

Republika Srpska's referendum: A prelude to a nationalist landslide in the Bosnian elections

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On 25 September, Republika Srpska, Bosnia and Herzegovina's eastern and Serb-dominated entity, held a referendum on whether to keep a holiday marking its founding, in open defiance of decisions by the Bosnian Constitutional Court. As the whole of Bosnia and Herzegovina prepares for elections on 2 October, [Jasmin Mujanović](#) reflects on the failing state of the country's democracy. He argues that, cornered by falling approval ratings, Republika Srpska's President, Milorad Dodik, used the referendum as a ploy to keep the discourse away from real issues and firmly anchored to war-themed rhetoric. His actions are likely to prove detrimental for the whole country and encourage more dangerous schemes in the future.



On 2 October, on the twentieth anniversary of the country's [first post-war elections](#), Bosnia and Herzegovina (BiH) heads to the polls once more. But as is so often the case in BiH, this year's municipal elections, and the country's broader democratic process, have again taken a back seat to political brinkmanship and poisonous partisanship. The piecemeal deterioration of constitutional government in BiH has gone on for so long that many—in Brussels and Washington especially—do not appreciate how unstable the country has truly become.

And while next week Bosnians and Herzegovinians will choose the leaders and legislators of the country's 143 municipalities from among [nearly 23,000 candidates](#), the election's real headline has already occurred. Milorad Dodik, the president of the country's eastern, ethnically Serb dominated entity Republika Srpska (RS) finally had a referendum; and in true illiberal democratic fashion, [nearly 100% of voters backed the government's preferred option](#).

The referendum, which was held on 25 September, occurred in response to a decision by the BiH Constitutional Court to strike down a holiday held on 9 January marking the entity's founding in 1992. The Sarajevo-based court ruled, in keeping with similar decisions in previous years, that the holiday was discriminatory to the entity's non-Serb population, and thus illegal. In response, Mr Dodik and his Alliance of Independent Social Democrats (SNSD) called the referendum—which the Constitutional Court also [said had “no legal basis”](#)—to determine whether the entity's

population nevertheless supported the marking of the holiday.

As has been [previously noted](#), a referendum cannot overturn a Constitutional Court decision, and the whole exercise is thus as legally vacuous, as it is [financially absurd](#). Putting aside that the poll is a flagrant violation of repeated decisions by the country's highest court, and flies in the face of repeated warnings by the Office of the High Representative (OHR), the international community's primary supervisory body in BiH, why not hold the referendum on the same day as the elections? And for that matter, given that there was no question that the entity's overwhelmingly Serb population would vote in favour of the holiday, why organise the poll at all?

A decade in power

Milorad Dodik is in his tenth year at the helm of Republika Srpska, but he is nearing his third decade in politics. In that time, the entity's economy has remained inert, impoverished, the poorest section of one of Europe's poorest states. Young people are [leaving BiH in droves](#), but emigration and declining birth rates are a particular problem in Republika Srpska. Outside the capital of Banja Luka, Republika Srpska resembles a bucolic nature preserve, not the emerging polity Mr Dodik promises. And worst of all, a recent string of bank failures have been traced directly [to Dodik and his inner circle](#). Even among his most ardent supporters, he is increasingly seen as not merely inept [but as corrupt](#).

The [2014 general elections](#) made clear the severity of his predicament: amid a tide of growing anti-government sentiment, [his SNSD suffered major losses](#). They lost their seat in the state presidency; they were ousted from state-level government; and nearly lost the legislature to boot. Things have only become more difficult since then. Despite their incompetence and thinly veiled mutual contempt, the grand coalition in Sarajevo, a patchwork of nationalist Bosniaks and Croats buttressed by the Republika Srpska opposition bloc, managed finally to submit a [formal EU candidacy application](#). The move was mostly the product of [British and German lobbying](#) (and handholding) but the development was damaging for Dodik all the same; his opponents had managed to do without him in two years what Mr Dodik had claimed as an objective since 1998.

Bosnia's crisis

In the wake of the EU candidacy application, Milorad Dodik had a dilemma: he could no longer run the risk of competitive elections, nor could he outright abolish them. Ultimately, both scenarios featured high probabilities of him ending up either in prison or in exile. So, he chose a third way.

Mr Dodik goaded his preferred sparring partner, Bakir Izetbegović, the head of the Bosniak nationalist Party of Democratic Action (SDA), into challenging the 9 January holiday at the Constitutional Court. Izetbegović, likewise keen to get his base in line ahead of the October polls, obliged. Dodik was saved. Once again, the electoral rhetoric would be [exclusively war-themed](#), not policy (or reality) oriented, benefiting only the static ruling elite who have led the country since the signing of the Dayton Peace Accords.

Shrewd as this ploy was, the move is nevertheless a disaster for the country as a whole. Dodik's adventurism has revealed the bankruptcy of the international project in the country. After years of clear and deliberate escalation by Mr Dodik—including a [near shooting incident last year](#)—he finally committed himself, and the West blinked. He openly violated the country's institutions and laws, with no consequence. Now, unless the international community assists local authorities in holding him and his party to account, it will merely encourage even more dangerous schemes in the future—[ones the SNSD has already announced](#).

So far, perfunctory reprimands from Brussels and Washington have been predictably ignored by Banja Luka. Even though his government [depends completely on IMF and World Bank loans](#), repeated instalments have been issued in exchange for mere promissory notes of reform from his cabinet. Worse still, Dodik knows he has a bigger entity police force than there are [international peacekeepers in the country](#) and frequently [hints at his willingness to use force](#) to achieve his political objectives. In short, he flouts both BiH's laws and the West's soft and hard power.

Wargames

Dodik is certainly [not the first Bosnian leader to ignore](#) a Constitutional Court decision. But no one has yet done so as flagrantly, and suffered so few consequences. What was previously merely implied is now confirmed: [the Dayton constitutional order has all but collapsed](#). Ironically, in BiH, local governments are often the most (or only) accountable and accessible segment of the country's convoluted constitutional regime. Yet in the time since the original Constitutional Court decision, actual political issues have been completely marginalised.

Consider only a portion of these: evidence that there are nearly [half a million questionable or non-existent registered voters](#) on the electoral registers; the country's continuing [exodus of young, educated workers](#); the catastrophic state of public infrastructure, even in the capital, where [water outages are a daily occurrence](#); endemic rates of [corruption, cronyism, and maleficence among the public administration](#), a fact citizens encounter every day in interacting with the sprawling bureaucracy.

Instead of addressing any of these questions, BiH's leaders, chief among them Mr Dodik, have polluted the country's airwaves with partisan sniping and threats of conflict. The result is that we are almost certainly headed for a nationalist landslide on 2 October, in a constitutional system that already [inherently skews support towards such reactionary options](#). What remains of BiH's left-civic parties has fractured into at least four different blocs, who seem committed only to irrelevance.

Mr Dodik, like Mr Izetbegović and their associates, may survive another election season but they will sooner or later discover that in a country as impoverished and traumatised as BiH, the constitution exists primarily to protect the elites from the people. After insisting that his referendum concerned an existential threat to the Serb people of BiH, [barely 50%](#) of voters turned out. A similarly low turnout at the elections will benefit the ruling establishment, but it will also further widen the gap between prevailing political rhetoric and reality in BiH. And when reality catches up, [like it did during the February 2014 protests](#), and as it inevitably will again, the real contest for survival for BiH's elites will not be at the ballot box, but in the streets.

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Note: This article gives the views of the author, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics. Featured image: Banja Luka (Republika Srpska's largest city) on the election night, October 2014. Credits: Tena Prelec / LSE.

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