Robert J.; Fine John V.A. Jr., *Bosnia and Herzegovina: a tradition betrayed* (London: C.Hurst & Co (Publishers) Ltd., 1994),p. 87

<sup>98</sup> Kamberović Husnija, *Mehmed Spaho (1883-1939) - Politička biografija* (Sarajevo: Vijeće Kongresa bošnjačkih intelektualaca, 2009), pp.89-90, <http://vkbi.ba/Mehmed%20Spaho%20-%20Politicka%20Biografija%20.pdf>



Empire (that represented the highest Islamic authority), alongside with Bosnian Catholics and Bosnian Orthodox, with whom they felt closer at this point, since they shared the same land and the same history, while the common feature with Turks or other Muslim people was only religion. Even if inter-religious violence was experienced especially in the countryside, during the third and the fourth decade of the XX century members of the three once religions, now nationalities, lived in harmony in major Bosnian cities. Džemaludin Čaušević, who held the position of Reis-ul-ulema between 1914 and 1930, was a strong supporter of modernisation and promoted some positions that became unpopular among the Muslim clergy, such as branding the veiling as a tradition or a custom instead of a duty<sup>99</sup>

But despite the real condition of Islam in Bosnia and Herzegovina and the effective political role of the Bosnian Muslim community, Muslims didn't succeed, during the first Yugoslav years, in tying themselves to a national concept, neither trans-confessional nor solely Muslim. While Bosnian Catholic Croats, starting from the Catholic background developed into considering themselves as part of Croatia and not of Bosnia (or better, considering their part of Bosnian lands as part of Croatia), as did the Orthodox regarding Serbia, Muslims didn't have an external nation to tie<sup>100</sup>. They remained bounded only to Bosnia and Herzegovina and failing in involving all the communities into an all-Bosnian national project, such as the Bošnjanstvo was, meant to the Muslim community to be considered as a religious expression in a land on which two bigger nations, Croatia and Bosnia, had peculiar interests. Furthermore, the two bigger nations had absorbed part of the Bosnian people, setting the basis for the Bosnian conflicts that would burst in the last part of XX century.

The first decade of the Yugoslav state ended with a tense atmosphere: Nikola Pašić was the real architect who shaped the country on a centralist, Great Serbian-likely model. He formed governments with many different parties in order to keep, on one hand, the state united and on the other to put forward his own design. For a while, in 1925, he also opened the governmental coalition to his major political opponents, the Croat of Stjepan Radić's Croat Peasants' Party (that stop being 'Republican' in 1920s) and offered Radić himself a cabinet, after releasing him from the prison where he was detained after being arrested at the beginning of the same year when charged

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<sup>99</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 166

<sup>100</sup> For this reason will be now referred as Bosnian Croats when talking about Bosnian Catholic Croats and as Bosnian Serbs when talking about Bosnian Orthodox Serbs. Even though the religious faith of the two nationalities will be mentioned only when relevant, it's necessary not to forget that the deep origin of the identification of both nationalities has religious roots.

for Conspiracy together with the Soviet Union<sup>101</sup>. The Serb-Croat experience was unsatisfactory for both actors and lasted just few months. On December 10<sup>th</sup> 1926 Nikola Pašić died and in February the following year the Croat Peasants' Party was back to the parliamentary opposition. The period that followed was chaotic: Serbian leaders were not able to take Pašić's heritage, and Croat demands for federalisation brought the situation to an unsustainable limit. Violence broke out even at the parliament where, on June 20<sup>th</sup> 1928 Stjepan Radić was shot, together with other two Croatian deputies (one was Radić 's nephew, Pavle Radić) by a Montenegrin deputy. All three died, the two deputies right after they were shot, while Stjepan Radić passed away few weeks later, on August 8<sup>th</sup>. The violent act caused a violent reaction in Croatia. This reaction added more violence to the turmoil and the violences caused by the youth radical organisations, such as the mentioned 'Serb National Youth' (and the Muslim wing 'Osman Đikić'), the 'Croat National Youth' (sponsored by the Croat Peasant Party) and the 'Organisation of Yugoslav Nationalist' (backed by the Democratic Party).

In such a situation, with the Serb-Croat tension at its peak and the Serbian political class unable to guide the country (the NRS and the Democratic Party had ambiguous relations, being across the decade once rivals and at once allies), King Alexander I on January 6<sup>th</sup> 1929 performed a self-coup d'état introducing the so called 'Royal Dictatorship', declaring the King himself the dictator of the country.

### **The Proclamation of the 'Royal Dictatorship'**

The very first steps King Alexander moved towards the new order he had in mind was to declare null the Constitution, to dissolve the parliament and to assume all the powers on himself. The second important reform was the reorganization of the State's administrative structure. On October 3<sup>rd</sup>, the King promulgated the 'Law on the Naming and Division of the Kingdom into Administrative Territories', according to which the country was renamed with the name most often used unofficially to refer to it: the Kingdom of Yugoslavia. The new name excluded any national identity from the state denomination that gave a deeper sense of unity. According to the new design, the old regional identities had no place in the reformed State and had to be torn down.

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<sup>101</sup> Becherelli Alberto, 'The National Question in the Kingdom of Serbs, Croats and Slovenes. The Croatian Case' in *Mediterranean Journal of Social Science*, Vol. 2, No. 3 (9/2011): 268, [http://www.mcses.org/images/stories/2\\_journal/mjssso203september2011/mediterranean%20center%20of%20social%20and%20educational%20research%20online%20version.pdf](http://www.mcses.org/images/stories/2_journal/mjssso203september2011/mediterranean%20center%20of%20social%20and%20educational%20research%20online%20version.pdf)

Consequently, the map of Yugoslavia was completely redrawn to suit the new laws. Nine banates, named after rivers when possible, were now established in place of the old regions; for the first time since it was established by the Turks, Bosnia and Herzegovina was dismantled, cancelling the most considerable result the JMO and its leader Mehmed Spaho had obtained: the respect of historical boundaries of the country. Its territory was divided into four of the nine banates. Milan Srškić stood behind this partition of the Bosnian lands. Despite the negative advice of the National Radical Party General Council, he took part in the Dictatorship in order to win his personal battle against the Yugoslav Muslim Organisation and the pretension of a part of the Bosnian Muslims to act (and to be recognised) politically as a national group. For Srškić, as seen before, there was no place for another nation in Yugoslavia; by partitioning Bosnia and Herzegovina in four banovinas that did not respect the Bosnian borders, he expected the assimilation of the Muslims by Serb or Croat nation to be easier<sup>102</sup>. The four banates were:

1. Vrbaska banovina, it was the only banate that stay pretty much within the old Bosnian borders, with the unique exception of Dvor na Uni. Its capital city was Banja Luka and the majority of the inhabitants was represented by Serbs.
2. Drinska banovina, it occupied central Bosnia and a part of Serbian territory. The capital was Sarajevo. The majority of the population was Serb.
3. Primorska banovina, the only banate with a Croat majority, extended until the Dalmatian coast. The capital city was Split.
4. Zetska banovina, included roughly Southern Herzegovina and Montenegro. The capital of the banate was Cetinje and the population was on a majority Serb<sup>103</sup>.

The most important goal that the 'engineers' of the Bosnian partition had was that the Muslim should have resulted as being the minority in every one of the four banovinas<sup>104</sup>.

In order to make the Muslim positions weaker, after the partition of Bosnia and Herzegovina on January 31<sup>st</sup> 1930, the 'Law on the Islamic Religious Community of Yugoslavia' was promulgated. This law introduced a higher control by the central government on the activities of the Islamic community.

The most important reform introduced by the act was the unification of the chair of the Bosnian

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<sup>102</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p.117

<sup>103</sup> When is said that the majority of the population is Serb (or Croat, in the case of Primorje Banovina) the national terms must be understand within the Croat-Serb conflict. Due to this reason and since the new borders disunited the territory of Bosnia and Herzegovina, it has no sense to specify if they were Serbs from Serbia or Bosnian Serbs (as well as Croats from Croatia or Bosnian Croats) since it made no difference in that context.

<sup>104</sup> Ibrahimagić Omer, *Državno-pravni Razvitak Bosne i Hercegovine* (Sarajevo: Vijeće Kongresa bošnjačkih intelektualaca, 1998), p.31, <http://vkbi.open.net.ba/Aktuelnosti/OIbrahimagic2.pdf>

Reis-ul-Ulema, based in Sarajevo, with that of the Reis-ul-Ulema based in Skopje, who was the pre-eminent religious authority for Muslims in Macedonia and Kosovo. The objective of this move was to strengthen the control over the religious affairs, as the Reis-ul-Ulema was appointed by the Yugoslav King, and, not less important, to reduce at the people's eyes the links between Muslim religion and an hypothetical Bosnian Muslim nationality. With an all-Yugoslav Reis-ul-Ulema seat in Belgrade, Islam was reduced by law to just a simple matter of faith, while in practice in Bosnia it was much more, as it was a part of a national unrecognised identity felt by many Bosnians. Other minor issues were introduced, such as the royal nomination of the higher ranks of Muslim religion hierarchy. One year later, with a new Constitution elaborated to replace the cancelled Vidovdan Constitution, another huge threat to the Bosnian struggle to stay outside the Croat-Serb conflict was advanced.

### **The 1931 Royal Constitution**

On September 3<sup>rd</sup> 1931 King Alexander I sanctioned a new Constitution<sup>105</sup> that officially restored the parliamentary order suspended two and a half years earlier. Nevertheless, the Constitution was structured in order to concentrate all the powers in the King's and his government's hands<sup>106</sup>.

In the first three articles the Constitution defines the state (Kingdom of Yugoslavia) as a Constitutional hereditary monarchy (art.1), sets the coat of arms (art.2) and establishes the official language of the country defined as '*srpsko-hrvatsko-slovenački*' (Serbo-Croat-Slovene), recalling the former name of the state. On linguistic terms, this move has little sense because, as said before, Serbian and Croatian are to be considered as a linguistic continuum, while Slovene is a totally different language, though belonging to the same family. Article 3 adds arguments to the linguistic question, that appears often since the XIX century in the debate on the process of national development and will have dramatic importance during the falling of Yugoslavia between late XX and early XXI century.

Then, the Constitution goes on by explaining the rights and the duties of the citizens (articles 4-20), where the unitary nature of the state is underlined and the national claims are hushed up by article 4,

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<sup>105</sup> All the references and quotes from the Royal Constitution of 1931 are based on the version available at the website of the Digital National Library of Serbia. Url: <http://scr.digital.nb.rs/document/RA-ustav-1931>

<sup>106</sup> Blagojević Anita; Radonić Branka, 'O Ustavu Kraljevine Jugoslavije iz 1931', in *Pravni Vjesnik*, Vol. 28, No. 1 (2012): 124

clause 1 and article 4, clause 2:

*'Držanstvo je u čitavoj Kraljevini jedno.  
Svi su građani před zakonom jednaki. Svi uživaju jednaku zaštitu vlasti.'*

In English:

*'Nationality is unique within the aforementioned Kingdom  
All its citizens are equal before law. Everybody enjoys protection from the authorities.'*

It is clear that in the mind of the legislator (in this case the King himself with his assistants) there was no place for an internal social conflict on national basis. All the citizens are to consider themselves as part of a unique Yugoslavian nationality. Nationality and citizenship according to the Royal Constitution are a single thing: in article 4, the two words are used with an unique meaning.

Still in this section, the Constitution intervenes on the Bosnian question especially through article 13, that states:

*'Građani imaju pravo udruživanja, zbora i dogovora u granicama zákona. Ne može biti udruživanja na verskoj ili plemenskoj ili regionalnoj osnovi u partisko-političke kao ni u svrhe fizičkoj vaspintanja.  
Na zborove se ne može dolaziti pod odružjem.'*

In English:

*'Citizens have the right of association, meeting and consultation within the limits of the law. Association with political-party as well as with fisical educational purposes can't be founded on religious or tribal or regional basis.  
The meetings can't be attended armed.'*

Such a statement was especially directed to the Yugoslav Muslim Organisation. The political party had in its name an indisputable link with religion and regardless of the real aims of the party, or the vision the party had of itself, such a link could be no longer tolerated<sup>107</sup>.

After defining the 'Social and Economic Provisions' (articles 21-24), the 'Powers of the State' (articles 25-28), the figure and the functions of the King (29-49), the structure of the parliament

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<sup>107</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p.118

(articles 50-76), the Constitution comes to the executive power (77-99) where another reference to the Bosnian Question is made by including the contents of the 'Law on the Naming and Division of the Kingdom into Administrative Territories' in the Constitution. Consequently, to modify the banates' boundaries and structure, a Constitutional reform would have been required<sup>108</sup>. The way to reform the Constitution is explained in the last part of the Constitution. After the articles regarding judicial power (articles 100-101), finances and domain of State (articles 102-107) and the army (articles 108-113), the last section (articles 114-120) of the chart is dedicated to Constitutional reform. In modifying the Constitution the King played a key role. Without his approval no reform could be introduced: without his consensus, there was no point in expecting any alteration of the banates' borders and a restoration of Bosnia and Herzegovina as an administrative unit.

Despite the will of the Constitution and its promoters, King Alexander and Milan Srškić did not reach much of a result in dismantling the Bosnian Muslim unity, and obtained no more success than what they had already obtained in 1920s, it means a certain number of Muslim Bosnians who declared themselves as Croats or Serbs. The exclusion of Bosnian Muslims from the ranks of the Yugoslav Muslim Organisation (that unofficially continued its existence regardless of the article 13 of the Constitution, as many other parties did) was a complete failure. Instead, the JMO got sympathies among those who opposed the regime and asked for the restoration of democracy after Spaho's manifesto for democracy. Similar pledges were issued by the leader of the Slovenes, Anton Korošec, and mainly by Stjepan Radić's political heir, Vladko Maček. All the three of them were arrested as a direct effect of their declarations, but only Spaho and Korošec were soon released. Vladko Maček, being the real antagonist of the Serbian leader, was instead sentenced to three years. A noticeable fact among Croatian opponents to the regime was the auto-exile of Ante Pavelić, a Croatian politician who had militated in the ranks of the movements for Yugoslavian independence during the First World War and who represented the most radical Croatian wing. Under the protection of the fascist Italian leader Benito Mussolini, Pavelić started to organise an extremist movement that will be sadly protagonists of Yugoslavian and Bosnian scene during the Second World War.

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<sup>108</sup> Blagojević Anita; Radonić Branka, 'O Ustavu Kraljevine Jugoslavije iz 1931', in *Pravni Vjesnik*, Vol. 28, No. 1 (2012): 137-138

## The Rule of Prince Paul: Yugoslavia's Road to the Second World War

On October 9<sup>th</sup> 1934 King Alexander was murdered by the Ustaša in Marseille during an official visit to France, where he had arrived to continue the ongoing negotiations regarding the international situation of Yugoslavia<sup>109</sup>. At the time of the King's death, the regent Prince Paul became the ruler, being the King Peter II only eleven years old.

A détente in the autocratic regime characterised the first moves of the new leader. Vladko Maček was released and became the leader of the opposition to the regime and, in order to legitimate the 1931 Constitutional order, the Prince announced new elections in 1935. The person designated to be the leader for a new government was a member of the National Radical Party, Milan Stojadinović, who involved Mehmed Spaho and his Yugoslav National Organisation and Anton Korošec and the Slovene People's Party in a government experimental experience. Though Spaho had taken part in the electoral competition as part of the opposition coalition and Korošec's party had not taken part at all, they formed with National Radical Party members a new political party to govern the state, the Yugoslav Radical Union (*Jugoslavenske Radikalne Zajednice*, JRZ)<sup>110</sup>. Nevertheless, soon after the foundation of the new political entity, its Serbian -and more radical- wing left the party, going back to the National Radical Party. The situation of the cabinet and of the Prime Minister Stojadinović himself was ambiguous and delicate. The premier, a supporter of the whole-Yugoslavian national identity, could only count on the support of the former national (or ethno-religious, as was the YMO considered on the all-Yugoslav scene) parties, who had always been in between the Croat-Serb conflict, and on few politicians who supported him only on the basis of his personal prestige. In such an unusual coalition framework, the Bosnian Muslims of the former Yugoslav National Organisation were the strongest faction.

The four years of the Yugoslav Radical Union government, despite the strong position of the former Yugoslav Muslim Organisation, did not help the Bosnian internal situation. In spite of some economical investments and the return of the seat of the Reis-ul-Ulema from Belgrade to Sarajevo, probably the greatest success of Mehmed Spaho as a member of the JRZ, he was the victim of strong critics from the ranks of the JMO by those who were closer to the Croat nation and considered the entrance of the JMO in the JRZ a betrayal of the opposition alliance with Maček and therefore with the Croats. But the main critic was that joining the JRZ, Spaho had legitimated the

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<sup>109</sup> Hoptner Jacob B., *Yugoslavia in Crisis. 1934-1941* (New York: Columbia University Press, 1963), p. 25, <http://www.questia.com/read/7904193/yugoslavia-in-crisis-1934-1941>

<sup>110</sup> Kamberović Husnija, *Mehmed Spaho (1883-1939) - Politička biografija* (Sarajevo: Vijeće Kongresa bošnjačkih intelektualaca, 2009), pp.116-117, <http://vkbi.ba/Mehmed%20Spaho%20-%20Politicka%20Biografija%20.pdf>

partition of Bosnia to four banates that was unacceptable for many Muslim Bosnians. This wing of the movement left the party and formed a new movement that joined the Croatian Peasant Party as its Muslim Branch. The exclusion of Croats from the Yugoslav Radical Union led Bosnian Croats to be a more active part of the Croat nation. Bosnian Serbs, on their side, were far from identifying themselves into the JRZ because, after the exit of the National Radical Party representatives, they perceived it as an expression of Muslim interests.

In 1938 Prince Paul insisted to hold elections and Milan Stojadinović called for it on December 11<sup>th</sup> of the same year. The governmental party could control the parliament only thanks to the electoral law that actually assigned about 40% of seats to the government party prior the election. 82% of the seats were assigned to the government party in front of an electoral result that saw the Yugoslav Radical Union getting ca. 54% and the opposition coalition headed by Vladko Maček getting ca. 45%<sup>111</sup>. The strength of Maček was obvious and emerged the fact that Serb-Muslim cooperation, that excluded the Croats (this means, excluding the second most numerous nation of Yugoslavia) and that Stojadinović considered to be the solution to the Bosnian question<sup>112</sup>, was actually only an appearance.

Bosnian society was probably more polarised than during the 1920s, despite the aim of the Yugoslav Radical Union to create a cohesive, centralist state in Yugoslavia. Actually on the all-Yugoslav scene cohesion and centralism were so important for the JRZ that actually Milan Stojadinović's final aim was to transform the country into a fascist-alike state<sup>113</sup>. In such conditions Mehmed Spaho and Anton Korošec were not willing to support the government anymore. The lack of consensus shown by the 1938 elections, the gone support to the coalition by the leaders of the two major movements that formed the party in 1935 and the authoritative pattern Stojadinović followed persuaded Prince Paul to appoint a new prime minister, as soon as Spaho and Korošec resigned after a Great Serbian speech at the parliament on February 3<sup>rd</sup>, against which Stojadinović did not say a single word.

Dragiša Cvetković was appointed Prime Minister and his main goal was to resolve the Croat question: the authoritative centralist model of Stojadinović proved to fail, so there was the need to change ways and to reach an agreement with the Croats. The Croat-Serb question had become part

<sup>111</sup> Ramet Sabrina P., *The Three Yugoslavias: State-building and Legitimation, 1918-2005* (Bloomington: Indiana University Press, 2006), p. 104

<sup>112</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p.126

<sup>113</sup> Hoptner Jacob B., *Yugoslavia in Crisis. 1934-1941* (New York: Columbia University Press, 1963), p. 124, <http://www.questia.com/read/7904193/yugoslavia-in-crisis-1934-1941>



of the wider European context and the European powers, more or less secretly, backed one of the rival sides. The situation in Europe was about to change: over 1938 and 1939, Germany had taken over Czechoslovakia and winds of war were blowing. The solution to the Croat-Serb question was urgent since it was seen by the public opinion as a strengthening of the state<sup>114</sup> and negotiations came to an end in the summer of 1939. On August 23<sup>rd</sup> the draft of the agreement was signed by Prince Paul; three days later, Vladko Maček entered a new government as vice-prime minister.

The agreement (*Sporazum* in Serbo-Croatian) redesigned Croatian lands creating the Banate of Croatia by merging the Sava and the Primorje banates and adding districts from Bosnia and Herzegovina. The banate enjoyed a large autonomy and was the first banate of a larger federal project (not supported by the regent Prince Paul) that should have involved the creation of a Slovene and a Serbian banate. Bosnia and Herzegovina was not included in the project, the state had to be tripartite and those Bosnian districts not included in any banate would have had to vote to decide which banate to join.

Džafer Kulenović, the new political leader of Bosnian Muslims and heir of Mehmed Spaho, who had died on June 29th 1939, asked for the same solution Croatia got for Bosnia and Herzegovina but he had to deal with the loss of support. According to the 1929 partition of the country into banates, Bosnian Muslim were in fact not the majority in any of the Bosnian banates and the Bosnian Serbs, who were majority in the remaining parts of Bosnian banates, were willing to lose any contact with Serbia. Any discussion on these issues was forcedly suspended since the Second World War had already called many Europeans to the arms and the pressure of the Axis powers to join them grew unbearable. Prince Paul was forced to sign it, but soon after the Yugoslav delegation return to Belgrade, a military coup d'état, backed by the old Serbian parties and by popular consensus, deprived Prince Paul of his authority on March 27<sup>th</sup> 1941. A new national unity government was formed; however, few days later, on April 6<sup>th</sup>, the Axis attacked Yugoslavia involving the whole Balkans into the worst conflict human race ever experienced.

### **The Revival of Bosniaks' National Claims**

The *Sporazum* had, on one side, lighted again the Croat-Serb conflict; on the other, it had returned hope to those who wanted a federal organisation for Yugoslavia. Džafer Kulenović, at a press

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<sup>114</sup> Hoptner Jacob B., *Yugoslavia in Crisis. 1934-1941* (New York: Columbia University Press, 1963), p. 153, <http://www.questia.com/read/7904193/yugoslavia-in-crisis-1934-1941>

conference on November 6<sup>th</sup> 1939, claimed the same treatment that was received by Croatia for Bosnia and Herzegovina, re-launching a movement for autonomy that had been hidden for years. It was the 'Muslim Movement for the Autonomy of Bosnia and Herzegovina'. It caused the abandonment of the JRZ by those members of the former JMO who represented the Bosnian Muslims, who felt betrayed by Belgrade because they had supported the government for years, receiving almost nothing in exchange. Actually, their country was not only not rebuilt after the 1929 reform, but it was further dismembered. On this basis, a debate on Bosnian autonomy and a debate on a trans-confessional nationality and on a Bosniak (Muslim) nationality emerged again among the Bosnian Muslim intelligentsia, after years of polarisation caused by the Croat-Serb conflict. Furthermore, Bosnian Muslim society had changed a lot in the last fifty years. Many of them had studied in cities outside Bosnia and Herzegovina, for instance in Belgrade and Zagreb, and the enacted reforms of the first years of the Yugoslav state had developed in Bosnian Muslims a more 'modern' and 'European' social mentality<sup>115</sup>. The lack of such a mentality is to be considered as one of the reasons behind the lack of success of Bosnian Muslims in creating a strong national movement as the Bosnian Croat or the Bosnian Serb<sup>116</sup>.

The debate on nationality stemmed from the way that would result into the formation of a Yugoslav national identity and was linked to the demands for autonomy. The main question was if it was necessary for Muslims to choose the Croat or Serb nationality, taking it as the basis for developing a Yugoslav identity, or if it had been possible to take a separate path. The Muslim scholar Mehmed Begović argued that the word 'Bosniak' had for Bosnian Muslims what he identified as 'some form of national identity'<sup>117</sup>. Džafer Kulenović, in his demand for the fourth entity (along with the Croat one, already existent, and the planned Serb and Slovene) was pursuing the 'Bosnian' way to Yugoslavian identity; however, after failing, he tried to mask it by declaring that it had been only a transitory situation that would be changed by a new Constitutional chart defining the borders of a Bosnian administrative unit<sup>118</sup>.

There was also a radical Muslim faction that emerged after Mehmed Spaho's death that was anti-Yugoslav, as it stood for the union of the Muslims all over the world. This organization, known as

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<sup>115</sup> Lopasić Alexander, 'Bosnian Muslims: A Search for Identity' in *Bulletin (British Society for Middle Eastern Studies)*, Vol. 8, No. 2 (1981): 121, <http://www.jstor.org/stable/pdfplus/194542.pdf>

<sup>116</sup> Busuladžić Adisa, 'The Bosniaks: Failing Role Models for Muslim Europeans' in *International Journal of Euro-Mediterranean Studies*, Vol. 3, No. 2 (2010): 214, [http://www.emuni.si/press/ISSN/1855-3362/3\\_211-222.pdf](http://www.emuni.si/press/ISSN/1855-3362/3_211-222.pdf)

<sup>117</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p.134

<sup>118</sup> Banac Ivo, 'From Religious Community to Statehood' chapter 5 in *The Muslims of Bosnia-Herzegovina: Their Historic Development from the Middle Ages to the Dissolution of Yugoslavia*, 2<sup>nd</sup> Ed., ed. Pinson Mark (Cambridge: Harvard University, Center for Middle Eastern Studies 1996): 140

the 'Young Muslims' (*Mladi Muslimani* in Serbo-Croatian), represented an extremism that Bosnia had never experienced before, a kind of a Muslim Bosnian counterpart of the extremist movements such as the Croats of the Ustaša, or the Serbs of the Serb Cultural Club. Despite the short Young Muslims' life, a fact worth mentioning fact is the affiliation to the organisation of Alija Izetbegović, the future leader of the independent Bosnia and Herzegovina in 1990s.

The word 'Bosniak' starts now to have a more exclusive Muslim accent. Before, even if it had been mostly used by Bosnian Muslims, as for example Husein-kapetan Gradaščević, the leader of the 1830 anti-Turk revolt, it had been mainly used by members of any confession to refer generically to Bosnians, such as the Bosnian Catholics Ivan Franjo Sukić and Anton Knežević in the XIX century, when the transformation of the ethno-religious groups into modern nationalities had started, or the leader of the Serb National Organisation, the Bosnian Nikola Stojanović in the early XX century, an age where the partition of Bosnian society on national basis, even if still young, was already a fact.

This situation can be considered to be crystallised at the outbreak of the Second World War in 1941<sup>119</sup>. Even if some attempts of reunify all Bosnians under an unique nationality had been done during the socialist era, the Croat-Serb question of the first Yugoslav State, its consequent non-recognition on legal basis of any Bosnian state (neither trans-confessional nor based on the sole Bosnian Muslim community) and the rebirth of a Bosnian Muslim national consciousness developed a national partition on social basis that would be much more stronger than any unification attempt.

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<sup>119</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p.248

## CHAPTER 5

### The Second World War

The calls for peace of the new Yugoslav leadership were vane. On April 6<sup>th</sup> 1941 the Axis powers invaded the country and, after just eleven days of battles, Yugoslavia sign the capitulation. But the conflicts over the Balcanic country were anything than over. The country was partitioned according to previously prepared plans: Slovenia was partitioned between Germany and Italy, to which were assigned also various coastal lands and the protectorate over Montenegro. The lands once part of the Kingdom of Hungary were annexed to the latter. The Serbian 'core', that included the cities of Belgrade and Niš, was occupied by the Germans who established the 'Government of National Salvation' under Milan Nedić, but the biggest upset was the birth of the Independent State of Croatia (*Nezavisna Država Hrvatska* in Serbo-Croatian, NDH), proclaimed on April 10<sup>th</sup> in Zagreb. The new country, *de facto* a puppet state, was under the rule of Ante Pavelić; his Ustaša took over the rule of the country, with the tacit agreement of the Croat Peasants' Party leadership that was willing to establish an independent state to lately turn to the Allied side<sup>120</sup>. Bosnia and Herzegovina was annexed to the NDH but it would not be true to state that it was under Croatian control: a though conflict started instead<sup>121</sup>.

#### **The Second World War in Bosnia. Shaping a new state.**

The situation was indeed chaotic, in Bosnia and Herzegovina and in Yugoslavia in general: in few months -it is possible to state by summer 1941- a civil war was going on. The involved sides were more than two: ustašas, backed by the Axis (mostly by Italy, that imposed Aimone of Savoy-Aosta as the Croatian King Tomislav II) clashed with the Axis itself in a struggle for power. Moreover, and most importantly, the leading faction had to fight against the resistance in the Independent State of Croatia (so in Bosnia and Herzegovina as well) and in the other occupied lands, mainly Serbia and Montenegro. The resistance consisted of groups of a different nature, that often were fighting each other along fighting the occupiers: the most relevant were the loyalist army, Serbian and Great

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<sup>120</sup> Goldstein Ivo, *Croatia: A History*, trans. to English Jovanović Nikolina (Montreal: Mc Gill-Queens University Press, 1999), p. 137, [www.questia.com/read/94269350/croatia-a-history](http://www.questia.com/read/94269350/croatia-a-history)

<sup>121</sup> Goldstein Ivo, *Croatia: A History*, trans. to English Jovanović Nikolina (Montreal: Mc Gill-Queens University Press, 1999), p. 139-140, [www.questia.com/read/94269350/croatia-a-history](http://www.questia.com/read/94269350/croatia-a-history)

Serbian in nature, under the command of the colonel (then general) Dragoljub 'Draža' Mihailović, and the partisans led by the Communist Party of Yugoslavia of the Marshall Josip Broz Tito, the future leader of Yugoslavia.

Colonel Draža Mihailović was in Bosnia at the outbreak of the war and had retreated to Ravna Gora, in central Serbia, where he established his headquarters. The name after what the Loyalist resistance movement became known, Chetniks, created a sort of ambiguity since its very beginning. The word Chetnik actually identifies a large number of movements, often guided by the leadership of military veterans, active in Serbia and in Yugoslavia in the XX century. Their main characteristics were Serb national composition, monarchism and nationalism. They often acted as paramilitary organisations, as during the Second World War, when there were but two different main movements known under the name 'Chetniks' that in 1941 had little in common. One was Mihailović's Yugoslavian Army in Homeland. The other 'Chetnik' movement had instead nothing to do with resistance: it was a military force organised by the veteran Kosta Pećanac to fight along the Germans under the flag of Nedić's puppet government. This dichotomy, along with the fact that in some occasions the borders between the two organisations were not clear, created at that time confusion on the judgement of the Chetniks of the Yugoslavian Army in Homeland and of its leader, general Mihailović. The Yugoslavian Army in Homeland maintained an extremely ambiguous position throughout the war: originally part of the anti-Axis resistance and officially recognised by the Allies and by the King Peter II in exile as the subject acting on King's behalf and as the only interlocutor in Yugoslavia, in order to pursue its interests it gradually moved towards a more autonomous position, battling for the restoration of the monarchist Yugoslavia. This means that the other major resistance movement, inspired by Marxism-Leninism and willing to establish a socialist state, became probably the main enemy. Some secret cooperation agreements were also at streak with the Italians in order to combat the Ustaša in Croatia<sup>122</sup>, since they were for Mihailović an obstacle for the restoration of Yugoslavia and for Italy, despite the support to the Ustaša government, it was a source of problems due to the common interests on the Adriatic shore. Moreover, Mihailović couldn't get full control over the troops acting in the different parts of the country, and there were many deviate battalions that pursued a Great Serbian ideology instead of a Yugoslavian monarchist one. Although there is no evidence of Mihailović pursuing a Great Serbian project, it's proved that he used such an idea to incite the troops and that many commanders fought a Great Serbian war rather than a Loyalist one, often getting involved (and therefore confused) with

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<sup>122</sup> Fabei Stefano, *I Cetnici nella Seconda Guerra Mondiale: Dalla Resistenza alla collaborazione con l'Esercito Italiano*, (Gorizia: Libreria Editrice Goriziana, 2006), pp.75-82

the Pećanac's Chetniks of the puppet Serbian Government.

The second movement was, as mentioned, of Marxist-Leninist inspiration and was the one that would *de facto* win the conflict. The leader, Josip Broz Tito, was the half-Croat and half-Slovenian chairman of the Communist Party of Yugoslavia and called for a united fight against the foreign forces occupying the country soon after the surrender of the Yugoslav government. The main goal of his leadership was to establish a communist country when the war would be over. Nevertheless, they involved in the struggle all the republicans and in general the leftist part of the resistants, forming the Unitary Liberation National Front (*Jedinstveni Narodnooslobodilački Front* in Serbo-Croatian, JNOF) as the political subject governing the resistant forces. The Communist Party was the leader over all the other political and individual subjects involved in the JNOF. The resistant forces under communist leadership changed name several times during the conflict and they are commonly referred as Partisans. In 1942 the Partisans managed to gain the leadership of the resistance, that had been up to that moment made up by organised and mostly spontaneous uprising of people, in order to defend themselves from different menaces<sup>123</sup> like, for example, the Ustašas' attempts of genocide against Serbs and Muslims. After they gained the leadership, a deliberative organ was created and placed under the JNOF, that acted as wartime parliament: the Anti-Fascist Council of the People's Liberation of Yugoslavia (*Antifašističko Vijeće Narodnog Oslobođenija Jugoslavije* in Serbo-Croatian, AVNOJ). Originally, the Partisans and the Chetniks sought to achieve some sort of cooperation, however soon realised that such a goal was impossible, since the final objectives the two fronts had, other than liberate the country, were diametrically opposed. The break up happened between 1941, when the Germans attacked a liberated territory called the Republic of Užice, and 1942, when Draža Mihailović was officially recognised by the exile government as the Ministry of the Army, Navy and Air Forces and its movement was recognised as the Yugoslavian Army in Homeland (*Jugoslovenska Vojska u Otadžbini* in Serbo-Croatian, JVO). Following the attack to the Republic of Užice and the consequent retreat to Bosnia, the core of Partisans' operations became Bosnia and Herzegovina, where the new Tito's headquarters were established<sup>124</sup>. The fall of the Republic of Užice marked also the break point between Stalin and Tito, who then stopped following Russian instructions: Stalin had ordered him to follow Mihailović's orders, though the latter had tried to attack Tito's Partisans, taking advantage of the German offensive, in order to eliminate the communist element from Yugoslav resistance. Therefore, Tito decided to pursue its own goals ignoring Russian directives and trying instead to

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<sup>123</sup> Dedijer Vladimir; Božić Ivan; Ćirković Sima; Ekmečić Milorad, *History of Yugoslavia*, trans. to English Kveder Kordija (New York: Mc Graw-Hill, 1974), p.595

<sup>124</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p.256

gain the respect of the other Allied forces.<sup>125</sup>

By November 1942, the Partisans detachments started to refer to themselves as the National Liberation Army using terms such as 'regular army' and 'divisions', as shown by the official bulletin issued by the JNOF<sup>126</sup> aiming to get official recognition by the Allies as the real resistant force in Yugoslavia. It was granted a year later at the Teheran conference where the allies decided to support their struggle, informally accepting Tito's leadership<sup>127</sup>.

Ustašas were loyal to the Germans, but had issues with the Italians because of the Adriatic shore. They ruled the Independent State of Croatia with an iron hand, being responsible for a number of war crimes including genocide. Bosnia and Herzegovina represented a vast portion of the country and was the theatre of probably the most violent fights of the Yugoslavian War. The Ustaša movement tried to push Bosnian Muslims to the Croatian cause. Among all the nationalities ruled by the NDH Bosnian, Muslims were those with the less developed national identity. Moreover, they represented a considerable part of the population of the state and, most importantly, Bosnia and Herzegovina represented for Croatian nationalists the core of the Croat nation, way more important than the Dalmatian shores given to Italy. As a consequence, Bosnian Muslims were the object of a mass campaign of Croatisation. Bosnian Muslim were considered as an actual part of the Croat nation and the propaganda made a great effort to make Bosnian Muslims to feel Croats, and therefore to join the ranks of the Croatian Army. After stating that Bosnian autonomic traditions, like the idea of the Bošnjanstvo, were an extreme form of Croatism (it was seen as a fight for the right of the Croat nation), they tried to depict under a 'Croatian light' a wide range of Bosnian Muslim heroes, such as Husein-kapetan Gradaščević<sup>128</sup> and Ante Pavelić himself, who had always tried to make Bosnian Muslims to feel Croats. The massive Ustašas' campaign enjoyed some success at the beginning, also thanks to the collaborationist pro-Ustaša Muslims who were placed in key positions by the Croatian government. Once Bosnian Muslims started to be considered a part of the Croat nation, such a status was extended to the Yugoslav Slavic Muslims living in the Sandjak, who considered themselves, again, Bosnians, although the Sandjak had been part of Bosnia and Herzegovina only for a few decades during Turkish and later Austro-Hungarian rule.

Nevertheless, despite of an initial success in the Croatisation process, Ante Pavelić purged all the

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<sup>125</sup> Fabei Stefano, *I Cetnici nella Seconda Guerra Mondiale: Dalla Resistenza alla collaborazione con l'Esercito Italiano*, (Gorizia: Libreria Editrice Goriziana, 2006), p.46

<sup>126</sup> Sidoti Antoine, *Partisans et Tchetsniks en Yugoslavie durant la Seconde Guerre mondiale: Idéologie et mythogenèse* (Paris: CNRS Éditions, 2004), p.71

<sup>127</sup> Dedijer Vladimir; Božić Ivan; Ćirković Sima; Ekmečić Milorad, *History of Yugoslavia*, trans. to English Kveder Kordija (New York: Mc Graw-Hill, 1974), p.656

<sup>128</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p.203

most notable Bosnian Muslims from the administration and substituted them with more loyal subjects belonging to the Muslim ranks of the Croatian People's Party. De facto, Bosnia and Herzegovina was under Bosnian Catholic Croats' control, and the Muslims were just a few puppets of the Poglavnik Ante Pavelić. The consequence of this was the approach to the JNOF of the Bosnian Muslim elite (and of Bosnian Muslim population) and the lost of consensus of the NDH in Bosnia and Herzegovina.

Concerning military forces, despite many Bosnian Muslims joined the ranks of the Partisans, there were some well-documented units of the Ustaša armed forces consisting of Muslims, and a Bosnian Muslim SS division, the 'Handžar' Division, was organised by the Germans in 1943 leveraging on Bosnian Muslims sentiments and the wishes for autonomy. The 'Handžar' drawn people from the ranks of the Ustaša armed forces, especially those who did not see their own autonomic desires fulfilled by the Independent State of Croatia<sup>129</sup>.

Bosnia and Herzegovina experienced a complex situation during the war. It was the geographical core of Yugoslavia, it was (and still is) rich of minerals and it was the centre of the fight. At least five organised groups battled in Bosnian lands: Germans, Italians, Ustašas, Chetniks and Partisans. Often the alliances were not clear. For instance, Chetniks fought both the Axis and the Partisans; Italians officially supported the Ustašas, but behind the scenes sought an alliance with the Chetniks; and so on. What was clear was that many atrocities were perpetrated. The Axis' main objective was the Jews and the Gypsies; in cooperation with the Ustašas, they extended violences to the Serbs who lived in the NDH. A great part of them were Bosnian Serbs, who were, like Serbs in general, not recognised as a nation but as "Wallachians and Kara-Wallachians" by the Croatian Assembly<sup>130</sup>. The reaction to the genocide of the Serb population was a stream of uprisings that sparked from their goal to defend their own communities. It was in Herzegovina where the first uprising against the Axis rule bursted, under the guide of Bosnian (or better Herzegovinian) Serb peasants in May and June 1941. Meanwhile, some bands of Chetniks, particularly those who had a stronger faith in Greater Serbia rather than in Yugoslavia, applied the same genocide logic to the Muslims and the Croats. Inter-ethnic<sup>131</sup> violences were fueled, as in Bileća in 1941.

Partisan reaction to the genocide of the Serbs in Bosnia was a call for resistance, issued on July 4<sup>th</sup>, and a subsequent uprising carried out from Tito's headquarters, that had been established in Bosnia

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<sup>129</sup> Lopasić Alexander, 'Bosnian Muslims: A Search for Identity' in *Bulletin (British Society for Middle Eastern Studies)*, Vol. 8, No. 2 (1981): 121-122, <http://www.jstor.org/stable/pdfplus/194542.pdf>

<sup>130</sup> Dedijer Vladimir; Božić Ivan; Ćirković Sima; Ekmečić Milorad, *History of Yugoslavia*, trans. to English Kveder Kordija (New York: Mc Graw-Hill, 1974), p. 578

<sup>131</sup> 'Inter-ethnic' is used not to create confusion with the term 'international' that commonly means 'between states'. Anyway it refers violences between Yugoslavian nationalities.



after the retreat from the Republic of Užice. The core of Partisans' activities was Bosnia and Herzegovina;<sup>132</sup> Bosnian slogans were used to incentivize people to cooperate. But what turned the Bosnian Partisan fight into a Bosnian revolutionary fight for a state was the Chetnik attitude toward Muslims and Croats. Although the boundaries between the Chetniks and Partisans' resistance were not clear until the end of 1941 (and, in fact, a joint Chetnik-Partisan government was established in November, and it had taken the important decision of splitting Bosnian resistance from Serbian resistance, creating a separate command<sup>133</sup>), the Partisans were forced by the Chetnik attacks to take an independent initiative. 1942 saw the beginning in Bosnia of a war-within-the-war, fought between Chetniks and Partisans. The first were oriented to see the quisling Serbian premier Nedić as the real leader, rather than general Mihailović, and fought to incorporate Bosnia to the Serbian puppet state. In the first months of 1942 the Chetniks, both with military offensives and propaganda, almost succeeded in destroying Partisan detachments in Eastern Bosnia and in Herzegovina. However, such a defeat was the beginning of a Communist Partisan new strategy. The first objective was to build a Partisan army on the model of the Proletarian Brigades established in Bosnia by Serbian Partisans (were actually Serbian Communist Partisan Units). Bosnian Proletarian Brigades had to be multi-national and all-Bosnian; the final goal was to conquer freedom for Bosnia and Herzegovina. Partisans' plan was successful and, in November, they established an all-Yugoslavian wartime 'parliament', a deliberative and legislative body, the aforementioned AVNOJ.

The AVNOJ was established in Bosnia, in Bihać, a city where the Bosnian Muslims were the majority. The first session, held from November 26<sup>th</sup> 1942, was focused on a set of few principles on which the future should be based. They appealed all the people in Yugoslavia (including the Muslims of Bosnia) to fight together against the invaders, and even though they didn't discuss the future institutional order, they established that the future should be democratic, respectful of all the minorities, of private property and economic initiative. It was also decided to create local assemblies to develop local statehoods in the optic of a future federal state, a first step in deciding to pursue a federal model for future Yugoslavia. Bosnia and Herzegovina got its own organ, the National Anti-Fascist Council of the People's Liberation of Bosnia and Herzegovina (*Zemljasko Antifašističko Vijeće Narodnog Oslobođenja Bosne i Hercegovine* in Serbo-Croat, ZAVNOBiH), hinting that an autonomous Bosnia and Herzegovina within a federal Yugoslavia was planned.

The Chetniks were not able to oppose the Partisan strength on the long term. At the beginning of

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<sup>132</sup> Dedijer Vladimir; Božić Ivan; Ćirković Sima; Ekmečić Milorad, *History of Yugoslavia*, trans. to English Kveder Kordija (New York: Mc Graw-Hill, 1974), p. 591

<sup>133</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 257

1943, according to Hoare, they were three times as many as the Partisan forces and were supported by both the NHD and the Axis, since they were considered as an extra arm against the Communists. They advanced over Bosnia, continuing their ethnic cleansing operations while moving. However, in February, the situation changed: Partisans successfully counterattacked succeeding in stopping the Chetnik 'Bosnian March' on the Neretva Valley in Herzegovina. Following the Battle of Neretva two things happened that helped the Partisan struggle: first, the Germans decided to disarm the Chetnik bataillons, that were -at the end- enemies, despite the temporary anti-Partisan cooperation,<sup>134</sup> second, in April the British officially visited Tito's headquarters<sup>135</sup>, a first step toward the official recognition of the Partisans as the Resistant Forces that happened, as mentioned before, at the Teheran Conference held from November 28<sup>th</sup> to December 1<sup>st</sup> 1943. After Partisans had definitely turned the war in their favour by breaking out through the German lines on the Sutjeska river, on September 8<sup>th</sup> 1943 Italians surrendered and the Partisans could obtain a lot of equipment from Italian hands<sup>136</sup>.

At the end of 1943, the first session of the ZAVNOBiH was held in Mrkonjić Grad. The rebirth of a Bosnian assembly after the abolishment that followed the First World War was remarked as the rebirth of a nucleus of Bosnian statehood, after its borders had been dismantled by the Yugoslav Kingdom. Right after the end of the first session of the ZAVNOBiH, the second session of the AVNOJ was held in Jajce, Bosnian and Herzegovina. The AVNOJ proclaimed itself as the Govern of Yugoslavia, specifically by voting for giving governmental functions to the National Committee of the Liberation of Yugoslavia (*Nacionalni Komitet Oslobođenja Jugoslavije* in Serbo-Croat, NKOJ) and appointing Tito as the Prime Minister and Marshall of Yugoslavia. However, this was not the most important statement of the AVNOJ's second session: the real turning point was the formalisation of the future federal structure of Yugoslavia. In case of victory, that was very likely after the victories in 1943, Yugoslavia would be rebuilt on federal basis, based on six federate republics (Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Serbia and Slovenia). Nevertheless, the recognised nationalities were only five: there was no mention to a Bosnian nationality, neither on 'geographical' basis (a trans-confessional nationality) nor on religious basis like national recognition for Bosnian Muslims. Furthermore, as arguable, monarchy was not taken for granted and the King could return to the country only after a referendum.

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<sup>134</sup> Fabei Stefano, *I Cetnici nella Seconda Guerra Mondiale: Dalla Resistenza alla collaborazione con l'Esercito Italiano*, (Gorizia: Libreria Editrice Goriziana, 2006), p. 227-228

<sup>135</sup> Dedijer Vladimir; Božić Ivan; Ćirković Sima; Ekmečić Milorad, *History of Yugoslavia*, trans. to English Kveder Kordija (New York: Mc Graw-Hill, 1974), p. 643

<sup>136</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 185

The second session of the ZAVNOBiH was held the following summer, in June 1944. It was during the second session of the assembly that the future federate Bosnia and Herzegovina was shaped. Bosnia and Herzegovina was declared a sovereign entity under the principles of self-determination, those principles that had not been fully applied almost thirty years earlier. It was clearly stated that the participation of Bosnia and Herzegovina to a federal project of Yugoslavia was voluntary and not forced by any foreign entity<sup>137</sup>. The equality of Serbs, Muslims and Croats was mentioned, and freedom of religion was guaranteed. Moreover, it was decided that every future decision had to be issued using both Cyrillic and Latin alphabets, trying to make every Bosnian equal in front of the state. In order to pursue this goal, were also issued instructions about the future legal system: it had to be based on modern democratic principles<sup>138</sup>. The process of state-building continued after the session, when the country was reorganised on the old territorial basis.

By 1944, Tito's forces had gotten full support from the Allies, who convinced King Peter II, who was at that time in exile in London, to pledge all the Yugoslavs to support Tito's army as the unique Liberation force in the country. Nevertheless, the British aim was to reconcile the King with the Communists in order to save the monarchy on the aftermath of the war, since they Partisans had already decided that monarchy would be preserved only in case of a favourable popular vote, that seemed however to be highly unlikely, due to the Communist Partisans popularity. In order to pursue reconciliation, in summer 1944, the British Prime Minister Winston Churchill asked the King to appoint Ivan Šubašić, the former Ban of Croatia, as chargé d'affaires to keep the contacts with Tito and to form a new government, inclusive of both Royal representatives and Communists Partisans. Churchill, in his effort to save monarchy, was also ready to 'sacrifice' Mihailović, offering him to leave Yugoslavia<sup>139</sup>.

The political question over the future of the country became as important as what had happened on the battlefield. Churchill and Stalin met in Moscow and agreed on divided the country into two equal states, a solution later accepted by the Americans as well. In the Independent State of Croatia there was an ongoing effort to save the independency: a proposed solution was to convince the poglavnik Ante Pavelić to resign in favour of Vladko Maček, the pre-war leader of the Croat Peasant's Party, who would eventually proclaim a republic that would fight on the Allies' side.

But on the battlefield, by September 1944, the Partisans were advancing almost uncontested and by the end of the month they crossed the Danube to join the Soviets and the Bulgarians (who, in

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<sup>137</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 292

<sup>138</sup> Ibrahimagić Omer, *Državno-pravni Razvitak Bosne i Hercegovine* (Sarajevo: Vijeće Kongresa bošnjačkih intelektualaca, 1998), p.34, <http://vkbi.open.net.ba/Aktuelnosti/OIbrahimagic2.pdf>

<sup>139</sup> Dedijer Vladimir; Božić Ivan; Ćirković Sima; Ekmečić Milorad, *History of Yugoslavia*, trans. to English Kveder Kordija (New York: Mc Graw-Hill, 1974), pp. 658-662

September 1944, had changed side, joining the Allies following the Soviet invasion of the country), liberating Belgrade on October 20<sup>th</sup>. The final liberation of the country happened in spring 1945, when the major Croat cities, including Zagreb and Sarajevo, were liberated. After the liberation of Sarajevo, on April 6<sup>th</sup>, the presidency of the ZAVNOBiH was transferred from Jajce, restoring the historical seat of the government on the city on the Milijacka.

The AVNOJ was transformed under Allied influence. The Allies in Yalta had decided that the AVNOJ should be integrated by those deputies who were elected in 1938 and had not cooperated with the invaders during the war. Moreover, the laws issued by the AVNOJ in war time were to be confirmed by a constituent assembly. The NKOJ and the Royal cabinet in London had to step back and the King appointed a regency that designated Tito as the prime minister of a Provisional Government, immediately recognised by the Allied forces<sup>140</sup>. The internal institutional structure was to be established after general elections that would be held on November 11<sup>th</sup> 1945<sup>141</sup>.

In Bosnia and Herzegovina, the ZAVNOBiH held its last session on April 26<sup>th</sup> 1945 in Sarajevo; after, the assembly was transformed into the National Government of Bosnia and Herzegovina, in order to prepare Bosnian structures to enter the new federal state. The state-building action of the ZAVNOBiH was the clear manifestation of decades of political and social development of Bosnia and Herzegovina, as it got the first Constitutional chart in 1867 and, especially, since it got the first modern chart in 1910<sup>142</sup>. In 1945, in a process that took months, the law-making process confirmed the territorial changes of Bosnia and restored its old divisions (with an extra okrug that brought the total to seven, instead of the historical six).

Regarding the national question in Bosnia and Herzegovina, the Second World War had a dramatic influence in developing national consciousness and a national identity.

At the outbreak of the war, two portions of Bosnian population were already set within a nationality: it has been shown how the vast majority of Bosnian Catholics had become Bosnian Croats by the beginning of the war, part of the Croat nation. The same had happened to Bosnian Orthodox, who became Bosnian Serbs, a part of the Bosnian nation. Despite the opinions of the individuals on Bosnian autonomy (within both national movements there were an autonomic and a centralist wing, and a number of positions in-between) there was a clear national framework of which to be part.

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<sup>140</sup> Dedijer Vladimir; Božić Ivan; Ćirković Sima; Ekmečić Milorad, *History of Yugoslavia*, trans. to English Kveder Kordija (New York: Mc Graw-Hill, 1974), p. 667

<sup>141</sup> Ibrahimagić Omer, *Državno-pravni Razvitak Bosne i Hercegovine* (Sarajevo: Vijeće Kongresa bošnjačkih intelektualaca, 1998), p.35, <http://vkbi.open.net.ba/Aktuelnosti/OIbrahimagic2.pdf>

<sup>142</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 308

Bosnian Croats, as Croats in general during the war, originally were satisfied by the Independent State of Croatia and generally warmly welcomed the new independent state. But the hope of the Croatian People's Party and of the moderate Croats to move the country to the Allies' side was soon disappointed when the state revealed to be just one more quisling regime on the Axis side, with little autonomy and with cruel and inhuman policies. During summer 1941, Communist Partisans units were already formed by Croats, both in Croatia and in Bosnia. In the latter, Bosnian Croats were even more disappointed by the Ustaša regime, and they were forced to face Chetniks and Greater-Serbian-inspired aggressions. By 1942, Croats were more likely to stay by Partisans' side, both by fighting within Partisans' ranks or supporting them in other ways<sup>143</sup>.

Also Bosnian Serbs had a clear and well developed national group to which refer to. There were two choices: joining Chetniks, often a choice made in order to resist Ustašas' violence or incited by Great Serbian slogans and ideology, or joining the Communist Partisans, a choice easier to be made because of the prolonged stays of the Partisan divisions on the Bosnian soil. It is evident that it was more a political choice rather than a national one, since Bosnian Serb national consciousness was already well developed. Especially after the turning point of the war, represented by the Battles on the rivers Neretva and Sutjeska, some Chetniks changed side and joined the Partisans. If on one side this was good, since many trained soldier joined the ranks of the Partisan army, on the other side this choice meant that pro-Great Serbian elements would later become part of the faction who would win the war.

Bosnian Muslims were instead in a more complicated position. They had not developed a proper national identity. In practice, they acted as a national group, but they were considered by the others, and often by members of the Bosnian Muslim community as well, as a religious community rather than a national group. They never succeed in getting legal recognition as a nationality, that would have strengthened their 'national' function, and they did not succeed in establishing clear state boundaries for their community as well, since they were well distributed all over Bosnia and Herzegovina. The project of a trans-confessional Bosnian nationality was unsuccessful because of the influences of Croatia and Serbia, that had always been stronger on Bosnian Catholics and Orthodox than the influences coming from inside the country and led (almost exclusively) by Bosnian Muslims could ever be.

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<sup>143</sup> Goldstein Ivo, *Croatia: A History*, trans. to English Jovanović Nikolina (Montreal: Mc Gill-Queens University Press, 1999), p. 143, [www.questia.com/read/94269350/croatia-a-history](http://www.questia.com/read/94269350/croatia-a-history)

For those reasons, Bosnian Muslims enjoyed the most remarkable evolution in national consciousness among the major Bosnian national groups. For the same reasons, they were the most divided national group, since they took the three 'native' sides, the Partisans, the Ustašas and the Chetniks, in what could be seen as a quest for identity. This quest led also to the formation of an SS Division, consisting only of Bosnian Muslims and placed under direct German control<sup>144</sup>.

The war and the divisions of the Bosnian society drove the Bosnian Muslims to seek an identity in order to take a position in the war context. A minority of Bosnian Muslims joined Chetnik ranks. There had always been a number of Bosnian Muslims who considered themselves Serbs by nationality and, during the years of the Croat-Serb polarisation, their number had increased. Despite in some areas Bosnian Serb reactions against the occupation were transformed in anti-Muslim violent actions, there was clearly no place for any form of cooperation between Muslims and Serbs. In other areas of Bosnia and Herzegovina the situation was different: some divisions of that what was called 'Muslim National Military-Chetnik Organisation', organised by the anti-Communists Ismet Popovac and Fuad Musakadić, fought with Mihalović Chetniks until they were captured and shot by the Partisans<sup>145</sup>.

The number of Bosnian Muslims who cooperated with the Croats and the NDH was larger. They were a strong weapon in the hands of the Ustašas and, in their operations, incorporated Bosnian Muslims to the Croat nation, therefore including them into the ranks of the Croatian armed forces. However, the Muslim wing of the Croat Peasant Party, that was 'appointed' to lead the Bosnian Muslim transition towards the Croat nation, was just a puppet in Croatian hands, despite its leader Džafer Kulenović had even been appointed vice-poglavnik. Slowly, the Muslims abandoned the Croatian ranks, since it had become clear that Muslim expectations did not coincide with the Croatian plan.

But not all the Bosnian Muslims joined another nationality. Even large parts of those who did had done so with the hope of getting some form of autonomy for Bosnia, as for example Popovac's movement<sup>146</sup>. It has been discussed that in the years that prepared the war in Yugoslavia, during King Alexander's and Prince Paul's regimes, there had been a revival of Muslim Bosnian identity, that at that time used more and more often the word 'Bosniak' to define themselves, claims for national rights instead of religious rights. Cooperating with Croats or Serbs was for many members

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<sup>144</sup> About the formation of the 'Handžar' SS Division see p.

<sup>145</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 188

<sup>146</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 270-271

of the Bosnian Muslim political elite only a step in a wider fight for Bosnian autonomy. The group 'National Salvation' was created in 1942 in order to represent all the Muslim armed forces who did not fight neither for the NDH nor for the Chetniks. This association appealed straight to Hitler, asking for Bosnian autonomy and for separate military units for the Muslims. Despite originally the Germans did not want to upset the Croats, lately they agreed in forming a Muslim corp integrated into the German SS, the aforementioned 'Handžar' Division. In their declarations, National Salvation made two interesting references: first, when denouncing the failure of the NDH in Bosnia and Herzegovina, they referred to the population of Bosnia and Herzegovina as consisting of Muslims, Orthodox and Catholics. If on one side they referred to themselves on religious terms, on the other they did the same when talking about the other two major confessions, somehow denying the 'Croatism' of the Catholics and the 'Serbism' of the Orthodox, considering all of them part of the multi-confessional nation of Bosnia and Herzegovina. Lately, when they appealed Hitler, they used the word 'Bosniak' to refer to such a nation, suggesting themselves as the only group that could truly protect and fight for Bosnia and Herzegovina<sup>147/148</sup>. The problem, again as many times in history, was that trans-confessional intentions were carried out politically only by a Muslim leadership, *de facto* invalidating trans-confessional purposes.

After taking into account pro-Croat, pro-Serb and autonomic movements and their relations with Bosnian autonomic claims, it is necessary to consider how what relation the final winner of the conflict, the Partisans, had with Bosnian Muslims and with the Bosnian national question. Many Bosnian belonging to the three major groups joined the Partisans during the war. If originally the national question was almost irrelevant, since the many fighter joined the Partisans on political basis rather than considering their national belonging, it become more relevant after the Partisans could establish a political representation as the AVNOJ and the local councils like the ZAVNOBiH that the solution was to set a new federal model for Yugoslavia, of which Bosnia and Herzegovina would be an autonomous entity. Massive enrolment of Bosnian Muslims into Partisan ranks can be seen in 1943, after the formation of the 16<sup>th</sup> Muslim Brigade by Tito's Partisans. By doing so, Partisans drew many fighters from autonomous Muslim divisions, often linked to the 'National Salvation' such as Huska Miljković's or Hafiz Muhammad Pandža's army (although the latter kept on fighting autonomously until the last year of war)<sup>149</sup>. After another Tito's pledge for unity against the invaders, even many members of the 'Handžar' Division, arguably those who enrolled because

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<sup>147</sup> Redžić Enver, *Bosnia and Herzegovina in the Second World War*, trans. to English Vidan Aida (New York: Routledge, 2005), p. 179

<sup>148</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 272

<sup>149</sup> Redžić Enver, *Bosnia and Herzegovina in the Second World War*, trans. to English Vidan Aida (New York: Routledge, 2005), p. 189

they had seen in the SS a way to Bosnian autonomy and not those who joined it on political basis, changed side and joined Tito's forces, especially after it was disbanded.

Communist Partisans' view on the Bosnian question were not unique; even more, they were not satisfactory for those who wanted the recognition of a nationality along autonomy. Before the AVNOJ and the ZAVNOBiH was established, Partisans debated whether Bosnia and Herzegovina had to become an autonomous entity in the future stated or it should be integrated into Serbia. The original draft considered one autonomous federate republic for each nationality. However, the recognised nationalities were just five, as can be seen when considering the second session of the AVNOJ. Before the war, a notable Slovene Communist, Edvard Kardelj, who was going to become one of the closest Tito's assistants, had clearly stated that Bosnian Muslims were not to be considered as a nationality, but rather as a special and specific ethnic group, as confirmed by Milovan Djilas<sup>150</sup>, a Montenegrin Tito's assistant. There was not, in the Communist project, a place for a nationality for Bosnian Muslims, while the situation of the Catholics and the Orthodox was not discussed at all: this should be seen as the definitive acceptance of their integration into Croat and Serb nationalities. But Bosnian Muslim member of the Partisan Committees wanted an autonomous entity on equal basis with the others, not compromises such as Djila's proposal to make Bosnia and Herzegovina an autonomous province. During the second session of the AVNOJ, thanks also to the importance that Bosnia and Herzegovina had for the Partisan fight, it was decided that one more federate entity would be added, Bosnia and Herzegovina; however, the national question remained unsolved, as the entity should have been a state where Bosnian Muslims would live along portions of the Croat and the Serb nations. Therefore, Bosnian Muslims had their state, a restoration of the old, historical Bosnia and Herzegovina, but their national status was not discussed. Their condition was conferred by the pre-war foggy expression 'special ethnic group'. In fact, when the war would be over, they would be once again considered as a religious expression of the inhabitants of Bosnia and Herzegovina, not as a national group like it would be more suitable to the actual condition and function of the Bosnian Muslim community. Furthermore, an eventual all-Bosnian nationality was not even taken into account by the Partisan politicians.

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<sup>150</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 181



## CHAPTER 6

### Federal Yugoslavia

Yugoslavia enjoyed a special status during the immediate aftermath of the war, since the country had been liberated almost exclusively by domestic resistance without direct intervention of foreign troops until the very last months of the war, when the Soviets entered Serbia. The AVNOJ was reunited once again after the war was over, in August 1945, in order to organise the elections where should would be elected the Constitutional assembly that would redact the new Constitution. The ballot was also about the institutional architecture of the state. A Communist victory would inevitably bring a republican system, while a victory of the opposition would, perhaps, support Churchill's project of keeping the monarchy.

The organisation was in Communist's hands and there were only two lists represented: the Communist-led 'People's Front' and a generic 'no list' for the opposition. The Communist could clearly count on a large basis of consensus, due to the guiding role they had in liberating Yugoslavia; but there was, as logical, a part of population that was not willing to live in a Socialist-moulded state. Communist organisations organised manifestations in support of the Communist list and were responsible of violence towards those who were against a future Socialist state, making also use of the secret police<sup>151</sup>. Nevertheless, on the date of the elections (November 11<sup>th</sup> 1945), international observers noticed no relevant irregularities and described the ballot as generally clean.<sup>152</sup> The People's Front easily dominated the elections.

The Constitutional assembly opened on November 29<sup>th</sup> and consisted of two chambers, following a generally common pattern in federal systems. One chamber represented the population of Yugoslavia, while the other was the representative organ of the federal units. The first step of the assembly was to abolish monarchy and proclaim the Socialist state. The name of the country was consequently changed to Federal People's Republic of Yugoslavia (FPRY; *Federativna Narodna Republika Jugoslavija* in Serbo-Croatian, FNRJ). The Constitution elaborated by the assembly was sanctioned by both chambers on January 31<sup>st</sup>.

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<sup>151</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 193

<sup>152</sup> Lilly Carol S., *Power and Persuasion: Ideology and Rhetoric in Communist Yugoslavia, 1944-1953* (Boulder: Westview Press, 2001), p. 20, <http://www.questia.com/read/85631157/power-and-persuasion-ideology-and-rhetoric-in-communist>

## 1946 Constitution

The state was now officially a federation of six constituent republics, often addressed as an union of brothers. The republics soon added the term 'People's Republic' to their official name (Bosnia and Herzegovina became People's Republic of Bosnia and Herzegovina in February 1946), as granted by article 1 of the Constitution<sup>153</sup>. The same article also granted to each republic the right to exit from the federation:

*'Federativna Narodna Republika Jugoslavija je savezna narodna država republikanskog oblika, zajedinca ravnopravnih naroda, koji su na osnovi prava na samoopredeljenje, uključujući pravo na otepljenje izrazili svoju volju da žive zajedno u federativnoj državi.'*

In English:

*'The Federative People's Republic of Yugoslavia is a federal people's state of republican form, an union of nations equal in rights, who have, on the basis of the right of self-determination, including the right of secession, expressed their will of living together in a federative state.'*

The list of the six republics was contained in article 2, which clause 2 established also two autonomous provinces within People's Republic of Serbia: Vojvodina and Kosovo-Metohija.

Article 11 established then that every republic should have its own, self-redacted Constitution, that should comply with the federal Constitution:

*'Svaka narodna republika ima svoj Ustav.  
Narodna republika donosi svoj Ustav samostalno.  
Ustav narodne republike odražava osobnosti republike i mora biti u saglasnosti sa Usatvom FNRJ.'*

In English:

*'Every people's republic has its own Constitution.  
The People's Republic must create its own Constitution independently.'*

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<sup>153</sup> All the references and quotes from the Socialist Constitution of 1946 are based on the version available at the website of the Archives of Yugoslavia. Pdf downloadable at the url:  
[http://www.arhivyu.gov.rs/active/en/home/glavna\\_navigacija/leksikon\\_jugoslavije/konstitutivni\\_akti\\_jugoslavije/ustav\\_fnrj.html](http://www.arhivyu.gov.rs/active/en/home/glavna_navigacija/leksikon_jugoslavije/konstitutivni_akti_jugoslavije/ustav_fnrj.html)

*The Constitution of the People's Republic must reflect the specificities of the republic and must be in agreement with the Constitution of the FPRY'*

Duties and rights were fixed, as well as the federal functions and the matters that were under the single people's republics' authority instead. The Constitution, in fact, was not original and followed the pattern of the Soviet Constitution. In fact, the first Socialist Yugoslavia was on Constitutional terms quite a 'classic' or 'orthodox' socialist state.

The Constitution did not intervene directly on the national question: it has been said that every republic was generally homogeneous and, where it was not, a special entity had been created (such as the autonomous province of Kosovo-Metohija, where lived a high concentration of people who were Albanian by nationality). The only case of a non-homogeneous entity was Bosnia and Herzegovina, where three major national groups shared the same land. The Constitution mentions a Yugoslav citizenship along to the own People's Republic citizenship, allowing everyone to use the language of the federate People's Republic. The word "nation" appears in the name of the federal chamber of the parliament, the 'Council of Nations' (*Veće naroda* in Serbo-Croatian). This chamber was created in order to represent the six people's republics and the autonomous provinces on equal basis, as it was in the Constitutional assembly and as it is in every federal system. Every republic elected thirty representatives, and so did Bosnia and Herzegovina. There was no distinction or separation for Bosnian delegates who attended the Council of Nations as representatives of Bosnia and Herzegovina on its entirety. Implicitly, a common all-Bosnian nation and nationality was recognised, by not mentioning it at all. A similar thing happened in the Constitution of the People's Republic of Bosnian and Herzegovina.

### **The Constitution of the People's Republic of Bosnia and Herzegovina and the Bosnian national question**

The law-making process in Bosnia started in April 1946, when Rodoljub Čolaković, the prime minister of Bosnia and a long-time Communist militant with experiences in the Soviet Union and in the Spanish Civil War, appointed a commission that had to develop a draft that would be then sent to the government for approval. Once it would have received government's approval, the draft

would be proposed to the Bosnian Constitutional assembly for the final approval and the consequent sanction. It took eight months to get to the promulgation of the chart. On December 31<sup>st</sup> the Constitutional assembly, that had been elected two and a half months earlier, in October, sanctioned the chart. It was the first time that Bosnia and Herzegovina got its own Constitutional chart, since the Austro-Hungarian *Zemljaski Statut* of 1910 was not in force any more.

People's Republic of Bosnia and Herzegovina's chart didn't mention neither the Muslims, the Croats nor the Serbs. No entities or nationalities were recognised other than the unique 'Bosnian people' that had the power in the country. Bosnia was a 'state' rather than a province or any other status, as it was stated by article 1, while article 2 put the stress on self-determination of the country: according to this article, it was on a voluntary basis that the state of Bosnia and Herzegovina had decided to join the Socialist Federation<sup>154</sup>. The state could be considered, as stated by Hoare, a nation-state<sup>155</sup>: a nation-state whose nationality was the whole people of Bosnia and Herzegovina. Nevertheless, the national question was not solved: it was more an imposition from the top rather than a conscientious evolution in Bosnian society and the majority of people did not abandon the 'classical' division.

A contradiction in such an ideology was represented by the census of 1948, where any Bosnian nationality was not mentioned, despite the implicit references in Bosnian Constitutional chart. The only two 'national' possibilities for Bosnians were to declare themselves 'Croats' or 'Serbs' by nationality. Bosnian Muslims were considered as a religious expression of one of those two groups, exactly as it happened during the pre-war Croat-Serb polarisation. Consequently, they could express their belonging to Bosnian Muslim group by stating it after the terms 'Croat' and 'Serb' (so Croat Muslim or Serb Muslim). A third possibility was left for those who didn't want to put themselves into a nationality that they did not feel as their own: in this case, they could declare themselves as 'not ethnically declared Muslims'. Actually this option was mostly chosen by Muslims<sup>156</sup>, showing that being a Bosnian Muslim was definitely something more than a mere expression of faith.

### **First years of Socialist Yugoslavia. The Tito-Stalin split**

The first years of the new state developed within an international scene the world had never experienced before. Yugoslavia had to implement a socialist model, a theoretical system of which

<sup>154</sup> Ibrahimagić Omer, *Državno-pravni Razvitak Bosne i Hercegovine* (Sarajevo: Vijeće Kongresa bošnjačkih intelektualaca, 1998), p.36, <http://vkbi.open.net.ba/Aktuelnosti/OIbrahimagic2.pdf>

<sup>155</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 316

<sup>156</sup> Donia Robert J.; Fine John V.A. Jr., *Bosnia and Herzegovina: a tradition betrayed* (London :C.Hurst & Co (Publishers) Ltd., 1994), p. 87

existed just one practical model in the Soviet Union; actually, on its first years, Yugoslavia was probably the country that followed most strictly the Soviet model<sup>157</sup>. The Soviet model had proven that theory needed to be adapted to every different state context. Originally the Soviet model was traced by the 1946 Constitution, as it was in fact a centralist one. In practice, the autonomy of the constituent republics was little more than a facade: the Federal Government kept all the key functions in order to start the transition to a socialist society, with a new economic system and a unique Yugoslav identity of which the single nationalities were to be part. Being part of the constituent republic should have been considered as being part of Yugoslavia; in order to do so, a double system of citizenship was introduced by Article 48 of the Federal chart:

*'Za graćanie Federativne Narodne Republike Jugoslavije ustanovljava se jedinstveno savezno državljanstvo. Svaki državljanin narodne republike istovremeno je državljanin Federativne Narodne Republike Jugoslavije. Svaki državljaniin jedne republike uživa u svakoj republici ista prava kao u njeni državljani'*

In English:

*'For the citizens of the Federative People's Republic of Yugoslavia is established a single citizenship. Every citizen of a people's republic is at the same time a citizen of the Federative People's Republic of Yugoslavia. Every citizen of a republic enjoys in every republic the same rights as the citizens of that republic.'*

Citizenship and nationality are two different, though in modern politics strongly linked, concepts. While the first is a juridical concept tied to the state and its relations to the individuals in terms of rights and duties, the second, deeply discussed in chapter XX, is a socio-cultural phenomenon strongly linked to the state but not always coinciding with it. Being, for example, a Slovenian citizen, did not mean to be part of the Slovene nation, although for a large part of the population both things coincided. The affirmation of the pattern of the nation-state was the reason of the current idea that, for international law, by nationality are intended the legal relations<sup>158</sup> that should be properly referred as citizenship, making both concepts coincide in many modern states.

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<sup>157</sup> Banac Ivo, *With Stalin Against Tito: Cominformist Splits in Yugoslav Communism*, (New York: Cornell University Press, 1988), p. 17

<sup>158</sup> Casper Gerhard, 'The Concept of National Citizenship in the Contemporary World: Identity or Volition?' (Lecture at the Bucerius Law School, Hamburg, September 26 2008), [http://www.stanford.edu/group/gcasper\\_project/cgi-bin/files/papers/National%20Citizenship%20Identity%20or%20Volition.pdf](http://www.stanford.edu/group/gcasper_project/cgi-bin/files/papers/National%20Citizenship%20Identity%20or%20Volition.pdf)

As explained before, all the five republics were considered generally as nationally homogeneous. Where considerable minorities were present, autonomous provinces were established. Therefore, nationality and citizenship roughly coincided: this fact did not create any major problem. Bosnia and Herzegovina represented an exception to the widespread homogeneity: its Constitution obviated the problem by not mentioning any nationalities and by making *de facto* citizenship coincident with an undeclared all-Bosnian nationality that reminded the concept of 'national citizenship' created by the French Revolution<sup>159</sup>. The Federal aim was to make people feel part of the republic as citizens, rather than as members of a nationality, since the latter would have been less controllable and less developable into a Yugoslav identity. The theories about Yugoslavism were two, 'organic Yugoslavism' and 'integral Yugoslavism'. The first was supported by Kardelj and was quite more romantic, probably naive. He wanted to create through decentralisation a Yugoslav nationality, the single nationalities being different cultural expressions of it. Integral Yugoslavism, pursued by Aleksandar Rankovic should instead represent the overcoming of the nationalities, developing from the centre a Yugoslav nationality that would be -by definition- non compatible with the republican national ideas<sup>160</sup>. Both paths were followed, often at the same time, though it seems obvious that in practice it would be impossible to pursue 'integral Yugoslavism', especially in Bosnia and Herzegovina, where there existed three national groups. The influence of nationalism was too big, since it had influenced the previous one hundred years and the independence of Yugoslavia had been obtained under the slogan of 'national self-determination'. The cultural influence of nationalism was therefore enormous and it was impossible to transform it in a supranational identity, as the Yugoslav identity, in just a few years (actually, attempts had been done also in the pre-war period, although it was often a mask for Serbism<sup>161</sup>). Nationalistic ideas were also widespread within communist ranks and it would be impossible to try to develop Yugoslavism only through the 'democratic centralism' proposed by the Yugoslav Constitution and the ruling party. At the end, the 'organic Yugoslavism' prevailed; nationalities were still necessary, even if as an organic part of a wider Yugoslav nationality.

Aiming to develop socialism, the Federal authorities started a struggle against religion and in Bosnia and Herzegovina, where religion was the heart of national identity, this meant roughly that a

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<sup>159</sup> Brubaker Williams Rogers, 'The French Revolution and the Invention of Citizenship' in *French Politics and Society*, Vol. 7 (Summer 1989): 43-44, [http://www.sscnet.ucla.edu/soc/faculty/brubaker/Publications/04\\_The\\_French\\_Revolution\\_and\\_the\\_Invention\\_of\\_Citizenship.pdf](http://www.sscnet.ucla.edu/soc/faculty/brubaker/Publications/04_The_French_Revolution_and_the_Invention_of_Citizenship.pdf)

<sup>160</sup> Velikonja Mitja, *Religious Separation and Political Intolerance in Bosnia-Herzegovina*, trans. English Rang'ichi Ng'inja (College Station: Texas A&M University Press, 2003), p. 191

<sup>161</sup> See p. XX

battle against the national divisions should take place within the country. Despite the respect of all faiths and freedom of belief stated formally in the Constitution, all the three major faiths were put under state control after a period of violence against clerical institutions and goods. The one who suffered the harsher persecution was the Islamic religion. Islamic courts were suppressed in 1946 as the first step of series of measures aiming to put Islam under state control such as the closure of Islamic schools, cultural societies and printing-houses. The only allowed expression of the Islamic cultural society was the only one that was state-controlled: the school for the clergy. The strict measures against religion lasted until the Constitution was amended in 1953, after what a détente in state-religion relation can be appreciated.

What drove Yugoslav policy away from Soviet (and Stalinist) socialism were basically two things. The first had domestic nature, and it was almost unavoidable: their history, economy, society and contexts overall were different, therefore they required a different political development, what Tito had called the 'Yugoslav way to Socialism'. The second -and most important- was determined by the international context: both regimes were guided by charismatic leaders, such as were Marshall Tito and the Soviet leader Stalin. Relations between the two leaders had been difficult since Stalin's order to Tito to fight along the Chetniks, even if they had attacked Tito's forces; order to which Tito refused to obey. Since then, relations grow in tension. Stalin did not like the 'Yugoslav way to socialism', since it implied a non-recognition of the Soviet guiding role. When the United States offered the European countries a program of loans, known as the Marshall Plan, Tito originally showed interest in it, even if he denied at a latter stage, due to Soviet pressures (and the promise of 135 milion dollars of loans)<sup>162</sup>. The breaking point seemed to be the expansionist policy that Tito had pursued in the Balkans, especially the Friendship and Mutual Assistant Treaty he signed with Bulgaria in 1947, without any permission from Moscow<sup>163</sup>. In 1948, Stalin and the Cominform, the organisation in which where reunited all the major European communist parties (actually the only two member parties from outside the 'Eastern Bloc' were the Italian and the French communist parties) expelled Tito and Yugoslavia from the organisation. After the Tito-Stalin split, Tito continued to develop socialism without Soviet support (although this did not mean an immediate stop to policies similar to Stalin's, that actually carried on for few years after the split) while emerging on the international scene as one of the key figures within the non-aligned movement.

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<sup>162</sup> Prijevec Jože, *Il giorno di San Vito: Jugoslavia 1918-1992, storia di una tragedia* (Torino: Nuova ERI, 1993), pp.232-233

<sup>163</sup> Perović Jeronim, 'The Tito-Stalin Split: A Reassessment in Light of New Evidence' in *Journal of Cold War Studies*, Vol. 9, No. 2 (Spring 2007): 36-37, <http://www.mitpressjournals.org/doi/pdf/10.1162/jcws.2007.9.2.32>

## 1953 Constitutional Law

The rift with Stalin and the Soviet Union provoked a shift in Yugoslav policies. The Constitution of 1946, developed on the Soviet model, was not any longer suitable for a country that wanted to mark a strong breaking with the Soviet tradition. A new Constitutional law was issued in 1953 in order to deeply transform the 1946 Constitution that, however, was not abolished.

The Constitution was practically totally changed. The two chambers, the Federal Council and the Council of Nationalities were formally merged into one body. The competencies of the two bodies were in fact slightly different creating an ambiguous monocameral system in which the unique chamber was split into two, with the former Council of Nations that retained the exclusivity of some competencies.

From 1950, self-management was introduced for workers. The Constitutional law of 1953 confirmed it would transform Yugoslav economy and society. The concept of self-management was introduced also at institutional level by reforming relations between the centre and the single states. The powers not explicitly in Federal hands were transferred to the 'working people' that would administrate themselves the local governments.

The single national questions, that was actually a problem that concerned almost the sole Bosnia and Herzegovina, was not a matter considered by 1953 chart: in fact, it did not led to a new Bosnian Constitution (the Bosnian chart would still be in force until 1963). What happened under the 1953 Constitutional regime was that, in fact, the aforementioned integration of the two chambers into a mixed order with a formally unique chamber and the stress on the role of the unique Socialist party as the guide of the state introduced a stronger centralisation. Growing centralisation carried a stronger accent on Yugoslavism, stating that it should go beyond the national ideas of the single republics.

But other factors affected the debate on the Bosnian national question, especially the new attitude towards religions. Towards the Bosnian Muslim community (and towards the Muslims in general) there was a general détente: although they were still considered a religious community, the Bosnian Muslims who at the 1953 census declared themselves 'not ethnically declared Muslims' were automatically registered as Yugoslavs by nationality<sup>164</sup>, somehow implementing the project of going

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<sup>164</sup> Singleton Fred, *Twentieth-Century Yugoslavia* (New York:: Columbia University Press, 1976), p. 203, [www.questia.com](http://www.questia.com)



beyond the republics' nationalities and creating a Yugoslav supranationality.

A recognition of the matter of fact that Bosnian Muslims were more than a religious group arrived in 1961. In that year's census, there was the possibility for Muslims to place themselves into a new category: 'Muslims in the ethnic sense'. 'Ethnic sense' was not the same thing as saying 'nation', because it would imply to consider Bosnian Muslims as a nationality on equal basis, with the risk of Muslim claims to get their own federate republic. The choice 'Muslims in ethnic sense' was widely preferred by Bosnian Muslims although a number of them declared themselves as Yugoslavs<sup>165</sup>. The Yugoslav started in 1960's to treat Bosnian Muslims as a national group rather than a religious one, although the recognition was implicit for ten more years.

### **1963 Federal Constitution**

In 1963, both federal and state Constitutions were substituted by new charts. The changes in state architecture and in relations between central government, federate units and citizens, therefore Yugoslav society, had changed deeply after Tito-Stalin split. The amendations introduced by the 1953 Constitutional law were not sufficient anymore.

The Federal parliament promulgated a new chart on April 7<sup>th</sup>, that introduced some interesting features.

First of all, in the preamble, the state was renamed and became the Socialist Federative Republic of Yugoslavia (SFRJ; *Socialistička Federativna Republika Jugoslavija* in Serbo-Croatian, SFRJ).

Nine basic principles are stated at the beginning. Socialism is at the first place, followed by self-management. The fifth basic principles is also interesting: the guiding role of the Socialist Alliance of the Workers of Yugoslavia, the organ within people should discuss about social and political issues, fixing by law the role of the party as it had never been done before.

The number of the houses was again reformed: a general Federal chamber was established along four chambers with specialised functions regarding self-management in four different fields: economy, culture, society and health and politics.

The Constitution, despite transferring some federal power to the workers, in fact did not result in strengthening the position of the republics. It was instead a centralist Constitution, as were the 1946 chart and its amended version of 1953. In fact, central organs acted as they would act in any other

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<sup>165</sup> All the data of post-1961 censuses (including the one of 1961) are provided by the Federal Office of Statistics of the Federation of Bosnia and Herzegovina and can be found at the url: <http://www.fzs.ba/Dem/Popis/NacStanB.htm>

unitary country, having all the power when dealing with important issues<sup>166</sup>. Nevertheless, Federal power was indeed diminished by transferring it to people, setting the basis for further real federal developments.

The Bosnian chart<sup>167</sup> was, of course, drafted on full compliance with the Federal chart, and was sanctioned on April 10<sup>th</sup> 1963. Bosnia and Herzegovina was renamed in socialist terms and it became Socialist Republic of Bosnia and Herzegovina. Self-management was as well stressed. But the Bosnian chart introduced interesting news regarding the Bosnian national question. If the 1946 chart implied that in Bosnia existed an unique Bosnian nationality, by not defining any specific nationality, the Bosnian Constitution of 1963 did exactly the opposite. In the Bosnian Constitution preamble was stated:

*'Povezani u svojoj prošlosti zajedničkim životom, stremljenjima i borbom za slobodu i socijalni progres, Srbi, Muslimani i Hrvati savlađujući nastojanja tuđinskih sila i domaćih reakcionarnih snaga, našli su se prvi put slobodni, ravnopravni i zbratimljeni u svojoj Republici [...]'*

In English:

*'Joined in their past by common life and with the same faith in the struggle for freedom and social progress, Serbs, Muslims and Croats, who defeated foreign forces and domestic reactionary forces, for the first time find themselves free, equal in rights and brotherly united in their own republic.'*

Although the chart did not state it, Muslims were now regarded implicitly as a nationality like the Croats and the Serbs. Such an implicit legitimation given by the Constitutional Chart would allow future developments in the Bosnian national question. From 1963 on, Bosnian Muslims will be regarded as a nationality like any other, though official recognition will arrive later. On the other hand, the law gave informal recognition to the national tripartition of Bosnia and Herzegovina, abandoning any other project of a unique Bosnian nationality. The goal was still an all-country Yugoslav citizenship, and fueling a uniform nationality in Bosnia and Herzegovina was not fundamental for that.

In 1968, a meeting of the Bosnian Central Committee took cognizance that forcing Bosnian

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<sup>166</sup> Ibrahimagić Omer, *Državno-pravni Razvitak Bosne i Hercegovine* (Sarajevo: Vijeće Kongresa bošnjačkih intelektualaca, 1998), p.37, <http://vkbi.open.net.ba/Aktuelnosti/OIbrahimagic2.pdf>

<sup>167</sup> All the references and quotes from the Socialist Republic of Bosnia and Herzegovina of 1963 are based on the text available at the url: <http://bs.scribd.com/doc/50460522/Ustav-SRBiH-sa-Ustavnim-amandmanima-i-Ustavnim-zakonima-1969>

Muslims into Croat or Serb nationalities had been harmful since the facts showed that Bosnian Muslims were a distinct nation. Such a policy, backed by academic opinions that emerged from the 5<sup>th</sup> Council of Historians of Yugoslavia<sup>168</sup>, was accepted in Belgrade by Federal Government despite the opposition of the most nationalist wing of Serb Communists<sup>169</sup>. Full national status for Bosnian Muslims would become a fact in 1971 census when, for the first time, among the choices was included 'Muslim in the sense of a nation'. Nevertheless, it was not a full victory for politics. If the recognition of a Bosnian Muslim nationality was a due deed, especially after giving up in trying to build an all-Bosnian nationality, the word 'Muslim' was a source of ambiguity. To be Muslim was indeed a core characteristic, fundamental when talking about the Bosnian development of nationalities, where religion had played a key role, much stronger than the other classical national-building elements such as a common language, common history or common land<sup>170</sup>. Actually, religion was the real nation-maker in Bosnia and Herzegovina, since all the other major elements would logically lead to an all-Bosnian nationality. But when the situation is observed in a wider context, as the all-Yugoslavian, it seems obvious that if the term 'Muslim' for a nationality fits for the Bosnian and Herzegovina domestic scene, it does not for the whole country where other Muslims live, such as Albanians in Kosovo or Macedonians. Albanians and Macedonians were Muslims by religion, but their nationality was distinct from the other nationalities in Yugoslavia even if they were not Muslims. It is not possible to state the same for Bosnian Muslims. Without religion, they wouldn't have any difference with Bosnian Croats or Bosnian Serbs, and the same could be stated about the latter: without taking into account religion, they would all be just Bosnians. The importance of religion in Bosnian nationalities was so big that the term 'Muslim' became a nationality itself. A term like 'Bosniak' rather than 'Muslim' would have been preferable for at least two reasons: first, it would have stressed the difference between belonging to a religious group and belonging to a nationality. Being 'Muslim by nationality' didn't mean that the individual was an observant Muslim. Second, a word like 'Bosniak', emptied of any reference to the religious faith, would have left the door open for a later development of a whole-Bosnian nationality in a world that become more and more secular.

Actually, Macedonian Communists were against the recognition, since they were afraid that a part of the Macedonian population could define themselves as 'Muslims by nationality'. Nevertheless, as shown, the two conditions were at heart different; the Bosnian Muslims' recognition as 'Muslims by nationality' was in the end grounded although it was not the best possible solution.

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<sup>168</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 328

<sup>169</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 199

<sup>170</sup> For further information about theoretical basis of nations, nationalities and nationalism see chapter 3

## **1960s: Federalising Yugoslavia**

During the 1960s, after the new Federal Constitution was sanctioned, the basis to draw powers from Federal structures to the republics or the autonomous provinces had been set. Already two years later, the amendments to the Constitution were proposed. As usually happens in single-party political systems, the single party itself is the framework for political debate (and actually it was what the Federal Constitution considered when speaking about the Socialist Alliance of the Workers of Yugoslavia) and, within the Yugoslav party, there was a liberal wing growing in popularity and influence. This wing put pressure on the Federal organs in order to start a transformation of Yugoslavia into a proper federation under the principles of self-management. Spurred by liberal influences, the Federation was further deprived of powers and, this time, the republics grew in power, developing into proper autonomous states. The power of the autonomous provinces also grew considerably: they obtained the right to have a Constitution and to see the status of 'national minority' of their inhabitants raised to 'ethnic group' and placed on the same level as the nationalities of the Federation. Even if these alterations were welcomed as improvements of the self-managed socialist experiments, actually history will show that it was the beginning of the end for Yugoslavia.

## **1974 Constitution: The Yugoslav Confederation**

The federalisation process, started by amending the 1963 Constitution, is called 'Centrifugal federalism'<sup>171</sup> by the Bosnian scholar Igor Štiks. The pursue of an 'organic Yugoslavism' had kept alive the national identities, while the 1960s reforms had weakened the Federal centralist structure. The decentralisation gave the republics more competencies and powers that later were not possible to revoke without stability problems. The system of double citizenship, one republican and one federal, was given a primarily political importance, and changed its meaning from an instrument of unification to an instrument of cooperation.

Under these circumstances a new Federal Constitution was drafted, then sanctioned in 1974. This

<sup>171</sup> Štiks Igor (2010), A Laboratory of Citizenship: Shifting Conceptions in Citizenship in Yugoslavia and its Successor States (Working Paper No. 2010/2), The Europeanisation of Citizenship in the Successor States of the Former Yugoslavia (CITSEE): 7, [http://www.law.ed.ac.uk/file\\_download/series/179\\_alaboratoryofcitizenshipshiftingconceptionsofcitizenshipinyugoslaviaanditsuccess.pdf](http://www.law.ed.ac.uk/file_download/series/179_alaboratoryofcitizenshipshiftingconceptionsofcitizenshipinyugoslaviaanditsuccess.pdf)

new Constitution transformed Yugoslavia into a *de facto* confederation of republics; the autonomous provinces were raised to the rank of constituent elements of the country, on the same level of the six republics. The autonomy of the republics was strengthened in order to fully implement self-management and people's government; however, the assembly did not give proper relevance to what were the real goals of the autonomist wings of the socialist parties in the republics (or in some cases it was, arguably, connivance instead of naivety).

The first principle stated by the Constitution<sup>172</sup>, in the first of the ten fundamental principles that open the chart, is the right to self-determination and to exit the Federation:

*'Narodi Jugoslavije, polazeći od prava svakog naroda na samoopredeljenje, uključujući i pravo na otpljenje, na osnovu svoje slobodno izražene volje u zajedničkoj borbi svih naroda i narodnosti u narodnooslobodilačkom ratu i socijalističkoj revoluciji [...]'*

In English:

*'Peoples of Yugoslavia, starting from the right of every nation to self-determination, including the right to separate, on the basis of their freely expressed will within the common fight of all peoples and nations in the peoples' war for freedom and the socialist revolution [...]'*

What is not clear is if the right of secession was proper of the nation or of the republics. This would create major problems in the next decade, when Yugoslavia would be about to collapse.

The alterations to the system of relations between the Federation and the units that composed it had been introduced by the amendments between 1960s and 1970s, that were confirmed here.

In the basic principles it was clearly stated that existed two separate interests, Federal and Republican, that were to be pursued within different institutions: there was Federal competency for common interest, while sovereign rights of the individuals, the peoples and the nations were a matter of the republics. The statement was:

*'Radni ljudi i narodi i narodnosti ostvaruju svoja suvjerena prava u socijalističkim republikama, i u socijalističkim autonomnim pokrajinama u skladu sa njihovim ustavnim pravima, a u Socijalističkoj Federativnoj Republici Jugoslaviji — kad je to, u zajedničkom interesu, ovim ustavom utvrđeno.'*

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<sup>172</sup> All the references and quotes from the Federal Constitution of 1974 are based on the version available on the Serbian Wikisource. Url: [http://sr.wikisource.org/wiki/Устав\\_Социјалистичке\\_Федеративне\\_Републике\\_Југославије\\_\(1974\)](http://sr.wikisource.org/wiki/Устав_Социјалистичке_Федеративне_Републике_Југославије_(1974))

In English:

*'Workers, peoples and national groups fulfil their sovereign rights in the socialist republics and in the socialist autonomous provinces, according to their Constitutional rights, and within the Socialist Federative Republic of Yugoslavia when it regards a common interest, as established by the present Constitution'*

This statement presents a dualism since it seems that there are two levels for two distinct things, not one (the republics and the autonomous provinces) being a subunit of the other (the Federation), as it was in reality. This gives the impression that the common interest was, as stated before, more a cooperation *inter pares* rather than a union between brothers, that was the original idea in the 1946 chart and was at the basis of the Yugoslavist project.

The first two sections concern the members of the Federation, its structure and the new status as constituent members of the autonomous provinces of Kosovo and Vojvodina (Section one) and the role and functions of socialism and self-management and its relations towards economy and society (Section two).

The third Section of the Constitution is dedicated to the new relations between the Federation, the constituent republics and the autonomous provinces. The functions of the Federation include the classical central federal functions, for example setting the economic guidelines, as well as the monetary policy and the military competencies. Furthermore, the Federation had to 'balance' the economic differences between the republics (that were growing in the 1970s) by establishing a fund for the assistance and the development of the poorest republics or autonomous provinces.

The fourth Section regulated how the Federation worked. Big novelties were introduced into the parliamentary system, in order to make it fit better the new confederate situation. There was a return to a bicameral model, mirroring the classical structure of various federal states: a Federal Council and the Council of Republics and Provinces. The first consisted of delegates from the self-management units and of the socio-economic organisations of the republics, while the Council of Republics and Provinces was an expression of the republics' and provinces' governments, with different competencies. In general, the Federal Council deliberated on the functions proper of the Federation, such as military affairs, foreign policy and the general guidelines for the republics' domestic policy. The Council of Republics and Provinces, instead, deliberated on those Federal competencies that had a direct effect on the republics such as the monetary and economic policy, or

the approval of the Federal budget. Nevertheless, boundaries were not always fixed; for example, international treaties that required a law-making process had to be ratified by both houses.

In Section 4 were also included the norms regarding the Presidency of the Federation and the question of the succession to Tito. When the 1974 Constitution was sanctioned, the old Marshall was about to turn 82 and had been officially in charge since 1946. The whole country's socialist system had been built around his charisma, but it was necessary to think about how to carry on without his person when he would be gone. According to the 1974 Constitution, the seat of the President was entitled to Marshall Tito for life and he was the leader of a nine-member Presidency board, made up by one member per republic or autonomous province plus the chief of the League of the Communist of Yugoslavia.

The 1974 Constitution ended with two further sections (on the changes to the Constitution and the transitory norms), reaching 406 articles that made the Yugoslav 1974 Constitution extremely long.

The last years of Tito's life had been spent in strengthening the self-management and the pluralist representation of the Presidency in order to prevent any national group or any individual to prevail or accumulate too many powers, risking the country to go back to the tensions and polarisation that characterised the pre-socialist era. During the 1970s, in fact, the economic imbalance had grown and the economical system that had brought in 1970s to the highest standard of living in Yugoslavia's history was not sustainable any longer<sup>173</sup>. National claims had been expressed again in nationalistic terms, especially in Croatia where the 'Croatian Spring' of 1971 had strongly influenced the amendments and the consequent 1974 Constitution; further concessions to decentralisation continued up to Tito's death, mainly in Serbia. Among the Serbian communists became popular a conspiracy theory according to which Tito had worked against Serbian interests, being the Marshall half-Slovene and half-Croat. The reason for those suspects were, for Serbian nationalists, that Serbia had suffered a loss of territory from Macedonia's birth as a republic and also a reduction of authority on its own republican territory, since both the autonomous provinces were in Serbian territory and, in 1974, they had been given the rank of constituent entities of Yugoslavia. Because of Kosovo, anti-Islamism became a main feature of Serbian nationalism<sup>174</sup> and it had an obvious reflection on Bosnia and Herzegovina, where, according to the 1971 census, Muslims had outnumbered Serbs<sup>175</sup>.

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<sup>173</sup> Goldstein Ivo, *Croatia: A History*, trans. to English Jovanović Nikolina (Montreal: Mc Gill-Queens University Press, 1999), p. 185, [www.questia.com/read/94269350/croatia-a-history](http://www.questia.com/read/94269350/croatia-a-history)

<sup>174</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 206

<sup>175</sup> All the data of post-1961 censuses (including the one of 1961) are provided by the Federal Office of Statistics of the Federation of Bosnia and Herzegovina and can be found at the url: <http://www.fzs.ba/Dem/Popis/NacStanB.htm>

The rebirth of nationalisms, in addition to the results of the 1971 census, had brought up national claims from Croats and Serbs after long time; from the foundation of Socialist Yugoslavia in 1946, no big claims had been advanced. The Croats were those who started, insinuating that the Croat population of Bosnia and Herzegovina was underrepresented in the Bosnian institutions. Shortly thereafter, Croatian and Serbian nationalist were publicly speaking about including pieces of Bosnia and Herzegovina into Croatia or Serbia.

On Bosnian Muslims' side, there were also national claims and prejudices. Already in 1973, a former Bosnian partisan, Pašaga Madžić, publicly stated that the communist had cooperated with the Chetniks during the war, implying connivance with the anti-Muslim actions the Chetniks performed. Madžić was expelled from the party, but this did not stop the Bosnian Muslim nation from getting more power. Often was criticised the fact that they were the only nation of Yugoslavia that didn't have its own scientific and cultural institutions in order to protect their culture. Demands were rejected on the basis that the institution existed and were Bosnian, since they belonged to Bosnia and Herzegovina and not to Muslims. If it was certainly true and unassailable on a juridical field, on the other side it was also true that Bosnian Croats and Bosnian Serbs could be culturally represented both by Croatian or Serbian institutions and still be part of the Bosnian ones. Once again, the issue rose from the unsolved problem of having two nationalities out of three with a national core outside the country<sup>176</sup>.

There were also Bosnian Muslims who didn't agree with the decision to give Bosnian Muslims the status of nationality. The most outstanding names was probably that of Enver Redžić, a former partisan and historian. Redžić was against the national recognition for Muslims since he always considered Muslim's identity a part of Bosniak national identity.

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<sup>176</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 335-336



## CHAPTER 7

### The Death of Tito: Burying Yugoslavia

Marshall Josip Broz Tito became seriously ill in 1979 and passed away on May 4<sup>th</sup> 1980. The country sincerely cried the lost of its leader, but almost none could predict that Yugoslavia would survive its historical leader only for ten years. In fact, the 1980s would be the last decade of Yugoslavia. The Yugoslav feelings are perfectly expressed by the famous words pronounced by the Kosovar Albanian Communist leader Mahmut Bakalli:

*'We all cried but we did not know we were also burying Yugoslavia.'*<sup>177</sup>

The Presidency of Yugoslavia tried to follow along the lines of Tito's policy. After his death, the Constitution was amended in order to remove the articles regarding Tito's life presidency and was established that a member of the Presidency should be elected Chairman of the Presidency for a one-year term. For the first time the collective principles, upon which was built the socialist state, arrived at the top institutional level, being the head of the state itself a collective organ.

The collective Presidency showed all its limits in 1982, when at the first Party Congress without Tito it became clear that such a system was an expression of self-management lacking, most importantly, a strong leadership capable to build around itself a strong consensus that could prevail over eventual centrifugal forces. The Party Congress showed what would be the pattern for the rest of the decade. The Party was divided between centralists, who wanted to strengthen the Federal role arguing that otherwise, without a centralised management, the state would collapse, and the autonomists, carried away by the wave of enthusiasm provoked by the autonomist developments of the 1970s, who instead wanted larger autonomy. The centralist idea was the general position of the Serbian Communists, while those who eagerly asked for more autonomy were Croatians and Slovenian Communists. None of the two positions had a leadership that could impose its position; this situation started a pointless discussion on how to continue the Socialist Yugoslav experience. It is necessary to say that Tito's generation, those who had fought the war as partisans and who believed in the 'union of brothers', was almost gone or retired from politics, and the younger leaders

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<sup>177</sup> Halberstam David, *War in a Time of Peace: Bush, Clinton and the Generals* (Bloomsbury: London, 2003), p. 79

had no personal commitment to a cause that had developed in a context they had not experienced. Moreover, the Presidency proved to have also two more characteristics, along the lack of leadership, that were not helpful in performing its proper functions: first of all, it was almost paralysed by the short duration of the terms, as the elected President of the Presidency did not have enough time to even try to establish a political guideline since an year later he or she should be stepping off the seat. The second problem was more a juridical issue: such an organ objectified the head of the state, implying a loss of responsibility for the individuals who were in charge of the presidency.

With such a structure, the leadership was not able to deal with the country's problems, first of all the economic situation. The economy of the country was in a critic state and fuelled discontent, allowing nationalism to root. The relative wealth enjoyed by Yugoslavs until late 1970s had been bankrolled by foreign loans and the country had an unsustainable foreign debt that could not be covered by the balance of trade. When the world suffered a general stagnation and consequent recession in early 1980s, Yugoslavia was affected as any other 'Western' industrialised country, since it was strongly dependent on 'Western' economy.

On the inability of the Yugoslav leadership to make Yugoslav economy recover have been written many pages by various scholars, and that is not the subject of this work. Nevertheless, it is necessary to explain two of the various convergent reasons, since they are tied to the future political development of Yugoslavia: the first has domestic roots and is to be found in the Yugoslav Socialist model, grounded on self-management, that was not suitable for the new global context (during the 1980s, almost every single socialist country needed to readapt their socialist models to the world context).

The second reason has, instead, an international nature: the United States, that through the International Monetary Fund had been financing Yugoslavia for long time because of its Soviet-balancing role, changed their policy and started to apply the so-called 'Reagan Doctrine': in order to 'integrate' European Socialist nations into the capitalist system, new loans would be subordinated to radical political and economical reforms. Yugoslavia's mere role of counter-weight to the Warsaw Pact was not sufficient any longer<sup>178</sup>.

In Bosnia the discontent resulted into an embitterment of the relations between the national communities. The outnumbering of the Bosnian Serb population, that meant also a shift in power within the Bosnian institutions, or at least how it was perceived by Bosnian Serbs, pushed a

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<sup>178</sup> Gervasi Sean, *Germany, 'U.S., and the Yugoslav Crisis'* *CovertAction Quarterly*, Winter 1992-3, 43.  
[http://www.tmcrew.org/news/nato/germany\\_usa.htm](http://www.tmcrew.org/news/nato/germany_usa.htm)

considerable number of Bosnian Serbs to emigrate to Serbia, which they considered their real homeland. In fact, Bosnian Muslim communists in higher ranks were happy of Bosnian Muslim nationality being a secular expression, but this was impossible to expect from a national group that contained the name of a religion in its own denomination. In 1983 Alija Izetbegović, along other Muslim activists, many of whom had been part of the 'Young Muslims' during the Second World War, were charged in Sarajevo because of Islamic nationalism and were accused to have tried to attack socialism, projecting an Islamic republic in Bosnia. Especially, they were charged because of a declaration, the 'Islamic Declaration', signed by Izetbegović thirteen years earlier. Actually, despite Islamism was part of the national idea of Izetbegović's group, the Islamic Declaration did not contain elements of a Bosnian Muslim, ethnically pure Bosnia. Nevertheless, the group was sentenced. The Communist leadership, represented by the President Branko Mikulić, backed by one of the most influent Bosnian personalities, the Bosnian Muslim Hamdija Pozderac, had the need to show that such acts could not be tolerated and that Bosnian Muslims by nationality were ready to sentence Muslims if the religious element would become preeminent and the Socialist system would risk being under attack.

The economical issues, that after Tito's death became a major topic of discussion in Yugoslavia, arrived in Bosnia a little bit later. The republic had been chasing the economical standards of the richer republics (Slovenia, Croatia and parts of Serbia) since 1946 and had reached a relative wealthy state in the late 1970s, having a positive trade balance from 1985 until 1991<sup>179</sup>. Although problems started to emerge between the 1970s and 1980s, until the end of the 1980s Bosnia enjoyed kind of a golden age, which culmination is represented by the Olympic Games in Sarajevo in 1984. The organisation of the Games had conveyed large amounts of foreign money (US dollars) to the Bosnian capital, that had seen its infrastructures completely modernised<sup>180</sup>.

Bosnia and Herzegovina had to face a hard landing in 1987 during the so-called Agrokomerc scandal. Agrokomerc was the most important state-owned Bosnian enterprise, but in 1987 was proved that its impressive economic success was supported by illegal economic operations. However, the true relevance of the affair resides in the participation of high-ranked Bosnian politicians to the affair, including Hamdija Pozderac, whose political career was brought to an end.

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<sup>179</sup> Čaušević Fikret; Zupčević Merima, *Case Study: Bosnia and Herzegovina* (Sarajevo: Centre for Developing Area Studies – McGill University and the World Bank, 2009), p. 11, <http://siteresources.worldbank.org/INTCONFLICT/Resources/BosniaFinal.pdf>

<sup>180</sup> Čaušević Fikret; Zupčević Merima, *Case Study: Bosnia and Herzegovina* (Sarajevo: Centre for Developing Area Studies – McGill University and the World Bank, 2009), p. 12, <http://siteresources.worldbank.org/INTCONFLICT/Resources/BosniaFinal.pdf>

It has been speculated that the whole Agrokomerc affair had been designed by the Communist Serbian leadership, but it was never proved that Pozderac had ever been active in Agrokomerc's illegal activities. In late 1980s the Communist Serbian leadership, guided by the ambitious nationalist Slobodan Milošević, started to undermine the Titoist state system, taking profit of the economic stagnation and of the fact that, without foreign economic support, the self-management on which had been based all Yugoslav economic grounds was not sustainable any longer.

Milošević was a follower of the Great Serbian tradition and was the president of the Central Committee of the Serbian League of Communist. During his years as party chief he tried to act as the protector of the Serbs, especially in Kosovo, where he performed a dramatically important speech to Kosovar Serbs that loaded with Serbian nationalism a very receptive mass, already involved in social tensions that degenerated into nationalistic tensions<sup>181</sup>. In Bosnia and Herzegovina Bosnian Serbs saw him as the man who could solve the economical crisis, that had evolved into a social crisis, by pursuing Bosnian Serbs interests. This idea found support also among the ranks of the Serb wing of the Bosnian League of Communists.

1989 is often considered as the year in which the world changed, the Berlin wall fell and many Communist regimes in Central and Eastern Europe collapsed. It was indeed an important year for Yugoslavia's change as well, even if the situation did not develop smoothly and quickly as in other Communist countries. In March 1989 the Croatian president Ante Marković, a liberal technocrat who benefited from the trust of the United States, became Prime Minister and started liberal reforms in order to save the Yugoslav economy. Marković's candidature had been supported also by Serbian leadership, since Milošević expected to get concession from Croatia and Slovenia and to be free to pursue his goals in Serbia without external interferences<sup>182</sup>. The plan of the technocrat was to liberalise economy by implementing a package of privatisations and by fully opening the market to importations. He succeeded also in changing the monetary policy, opening the dinar to the world by making it convertible and pegging it to the German Mark.

While Marković started his desperate attempt to recover Yugoslavia form economic crisis (and therefore to save the country from collapsing), the Serbian Assembly amended the Constitution, cancelling *de facto* Kosovar and Vojvodin autonomies. Two months later, in May, Slobodan Milošević was elected, predictably, president of the Socialist Republic of Serbia. The nationalist

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<sup>181</sup> Silber, Laura; Little, Alan, *Yugoslavia: Death of a Nation* (New York: Penguin Books, 1997), p. 37-47

<sup>182</sup> Silber, Laura; Little, Alan, *Yugoslavia: Death of a Nation* (New York: Penguin Books, 1997), p. 70

politician was given practically free hand in his republic, and enormous powers within the Federation. The rhetoric of the Serbian leader started to use militaristic tones and tension grew considerably.

From mid-1989 the Yugoslav political scene was open to multipartitism: in summer, for the first time ever, Party elections were open to multiple candidates and in January 1990 the League of Communist of Yugoslavia was dismantled, after the abandoning of the Slovenes delegates (supported by the Croatian ones) who asked for a Federal reform and the introduction of a multi-party system. Slovenia and Croatia had already planned multi-party elections in their countries for 1990; therefore, in case they would obtain no results, they had no other choice but abandoning the meeting. The domestic Socialist parties were renamed and presented under other names, such as the "Party of Democratic Renewal" that was the new name of the former Slovene Communists, that were the largest party at the elections (but not the winners of the elections, that were won by a centre-right coalition). In Croatia, the elections were won by the Croatian Democratic Union (*Hrvatska Demokratska Zajednica* in Serbo-Croatian, HDZ) led by the nationalist dissident Franjo Tuđman who represented also Bosnian Croats (actually, there were represented by the party's Bosnian wing called HDZ BiH, established in August 1990 in Sarajevo).

In Serbia, Slobodan Milošević, after giving up in trying to save the former the League of Communist of Yugoslavia, reorganised the remains of the Serbian Communist Party into the Serbian Democratic Party (*Srpska Demokratska Stranka* in Serbo-Croatian, SDS) and succeed into making all the Serbs communities outside Serbia, and this means also those in Croatia and Bosnia and Herzegovina, feel represented by his organisation, of which existed a Bosnian wing.

The only Bosnian party that had its origins within Bosnia and Herzegovina was the expression of the Bosnian Muslims. Born in March 1990, it was the Party of Democratic Action (*Stranka Demokratske Akcije* in Serbo-Croatian, SDA). Originally it was a nationalist party in the Yugoslav sense: they yearned to be the heirs of the pre-war JMO and to be the defenders of Muslim national identity within a Federal Yugoslavia. The party did not include a national reference in its name: this had brought a ban for parties with national purposes. The ban was lifted in June, permitting the Croatian and the Serbian parties in Bosnia to be officially established. The situation was the formalisation of a long-term issue: when nationalistic tensions became harsher, the reference movements of Bosnian Croats and Bosnian Serbs started considering themselves as parts of a larger movements with interests outside the country. The unique movement that had all its interests within the Bosnian borders and that identified itself with Bosnia and Herzegovina was the Bosnian

Muslims' one<sup>183</sup>. Hence, and especially after the establishing of the independent Bosnian country, the word 'Bosniak' becomes a synonym for 'Bosnian Muslim in national sense' and, during the tensions that would stem during the war, Croats and Serbs would refer to the Bosnian Muslims as Bosniaks, as well as the same Bosnian Muslims would refer to themselves.

In March 1991 Slobodan Milošević succeeded in got the army to the streets against the antagonists in Belgrade, starting the month who would definitively kill Yugoslavia. He could do so because he controlled half of the Presidency (the delegates from Kosovo, Montenegro and Vojvodina plus Borisav Jović, the Serbian member who was also on his Presidential term of the Presidency) and was enough to convince just one member to secure the majority. Few days later he tried, always through Jović, to proclaim state-of-emergency to allow the army to intervene in Croatia. This time it was not easy to reach his goals since Presidency dismembered. It was a plan of Jović and his proxies, who stepped off in hoping that the army would fill the vacuum of power derived by the lack of a head of state. On March 16<sup>th</sup> Milošević stated that he didn't recognise any more the authority of the Federal Presidency declaring Yugoslav experience over and menacing the creation of new Serbian forces<sup>184</sup>.

On the same month Slobodan Milošević secretly met Franjo Tuđman, his Croatian counterpart, in Karadžorđevo where they agreed that Yugoslavia was over. They discussed about partitioning Bosnia and Herzegovina and Milošević still needed Yugoslav institutions, first of all the army, to pursue his Great Serbian design.

### **Slovenia and Croatia: Yugoslavia dismantled**

Nationalism grew fast and inexorably: keeping the Federation united was revealed to be impossible. The Forces that aimed to keep the country together in a Federation were at heart controlled by Slobodan Milošević, whose plans, as seen, were certainly far from Tito's ideal of an union of brothers, being rather a champion of Great Serbism. Other projects were put forward, but did not obtain the necessary consensus from the delegates of the republics.

Serbia succeeded in controlling the presidential members of Vojvodina, Kosovo and Montenegro. The group of four boycotted the appointment as president of the Croatian Stjepan Mesić, forcing Yugoslavia to stay without a head of state for one month and a half. In that period, the army and the

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<sup>183</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 347

<sup>184</sup> Silber, Laura; Little, Alan, *Yugoslavia: Death of a Nation* (New York: Penguin Books, 1997), pp. 119-128

federal institutions were virtually under the control of Slobodan Milošević<sup>185</sup>.

Slovenia, the richest republic of the Federation, was the first to publicly state its intentions of secession in 1987 and, from 1988, had started the Slovene Spring. The country, after being the first liberalising political parties and elections, was the first that moved concretely towards secession: on December 23<sup>rd</sup> 1990 was held a referendum on the independence of the country, that resulted in a large victory for the pro-independence side. The reaction from Belgrade, foreseeing the exit of the republic from Yugoslavia, was to reform the army in order to concentrate all the power in the hands of the central government, by putting the divisions of self-defence of the republics in Federal hands. These measures brought to an end the principles of self-determination and self-management in defence. Nevertheless, the Slovene Government succeeded in retaining part of the military equipment. The Slovene Government unsuccessfully sought for support from the United States and other Western European countries. However, they maintained its support to Marković's Government since they preferred to deal with a single subject instead of a plurality of subjects, and they wished that Slovenia could lead a process of democratisation from within Yugoslavia, preventing the risk of domino effect in Eastern Europe<sup>186</sup>. The Slovene Government decided, in any case, to declare its independence on June 26<sup>th</sup> 1991, but foreseeing an action of the Yugoslav army, the declaration was hastened and independence was declared on June 25<sup>th</sup>. There was a fast conflict, known as the Ten-Day War, that concluded with the recognition of the Slovene sovereignty as an independent state, backed by the European Community, that had shifted position after having understood that keeping alive Yugoslavia was impossible<sup>187</sup>.

Croatia was the second republic to take the road to independence through a referendum, although fights had started before than in the Alpine country. The way was not easy as the one taken by Slovenia. Historically, Croatia had always been Serbia's main rival within Yugoslavia, because of a number of reasons. It was the Serbian community in Croatia the group that acted first after seeing what had happened in Slovenia. Between August and September, they held a referendum on separating from Croatia was held; later, a self-proclaimed autonomous republic was established along the Bosnian border, the autonomous province of Krajina. Turmoil in the self-proclaimed province, caused the Croatian reaction: the country started to build a military force, but, unlikely

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<sup>185</sup> Prijevec Jože, *Il giorno di San Vito: Jugoslavia 1918-1992, storia di una tragedia* (Torino: Nuova ERI, 1993), pp. 541-542

<sup>186</sup> Prijevec Jože, *Il giorno di San Vito: Jugoslavia 1918-1992, storia di una tragedia* (Torino: Nuova ERI, 1993), p. 554

<sup>187</sup> Klemenčič Matjaž, Žagar Mitja, *The Former Yugoslavia's Diverse Peoples: A Reference Sourcebook* (Santa Barbara: ABC-CLIO Ltd, 2004), p. 297

Slovenia, they could not retain much of the equipment of the local forces, that ended under the control of the Yugoslav army. Therefore, they had to try to obtain arms from the black market. An ultimatum pledging for the disband of any eventual Croatian units was issued: after Zagreb refused to comply, a breaking point was set in the relations between Croatia and the Federation. In such a climate, in May 1991 a referendum for independence was held and, considering the obvious result in favour of independence, Croatia proclaimed its independence on June 25<sup>th</sup> 1991, the same day as Slovenia did. The Federal army would be involved in an unofficial conflict on local basis until August, when open conflict burst following the Federal army attack to the Croatian city, multinational in character, of Vukovar. On October 3<sup>rd</sup> Serbia and its proxies (Kosovo, Montenegro and Vojvodina) performed kind of a coup d'état within the Presidency. Being a Montenegrinian Serb, Branko Kostić, the Vice-President, he declared that since Croatia had declared independence he would replace Stjepan Mesić as President, getting the control over the Yugoslav army, from now officially an arm in Serbian hands<sup>188</sup>.

The international community during the Croatian-Serbian war tried to mediate. The American former Secretary of State, Cyrus Vance, was sent to Croatia as a UN Special Envoy. He proposed in late 1991 a peacekeeping operation that would have set up three United Nations Protected Areas and a military force, the United Nations PROtection FORce (UNPROFOR), in order to control the areas<sup>189</sup>. The force would be active, from June 1992, in the conflict on Bosnian soil.

The Croatian way to independence is strictly tied to the evolution of the political system of Yugoslavia. It was now clear that the Federation was a terminal patient, whose illness would be harmful and long. The conflict in Croatia lasted four years and developed in different phases to become the most tragic conflict post-Second World War Europe has seen: the War in Bosnia and Herzegovina, that was just about to start.

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<sup>188</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 349

<sup>189</sup> Silber, Laura; Little, Alan, *Yugoslavia: Death of a Nation* (New York: Penguin Books, 1997), p.



## CHAPTER 8

### **Bosnian War, the Climax of Nationalism**

Bosnia and Herzegovina, as well as Macedonia that had peacefully left the Federation in September, originally did not intend to exit the Federation. It had always been one of the most, if not the most faithful republic and it had often been taken as the example of true Yugoslavism, where three nationalities lived together and acted for the benefit of Yugoslavia. The 1980s crisis and the nationalistic aftermath arrived when Bosnia was probably enjoying its golden age, not ready for such changes. Officially, all the three parties were in favour of carrying on the Federal experience; however, slowly they changed positions. The HDZ started talking about representing the Croats in the areas where there was a high concentration of Bosnian Croats, while Croatian Serbs in Krajina showed that the SDS was ready to proclaim autonomous provinces (or republics) backed by Belgrade. The importance that nationalisms had gained in such a short time was behind the establishment of a National Board within the Bosnian Parliament, created in order to give an organ of representation to the three 'Constituent Nationalities', an expression that would never be abandoned anymore. Elections in late 1990 showed that no common position was possible during these very early stages of post-communism. The three main parties got the majority of the votes of the respective nationality; the parliament, consequently, reflected the ethnic composition of Bosnian society. Only a minority of the delegates defined themselves as 'Yugoslav'. Furthermore, the Constitution was amended to guarantee every nationality a representative at the level of the Presidency, creating a system that mirrored the Federal one, consisting of seven members (two per constituent nation plus a Yugoslav one). Nevertheless, during Alija Izetbegović's term as President of the Presidency, his mandate was extended for one more year because of the risks of war. Lately, such a move would be necessary, since the country was at war.

In my opinion, this issue reflects the failure of the Yugoslav model of socialism in building an all-Bosnian political elite. If Bosnian society was, in practice, more cohesive than ever before, the political elite never completely overcame the national model, or better the original partisan-formed socialist politicians overcame the tripartition of Bosnian society, considering them as cultural elements of the Bosnian people and, in turn, part of the Yugoslav supranationality. However, the original partisans were not able to transfer those values to the younger generation, since everything

was built around the figure of Marshall Tito and not on solid juridical basis that would set a more certain framework. When the younger generation found its path in nationalisms, the ground of Bosnian society followed them, arguably not expecting originally a war, but just a solution to everyday's problems, in practice going back to the social position that had characterised Bosnian history before socialist Yugoslavia.

## **Bosnian Independence**

Backed by Slobodan Milošević's nationalist slogans, Bosnian Serbs moved in the same direction Croatian Serbs had moved in Krajina. Three areas with a Serb majority had self-proclaimed autonomous regions within Bosnia and Herzegovina in late 1991 and had established a common forum with the exit from the parliament of the SDS delegates, led by Radovan Karadžić. They created the Serb National Assembly in order to represent all the Bosnian Serbs. In the self-proclaimed autonomous regions, a policy of 'Serbisation' was enacted by the population, who took part in paramilitary actions. Paramilitary Serb movements in Bosnia and Herzegovina grouped themselves around the key figure of Željko Raznatović, lately better known as Arkan. Rather than an operation of co-optation between Bosnian Muslims for the Serb nationality, as happened in XIX and the first half of the XX century, it was more similar to the policies applied by Chetniks in the Second World War: Muslims were enemies and had to be exterminated. Vojslav Šešelj, the so called 'Chetnik Duke' who led the most extremist nationalist forces of Serbia that he had organised within the 'Serbian Radical Party', in a famous interview published in the German magazine *Der Spiegel*, expressed in August 1991 his feelings towards Bosnian Muslims, who were according to him an Islamicised portion of the Serb nation who had to accept the suppression of their national status, and in case they refused, they had to be deported '*nach Anatolien*', to Anatolia<sup>190</sup>. Such harsh words expressed national Serb activists' ideas, widespread among Bosnian (and Croatian) Serbs. Claims on the whole Bosnia were put forward also on the Croatian side by the nationalist right-wing party 'Party of Rights', a neo-ustaša movement who wanted to create, again, a state within the borders of the Independent State of Croatia<sup>191</sup>.

In such a context, a political solution was inconceivable. The SDS called for a referendum in its controlled areas. The referendum was limited to the sole Serb population and the question was

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<sup>190</sup> 'Dann nehmen wir alles' in *Der Spiegel*, August 08 1991, 32/91. <http://www.spiegel.de/spiegel/print/d-13487666.html>

<sup>191</sup> Malcom Noel, *Bosnia: a short history*, new edition (New York: NYU Press, 1996), p. 225

between staying in Yugoslavia (that, in that moment, meant to be part of a country driven by Great Serbian forces) or to support an independent Bosnia and Herzegovina. The results of the referendum respected the forecast and, in January 1992, the Serb Republic of Bosnia and Herzegovina was proclaimed as part of the Yugoslav State. The self-proclaimed republic called the Serbian controlled Yugoslav army in defence of the territories.

A similar action had been taken in Western Bosnia and Herzegovina, where the Croatian Community of Herzeg-Bosna was created in 1991, in order promote Croatian culture and eventually to join Croatia. Although they proclaimed themselves an independent republic only in 1993, they were involved in fights against the recognised Government of Bosnia and Herzegovina since 1992, after the pro-cooperation leadership had been substituted by a pro-Croatia leadership as a result of the Croatian President Franjo Tuđman's backstage manoeuvres,.

The Bosnian government could not wait any longer and called for an all-Bosnian referendum on independence from Yugoslavia that was held on February 29<sup>th</sup> and March 1<sup>st</sup> 1992. The result was in favour of independence; Alija Izetbegović, the leader of the SDA, was proclaimed President of the new Republic of Bosnia and Herzegovina. The new state was recognised by the European Community on April 6<sup>th</sup> (they had no other choice: since in January they had recognised Croatia and Slovenia, they couldn't reserve a different treatment to Bosnia and Herzegovina). On April 5<sup>th</sup>, Sarajevo had been placed under siege by the Federal army.

In Belgrade, Slobodan Milošević accepted the actual situation and started a process in order to keep united the ruins of the Socialist Federation of Yugoslavia. A new Federal entity was created with those countries, whose Presidential delegates were in fact Serbian proxies. The new federal state had only two republics, Serbia and Montenegro, and took the name of Federal Republic of Yugoslavia. A new constitution was sanctioned on April 27<sup>th</sup> 1992 and, a month later, the Federal Army, that had often been represented as the only institution with a truly Yugoslav federal identity, was dismantled and reorganised into the new Yugoslav Army, while some units flew into the military forces of the Serbian-backed, self-proclaimed republics in Bosnia and Herzegovina and Croatia. The Army of the Republika Srpska (*Vojska Republike Srpske* in Serbo-Croatian, VRS), the name that will be officially adopted in August and used in English in order not to confuse the Bosnian Serb body with Serbia, was led by Ratko Mladić, who was on charge as General of the Federal Army when the operations in Sarajevo started.

The newly born state was in a factual state of war, since the Serbian-controlled Federal Army was

controlling the areas of Bosnian Serb self-administration. To establish a proper functioning state was practically impossible: part of the population did not recognise the Government in Sarajevo and it had no proper military forces to enact its authority. In hopes of resolving the situation in a pacific way, the Presidency addressed the international community. Already in 1990 and 1991, the then Socialist Republic of Bosnia and Herzegovina had declared that it would apply all the UN Conventions on human rights and that the country had no territorial claims over other countries. Since there were no conditions to establish a new legal order, the Bosnian Constitution was kept in force and the Presidency proclaimed a decree on the succession in order to use the laws of the Socialist Federal Republic of Yugoslavia as state laws, selecting through a second decree which laws should not have been applied. Officially, the state of war was declared only in June, when the Serbian and Croatian forces had already occupied about 70% of the country. In such a context, the priority of the Bosnian Government was to survive and to try to preserve its institutions until the conflict would be over<sup>192</sup>.

## **The military**

The real priority, despite the original pacific intentions of the Bosnian Government, was to build an army to resist the attempts of Croatia and Serbia to split Bosnia. Unfortunately, the Government was supported only by Bosniaks: most of the Bosnian Croats and Bosnian Serbs wanted to merge with Croatia and Serbia with the exception of a number of individuals, especially in Sarajevo, where the urban development favoured an all-Bosnian mentality. The Army of the Republic of Bosnia and Herzegovina (*Armija Republike Bosne i Hercegovine* in Serbo-Croat, ARBiH) was established in April 1992 by merging a bunch of regular forces as police units known that would be known as the Bosnian Territorial Defense, paramilitary groups and Bosniak (and Bosnian, in fact there were Bosnian Serbs Generals of the ARBiH, and the definition of 'ethnic conflict' is valid a major path of the war, exceptions were always present<sup>193</sup>) defecting units from the Federal Army. The situation was terrible from the beginning. Since Sarajevo was under siege, in 1993 the Croats from Herzeg-Bosnia, backed by the Croatian Army, moved against the ARBiH opening a new front in the conflict. The first peace plan was put forward, but was refused by the Bosnian Serb Assembly. The international community intervened by establishing a no-fly zone and by

<sup>192</sup> Ibrahimagić Omer, *Državno-pravni Razvitak Bosne i Hercegovine* (Sarajevo: Vijeće Kongresa bošnjačkih intelektualaca, 1998), p.43-50, <http://vkbi.open.net.ba/Aktuelnosti/OIbrahimagic2.pdf>

<sup>193</sup> Kalyvas Stathis N.; Sambanis Nicholas, 'Bosnia's Civil War: Origin and Violence Dynamics' in *Understanding Civil War: Evidence and Analysis*, Vol. 2 (Washington DC: The World Bank, 2005): 214, [http://humansecuritygateway.com/documents/WB\\_BosniasCivilWar\\_OriginsViolenceDynamics.pdf](http://humansecuritygateway.com/documents/WB_BosniasCivilWar_OriginsViolenceDynamics.pdf)

establishing 'safe areas' around the major cities located in the area of the Bosnian-Serb conflict. The UNPROFOR was given the right of using force in order to protect the 'safe areas'.

Fights in Herzegovina heightened the ethnic cleansing operations and brought about the siege of Mostar by the HVO. During the siege, on November 9<sup>th</sup>, the historical Stari Most, the symbol of the unity between the Croat shore of the city and the Muslim one, was destroyed.

The year 1994 opened with good news on the peace agreements between Bosniaks and Croats. The Croats (represented by Croatia since the Republic of Herzeg-Bosna had no legal recognition) and the Bosnian Government signed the Washington Agreements integrating Herzeg-Bosnia within a joint Federation of Bosnia and Herzegovina and merging both military forces, the HVO and the ARBiH, into a single military corp, the future Army of the Federation of Bosnia and Herzegovina (*Vojska Federacije Bosne i Hercegovine* in Serbo-Croatian, VFBiH).

The situation between the Government and the Croats went through a partial normalisation, in fact not all the Bosnian Croats had been in favour of the Croatian backed Herzeg-Bosnia but preferred to be part of Bosnia and Herzegovina. They were mostly led by Franciscans, that had always considered themselves Bosnian Catholics rather than Bosnian Croats<sup>194</sup>. On the other hand, Sarajevo suffered the worst attack of the war by the Army of Republika Srpska. The UNPROFOR asked for NATO's air support, in order to enforce the no-fly zone.

The last year of war, 1995, is infamously celebre because it has been the year when the Serbian furore raged on the civil population: it was the year of Srebrenica and Tuzla. However, it was also the year when the international community intervened most consistently: NATO air strikes against Serb positions became more intensive and the UNPROFOR moved over Serbian positions, forcing them to start retreating from the positions around Sarajevo. For a while it seemed that the armies of the Federation could take Banja Luka, defeating military Republika Srpska, arguably putting an end to discussions over a multinational Bosnia and Hergovina and allowing the establishment of a centralist state; this was, however, opposed by the United States<sup>195</sup>. A first draft of the peace agreement was reached in September 1995, exactly at a time when Bosniak-Croat troops hoped to military defeat Bosnian Serbs. A cease-fire was entailed in order to allow negotiations on the final agreement. The final peace agreement was signed in Dayton, Ohio on November 21<sup>st</sup>, with the final version signed a month later, on December 14<sup>th</sup> in Paris. Sarajevo was officially besieged on February 29<sup>th</sup>, when Serb troops were forced to retire from the positions around the city. The war was finally over, but Bosnia and Herzegovina would not be any more the land that many XIX-

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<sup>194</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day* (Beirut: SAQI, 2007), p. 385

<sup>195</sup> Silber, Laura; Little, Alan, *Yugoslavia: Death of a Nation* (New York: Penguin Books, 1997) p. 368

century travellers had described as the place where Catholics, Orthodox and Muslims cohabited in peace: the war, fought under the slogans of the worst nationalism, had dramatically changed Bosnian society.

## Genocide

The war in Bosnia was characterised by genocide and ethnic cleansing along military operations: the national question was the engine that drove the conflict, but instead of Serbian communities in Croatia, where also atrocities under the flag of nationalism were performed, albeit in well limited areas such as Krajina, in Bosnia and Herzegovina the three nationalities involved had always lived together and mixed. According to 1991 census, Muslims were 43,5% of the total, followed by Serbs (31,2%) and Croats (17,4%)<sup>196</sup>. Obviously, there were areas with a Muslim, Serb or Croat majority, but there were no boundaries among them and communities were distributed here and there. In the areas where the Serbs and the Croats were the majority, where they had established the autonomous national entities, the aforementioned Republika Srpska and the Community of Herzeg-Bosnia, in 1993 the Republic of Herzeg-Bosnia had been declared, but due to the non-homogeneous composition the leading group took part to actions of ethnic cleansing in order to make the areas purely Croat and purely Serb (or better purely Croatian and purely Serbian, since the final goal was to merge with Croatia and Serbia). Atrocities were performed by regular armies, as the Army of Republika Srpska, as well as by paramilitary organisations like the *Arkanovi Tigrovi*, the Arkan's Tigers on the Serbian side. The Croats of Herceg-Bosnia organised their own army in the Croatian Defence Council (*Hrvatsko Vijeće Obrane* in Serbo-Croatian, HVO) including the former paramilitary forces coordinated by the Party of Rights (although some of those forces joined the ArmijaBiH). On Bosniak side, atrocities were performed mostly by the mujaheddin who arrived to Bosnia to fight on the Muslim side, although they arguably did not act on their own initiative but were backed by high ranks of the Bosnian Army. The actions were atrocious and innumerable, succeeding however in reshaping the national composition of the areas: forced migrations were carried out through detaining people in concentration camps, the most famous being probably the Serb-ruled camp of Omarska, and mainly through proper genocidal actions, such as the sadly worldwide famous massacre of Srebrenica, where the UN peacekeepers abandoned the village of Srebrenica leaving free hand to Ratko Mladić to perform a massacre of the Muslims refugees: men

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<sup>196</sup> All the data of post-1961 censuses (including the one of 1961) are provided by the Federal Office of Statistics of the Federation of Bosnia and Herzegovina and can be found at the url: <http://www.fzs.ba/Dem/Popis/NacStanB.htm>

were killed while women, kids and elderly were forcedly transferred outside the region<sup>197</sup>. At grass-roots level, a de-Bosnian policy was enacted through forcing the usage of the Croatian language and currency, or the Serbian language and currency, instead of the regular Serbo-Croatian standard that had always been used by Yugoslav Government and the Bosnian dinar, the legal currency of the country. The leaders who tarnished themselves of crimes against humanity were consequently charged by the International Criminal Tribunal for the former Yugoslavia (ICTY), established by the UN in 1994. All the three nationalities saw some members being charged, but a great majority was represented by Serb officials, followed by Croats and by Bosniaks<sup>198</sup>(The Tribunal did not concern only the Bosnian conflict, but all the Yugoslav wars; therefore, the Serb and Croats indicted could have been active in other parts of Yugoslavia). The names of the persons charged include the President of Republika Srpska Radovan Karadžić, the Head of the VRS Ratko Mladić and the leader of the Serb paramilitary Željko Raznatović.

## **Diplomacy**

The international community tried to act as mediator in the Yugoslav conflicts since their inception in 1991, although they decided not to intervene directly until 1992, when the UNPROFOR was established, and the years 1993-1994, when the UNPROFOR was allowed to use the arms and the NATO ensured the enactment of the no-fly zone. If the practical non-intervention in Bosnia had been criticised, especially when the rest of the world knew about the ethnic cleansing, the intervention on the diplomatic field produced a series of possible solutions for peace based on the different partitions of the country.

In January 1993, Cyrus Vance and Lord Owen, appointed by the European Community as Chairman for the Conference for the Former Yugoslavia, in quality of UN Special Representatives, put forward a plan for rebuilding Bosnia. It should have been divided into ten provinces on mere national basis: three Serb, three Bosniak, two Croat, one mixed Bosniak-Croat and the capital, Sarajevo, being the tenth province under joint control. The central Government would have had minimal powers, while the provinces would detain most of it. Such a design was refused by both the Serbs and the Bosniaks, the latter because of their conception of the country as indivisible. Izetbegović lately agreed, under international pressure and because, as he lately confessed, he was sure that Bosnian Serbs would never agreed on the plan. The Serbs, instead, refused the plan because of a feeling that

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<sup>197</sup> Outreach Programme ICTY, 'Facts about Srebrenica' in *Justice in Transition*, No.1 (10/2005): 8, [http://www.tuzilastvorz.org.rs/html\\_trz/\(CASOPIS\)/ENG/ENG01/259.pdf](http://www.tuzilastvorz.org.rs/html_trz/(CASOPIS)/ENG/ENG01/259.pdf)

<sup>198</sup> Data about the ICTY are provided by the official ICTY website at the url: <http://www.icty.org>

such a partition would isolate them from Serbia and also the three provinces from each other. The plan was built at heart, as admitted by Lord Owen, in order to promote and not to avoid interaction between the provinces; in fact, the provinces were, where possible, not contiguous to another province ruled by the same nationality. Finally, the Serbian leader Slobodan Milošević accepted the plan, but it was impossible for him to convince Radovan Karadžić, the President of Republika Srpska and the Bosnian Serb Parliament<sup>199</sup>. The plan was definitively dropped and a new stage of negotiations started: the next plan should have been drafted by the Croats and the Serbs, under the mediation of Lord Owen and Thorvald Stoltenberg, who had substituted the dimissionary Cyrus Vance as UN co-Representant. This attempt revealed to be a fiasco, since it was a mere partition of the country in three entities, that would form the Union of Bosnia and Herzegovina. There were five points set by the Americans that had to be respected: the integrity of the country's borders, at least 32% of the territory should be allocated to the Bosniak entity, the country should conserve direct access to the sea through Neum and to the Brčko harbour, Sarajevo should be the capital of the country and all the forced emigrants should have the right to go back to their homes. The unclear points were how the boundaries between the three entities would be established, and how the Union would work. This time, it was the Bosniak side the one to refuse the agreement, since it would in practice divide Bosnia and Herzegovina into three states, breaking the historical boundaries of the country<sup>200</sup>.

The following talks aimed for an agreement between the Bosniaks and the Croats. The agreement should have reduced the warring factions to just two, making it easier to carry on with further talks for a complete peace agreement. The aforementioned Washington Agreement was the outcome of the backstage talks that had been encouraged by American diplomacy for all of 1993. The final pressure on the Croatian President to abandon any project of a Croat state entity in Bosnia was made by promising him support for the future Croatian integration among the Western countries<sup>201</sup>; consequently, the Federation of Bosnia and Herzegovina was established in March 1994. The two armed forces, the HVO and the ARBiH, often acted together until they merged into the VFBiH in 1995.

After the establishment of the Federation of Bosnia and Herzegovina, a 'Contact Group' was created by France, Germany, Russia, the United Kingdom and the United States. The goal of this group of five was to conclude talks for a final peace agreement. The project has the goal of planning two entities, the already existing Federation of Bosnia and Herzegovina and a Bosnian Serb entity.

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<sup>199</sup> Silber, Laura; Little, Alan, *Yugoslavia: Death of a Nation* (New York: Penguin Books, 1997), pp. 276-287

<sup>200</sup> Pejanović Mirko, *Through Bosnian Eyes: The Political Memoir of a Bosnian Serb* (West Lafayette: Purdue University Press, 2004), pp. 177-185

<sup>201</sup> Silber, Laura; Little, Alan, *Yugoslavia: Death of a Nation* (New York: Penguin Books, 1997) p. 322



The design was rejected by the Bosnian Serb leadership, this time upsetting Slobodan Milošević, who decided to close the border. This move created a fracture between Serbs and Bosnian Serbs, who had fought in the name of Great Serbia and the promised Serbian union. But Milošević couldn't oppose Serbia any longer, because the country was in terrible conditions and because he needed Western support to recover. Since the Contact Group had decided to seriously intervene in Bosnia and Herzegovina, and the time for war was over, he could not resist any longer to their pressures. The talks finally produced positive results after direct military intervention in 1995. Again, a model based on two entities was proposed and discussed.

## CHAPTER 9

### The Dayton Agreement

The Dayton Agreement, officially known as the General Framework Agreement for Peace in Bosnia and Herzegovina was signed in Dayton on November 21<sup>st</sup> and then in Paris on December 14<sup>th</sup>.

Bosnia and Herzegovina as know before had been destroyed by the war and the new country, officially just Bosnia and Herzegovina, was the outcome of the various compromises. Bosnian society was divided: those who still dreamt of an all-Bosnian national identity were now an insignificant minority. There was the need to rebuild 'normality': the national divisions were now way more perceivable than ten years before, the ethnic cleansing had created areas where there was now a clear national majority. The state was practically non-existent, often in Republika Srpska and in a lesser extent in the former Herceg-Bosnia foreign currency circulated and, in extreme cases, Bosnian money was not accepted. There was the necessity of a new legal framework in order to rebuild institutions, to rebuild a State and to develop a framework for people to live and, at the same time, to guarantee a framework where conflict could be solved by law.

The Dayton Agreement<sup>202</sup> designed a state that was the result of a compromise, strongly wanted by the United States<sup>203</sup>, made up by the Federation of Bosnia and Herzegovina and Republika Srpska, the two constituent entities of Bosnia and Herzegovina. The first Annex, divided into two sections, concerned the peace agreement, establishing that the former contendants had to respect each other's sovereignty and foreign troops had to retreat within thirty days. The respect of the agreement was warranted by the UN through the deployment of a NATO force, the Implementation Force (IFOR). Any restriction to the military was subordinated to talks that should have been held between the two Bosnian entities, Croatia and Yugoslavia, under the supervision of the OSCE.

Annex Two established the boundaries between the two entities, adding on the Appendix the official maps according to which such boundaries should be established. The status of the city of Brčko would be established by an international arbitrate. According to the maps, Sarajevo would be

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<sup>202</sup> All the references and quotes regarding the Dayton Agreement are based on the original text of the agreement in English, available at the website of the High Representative for Bosnia and Herzegovina at the url: [http://www.ohr.int/dpa/default.asp?content\\_id=380](http://www.ohr.int/dpa/default.asp?content_id=380)[http://www.ohr.int/dpa/default.asp?content\\_id=380](http://www.ohr.int/dpa/default.asp?content_id=380)

<sup>203</sup> Dempsey Gary, 'Rethinking the Dayton Agreement: Bosnia Three Years Later' in *Policy Analysis*, No. 327 (1998): 2, <http://www.cato.org/sites/cato.org/files/pubs/pdf/pa327.pdf>

situated inside the borders of the Federation of Bosnia and Herzegovina, on the border with Republika Srpska, and Goražde, one of the cities that had been claimed by Radovan Karadžić's Government, was in the Federation as well. Its isolation was broken by a land corridor that served as a link between the city and the core of the entity.

Annex Three established the rules for new elections in order to form a new democratic and representative Parliament, Government, Presidency, as well as the entity's organs. The OCSE would supervise the whole voting process, to which could have taken part all the citizens who were at least 18 years old at the last statistic survey, this meaning the 1991 census.

### **Dayton Constitutional Order**

Annex Four was probably the one which had the greatest effects on the dawning state, since it contained the Constitutional Chart<sup>204</sup> of the country, that should have been built in order to avoid future conflicts. In the preamble, the constitution refers to the Bosniaks, the Croats and the Serbs as the three Constituent Peoples of Bosnia and Herzegovina, adding in brackets 'along with Others' in order to avoid eventual interpretations that could be unfavourable for minorities. Bosnia and Herzegovina, the official name of the state as established by Article 1, Clause 1, was a modern democratic state, part of the international community and was made up by two entities that had administrative competencies but could not establish boundaries or customs. Citizenship was double, like in former Yugoslavia. Bosnia and Herzegovina citizenship existed along the Entity citizenship and none could be deprived of it on 'any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status' as stated by Article 1, Clause 7, Point B.

Article 2 regarded human rights, mistreated during the war, that should have been guaranteed at 'the highest level of internationally recognized human rights and fundamental freedom' (Article 2, Clause 1).

Article 2, Clause 4 referred to the Annex I of the Constitution, where were enlisted the Human Rights Agreements and the Convention, that were to be considered valid in Bosnia and Herzegovina. Regarding the forced migrations, caused by the ethnic cleansing projects, Article 2,

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<sup>204</sup> All the references and quotes from the current Bosnian Constitution are based on the version available on the website of the Office of the High Representative. Url: [http://www.ohr.int/dpa/default.asp?content\\_id=372](http://www.ohr.int/dpa/default.asp?content_id=372)

Clause 5, performed a primary importance allowing everyone who was force to leave his or her home to come back, his properties being restored or refunded when not possible.

Article 3 established which powers belong to the central Bosnian-Herzegovinian Institutions and which to the Entities. Clause 1 stated the central organs' competencies:

*'The following matters are the responsibility of the institutions of Bosnia and Herzegovina:*

- 5. Foreign policy.*
- 6. Foreign trade policy.*
- 7. Customs policy.*
- 8. Monetary policy as provided in Annex VII*
- 9. Finances of the institutions and for the international obligations of Bosnia and Herzegovina.*
- 10. Immigration, refugee, and asylum policy and regulation.*
- 11. International and inter-Entity criminal law enforcement, including relations with Interpol.*
- 12. Establishment and operation of common and international communications facilities.*
- 13. Regulation of inter-Entity transportation.*
- 14. Air traffic control.'*

While Clause 2 set the competencies of the two entities:

- ' a. The Entities shall have the right to establish special parallel relationships with neighboring states consistent with the sovereignty and territorial integrity of Bosnia and Herzegovina.*
- b. Each Entity shall provide all necessary assistance to the government of Bosnia and Herzegovina in order to enable it to honor the international obligations of Bosnia and Herzegovina, provided that financial obligations incurred by one Entity without the consent of the other prior to the election of the Parliamentary Assembly and Presidency of Bosnia and Herzegovina shall be the responsibility of that Entity, except insofar as the obligation is necessary for continuing the membership of Bosnia and Herzegovina in an international organization.*
- c. The Entities shall provide a safe and secure environment for all persons in their respective jurisdictions, by maintaining civilian law enforcement agencies operating in accordance with internationally recognized standards and with respect for the internationally recognized human rights and fundamental freedoms referred to in Article 2 above, and by taking such other measures as appropriate.*
- d. Each Entity may also enter into agreements with states and international organizations with the consent of the Parliamentary Assembly. The Parliamentary Assembly may provide by law that certain types of agreements do not require such consent'*

Clause 3 finally stated that competencies not expressly given to the central Institutions were to be considered Entity's competencies and that Entity should respect the constitution in their laws. Coordination and cooperation between the entities shall be controlled and favoured by Bosnian-Herzegovinian Presidency.

The most delicate question was indeed the military issue. The Article did not mention any Army or military force, in fact the HVO and the ARBiH merged into the VFBiH as the army of the Federation, while VRS retained its function as military force of Republika Srpska<sup>205</sup>. The new framework, implemented under international control, simply made a new conflict unlikely through maintaining the military divided on national basis. This fact did not help the integration of the three nationalities, not even at higher levels<sup>206</sup>, instead of what did the Federal Yugoslav Army that, until it fell under Serbian control in 1990s, had been probably the most truly-Yugoslav institution of the SFRJ. Regarding the police, the national division was explicit in Clause 2, Point C that establishes that to enforce law is an Entity's competency.

Article 4 (on the Parliamentary Assembly) and Article 5 strengthen the national division of the country. The two parliamentary houses, the Chamber of Peoples and the Chamber of Representatives, are elected on national basis. Each nationality elects a third of the Assembly (fifteen members for the Chamber of Peoples, i.e. five members each nationality, forty-two members the House of Representatives, i.e. fourteen each nationality). As well, the Presidency would be exerted by a board of three members, a Bosniak, a Croat and a Serb. The election of the Serb members (both of the Parliament and the Presidency) had to be performed in Republika Srpska according to the electoral law established by the Republika Srpska's Parliament as well as the election of the Bosniak and the Croat members were to be elected in and within the legal framework of the Federation of Bosnia and Herzegovina (even if the first election was to be held according to the Annex 3 of Dayton Agreement, since no legally recognised assemblies existed yet). At the moment 'Dayton's Constitution' was sanctioned, the Chair of the Presidency was to be held by the candidate that had obtained most of the votes, but it was established that they had to convene on a law for the rotation or the election of the charge. Such a system was studied in order to keep social national tensions calm; however, it increased the national division, since candidates mostly held electoral campaigns under nationalistic slogans, feeling that they had to be accountable only to the

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<sup>205</sup> Yee Sienho, 'The New Constitution of Bosnia and Herzegovina' in *European Journal of International Law*, Vol. 7, No. 2 (1996): 182, <http://www.ejil.org/pdfs/7/2/1360.pdf>

<sup>206</sup> Brljavac Bedrudin, 'Building a Common State Army Forces in Post-War Bosnia and Herzegovina: Assessing its Peace-Building' in *Romanian Journal of European Affairs*, Vol. 12, No. 1 (3/2005): 28 [http://www.ier.ro/documente/rjea\\_vol12\\_no1/RJEA\\_2012\\_vol12\\_no1\\_Building\\_a\\_Common\\_State\\_Army\\_Forces\\_in\\_Post-War.pdf](http://www.ier.ro/documente/rjea_vol12_no1/RJEA_2012_vol12_no1_Building_a_Common_State_Army_Forces_in_Post-War.pdf)

national group that elected them, not to the whole Bosnia and Herzegovina, regardless of the principles of cooperation between the entities and between the nationalities.

Article 6 established the functions of the Constitutional Court, elected on national basis but having a third of the nine members appointed by the President of the European Court of Human Rights regardless of the nationality (but with the approval of the Presidency). One important function of the Court was to control the acts issued by the Entities, including the foreign relations of the Entities themselves.

Article 7 and Article 8 regarded economical issues. The first governed the Central Bank, therefore the organ that administrates the monetary policy. Here, the principle of nationality was substituted by a mixed principle of Entity: the Federation could elect two members, a Bosniak and a Croat, but they shared only one vote within the governing board. The latter was on Finances. The budget should be approved by the parliament and the principle of nationalities was present in Clause 3, that established that the revenues should be collected for two thirds in the Federation of Bosnia and Herzegovina and for one third in Republika Srpska. Nevertheless, no all-Bosnian tax collector office was arranged, therefore there was the theoretical risk of bankrupt of the Central Institutions in case one of the entities doesn't comply its fiscal duties<sup>207</sup>. Although administrated by a central organ, the Central Bank, the Convertible Mark (Konvertibilna Marka in Serbo-Croatian, KM) that has legal tender since 1998, is another element of division. Division is caused by the design of the banknotes. Except the 200KM note (the highest-value banknote) the notes have different design in case they are printed for the Federation or for Republika Srpska, even if legal tender of both verions is ensured in the whole country.

Article 9 established the general principles of non-eligibility for those individuals who were under trial or already condemned by the ICTY, a choice that on the one side enforces the respect of human rights and on the other reflected the U.S. resolution to exclude both Radovan Karadžić and Ratko Mladić, who had opposed the negotiations from any future role in Bosnia and Herzegovina<sup>208</sup>. Moreover Article 9 stated the equity of the compensation for the elected officers and that the elected officers to the central Institutions had to represent Bosnia and Herzegovina regardless of the Entity of election.

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<sup>207</sup> Yee Sienho, 'The New Constitution of Bosnia and Herzegovina' in *European Journal of International Law*, Vol. 7, No. 2 (1996): 186, <http://www.ejil.org/pdfs/7/2/1360.pdf>

<sup>208</sup> O' Brien James C., 'The Dayton Constitution of Bosnia and Herzegovina' in *Framing the State in Times of Transition: Case Studies in Constitution Making*, ed. Miller Laurel E. (Herndon: USIP Press Books, 2010): 342, [http://www.usip.org/files/Framing%20the%20State/Chapter12\\_Framing.pdf](http://www.usip.org/files/Framing%20the%20State/Chapter12_Framing.pdf)

The constitution finally ended with Articles 10, 11 and 12 that stated respectively the procedures of amendment( the human rights' standards must be maintained in any case), the Transitional Agreements (listed in Annex II of the Constitution) and the law on entry into force. Actually on strictly legal terms Article 12 violated the old Constitution of the Republic of Bosnia and Herzegovina since it stated that Dayton's Constitution would be in force when signed by the parts, but at that moment Bosnia and Herzegovina still had a Constitution which had a precise amendment procedure<sup>209</sup>.

The Constitutional framework on the one side made impossible, or almost impossible, any conflict as the one to which the Dayton Agreement had put an end, but on the other side it favoured national divisions. The basic principle was to give every nationality the same number of votes; this, however, reflect the principle of one head-one vote. In the Federation the principle will started to be overcome after 2000 when the new electoral law was approved<sup>210</sup>.

### **The High Representative: Pacifying Bosnia**

The Dayton Agreement then continued with seven more Annexes: Annex Five established that the entities should resolve disputes by arbitration; Annex Six regarded Human Rights, and an Ombudsman, who had not to be Bosnian, nor from a country bordering Bosnia, was to be appointed by the OCSE. A mixed Bosnian-foreigner Human Rights Chamber was to be established. Annex Seven regulated the question of the refugees and the displaced persons; Annex Eight established a commission to preserve National Monuments; Annex Nine sanctioned the foundation of Public Corporations with the function of reconstructing the infrastructures destroyed by the war.

A bigger impact on Bosnian-Herzegovinian institution had the last two Annexes: Annex Ten established the designation of a High Representative in order to favour and support the implementation of the civil aspects of Dayton Agreement. He or she would be the Chairman of the Joint Civilian Commission consisting of the Commander of the IFOR, Political delegates and those who the High Representative would consider to be necessary. Annex Eleven, finally, sets a police

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<sup>209</sup> Yee Sienho, 'The New Constitution of Bosnia and Herzegovina' in *European Journal of International Law*, Vol. 7, No. 2 (1996): 178, <http://www.ejil.org/pdfs/7/2/1360.pdf>

<sup>210</sup> Bieber Florian, 'Croat Self-Government in Bosnia - A Challenge for Dayton?' in *ECMI Brief*, No. 5 (5/2001): p. 3, <http://www.ecmi.de/publications/detail/croat-self-government-in-bosnia-a-challenge-for-dayton-49/>

force, the UN International Police Task Force (UN IPTF), with the goal to assist domestic forces in enforcing the legal context.

The Dayton Agreement put the end to the worst conflict Europe experienced after the Second World War, but also created an 'institutional experiment' that revealed to be difficult to govern. A *de facto* state made up by a Federation and a Republic (inter alia, Republika Srpska in its origins largely used genocidal policies to build up a nationally homogeneous state), to be effective required a social context that Bosnia and Herzegovina did not have. Instead of creating such a context, the institutional system that stemmed from Dayton actually strengthened national tensions that moved from the military side to the political one, often paralysing the country's work and braking its recovering and development. Dayton Agreement was intended to be the basis to develop an own Bosnian-Herzegovinian system. Reforms were expected and asked by the international community during the almost twenty years that passed since the Dayton Agreement, signed in 1995.



## **CHAPTER 10:**

### **1995-2013: Almost 20 Years of Dayton-Conclusions**

The Dayton Constitution framework proved to be unsustainable in the long term. If an armed conflict had not burst again, it was only partially due to the institution of Bosnia and Herzegovina and, mainly, because of the international scenario: Croatia soon after the war started its way toward European integration; Milošević's Serbia experienced deep changes after the Kosovo war in 1999; finally, any form of Yugoslav Federation ended between 2002 and 2006, when Montenegro became a sovereign state. In such conditions, to fuel nationalistic hatred in Bosnia and Herzegovina would have worsened the international position of Croatia and Serbia: it just was not worth the trouble. Milošević himself had somehow let Bosnia go during the negotiations that led to Dayton Agreements, although on Serbian side there has often been a certain level of ambiguity, as some Serbian Governments remarked that Republika Srpska was a Serbian land.

Bosnian problems, fuelled by the national question have rather domestic causes that are also to be found in the state architecture set by Dayton Agreement.

Since the sanctioning of the first Yugoslav Constitution in 1921, the charts have tried to build a common sense of Yugoslavism among the population. However, there was a strong polarisation between Croats and Serbs. Furthermore, the establishment of the Federal state tried also to support a single, all-Bosnian national identity as part of the Yugoslav supranationality in the 1946 chart. The centralist oppressive policy of the Socialist Federal movement brought about claims for true federalisation that revitalised the polarisation between Croats and Serbs. In such a context, the idea of a single 'people of Bosnia and Herzegovina' was abandoned in favour of the recognition of the national status for those who could not be counted as being part of the Croats nor the Serbs, the Bosnian Muslims (later Bosniaks) who had, in fact, national rights on par of the other two. The death of Tito and the collapse of the Socialist order did the rest: nationalism became the flag under which fought the warring armies; Bosnia and Herzegovina had three of such flags. If the 1946 model would have been pursued, maybe a single Bosnian nation would have seceded from Yugoslavia as Slovenia, Croatia and Macedonia did; it was however not possible, since late XIX early XX century influences were still too strong when, in mid 1950s, the path was changed back towards the tripartition of Bosnians between Bosniaks, Croats and Serbs. It would actually be a form

of what according to Benedict Anderson's thought could be defined as 'good nationalism', a social structure in which all Bosnians would work for the development of the country, *a posteriori* a much better situation than the one it evolved into. But there did not exist a strong state force capable to unite all the Bosnians under a 'nationality' built around the constitution and the Bosnian soil, a concept of nationality carrying the meaning it has for international law, that is a developing model in Western Europe<sup>211</sup>.

Dayton's Bosnia and Herzegovina experienced probably the most complicated national question in its history, at the same level as during the war. If the Bosnian national question is now more complicated than ever is also partially a result of some features of the Dayton Constitution. The dualism among two entities-three nationalities made the country ungovernable. In 2009 the system itself has been declared by the European Court of Human Rights to be against the European Convention of Human Rights, since it excludes from any major charge those who are not Bosniak, Croat nor Serb<sup>212</sup>. All the major reforms towards an improvement of the institutional Dayton experiment were introduced by the High Representative, supported by the Constitutional Court, and not by Bosnian political class.

Max Weber would say that the only relevant reforms of the Bosnian state design were those that make Bosnia and Herzegovina, after ten years, finally a state. The country got the 'monopoly of the legitimate use of physical force'<sup>213</sup> it lacked for ten years. The police and the army, the classical legitimate organs that enforce Weber's definition of state, were a competency of the Entities since the Dayton Agreement was signed. Under international supervision and pressure, they were reformed in mid-2000s. The process of unification of the police corps of the Federation and of Republika Srpska started when on January 1<sup>st</sup> 2000 the European Union Police Mission (EUPM) took office with the goal to help Bosnia and Herzegovina developing an all-state police force. It led to an agreement in July 2004 that establishes a unique police force acting at two levels, national (in the sense of all-state) and local, both supervised at central level<sup>214</sup>.

<sup>211</sup> Keating Michael, 'European Integration and Nationalities Question' in *Politics and Society*, Vol. 32, No. 3, (12/2004): 368, <http://pas.sagepub.com/content/32/3/367.full.pdf>

<sup>212</sup> 'Bosnia's Gordian Knot: Constitutional Reform.' in *Europe Briefing*, July 12, 2012, 68. [http://www.crisisgroup.org/~media/Files/europe/balkans/bosnia-herzegovina/b068-bosnias-gordian-knot-constitutional-reform.pdf](http://www.crisisgroup.org/~/media/Files/europe/balkans/bosnia-herzegovina/b068-bosnias-gordian-knot-constitutional-reform.pdf)

<sup>213</sup> Weber Max, 'Politics as a Vocation' in *Essays in Sociology*, ed. Gerth Hans H.; Wright Mills Charles (New York : Oxford University Press, 1946), <http://anthropos-lab.net/wp/wp-content/uploads/2011/12/Weber-Politics-as-a-Vocation.pdf>

<sup>214</sup> Wisler Dominique, 'The Police Reform in Bosnia and Herzegovina' in *After Intervention: Public Security Management in Post-Conflict Societies – From Intervention to Sustainable Local Ownership*, ed. Ebnöther Anja H.; Fluri Philipp H. (Vienna and Geneva : PfP-Consortium of Defence Academies and Security Studies Institutes, 2006): 158, <http://www.isn.ethz.ch/isn/Digital-Library/Publications/Detail/?ots591=cab359a3-9328-19cc-a1d2->

The Army reform was discussed circa in the same period. The role the EUPM had in developing police forces was played in the reform of the Army by the NATO, joining which is a goal that Bosnia and Herzegovina never hid (the motto that opens the English version of the Ministry's website in 'United on the Road to Nato'). A new Law on Defence was issued in December 2003, while in 2004 the Ministry of Defence of Bosnia and Herzegovina<sup>215</sup>, under which merged the VFBiH and the VSR, was established.

However, such guided-from-top (and from abroad) attempts of unification were more likely felt as foreign intrusion, not as something as the led-from-above process of building a national identity. Therefore it was not followed by any significant rapprochement of the Bosnian society. Bosnian Serbs still feel that their homeland is rather Serbia as do most of Bosnian Croats with Croatia, though it is now easier (than among Bosnian Serbs) to find people who call themselves Bosnian Catholics rather than Croats. Anyway, they are still a minority.

Most of the Bosnian politicians still use a strong nationalistic rhetoric regardless Article 9 of the Constitution, according to which, once elected, the politicians should represent the whole population of the country. In the Federation, the nationalistic wings of the HDZ and HDZ 1990 (a party that split from HDZ in 2006) claim the creation of a third entity<sup>216</sup> for the Croats. The best possible answer to such claims came from Stjepan Mesić, who in many interviews declared that a third entity would be absolutely not useful and that Bosnian Croats (as well as Bosnian Serbs) should feel part of Bosnia and Herzegovina, not of Croatia (or Serbia).

Another big polemic within the Federation regards the electoral law. There are two separate lists, one Bosniak and one Croat. Each citizen can vote only for one list. In 2006, the socialdemocratic Željko Komšić defeated the candidates of the national Croat parties and was elected to the Presidency as the Croat member. Many Bosnian Croats considered him not to be the legitimate representant of the Croats since he was arguably elected with the votes of many Bosniaks. According to the HDZ, Bosnian Croats would never vote for a party that does not represent them.

In Republika Srpska the situation is probably worse than in the Federation. There, the feeling of being part of Serbia rather than of Bosnia and Herzegovina is strong and it is fuelled by Milorad

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<sup>215</sup> Brljavac Bedrudin, 'Building a Common State Army Forces in Post-War Bosnia and Herzegovina: Assessing its Peace-Building' in *Romanian Journal of European Affairs*, Vol. 12, No. 1 (3/2005): 31, [http://www.ier.ro/documente/rjea\\_vol12\\_no1/RJEA\\_2012\\_vol12\\_no1\\_Building\\_a\\_Common\\_State\\_Army\\_Forces\\_in\\_Post-War.pdf](http://www.ier.ro/documente/rjea_vol12_no1/RJEA_2012_vol12_no1_Building_a_Common_State_Army_Forces_in_Post-War.pdf)

<sup>216</sup> Parish Matthew, 'Croat Crisis Pushes Bosnia Towards Endgame – Analysis' *Eurasia Review*, March 23, 2011. <http://www.eurasiareview.com/23032011-croat-crisis-pushes-bosnia-towards-endgame-analysis/>

Dodik, the man who has had a great influence within the Entity, first as leader of the majority, then as Prime Minister and finally as President of Republika Srpska. He invoked many times secession from Bosnia and Herzegovina, even if it is not clear whether in order to merge with Serbia or in order to continue its life as independent state. The problem became more relevant after the independence of Kosovo in 2008, whose acknowledgment would imply the same right for Republika Srpska<sup>217</sup>.

This situation is all reflected in the little issues of everyday life: the Serbian-driven bus from Belgrade to Sarajevo ends its journey in Istočno Sarajevo (the former Srpsko Sarajevo), 9km away from the centre of Sarajevo in the territory of Republika Srpska, football games are an excuse to show national hatred, like it happens often in Mostar, where the derby between the Bosnian Croat supported Žrinjski and the Bosniak supported Velež is a 'classical' appointment for clashes between hooligans of the two nationalities<sup>218</sup>. And in every sport, the Bosnian national team is supported almost only by the Bosniaks, while the Croats and the Serbs prefer Croatia and Serbia, also when playing against Bosnia. In mixed population areas often there is a post office or banks use by one community and one for the other. It can also happen that in the Croat part of Mostar Bosnian coffee is not served, or that in Republika Srpska banknotes issued in the Federation are not accepted. Those little things reflect how is today's situation in the Bosnian society.

An exception to such a situation, in addition to the aforementioned little minorities of Croats and Serbs who considered themselves Bosnian of different faiths, is represented by individuals resident in Sarajevo and other major cities such as Tuzla, mostly of Bosniak background, who call themselves simply 'Bosnians'. Such a situation is less evident in Mostar and Banja Luka, due to their condition of 'capitals' of the Bosnian Croats and the Bosnian Serbs. Another group that tends to identify in the word 'Bosnian' is made of those individuals who were born in multinational families, a common thing not only during the Socialist years but pretty much always in history. Those groups form generally the electoral basis of the major, if not the unique, transconfessional all-Bosnian party, the Social Democratic Party (*Socijaldemokratska Partija* in Serbo-Croatian, SDP), heir of the League of Communists and the party of the Komšić controversy.

Although it is a complicated issue, an identity based on citizenship would be a good (and necessary) development in order to relieve the social national tension and guarantee the country a future, that

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<sup>217</sup> Tacconi Matteo, 'Bosnia e Republika Srpska: la lezione del Montenegro.' *Limes*, July 24, 2008.  
<http://temi.repubblica.it/limes/bosnia-e-repubblica-srpska-la-lezione-del-montenegro>

<sup>218</sup> Gambardella Luca; Luchetta Andrea, 'Il Derby di Mostar: non solo calcio.' *Limes*, November 11, 2010.  
<http://temi.repubblica.it/limes/il-derby-di-mostar-non-solo-calcio/40511>

seems hard at the moment since nationalism influences both the basis of the pyramid, where everyday life can be as described above, and the top of the pyramid, since the country is ungovernable. A new identity would somehow mean overcoming the classical national identities. The element on which the 'nationality of citizenship' should be based would be the Constitution, as the 'classical' national elements a part of the culture of the individuals (it has been shown how one of the elements used by classical nation-building, notably the first element, the language, is the shared not only by Bosnians but also by neighbouring countries' nationals). The core elements of such a nationality would be the same for everybody. It would still be a nation-making process as described above, since a guide from the top would be necessary, but it could unite the people of Bosnia on equal basis instead of creating tensions that, as shown by history, are extremely dangerous; in fact, Bosnia has already experienced their eventual results 20 years ago. Indeed, a political class change is necessary: the current one is mostly still bound to old national models, while cultural élites, exactly like in Miroslav Hroch's phases, should promote fresh ideas (in fact young cultural elites of Sarajevo and other cities already shared such beliefs). However, an element which could represent the engine of the process is the European Union.

All the Former Yugoslavia heirs showed their interest in being part of the European Union since they exist as independent countries. Actually, Ante Marković, the last man who tried to save Yugoslavia, was ready to start the application to the then European Community, since he saw it as a possibility towards salvation. The supranational body can be the goal that, once reached, can unify Bosniaks, Croats and Serbs into one identity, since the Bosnian state would be the mean to reach the European Union. The European Union would, in turn, favour the development of the aforementioned civic identity. Together with other multinational organisations such as the NATO, that is also a Bosnian objective, the European Union could, in a short-term perspective (the development of an identity is indeed a long-term issue) relieve national tension by making Bosnian Serbs and Bosnian Croats feel closer to their co-nationals outside Bosnia, as happened when they were all federated in Yugoslavia. The importance of an all-Bosnian identity for the future of the country could not be better summarised than in this phrase of Marko Attila Hoare:

*'Identification with Bosnia-Herzegovina is no longer restricted to Bosnians or former Yugoslavs. It is this, as much as anything else, that will ensure that the making of Bosnia-Herzegovina continue<sup>219</sup>.'*

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<sup>219</sup> Hoare Marko Attila, *The History of Bosnia: From the Middle Ages to the Present Day*, SAQI, Beirut 2007, p. 410

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