

Tihomir Cipek

University of Zagreb

Crisis of Democracy in Bosnia and Herzegovina. Is Direct Democracy the Answer?

1. Introduction

Demonstrations of citizens of Bosnia and Herzegovina which broke out in February 2014 in almost all major cities showed that the crisis of democracy was present in that country as well. The main demand of the protestors was the introduction of direct democracy. Citizens' plenums were organised in several cities, and the Faculty of Philosophy in Sarajevo hosted a public discussion on direct democracy. None of these attempts was met with approval from institutional subjects in Bosnia and Herzegovina. Direct democracy is a type of democracy which carries the hopes of the political left. Radical left even thinks that representative, parliamentary democracy should be completely replaced with direct democracy, while moderate left is of an opinion that mechanisms of direct democracy can only act as a supplement to representative democracy. But both the radical and moderate left basically agree that direct democracy is an important part of the left-wing political program.

This text will attempt to answer the following question: Does the implementation of direct democracy mechanisms in political practice lead to the victory of the left-wing political program? To answer this question, the author of the text will analyse the politics of Switzerland, a country known for its direct democracy and Germany, which will serve as an example of a country

whose post-war politics is characterised by considerable scepticism toward direct democracy.

The text is divided into three parts: the first will endeavour to outline the general causes of the crisis of representative democracy (a); the second will show the state of democracy in Bosnia and Herzegovina (b); and the final part will feature the analysis of the structure of political decision-making in order to ascertain which political option, left or right, actually benefits from direct democracy (c).

Today, political theorists warn that we are witnessing the crisis of representative democracy. This has occurred in spite of the fact that, after the fall of communist dictatorships in 1989, liberal democracy was thought to be a superior political system that would inexorably spread throughout the world. There is no doubt that democracy is currently the only game in town, but the problem is that less and less people want to play. It has been shown that people can vote to change politicians, but not the politics. This immutability of politics seems to rob the people's democratic power of decision of its meaning. Some political theorists think that decisions are no longer made as a part of democratic political procedures but behind thick curtains, away from the prying eyes of citizens, by direct agreement between the political class, big capital's lobby groups and the supposedly non-ideologised teams of experts. Critics of the current mode of democratic order therefore claim that democracy does not really enable the governing of the people but of the global financial capital supported by foreign political elites, while citizens are actually cut off from the political decision-making process¹. The cause of the post-democracy phenomenon is considered to be the rise of neoliberal ideology which followed the collapse of communist dictatorships. Neoliberalism took the cry of the French Revolution "liberty, equality, fraternity", which forms the ideological basis of parliamentary democracy, and replaced it with "costs-efficiency-profit". Thus, the ideology of this new, radical market liberalism replaced the principles of representative democracy with those of the maximisation of profit². According to this ideological concept, *demos* is simply a nuisance, the additional cost and burden which does not fit into the "market democracy"³. Political government, which stems from

¹ C. Crouch, *Post-Democracy*, Polity Press, Cambridge 2004.

² H. Münkler, *Regierungsversagen, Staatsversagen und die Krise der Demokratie*, "Berliner Republik", 2010, <http://www.b-republik.de>, access: 15 III 2016; W. Streeck, *Markets and Peoples. Democratic Capitalism and European Integration*, "New Left Review", 2012, no. 73, pp. 63–71; W. Streeck, D. Mertens, *Politik im Defizit: Austerität als fiskalpolitisches Regime*, "Der Moderne Staat", 2010, no. 1, pp. 7–30.

³ C. Offe, *Governance: »Empty Signifier« oder sozialwissenschaftliches Forschungspro-*

the people as a community of citizens, is being replaced by a government of experts, while all political problems are reduced to supposedly technical ones. Most mass media assure us that no problem can be solved without objective expert insight, and that everything has to be exactly as it is because “the profession” demands it. According to this way of thinking, rising social inequality is a necessary consequence of the implementation of unavoidable economic laws, even though studies clearly show that European societies that have achieved relative equality are more efficient in the economic sense, and that the growth of their GDP is stronger than in countries with marked social inequalities⁴. Nonetheless, thanks to the media and the system of education, the viewpoint which celebrates supposed expertise as opposed to alleged amateur politics is very widespread today.

Some aspects of free elections are also going through changes. Elections are increasingly becoming a type of spectacle managed by marketing agencies, and political candidates are turning into commodities that are sold on the “political market” just like, for example, a new shampoo. Political marketing has swallowed political content, while spin doctors manage election campaigns by turning political actions into a controlled media spectacle⁵. In this process of elections and decision-making, the intended role of most citizens is a passive one, while a real political process takes place away from the spotlight in the form of privatised interactions between political elites and representatives of economic interests⁶. Indeed, it has become difficult to penetrate the complex web of intertwined interests of companies and the state⁷. States are still the owners of a big amount of capital and control not only the tax, but also the social, health, energy, infrastructural and other policies. States also sell most of their products (around 80%) within their borders instead of on the global market. Nevertheless, there is no doubt that global movements of capital, goods, money and people weaken the power of the state, as does the power of international institutions. The declining power of the state is accompanied by the weakening of mechanisms for protecting and expressing the will of

gramm?, “Governance in einer sich wandelnden Welt”, ed. G.F. Schuppert, M. Zürn, VS Verlag, Wiesbaden 2008, pp. 61–76.

⁴ T. Judt, Tony, *Ill Fares the Land: A Treatise on Our Present Discontentes*, Penguin, London 2011.

⁵ A. Dörner, L. Vogt, *Wahl-Kämpfe – Betrachtungen über ein demokratisches Ritual*, Suhrkamp Verlag, Frankfurt am Main 2002.

⁶ D. Jörke, *Bürgerbeteiligung in der Postdemokratie*, “Aus Politik und Zeitgeschichte”, 2011, no. 1–2, <http://www.bpb.de>, access: 15 III 2016.

⁷ P. Bofinger, J. Habermas, J. Nida-Rümelin, *Einspruch gegen die Fassadendemokratie*, “Frankfurter Allgemeine Zeitung”, 4 VIII 2012, p. 33.

the people⁸. That is why citizens can only watch in disbelief as their chosen government is forced to adapt to forecasts of international rating agencies most of them have never heard of. The problem is that people do not have access to mechanisms of power in rating agencies and international institutions like IMF and the World Bank. Globalisation, thus, weakens the power of the state, and consequently the efficiency of parliamentary democracy as well. Among other things, globalisation has prompted the creation of a new “global class” which cannot see that the state is the original space of democracy⁹.

Regardless of how we interpret its causes and scale, the crisis of representative democracy is an undeniable fact. Unremitting decline of people’s interest in voting clearly shows that they are less and less interested in participating in democratic processes and are often disdainful of politics and politicians. Because of this crisis of representative democracy, some political theorists and activists think that democracy could recover if it was enriched with mechanisms of direct democracy. Such form of democracy should result in greater citizen participation in politics and strengthened sense of civic responsibility.

2. Crisis of democracy in Bosnia and Herzegovina

What is the state of democracy in Bosnia and Herzegovina? Democratic institutions in that country are extremely dependant on international community’s peacekeeping mission. The formation of Bosnian-Herzegovinian democracy depended on the successful development of its political community. It was therefore necessary that the development of state institutions should be simultaneous with the formation of its citizens – there are no Bosnian-Herzegovinian citizens because there are no efficient state institutions, and vice versa, the lack of efficient state institutions is due to the lack of citizens who would form them. It had been shown that post-war Bosnia and Herzegovina lacked key prerequisites for building a democracy. Since the Bosnian-Herzegovinian society could not form those elements due to its deep divide, international community tried to step in.

International community decided to build democratic political institution in Bosnia and Herzegovina based on the principle of consociational democracy. According to this principle, all state institutions should include representatives

⁸ M. Hirsch, R. Voigt, *Der Staat in der Postdemokratie. Staat, Politik, Demokratie und Recht im neueren französischen Denken*, [in:] *Der Staat in der Postdemokratie. Staat, Politik, Demokratie und Recht im neueren französischen Denken*, ed. M. Hirsch, R. Voigt, Steiner, Stuttgart, 2009.

⁹ R. Dahrendorf, *Die Krisen der Demokratie. Ein Gespräch mit Antonio Polito*, C.H. Beck, München 2002.

of all clashing parties – Bosnian, Croatian and Serbian. Bosnia and Herzegovina was thus constituted as a kind of asymmetrical federalism. *Federacija Bosne i Hercegovine* (Federation of Bosnia and Herzegovina) has a concordatory system, while *Republika Srpska* (Serb Republic) introduced a relative-majority democratic system.

All main political subjects on the level of entities have certain veto powers, and there is proportional distribution of public goods and parliamentary seats. The Presidency of Bosnia and Herzegovina and the Council of Ministers have representatives of all three constituent nations. In the Bosnian-Herzegovinian parliament, the power of veto on all decisions is held by both entities (Federation of Bosnia and Herzegovina and the Serb Republic) in both parliamentary houses. “However, although this type of voting was established in order to protect the interests of entities, it has been corrupted into protecting the interest of the nation or nations that have sufficient number of representatives in the Parliamentary Assembly of Bosnia and Herzegovina and which can contest or prevent the decision-making process”¹⁰. Since Croats do not have their own entity, they cannot protect their interests through this procedure, but have to rely on the procedure of “protecting vital national interest” by filling an appeal to the Constitutional Court of Bosnia and Herzegovina. The analysis of the frequency of using the entity voting on one hand, and the filled appeals for the protection of vital national interest on the other show that both mechanisms are used for protecting national interests. Namely, it is clear that Bosniaks and Serbs do this through entity voting, while Croats use appeals to the Constitutional Court asking for the “protection of vital national interest”¹¹. It is clear that both procedures serve as veto mechanisms used by elites of dominant political parties to protect their perceived national interests. This undoubtedly slows down political decision making within the system, but it also creates a balance between main political subjects and contributes to the consolidation of Bosnian-Herzegovinian democracy.

Thanks to this system and the actions of the international community, Bosnia and Herzegovina managed to survive as a single entity. As an internationally recognised country, Bosnia and Herzegovina became an unavoidable fact that most of its citizens made their peace with. This can be seen from the answers

¹⁰ M. Sahadžić, “Veto mehanizmi” u parlamentima na državnoj i entitetskoj razini u BiH, [in:] *Parlamentarizam u Bosni i Hercegovini*, eds. S. Gavrić, D. Banović, Sarajevski otvoreni centar, Friedrich Ebert Stiftung, Sarajevo 2012, p. 313.

¹¹ K. Trnka, Z. Miljko, M. Simović et al., *Proces odlučivanja u Parlamentarnoj skupštini Bosne i Hercegovine, stanje, komparativna rješenja, prijedlozi*, Konrad Adenauer Stiftung, Sarajevo 2009.

to the following question: Do you agree that Bosniaks, Serbs, and Croats should be sovereign nations in both entities and the entire Bosnia and Herzegovina? Researchers got the following results:

Table 1
The results of the research

	Bosniak majority areas	Croat majority areas	Serb majority areas
I agree	94.0%	84.6%	56.2%
I do not agree	6.0%	15.4%	43.8%

Source: *Early Warning Quarterly Report*, 2000. See: V. Bojkov, *Political Development of Bosnia and Herzegovina After 1995: The establishment and functioning of 'controlled' democracy*, "Europe and the Balkans – Occasional Paper", 2010, no. 23.

These studies show that most citizens have accepted the existence of Bosnia and Herzegovina. They also show that the biggest aversion towards Bosnia and Herzegovina is present in the Serb population, which is the result of identity politics championed by Serb political parties in the country. Nevertheless, there is no doubt that Bosnia and Herzegovina functions as a democracy, albeit a defective one. Of course, the very term "defective democracy" shows that it is fraught with deficiencies. So, what are the flaws of Bosnian-Herzegovinian democracy? First of all, it seems that they primarily arise from deep social divisions. This has led to an interesting political phenomenon. Namely, main oppositions within the political life do not form, as in stable democracies, between the government and the opposition, but within the government itself. So there are conflicts between parties that represent constituent Bosnian-Herzegovinian nations, but also between leading political parties of individual ethnic groups over who can best represent the interest of their own people. That is why, for the purpose of establishing a functioning and stable political system, international community formed the system of controlled democracy. The point of that system is that elections are not the only method of choosing political elites. In addition to citizens, who choose their representatives in democratic elections, the selection of ruling elites is also done by the international community. High Representative of the international community in Bosnia and Herzegovina had the right to intervene in the election process. First of all, he could form election commissions that had the right to exclude political parties which did not comply with the peace process. For example, this principle was used to exclude Vojislav Šešelj's extreme right party *Srpska radikalna stranka* from the 2000 elections. High Representative of the international community also had the right to depose political or government officials who acted contrary to the peace agreement.

Furthermore, he could suspend the media which spread hatred and influence the appointment of judges. He also controlled symbolically important measures such as the appearance of the flag, the national anthem, and even vehicle plates. A part of the High Representative's authority to manage controlled democracy is the right to change or annul certain laws. By using these rights, between 1997 and 2008 the High Representative removed 190 public officials and politicians, and used his right to intervene in the content of regulations and laws 860 times¹². As far as internal stability of the system is concerned, Bosnian-Herzegovinian democracy has been somewhat consolidated. However, in addition to old problems arising from deep national divisions in the society, the country is also faced with new difficulties.

Symptoms of the crisis of representative democracy also appeared in Bosnia and Herzegovina. This is a crisis of parliamentarism that primarily manifests in ‚partitocracy‘ – absolute rule of the leadership of political parties which have monopolised the entire political arena and quashed all citizens' initiatives. This manner of functioning of the political system resulted in citizen apathy and their retreat from political life¹³. Bosnian-Herzegovinian political order is also fraught with other symptoms of the crisis of representative democracy. In that country, the Parliament is not a place of discussions in which opposing arguments can lead to a compromise, but a mere branch of executive power. The Parliament is very bad in fulfilling its role of controlling the government. The government is aware of this, which is why it is very sporadic in answering questions from the members of Parliament¹⁴.

Some citizens reacted to the crisis of democratic institutions with initiatives that advocated for direct democracy. In an attempt to overcome people's apathy, the left-liberal association of citizens *Zašto ne* (“Why not”) initiated the petition for changing the Constitution of Bosnia and Herzegovina in 2000. Joining this initiative were associations *Pokret Dosta*, *OP Revolt*, *UNS Geto*, *Ormar*, *Odisej*, *Omladinski centar Srebrenica*, *DVOC*, and *Centar za ljudska prava Univerziteta u Sarajevu*. This was a very interesting civil society initiative under the name *Ne zaUSTAVljajte nas!*¹⁵, which was conceived as a “campaign for the introduction of direct democracy”. These citizens' associations initiated the process of

¹² T. Gromes, *Gemeinsame Demokratie, geteilte Gesellschaft. Die Un-Möglichkeit einer Friedensstrategie in Bosnien und Herzegowina*, “HSFK-Report”, 2008, no. 9, p. 31.

¹³ G. Marković, *Kriza parlamentarizma u BiH*, [in:] *Parlamentarizam u Bosni i Hercegovini...*, p. 338.

¹⁴ *Ibidem*.

¹⁵ Translator's note: the name means ‚Do not stop us!‘ and features an untranslatable word-play on the name for constitution – *Ustav*.

amending the Constitution with the aim of holding a referendum on whether mechanisms of direct democracy should be introduced into the Constitution. The petition was organised in 15 cities in Bosnia and Herzegovina. Activists from those associations managed to collect some 25,000 signatures. However, they did not reach the desired 30,000 signatures, which enabled the political class to reject the initiative. Still, the question remains: What were the changes envisioned by this direct democracy initiative? I will mention just those that are crucial for understanding the political position and intent of the *Zašto ne* association. The association feels that key mechanisms of direct democracy are the following: a) referendum, b) civic initiative, c) citizens' veto and d) citizens' recall. They point out that a referendum can be binding and advisory, and can be held upon citizens' initiative as well as the decision of the Parliament. "If it takes at least 30,000 voters to call for a referendum, the Parliamentary Assembly will be obliged to hold it. The outcome of the referendum will be binding"¹⁶. Cognizant of divisions in Bosnian-Herzegovinian society, initiators of constitutional changes also took into account the negative effects of implementing mechanisms of direct democracy in multinational societies. That is why they emphasise the need to "take into account the nature of Bosnian-Herzegovinian society and the fact that decisions in government institutions are – and should be – made on the basis of consensus"¹⁷.

This initiative was an attempt to find a balance between mechanisms of consociational and direct democracy. Some scholars called for the consociational model to be replaced by direct democracy. They felt that direct democracy could help overcome national divisions in Bosnia and Herzegovina, and emphasised that the existing model of consociational democracy was not only incapable of offering the solution for their country, but was a source of new divisions (Stojanović, 2009)¹⁸. They explain this thesis by referring to a very strict veto system on all institutional levels that blocks the process of efficient political decision-making, and point out that "mechanisms of direct democracy can have significant centripetal effects on divided societies and enable political integration of different groups" (Stojanović, 2009: 5). Stojanović believes that the discussion should be based on the Swiss model of democracy. He says that Switzerland is a good example of how direct democracy facilitates the integration of multicultural societies (but forgets that, unlike Switzerland which has a clear Swiss national identity, Bosnia and Herzegovina is not just a multicultural,

¹⁶ *Ibidem.*

¹⁷ *Ibidem.*

¹⁸ N. Stojanović, *(Ne)moguća reforma u Bosni i Hercegovini? Iz konsocijacijske ka direktnoj demokratiji*, <http://arhiva.pulsdemokratije.net>, access: 15 III 2016.

but a multinational society). He further points out that direct democracy leads to the integration of plural societies due to four characteristics: “(1) this type of direct democracy functions on the basis of the ‘bottom-up’ principle which, in addition to being non-repressive for minorities, also enables them to influence government policies; (2) it creates obstacles for the appearance of (divisive) ethno-nationalist discourses based on stereotypes and ‘us-against-them’ rhetoric; (3) it fosters the creation of a single *demos* which is necessary for a functioning representative democracy; and (4) produces centripetal effects which aide in overcoming ethnonational divisions”¹⁹.

The author’s basic premise which, according to him, is based on intuition, is that there is no single, e.g., Flemish or Bosniak public opinion on a number of political questions, and that there are differing opinions within every national group. Unlike this opinion, theories of political decision-making clearly show that every community does have a dominant opinion on a number of key political issues that is expressed during elections through the political will of most community members. For instance, it has been clearly shown that the greatest number of Walloons support those political parties which guarantee the establishment and preservation of their social rights. It is likewise evident that Flemish people vote for autonomist parties and that voters from that community show stronger support for right-wing populist parties. In the same way, in Bosnia and Herzegovina most Bosniaks vote for SDA, most Croats for HDZ, and most Serbs for SNSD or SDS. Of course, a majority does not represent all members of a community, but it also cannot be ignored. Anyway, democracy is the rule of the majority (with a protection of minority rights, of course), and the democratic political system rests on the balance between its liberal and democratic elements.

Furthermore, proponents of direct democracy believe that it can break the closed circle of ‘us against them’, because the decision-making process will show that ethnonational logic does not work and that the majority will constitute itself without regard for its national identity. Moreover, they believe that direct democracy can be used to form a “single *demos*”. It has been pointed out that the introduction of direct democracy on the level of the state in Switzerland enabled the creation of a single Swiss *demos*. It seems that the author is not aware of the depth of divisions in Bosnia and Herzegovina because he thinks that a single Bosnian-Herzegovinian *demos* can be formed through discussion during the

¹⁹ It is interesting that, according to Stojanović, less than two percent of voters in Switzerland can initiate the procedure of calling for a facultative referendum with a power to annul a law adopted by the Federative Assembly, while a 100,000 signatures is a prerequisite for launching initiatives for changes to the Constitution.

referendum campaign. It would be very interesting to see the referendum questions that a deeply conservative society like Bosnian and Herzegovinian can form a majority on within all three nations? It would probably be possible with, let's say, the traditional definition of marriage as a union between a woman and a man. But would that be important for the democratic system in Bosnia and Herzegovina? I think that the majority of citizens from all three Bosnian-Herzegovinian nations would agree on the definition of marriage as a union between a woman and a man, but would this be a desirable decision from the point of view of the new human rights philosophy?

It is true that conservative majorities of all three nations would realise that their views on marriage were similar. However, they would also keep on believing that a marriage was good and had good chances of success only if it was entered into within one national and religious community. Therefore, their agreeing on the definition of marriage would not lead to the integration of society nor would it overcome international divisions, and a big question is whether that would even be a good thing.

On the other hand, studies clearly show that the implementation of mechanisms of direct democracy often leaves minorities unprotected and forced to constantly submit to the will of majority. This can lead to strong discontent in a society that is divided along national lines. In such societies, a lot of political issues are represented as questions of relationships between different national communities. That is why we have to be careful and respect the opinion that direct democracy is a model which can be applied to stable political communities in which political issues are not turned into national ones. If a society is sharply divided along national lines, direct democracy can deepen the existing divisions even more²⁰. We should therefore rethink the consequences of applying direct democracy mechanisms to deeply divided societies, and remember the importance of the question being asked. Namely, it has been shown that the system of direct democracy makes it hard for minorities to protect their rights²¹. So the question is: How would mechanisms of direct democracy function in an ethnically-divided society which has not reached a consensus on the basic values of the political community? It seems that the application of direct democracy

²⁰ D. Bochsler, *Neka narod odluči? Pouke švicarske demokratije u komparativnoj perspektivi*, <http://www.pulsdemokratije.ba>, access: 15 VI 2016.

²¹ B.S. Gamble, *Putting Civil Rights to a Popular Vote*, "American Journal of Political Science", 1997, no. 1, pp. 245–269; T. Donovan, S. Bowler, *Direct Democracy and Minority Rights: An Extension*. "American Journal of Political Science", 1998, no. 3, pp. 1020–1024; S. Bowler, T. Donovan, *Measuring the Effects of Direct Democracy on State Policy: Not All Initiatives Are Created Equal*, "State Politics and Policy Quarterly", 2004, no. 3, pp. 345–363.

could further endanger the country's minorities and deepen the existing national divisions as well as the crisis of democracy in Bosnia and Herzegovina. In spite of a number of questions that arise from the potential implementation of direct democracy in Bosnian-Herzegovinian circumstances, it is my opinion that this type of democracy should not be completely discarded and that, on certain issues, it can be a useful addition to parliamentary democracy.

3. Is direct democracy left or right political agenda?

Political science studies clearly show that direct democracy has more proponents from left- and right-wing populist parties, while parties of the centre-left and centre-right are not well disposed towards it. It is very interesting that most politicians in countries like Germany, which practices direct democracy rarely or not at all, think that this type of political decision-making is an important part of left-wing political programme. On the other hand, politicians from countries where direct democracy is a big part of the political system think that it is beneficial to the conservative political programme. Thus in Germany, the biggest support for direct democracy comes from parliamentary representatives of Die Linke, while most misgiving is shown by representatives of the centre-right parties CDU and CSU. It should be said that the perception of direct democracy in Switzerland – a country with over 400 conducted referendums where direct democracy is an important part of the political system – is completely different than in Germany. Namely, left-wing members of the Swiss Parliament claim that direct democracy is a mechanism of political decision-making which benefits conservatives. So we see that the situation in Switzerland is completely opposite than the one in Germany because Swiss left-wing politicians feel that direct democracy is a part of right-wing political programme that helps conservative political options to push their political goals²².

Finally, the author of the text should say something about the advantages of direct democracy. What is the conclusion of comparative analysis of international experiences? It is apparent that mechanisms of direct democracy and their implementation create obvious opportunities for citizens to express their political will regarding specific issues. Direct democracy also encourages those that are reluctant to take part in political processes to become involved and to take on political responsibility for the common good of the political community. Furthermore, direct democracy prompts party politics to become more open

²² A. Christmann, *In welche politische Richtung wirkt die direkte Demokratie? Rechte Ängste und linke Hoffnungen in Deutschland im Vergleich zur direktdemokratischen Praxis in der Schweiz*, Nomos, Baden-Baden 2009.

toward citizens, and helps develop the process of education in which political elites want to include as many citizens as possible in order to gain support for their solutions in the referendum. Contrary to the assumption that societies should first form enlightened citizens with 'correct' political culture before letting them handle instruments of direct deciding, the Swiss experience shows that it is precisely the inclusion of citizens in political process that develops democratic political culture. This is a political culture that relies on adequate knowledge, public deliberation and civic participation. In other words, through participation in the decision-making process, direct democracy enables the formation of active citizens and thus strengthens the political order. Direct democracy takes a great deal of power from the hands of powerful lobbying groups and gives it to the people who have already been forgotten as bearers of sovereignty in contemporary liberal-democratic order.

By bringing the people into politics, direct democracy once again puts the state and its functions at the front, reminding us that the state is nothing more than a sovereign people as an assembly of free citizens. It is precisely this idea of the importance of citizen participation in the political decision-making process that should be promoted in contemporary Bosnian and Herzegovinian politics. It is not true that all political decisions are so complicated that they should be left to the experts; on the contrary, there are no value-neutral, purely expert decisions. That is why it is extremely important for a democracy to hear the opinion of the people.

4. Conclusions

In conclusion, direct democracy is not a perfect method of political decision-making. Without a right balance between parliamentary and direct political decision-making, direct democracy can call into question the role of political parties within a political system. That would not be good because it was shown that candidates who pass through party filters are higher quality, that is, better at their jobs than non-party candidates who were chosen directly²³. One shortcoming of direct democracy is a slower and significantly more expensive decision-making process. It takes time to collect signatures, to inform people about different ways of reaching a decision and about key consequences of certain decisions. Another weakness of direct democracy is said to be an overwhelming influence of the media on the will of the citizens. According to this opinion, the

²³ E.C. Hornig, *Die Parteiendominanz direkter Demokratie in Westeuropa*, Nomos, Baden-Baden 2011.

media can manipulate the people's decision-making process. It should be said that this complaint overstates the power of the media on one hand, and on the other ignores the fact that the media has an even bigger influence on the political decision-making process in parliamentary democracy. Direct democracy is also accused of encouraging populism and putting minorities at a disadvantage.²⁴ All of these objections are certainly worth considering, but I do not think the issue at stake is a replacement of representative with direct democracy. Direct democracy cannot replace representative democracy (which is, anyway, not the case even in the leading country of direct democracy – Switzerland), but should supplement it. Democracy and parliamentarism are not incompatible; it is more a question of enriching representative democracy with the mechanisms of direct democracy. This would also foster the development of parliamentarism and, consequently, of the democracy in Bosnia and Herzegovina.

Bibliography

- Bochsler, D., *Neka narod odluči? Pouke švicarske demokratije u komparativnoj perspektivi* (2009), <http://www.pulsdemokratije.ba>.
- Bofinger, P., Habermas, J., Nida-Rümelin, J., *Einspruch gegen die Fassadendemokratie*, “Frankfurter Allgemeine Zeitung”, 4 VIII 2012.
- Bojkov, V.D., *Political Development of Bosnia and Herzegovina After 1995: The establishment and functioning of ‘controlled’ democracy*, “Europe and the Balkans – Occasional Paper”, 2010, no. 23.
- Bowler, S., Donovan, T., *Measuring the Effects of Direct Democracy on State Policy: Not All Initiatives Are Created Equal*, “State Politics and Policy Quarterly”, 2004, no. 3.
- Christmann, A., *In welche politische Richtung wirkt die direkte Demokratie? Rechte Ängste und linke Hoffnungen in Deutschland im Vergleich zur direktdemokratischen Praxis in der Schweiz*, Nomos, Baden-Baden 2009.
- Crouch, C., *Post-Democracy*, Polity Press, Cambridge 2004.
- Dahrendorf, R., *Die Krisen der Demokratie. Ein Gespräch mit Antonio Polito*, C.H. Beck, München 2002.
- Dörner, A., Vogt, L., *Wahl-Kämpfe – Betrachtungen über ein demokratisches Ritual*, Suhrkamp Verlag, Frankfurt am Main 2002.
- Donovan, T., Bowler, S., *Direct Democracy and Minority Rights: An Extension*, “American Journal of Political Science”, 1998, no. 3.

²⁴ M. Martin, *Wenn das Volk (mit)entscheidet: Wechselbeziehungen und Konfliktlinien zwischen direkter und indirekter Demokratie in der Rechtsordnung*, Duncker & Humboldt, Berlin 2011.

- Gamble, B.S., *Putting Civil Rights to a Popular Vote*, “American Journal of Political Science”, 1997, no. 1.
- Gromes, T., *Gemeinsame Demokratie, geteilte Gesellschaft. Die Un-Möglichkeit einer Friedensstrategie in Bosnien und Herzegowina*, “HSFK-Report”, 2008, no. 9.
- Gromes, T., *Ohne Staat und Nation ist keine Demokratie zu machen. Bosnien und Herzegowina, Kosovo und Makedonien nach den Bürgerkriegen*, Nomos, Baden-Baden 2012.
- Hornig, E.-C., *Die Parteiendominanz direkter Demokratie in Westeuropa*, Nomos, Baden-Baden 2011.
- Judt, T., *Ill Fares the Land: A Treatise on Our Present Discontent*, Penguin, London 2011.
- Jörke, D., Take, I., *Vom demokratischen zum legitimen Regieren?*, “Politische Vierteljahresschrift”, 2001, no. 2.
- Jörke, D., *Bürgerbeteiligung in der Postdemokratie*, “Aus Politik und Zeitgeschichte”, 2011, no. 1–2, <http://www.bpb.de>.
- Marković, G., *Demokratija i Ustav Bosne i Hercegovine. Studija o neposrednoj demokratiji i radničkoj participaciji u BiH sa prijedlozima amandmana na Ustav Bosne i Hercegovine* (2009), <http://direktnademokratija.net>.
- Marković, G., *Kriza parlamentarizma u BiH*, [in:] *Parlamentarizam u Bosni i Hercegovini*, eds. S. Gavrić, D. Banović, Sarajevski otvoreni centar, Friedrich Ebert Stiftung, Sarajevo 2012.
- Martin, M., *Wenn das Volk (mit)entscheidet: Wechselbeziehungen und Konfliktlinien zwischen direkter und indirekter Demokratie in der Rechtsordnung*, Duncker & Humboldt, Berlin 2011.
- Münkler, H., *Regierungsversagen, Staatsversagen und die Krise der Demokratie, Berliner Republik*, 2010, no. 5, <http://www.b-republik.de>.
- Sahadžić, M., *“Veto mehanizmi” u parlamentima na državnoj i entitetskoj razini u BiH*, [in:] *Parlamentarizam u Bosni i Hercegovini*, eds. S. Gavrić, D. Banović, Sarajevski otvoreni centar, Friedrich Ebert Stiftung, Sarajevo 2012.
- Offe, C., *Governance: »Empty Signifier« oder sozialwissenschaftliches Forschungsprogramm?*, [in:] *Governance in einer sich wandelnden Welt*, eds. G.F. Schuppert, M. Zürn, VS Verlag, Wiesbaden 2008.
- Stojanović, N., *(Ne)moguća reforma u Bosni i Hercegovini? Iz konsocijacijske ka direktnoj demokratiji* (2009), <http://arhiva.pulsdemokratije.net>.
- Stojanović, N., *Direct democracy: a risk or an opportunity for multicultural societies?*, “International Journal of Multicultural Societies”, 2006, no. 2.
- Streeck, W., *Markets and Peoples. Democratic Capitalism and European Integration*, “New Left Review”, 2012, no. 73.
- Streeck, W., Mertens, D., *Politik im Defizit: Austerität als fiskalpolitisches Regime*, “Der Moderne Staat”, 2010, no. 1.
- Trnka, K. Miljko, Z., Simović, M. et al., *Proces odlučivanja u Parlamentarnoj skupštini Bosne i Hercegovine, stanje, komparativna rješenja, prijedlozi*, Konrad Adenauer Stiftung, Sarajevo 2009.

Summary: On the example of Bosnia and Herzegovina the goal of text is to rethink the consequences of application of the direct democracy mechanisms in the context of deeply divided societies. So the question is: How would mechanisms of direct democracy function in an ethnically divided society which has not reached a consensus on the basic values of the political community? It was felt that direct democracy could help to overcome national divisions in Bosnia and Herzegovina and emphasized that the existing model of consociational democracy was not only incapable of offering the solution for their country, but was a source of new divisions. The first part of the text will endeavor to outline the general causes of the crisis of representative democracy. The state of democracy in Bosnia and Herzegovina will be shown in the second part. The final part will feature the analysis of the structure of political decision-making in order to ascertain which political option, left or right, actually benefits from direct democracy. In spite of a number of questions that arise from the potential implementation of direct democracy in Bosnian-Herzegovinian circumstances, the text will lead to conclusion that this type of democracy should not be completely discarded and that on the certain issues it can be a useful addition to the parliamentary democracy.

Keywords: parliamentary democracy, direct democracy, Bosnia and Herzegovina, consociational democracy, multinational societies

Kryzys demokracji w Bośni i Hercegowinie. Czy demokracja bezpośrednia jest odpowiedzią?

Streszczenie: Zasadniczym założeniem tekstu jest ponowna analiza mechanizmów demokracji bezpośredniej w społeczeństwach głęboko podzielonych, na przykładzie Bośni i Hercegowiny. Podstawowym pytaniem stało się zatem: jak mechanizmy demokracji bezpośredniej funkcjonują w społeczeństwie, które jest złożone z wielu narodów, a narody nie osiągnęły porozumienia co do podstawowych wartości. Istniało domniemanie, że mechanizmy demokracji bezpośredniej mogły wpłynąć na przewyżczenie narodowych różnic w Bośni i Hercegowinie. W artykule zostają zanalizowane procesy decydowania politycznego.

Słowa kluczowe: demokracja parlamentarna, Bośnia i Hercegowina, wielonarodowe społeczeństwo