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POST-YUGOSLAV STATE WEAKNESS

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Abstract

The purpose of the thesis is to define the weakness of the post-Yugoslav states. It is important to analyze the factors that make a state weak because this analysis contributes to the ongoing international and domestic political attempts towards “the strong state building”. However, before the definition of the weak state it is crucial to proceed to the verification of the basic principles of the state. In the case of the Post-Yugoslav states, the disastrous wars of 1990’s along with the subsequent, mainly political, disputes that still affect the stability and prosperity in the area have come as an extra critical obstacle in the already difficult and inevitable double transition process (democratization and market economy) in the post-communist area, after the fall of the soviet model and its variations.

The Ancient Greek motto “the beginning is the half of everything” absolutely represents the last twenty years path towards the state building in the Post-Yugoslav new born states. The study of the initial peace building agreements, which also served as the basis of the state building processes could predict the nowadays situation, with acceptable accuracy. The ineffectiveness and the unwillingness of the International Community’s and domestic players to implement the appropriate and decisive amendments in the procedure was a major factor for today’s subjective failure.

Introduction

The topic of the thesis is the Post-Yugoslav State Weakness. The term weak is multidimensional and its precise definition is not purely stated in the literature of political science. In parallel the quest of the weakness's level of the post-Yugoslav states should be limited and focused in connection with the vital elements and dimensions of the modern state. An accurate definition of the state is out of question even for the most knowledgeable academics. It is important to define the potential weakness of the new-born Balkan states and especially the sectors of the state structure that are affected, because the output of this procedure could be used as lessons learned for the future projects of state building.

Working Hypothesis:

(1) There is a clear connection between the initial steps and trends of the after conflict state building process of the Post-Yugoslav states and their nowadays weak status. The ineffectiveness and the unwillingness of the International Community's and domestic players to implement the appropriate and decisive amendments during the implementation of the procedure was the key factor.

(2) The common idea is the most vital element of a state and is absolutely connected with its contemporary and future strength status.

Moreover, the answering to the following questions pave the way to the scope of the thesis which is the analysis of the post-Yugoslav states' weakness and consists the initial part of the methodology: which are the basic elements of a modern state? what is a weak state? which elements of the modern state critically affect its strength?

This thesis, initially attempts to define the vague term of the "weak state", through the analysis of the basic and principal terms of state, failing state, democratic consolidation and sovereignty, initiated by significant scholars and academics. The theory of Weber, the connection between the democratic consolidation (Linz and Stepan) and the state building, the importance of Krasner's sovereignty, the arguments of significant academics about the theme and the analysis of The Fund for Piece about the "state fragility" will contribute in the reformation of the Buzan's "triangular state model". This overall description of the elements of a "strong" state and their interconnection / interdependence are the basis for the formation of an, as precise as possible, definition of the weak state, through the "reductio ad absurdum" method. This method which is mainly used in mathematics, leads to the indented outcome through the analysis of the opposite subject. In terms of effectiveness it is the most appropriate method to reach an as precise as possible conclusive definition of the weak state, because the

path towards the analysis of the strong state is more orthological: everything in the nature is born or produced in order to become strong and stable. Whatever loses its elements of strength subsequently becomes weak. Moreover in last part of the first chapter the overall definition of the weak state is connected with the term ‘‘fragility’’ which is used by the Fund for Peace. The methodological booster of this attempt to explain the term weak state, is the thesis of Samuel Larson.

The analysis of the state-building process in the Post-Yugoslav area could be regarded as useless for the scope of this thesis. After concluding to the basic and vital elements of the state, in the first chapter, we could have reached a safe answer towards the quest for weakness, just by proceeding to the case studies or just by using the evaluation analysis of significant worldwide organizations, such as the IMF, the World Bank, the Transparency International, the Freedom House and the Fund for Peace. By using that methodology we could have ranked the strength or weakness status of these states and we could have concluded to the present situation. Nevertheless, it would have been impossible to locate their weakness or strength trends and prospects. The search of the factors that lead to the breakup of Yugoslavia and their potential existence in the nowadays situation, along with the analysis of the triple stage international intervention in Balkans, which chronologically consists of the conflict management, peace building and the state building, concludes to the socio-politico-economic status quo that have decisively affected the state strength or weakness potential of the Post-Yugoslav area. The state building process in BiH takes the lion share of the macroscopic analysis, as this case is the most complex and can serve as the basis for the comparative analysis. The outputs of the second chapter which are focused to the state building process, settle the limits and the perspectives of the stateness for each of the Post-Yugoslav countries and are inserted in the comparative diagram of the state building process.

In the three last chapters, the macroscopic analysis of the second chapter which is presented in the comparative diagram of the state building process is connected with the brief macroscopic analysis of the contemporary situation of the states and the microscopic analysis of the Fund for Peace. The Post –Yugoslav states are divided into the three branches of case studies. In this chapter the absolute relation between the state building effectiveness and the contemporary situation of the new born states is presented in a collective table.

Chapter I: What is a Weak State?

“States that cannot or will not safeguard minimal *civic* conditions for their population: domestic peace, law and order, and good governance. [...] juridical shells that shroud an insecure and even dangerous condition domestically, a state of nature. Such states have an international legal existence but very little domestic political existence”.

Robert Jackson¹

The principle question of what is a weak state consists of two fundamental branches: the quest for statehood and weakness.

In order to give the definition of the state, it is necessary to determine its elements. According to Barry Buzan’s model, the state could be resembled as a triangle, each side of which represents one significant part of statehood (Buzan 1991, 65-92): the common idea, the institutional expression and the physical base of the state.

The above elements consist of the basic prerequisites of the formulation of the state as a collective entity. “The model suggests that the units must meet certain criteria before they can be considered as states” (Buzan 1991, 71). The lack in one of these sides leads the state to the total collapse. The level of the deficiency, in parallel with the tendency’s deterioration or improvement, are the indicators that characterize a state as weak failing or weak improving.

The **idea of the state** is described as “the heart of the state’s political identity” (Buzan 1991, 72). This idea gives the principle answers about the socio-political unity of the people, the prospects of the state and the relation between the state and the society. This common idea includes the notion of the “horizontal comradeship” inside the state’s “imagined community” (Anderson, 2006). “The importance of nation to the idea of the state is hinted at by the term national security itself” (Buzan 1991, 74). This dimension of the state is absolutely connected with Francis Fukuyama’s fourth aspect of stateness that is related to norms, values, and culture (Fukuyama 2004, 29). The **institutional expression** resembles the “entire machinery of government” (Buzan 1991, 83), meaning the three state powers (the administrative, the judiciary and the legislative) not only as “bodies” but also as the way and the norm of their functioning. Finally the **physical base**, which is the most concrete element of the state, consists of the population and the territory, along with the natural resources and the man-made wealth within the borders. This element of the state is assumed as an object of security (Buzan 1991, 88-89).

¹Jackson, Robert. *The Global Covenant: Human Conduct in a World of States* 2000: 296

The above factors are not the only ones that establish the meaning of the state. Sovereignty and size of the state's territory size are the additional factors, which according to Buzan 'make states a distinctive group of entities' (Buzan 1991, 71). According to Buzan's analysis the size is not assumed as a significant indicator for the strength evaluation of the state. However regarding the case of the post-Yugoslav states which still suffer from bilateral or multilateral nationalistic struggles, hopefully still in the political level, the relative size and the quality of the territory, really matters. The distance from the sea or from the merchant crossroads are characteristics of the territory that critically concern these new born states. Moreover sovereignty is the 'self-government key characteristic of statehood' (Buzan 1991, 71-73). But what is sovereignty? Krasner quotes four meanings of the term sovereignty (Krasner, 2001, 21, Krasner, 2005, 87-88):

- **Legal sovereignty**: the states recognize the territories of the other states as independent.
- **Interdependence sovereignty**: the ongoing procedure of globalization (participation in international organizations such as NATO and the EU) affects the state's sovereignty.
- **Domestic sovereignty**: this is the basic definition and refers to the state's assets and functions to gain and retain control within the state.
- **Westphalian sovereignty**: all the states, regardless their size, are equal towards the international law and arrange their domestic affairs inside their territory without being affected by foreign states and powers (Krasner, 1995, 118).

As mentioned above sovereignty is a significant factor that affects the strength of a state but as all the other factors of the 'triangle', it is subjective. For instance, the participation in the EU, creates interdependence sovereignty and deteriorates the Westphalian sovereignty. How this situation affects the strength of a state? In the nowadays world of globalization and dominance of the spheres of influence, the 'surrender' of part of a state's sovereignty (Westphalian) has become a political movement of gaining the legal sovereignty and retaining the domestic one.

Are the principles of modern liberal democracy present in the analysis of the term weak state? Max Weber argues that 'the state is a human community that (successfully) lays claim to the monopoly of legitimate physical violence within a particular territory' (Weber 2004, 50). How a state can establish legitimacy while using violence against its people? The institutional expression of Buzan does not include the type of regime. Only the functionality matters (Larsson n.d., 33). However it is important the functioning of the state to be executed in accordance with the modern liberal democratic norms and regulations, especially in states under democratic transition, because it affects the common idea of state.

According to Linz and Stepan the existence of a state is the prerequisite for the establishment of a modern democratic regime (Linz and Stepan, 1996, p.30-44). However the reversal process is simultaneously in force: the absence or the problematic existence of one of the five “arenas”² can lead to the gradual collapse of at least one of the sides of the states’ triangle. Moreover, Francesco Palermo argues that “autonomy is a mechanism for enhancing democracy” (Palermo 2012, 93). This argument helps the evaluator to realize the level of democratic consolidation in the states such as Bosnia & Herzegovina and subsequently its effect upon the strength of the state. The sense of security and the welfare of the citizens are also indicators that strengthen a state which is the only organization that can provide them simultaneously (Holsti, 1995, p.67).

How important is the sense of individual security and how affects the idea of the state? According to Buzan, the individual security is definitely connected with the national security and as such with the state (Buzan 1991, 18-30). “*Societies and smaller groups throughout history have formed organizations [the states] that provide and sustain them with security, access to resources, social rules, and means of continuity*” (Holsti, 2004, p.28). “*People found states in order to defend them from the invasion of foreigners and the injuries of one another, and thereby to secure them in such sort as that by their own industry, and by the fruits of the earth. they may nourish themselves and live contentedly*” (Hobbes, 1972, p.275). Does the individual insecurity affects the idea of the state? The paradigm of one of the stronger states explains this connection. After the prevalence of “Brexit” in the Great Britain referendum of June 2016 the political chain reactions were unprecedented. Scotland and N. Ireland have expressed their intense will to secede. The “colony” of Gibraltar whose citizens voted for “Bremain”, will be definitely a dangerous dispute between Spain and Great Britain. Moreover hundreds of thousands of London citizens have already collected votes claiming the independence of their city from the rest of the country. All the above consequences of the referendum have created a weakness potential because it has severely affected the idea of the state. This political situation has its roots to the individual insecurity derived by the unexpected vote for exit from the EU. And what an irony: citizens of the “imperial” of Great Britain prefer to surrender their state’s sovereignty rather than become “nationally independent” again, after four decades of “EEC-EU occupation”. But as a

² (a) conditions must exist for the development of a free and lively civil society (b) there must be a relatively autonomous and valued political society (c) there must be a rule of law to ensure legal guarantees for citizens’ freedoms and independent associational life (d) there must be a state bureaucracy that is usable by the new democratic government (e) there must be an institutionalized economic society. Let us explicate what is involved in crafting this interrelated set of arenas (Linz and Stepan, 1996, p.30-44)

paraphrase of Krasner's book, the great powers, such as USA, China, Russia, Germany and G. Britain are "Hypocritical Surrender of Sovereignty" cases. In fact they legitimize the manipulation of the sovereignty of the weaker states by promoting themselves as the paradigm of sacrificing their own sovereignty. Could the Physical Base of the state be negatively affected, in terms of individual and collective welfare (economic growth), by the deepening of this political instability? Just two days after the referendum S&P and Fitch degraded the creditworthiness of the sixth largest economy of the world. Is it acceptable to argue that G. Britain has become a weak state? The answer is no, but these signs of weakness, potentially can establish a weak status for this state in the near future. The post-Yugoslav states are not so institutionally strong and stable in order to resist to such political and economic pressures. As a result, the potential of a total collapse would be more possible in an already weak state.

One of the five essential '*qualities of statehood that provide polities with both legitimacy and longevity*' is the '*legitimacy authority structure*' (Morris 1998). What is the importance of legitimating the administration of the state and how this fact has been established?

The passing from the customary law to the establishment of the rule of law was the historical benchmark of the modern model of state. The political powers and control became impersonal, making the use of force, in the framework of the state, legitimized (Pantelis 2007). The most significant and fundamental rule of law in every state in the Constitution. The scope and the desired common idea of the state are described in the constitution regardless if the potential state is minimal or maximal. The X-axis through which Francis Fukuyama (Fukuyama 2004, 9) describes the scope of state actions (minimal, intermediate, activist functions) could be used as the initiative for the connection between the common idea and the scope of the state. When the scope of the state is equalized with the common idea then the state has a positive strength prospect. Having extensive conversations with Greek and Cypriot common people regarding the economic crisis in their countries I realized how important is the scope of the state to keep pace with the common idea. Both states, after falling into the black hole of the economic crisis, established (along with the obligations of the Troika) new austerity measures with painful implications against the fiscal policy and mainly the salaries of the civil servants, the pensions but also public health, social insurance, education and labor rights. As a result the scope of both two states decreased from the activist to the minimal level. However, in contrast with the Cypriot people who realized that they had to limit their socio-politico-economic expectations for the appropriate timeframe, till the recall of the state's economic situation, the Greek people, drifted by the (at least) untrustworthy political system could not realized the mandatory need for the

fiscal adaption. As a result, in Cyprus even during the storm of the economic crisis there was a clear strong state prospect, while in Greece the incongruence between the ‘‘new’’ scope of the state and the common idea reinforced the already problematic socio-politico-economic situation in the country. Additional to the importance of the capability of the state to maintain strong and reliable institutions in respect to its settled scope, the alignment of the common idea with this scope along with the bottom-up legitimating of the actual performance of the institutions, is also vital for the state’s strength perspective. The ‘‘basis of legitimization’’ (Fukuyama 2004, 26) is the connecting point between the institutional expression and the common idea. The absence of the legitimization by the basis unavoidably leads to the collapse of the common idea of the state.

The mentality of the political leadership in a state is crucial. In Balkan States and generally in the states that have not performed a long period of liberal democracy the leader exert power for their own profit rather than exerting management in favor of the common good. The quest of Francis Fukuyama about the potential internationality of the liberal west institutions and values becomes the key point of the new born states legitimacy (Fukuyama 2004, 2) as their state building process is based on the west politically wright dogma. This political mentality, that brings obstacles to the road towards the western liberalization of the post-Yugoslav states also concerns the primary political subjects, the people. The quality and the political mentality of the physical base of a state (the people) take also part in the blame game of the political decadence but not as the primer actor. ‘‘Domestic demand for institutions’’ (Fukuyama 2004, 9) is a prerequisite for their effective establishment and implication by the state. The above political attitude almost always leads to administrative misleading, incompatibility with the idea of the state that derives from the constitution and ineffective institutional organization because of the extent corruption and clientelism. Thereafter the in dept study of the constitution of a state and especially of a new born state consist of a significant method of defining the limits and the prospects of a state’s strength, as it is connected both with the idea and the institutional expression of the state.

All the above interconnected factors and indicators that describe a strong state lead to the following definition of the weak state: **A state is assumed as weak when at least one of the vital indicators and elements of its composition begin to fail and there is distinct trend for further deterioration in all the other interconnected factors and elements. The outcome of the total collapse of at least one of the state triangle sides, is the failed state.**

Subsequently, the Buzan's triangular state model is used as the basis for the schematic presentation of the above definition.

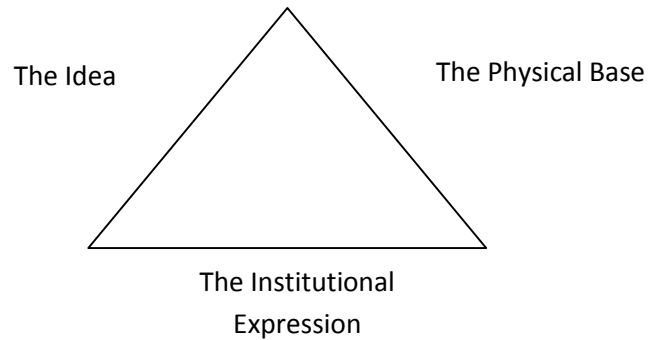


Figure 1. Barry Buzan's triangular state-model

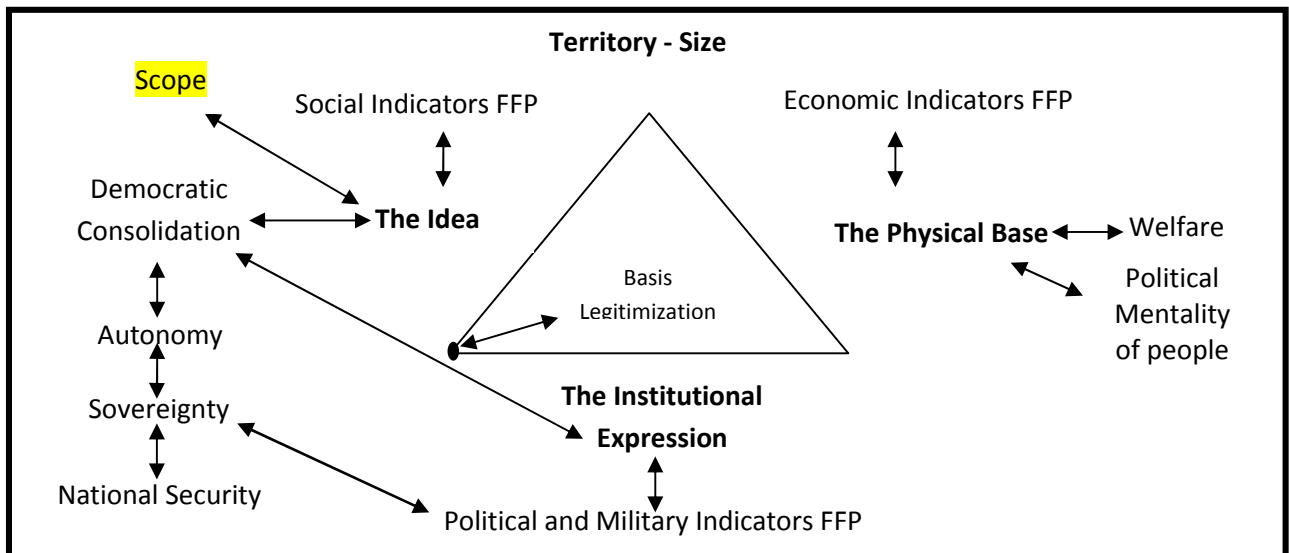


Figure 2. Reformulated Barry Buzan's triangular state-model

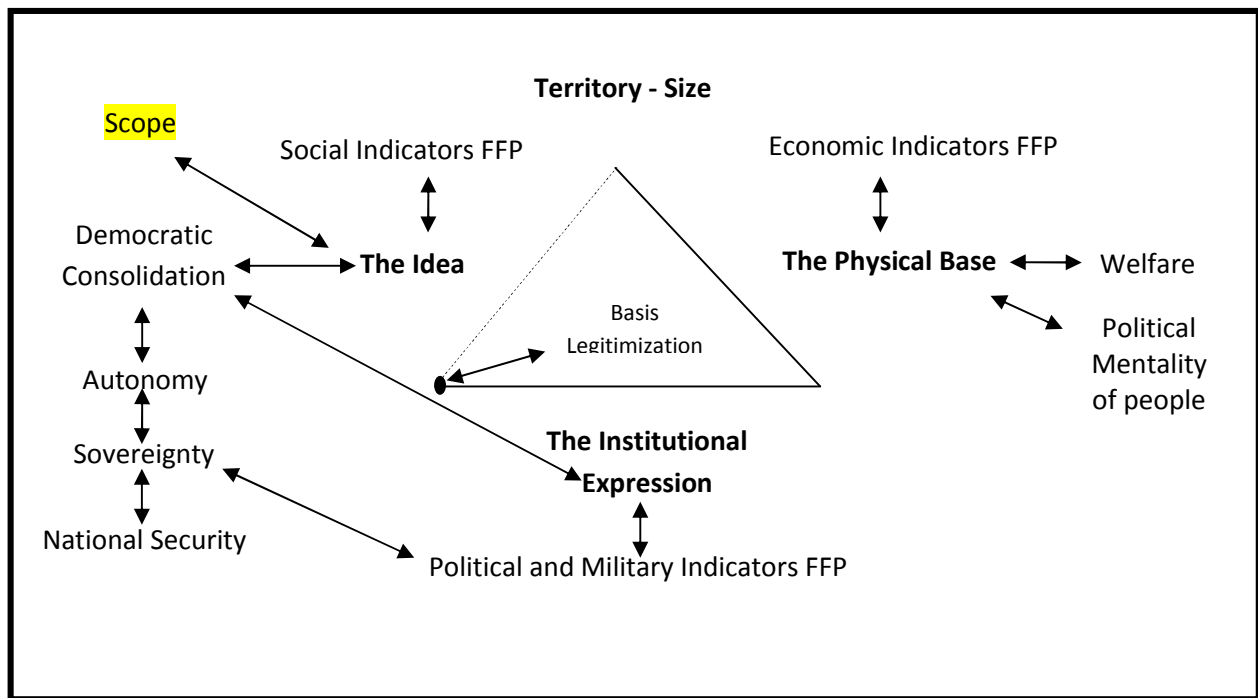


Figure 3. Weak State

The level of a state's weakness is subjective and simultaneously takes a comparative value. During the evaluation of the case studies, in the following chapters, there will be a comparison among the post-Yugoslav states, taking as granted that the states of Slovenia and Croatia are the strong states, or more precisely the strongest states with a pure strength perspective. Of course if the comparison would be done with Germany as the reference point, then the output would be different but still the same, concerning the comparability among the new born states and the actual trend. There is also another dimension of the state's weakness: the internal analysis. This analysis concerns the potential achievement of the main scopes of the state in respect to the provisions of the constitution and the common idea.

A useful tool for the evaluation except for the reformulated Buzan's triangle, is also the Fragile States Index of the Fund for Piece:

"A state that is fragile has several attributes, and such fragility may manifest itself in various ways. Nevertheless, some of the most common attributes of state fragility may include:

- *The loss of physical control of its territory or a monopoly on the legitimate use of force;*
- *The erosion of legitimate authority to make collective decisions;*
- *An inability to provide reasonable public services;*
- *The inability to interact with other states as a full member of the international community."* (FFP, 2016a)

The institution uses twelve CAST indicators which cover a wide range of state failure risk elements and are divided in three major categories:

- Social Indicators (demographic pressures [DP], refugees and IDPs [REF], group grievance [GC], human flight and brain drain [HF])
- Economic Indicators (uneven economic development [UED], poverty and economic decline [ECO])
- Political and Military Indicators (state legitimacy [SL], public services [PS], human rights and rule of law [HR], security apparatus [SEC], factionalized elites [FE], external intervention [EXT])

All these indicators are either match or included in the elements of the reformulated Buzan's triangle and subsequently they decisively take part in the weak state evaluation.

Ch.II: The State Building Process in Post-Yugoslav States

“ The Beginning is the half of everything”

Plato

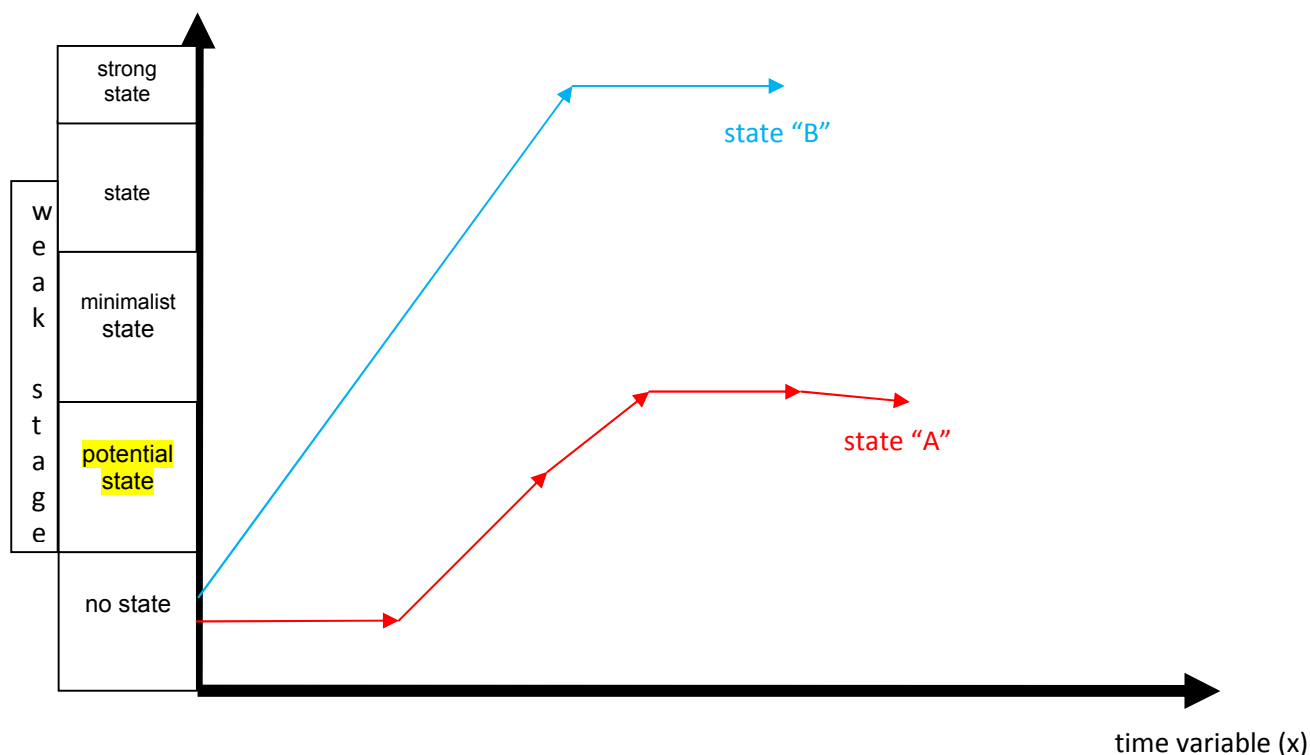
After the brief analysis of the basic and vital elements of the state, that were mentioned in the first chapter of the thesis, we can proceed to the definition of the particular state status of the Post-Yugoslav countries, just by comparing their contemporary socio-politico-economic situation with the potential absence of the statehood principles, using the evaluation analysis of significant worldwide organizations, such as the World Bank, the Transparency International, the Freedom House and the Fund for Peace. By using that methodology we could have ranked the strength or weakness status of these states and we could have concluded to the present situation. Nevertheless, it would have been impossible to locate their weakness or strength trends and prospects. The search of the factors that lead to the breakup of Yugoslavia and their potential existence in the nowadays situation, along with the analysis of the triple stage international intervention in Balkans, which chronologically consists of the conflict management, peace building and the state building, concludes to the socio-politico-economic status quo that have decisively affected the state strength or weakness of the Post-Yugoslav area. Moreover, the effects of the war period in the states' institutional expression defer among the participants, resulting in variable levels of state collapse.

Pr. Ioannis Armakolas sets out the stages of state ineffectiveness as follows (Armakolas 2016):



Equalizing the stage of state collapse with the “no state” status we could create the **comparative diagram of the state building process**. The no state status is resembled as the starting stage of the state building process. The time period in which a state remains in every stage of state building as well as the rate of the stages overlaps, indicates the effectiveness of the process and the comparative potential state strength level. In fact, even when the state collapse is almost absolute, there are still some elements that function as the starting point and the base for the uprising of the state structure. This is the reasoning why the starting point of the state building curve never starts from zero. The case of Yugoslavia differs from the cases of Libya,

Afghanistan and Iraq, because the dissolution of Tito's structure was being implemented in parallel with the uprising of the new states, at the same territory.



A “potential state” is the collective entity that potentially claims the status of an internationally recognized state. The basic characteristics of such an entity are the following:

- International Community along with the domestic players have succeeded to arrange and maintain a stable no conflict status, via international cease fire agreement.
- International and domestic police and armed forces secure the external and internal security.
- A constitution has been established.
- A state building process has been initiated by the international and the domestic political players.

The pass from the potential to the minimalist state³ is indicated by the international legitimization of the state, through the recognition by the UN, along with the beginning of the state building process. Another factor that should distinguish the potential from the minimal state is the maintaining of peace inside the territory of a state even in case of an unexpected withdraw of the international community's peacekeepers and state builders. Liberal democratic norms and rights are out of the question at these two stages of a state: “Stateness [matters]

³State with limited legitimacy and a weak scope and strength of the state(Bieber 2011)

first” (Fukuyama, *Building Democracy After Conflict, Stateness First* 2005). According to the argument of Florian Bieber the minimalist states should be distinguished from the weak states despite the fact that they both have similar elements which tend to the weak status (Bieber 2011, 1784). The fact is that we cannot compare these two terms as they are involved in different procedures, in terms of the direction of the process. The weak state is part of the state collapsing process, while the minimalist state is part of the state building process.

Concerning the cases of the Post-Yugoslav states the starting point of their individual state building process is the outcome of two critical subjects of analysis: the consequences of the civil war and the effectiveness of the international intervention in terms of the pre-conflict intervention, the conflict management and the peace building. The rate of passing from the potential to the minimalistic stage is indicated by the effectiveness of the international peace keeping operations, the provisions of the established constitution and the effectiveness of the international along with the domestic players’ efforts to establish and maintain the minimal functions of the state. The benchmark for the pass to the state with positive perspective is the release from the international community’s bureaucracy as the state building leader in the country, along with its participation in influential international organizations⁴. Last but not least, the existence of the factors that lead to the break-up of Yugoslavia, even today, brings obstacles to the state building process and has affected the passing from one stage to another.

A common citizen of the western world, watching the BBC documentary film about the disintegration of Yugoslavia⁵, realizes that the civil war along with its inhuman military actions and atrocities had its roots to the aggressive nationalistic expanding political actions of the “bad guy”, Slobodan Milosevic. In fact according to the arguments of Susan L. Woodward, Dejan Jovic and Jasna Dragovic-Soso the causes of the total collapse of Tito’s structure was multidimensional and coming from the middle 70’s. After the Constitution of 1974 through which the national entities along with the two provinces of Kosovo and Vojvodina gained

⁴The participation in the EU as a full member state is more significant than the joining into the NATO military and political structure. NATO is invisible to the people, while the EU through the top-down and bottom up Europeanization process affects decidedly their lives (Borzel 2009). The myth of stability that NATO offers to a state’s internal and external security, especially after the continuous attacks against Turkish territory by Kurds coming from inside and outside the borders of the state, as well as the recent coup attempt of 15 July 2016, has been collapsed. On the other hand FYROM which is not a member of NATO, and the advantages of “Article 5” are not present, remains one of the most protected states in the world because of the favoring of the USA under the umbrella of NATO. FYROM armed forces are trained and equipped by NATO and they participate in international peace keeping operations as assistant forces. As a conclusion, regarding the cases of developing states, the non-participation in the EU has critical consequences for the prosperity of the state while the non-participation in NATO maybe has no remarkable differentiation.

⁵ Documentary of BBC “The Death of Yugoslavia”:

https://www.youtube.com/watch?v=M_PzsfXbyAw&list=PLqD5Su3ZJjbcCsgVCE90msl9d4nHdV4Pu

increased rights for political and economic autonomy from the federal state, the quests for the actual self-determination and politico-economic independence up-merged (FRY Constitution 1974). These quests probably would be excluded from the political scene ‘*under conditions of prosperity and economic growth*’ (Woodward 1995, 47-81). However, the standing economic crisis especially by the late 70’s which continued in the 80’s generated chain reactions in the political and social field. The intervention of the International Community through the austerity measures imposed by the IMF, the reluctance of the EEC to provide economic way-out to the federal government of Yugoslavia, in parallel with the will of Germany to forward the independence of Slovenia and Croatia in order to include them in its politico-economic sphere of influence, contributed to the uprising of the constitutional questions especially by the side of Slovenia (Jovic 2001), (Woodward 1995). The domestic leading political personalities played a significant role in the explosive beginning and the dramatic continuation of the civil war in Yugoslavia. The intensive quest for total political power is a primordial instinct that came to surface from the first steps of humanity in organized societies. The political environment of a collapsing socio-economic-political system, without liberal democratic norms and principles, is the perfect field of such quests. The political leaders of the constituent nations along with the nationalist intellectuals, embarked in the ‘nationalistic vehicle’ (Woodward 1995), in a no-return struggle road. Despite the critical importance of the politicians’ attitude, Jasna Dragovic-Soso argues that they were just a part of the complex puzzle (Dragovic-Soso 2008). Was there any nationalistic problem in the area that should be solved? The disputes and the concerns about the hegemonic role of Serbia had begun by the establishment of the Kingdom of Serbs, Croats and Slovenians after the end of WWI and the dissolution of Austro-Hungary and the Ottoman Empire. According to Banac, Slovenians and Croats desire to be recognized as different and equal nations was in controversy with the national ideology of Serbs for assimilation and territorial expansion (Banac 1995, 113). On the contrary, there are several scholars who highlight the irredentist tendencies of Slovenia and Croatia, which were left to dominate in the economic field and preserve their cultural autonomy (Dragovic-Soso 2008, 7). In fact, whichever is the historical truth, when the popular politics prevail in a nationalistic over-flow territory, the use and the re-write of history, along with the creation of new enemies and up-merge of old ones become the prevailing political tool in the hands of the political leading personalities⁶. Slobodan Milosevic was the pioneer of the use of mazes for the implementation of political aspirations

⁶Combination between the theories of Kendourie (Kendourie 1961) and the analysis of Nebojsa Vladisarljevic about the use of popular politics in Yugoslavia (Vladisarljevic 2011)

(Vladisarljevic 2011) but in the end the gun he effectively had used, was turned against him and signed his political death as the leader of the state and the nation.

The role of International Community was a crucial factor for the dissolution of Yugoslavia and maybe takes the lion share of the accountability. David J. Smith, through ‘‘quadratic nexus’’ enters and highlights the role of international factors in the ‘‘triadic nexus’’ of Rogers Brubaker. Nationalizing nationalism, homeland nationalism and minority nationalism could not explain the power struggles among minorities, kin-states and nationalizing states of the post-1989 area of SEE without the analysis of the international factor (Krasniqi 2013, 396).

The three pillars of the international intervention acted in a dramatically inconvenient way towards the ‘‘the most frustrating and complex foreign policy issue in the world [during that period]’’⁷. The initial unwillingness of the US to contribute to the dissolution of Yugoslavia, the prompt recognition of the states of Slovenia and Croatia by Germany in 23 December of 1991, before any mutual agreement in the EEC and the disagreement between the UN and US concerning the military intervention against the Serbs, after the aggressive altering of the US policy towards the issue, were a sampling of the international inability to effectively intervene and succeed a prosperous solution. On the other side, the domestic political elite was not able to realize the severe and fundamental changes after the collapse of the Soviet Union, concerning the degradation of Yugoslavia’s importance in the international scene (Woodward 1995, 146-198). As a result, the federal state had not prepared a sustainable plan for the passing to the new politico-economic era and subsequently became critically vulnerable both to international and domestic pressures.

How do the above factors, attitudes and political fermentations affected the post-war Yugoslav area and how do they still affect the area, if present, even nowadays? The consequences were and still are variable. The unwillingness, reluctance and disputes among the international players have made the land of Bosnia and Hezergovina the most long-term battlefield of all the conflicts in the Post-Yugoslav area. This had a disastrous outcome in the state’s institutional expression. The infrastructure, the local economy and the social cohesion were severely damaged. The efforts and the time needed for the overcome of the severe problems that emerged, made Bosnia and Herzegovina the most complex and difficult state building effort in the area. We could argue that BiH is the new Yugoslavia with almost all the problems of the past except for the ineffective intervention of the international community towards the peace keeping status quo. On the other hand, the comparatively short term war

⁷In January 1993, the President of the US, Bill Clinton, made this statement after his take-over of the presidency (Lewis 1993).

conflicts in Croatian and especially in Slovenian territory did not cause such disastrous outcomes for these states. This factor along with their prompt international recognition were the main reasons for the quicker, smoother and more effective passing from the no state stage to the next stages. In Serbia the two year war atrocities in Kosovo and the severe unprecedented seventy days NATO air-bombing against the most vital and critical segments of the state, brought Serbia in the edge of the total collapse. Montenegro as part of the Serbian sphere of influence was drifted by the sanctions imposed by the international community against the regime of Slobodan Milosevic but it was not severely affected by the war conflict as it was not part of the main battlefield. FYROM was blessed to remain outside of the heel of war. Its main problem is the lack of understanding of the international environment. Persuaded by its nationalist political and intellectual elite who are not able to stabilize the advantages and disadvantages of the name dispute with Greece⁸, they remain out of the participation in significant, for the state's prosperity, organizations such as the EU and NATO.

In terms of the remaining nationalisms in the area we could argue that after the end of Milosevic's and Tudjman's dominance, the nationalism trends in the new born state's begun to alter from ethnic to civic. The EU enlargement process in the post-Yugoslav area and the state-building take-over by the EU contributed to this direction. However the cases of BiH and Kosovo should not be regarded as a success. The "New Yugoslavia" still suffers from the fancies of the past. The international and domestic ineffectiveness in the state building of BiH have their roots in the Dayton Agreement. The Dayton Agreement came out to be a consensus for the territorial division of the entities rather than a balanced constitutional negotiation (Weller, 2005, p. 54). Why should BiH remain as a federal state? If Suzan L. Woodward was right about the artificial substance of the Yugoslav state (Woodward 1995, 21), why BiH deserves to survive? Is BiH another "panoply of small, unviable, mutually antagonistic and internally intolerant states" (Mazower 2000, 4). This question maybe should not be without meaning if the West had acted according to Ramet's proposals and especially, according to the fifth one:

"The West could have provided guarantees of the borders of Slovenia, Croatia and Macedonia, arranged for the peaceful partition of Bosnia into three roughly equal sections and assisted the sides in conducting population exchanges to eliminate minority problems in Croatia, Serbia and the truncated Muslim Bosnia" (Ramet n.d., 202). The argument rooted by Ramet's proposal is not to glorify the war actions. On the other hand the population exchanges have been proven, in

⁸Greece should not be kept out of the blame game of the present political dead-end caused by the perpetual rivalry about the name issue. Serious political mistakes and misleading have been taken place by the early 1990's. The two countries follow populist policy towards the issue with negative outcomes for both sides.

long term, that moderate the nationalistic tensions. The basic prerequisite, of course, is the alternation of the nationalism that prevails in a state from ethnic to civic. The case of Turkey and Greece, after the Treaty of Lausanne, is a reliable evidence.

The wars caused the political, economic and social collapse in the Post-Yugoslav area with different levels of affectiveness. The international public opinion along with the media, were ‘‘pressing’’ their governments and the International Organizations to put an end in the massacre and the atrocities of the war. After the cease fire in the military conflicts between FRY and Slovenia, FRY and Croatia and finally between Bosnian Croats and Muslims the Dayton Agreement came as a great relief. Moreover for many politicians and scholars it was even a great success. Was it? Richard Holbrooke argued that ‘‘on paper, Dayton was a good agreement, it ended the war and established a single, multiethnic country. The results of the international effort to implement Dayton would determine its true place in history’’ (Holbrook 1999, 335). In other words, the principal negotiator of USA concerning the Bosnian issue was absolutely sure about the propriety and wisdom of the agreement, while dropping the hot ball of the effective implementation to the IC players. The truth is that both Holbrooke and his ideological supporters did miss a crucial factor. In leadership, management, governance and administration the initial concern and action should not be the promulgation of an order or a mandate but the in deep analysis of potential capability of the subordinates to implement it under the certain and established circumstances. The inconsistency between the outputs of the armed conflict and the content of the Dayton Agreement along with the ineffective implementation acquire the same level of accountability for the weak status of BiH today.

Many scholars use the well known argument of Clausewitz: the war in the Yugoslav area was as every war in history the continuation of politics by other means. The failure of the politics to find a peaceful solution brings as an inevitable consequence the war conflict. Though, if the outcome of the war is not clear for all the opponents and subsequently the new status quo is obscure then we may have the continuation of the war with other means: the conflictual politics. This the case of BiH and Kosovo: a political vicious cycle.

Despite the above statements, the International Community’s intervention was indispensable. Could these new states or entities gain a prosperous future only through their own forces? Or was it possible for them to effectively exploit the international economic aid? The answer, especially for the second question comes from Torres and Anderson: ‘‘they are unable or unwilling to harness domestic and international resources effectively [even for] poverty reduction’’ (Torres and Anderson 2004, 1). Additionally Francis Fukuyama uses the

articles of Larry Diamond, Gerald Knaus and Marcus Cox to argue that “Outsiders are driven to supply sovereign-state functions because of the internal weakness of the countries in question. But stateness that is provided by outsiders often undermines the ability of domestic actors to create their own robust institutions. Too much state-building on the part of outsiders builds long-term dependence, and may ultimately come to seem illegitimate to the locals” (Fukuyama 2005, 85). In BiH the presence of the OHR creates two controversial political reactions. Local population criticizes the international trusteeship, especially after the establishment of the Bonn powers of the OHR. The main reason is the absence of accountability towards the local political system and the community, despite the fact that his task and responsibility is to serve their interests (Caplan 2005, 463-476). On the other side, the long term international intervention has established the “culture of dependency”. Local political elites avoid to take painful but inovating decisions. They present, towards the domestic audience, that the international playres are those who have to be blamed for every harmful political and economic decision, keeping themselves politically protected and by the side of their co-citizens (Recchia 2007, 10). The absolute exclusion of the international factor would not be a wise choise at that stage. The best paradigm of domestic and international co-existance in BiH institution buliding is the case of the Constitutional Court. The three international judges⁹, despite the fact that they consist the minority, managed, along with the two Bosniak judges to vote the “constituent people” reform, which was the first inovative action against the stagnation of the BiH Constitution and towards the empowerment of the central state institutions (Recchia 2007, 22-23). The fact that the appropriate ammendments in the constitutions of the two entities of BiH, in order to be harmonized with the constituent people dicision, were implemented after extensive domestic fermentations and the decisive intervention of the HR (Scholsem 2002), was a distinct evidence of the ineffective political system. Another factor that contributed to the reliabilty of the court was its financial independence which is referenced in the revised text of the “Rules of the Constitutional Court of BiH” (Æeman 2014). On the contrary Joseph Marko points out the problematic total financial dependency of the central state’s institutions on the entities ((Marko 2005, 7). However even this powerful judiciary institution approved its vanity through the decision of the Milorad Bilbija and Dragan Kalinić case (AP-953/05): “*The Constitutional Court established that there is no effective legal remedy available within the existing legal system of Bosnia and Herzegovina against individual decisions of the High*

⁹ The Constitutional Court of BiH is consisted of nine judges: three international, two Bosniak, two Croat and two Serbian judges. The international judges are appointed by the President of the European Court of Human Rights after consultation with the Presidency of Bosnia and Herzegovina .

Representative concerning the rights of individuals, nor has Bosnia and Herzegovina undertaken the activities, required by its positive obligation, to ensure an effective legal remedy against the said decisions of the High Representative through the bodies in charge of nominating and appointing the High Representative'' (CCBIH 2006).

According to Sumantra Bose the human and financial resources that were allocated by international agencies and western governments in favor of BiH's rebuild was unprecedented. During the period 1996 – 2000 about 5,1 billion US dollars were donated for the reconstruction of the state, which was the largest per capita reconstruction plan in history (Bose 2002, 23). The following table refers to the international institutions which have been undertaken specific state and institution building tasks in BiH. Every task is connected with constitutional provisions except for the EU Commission's task:

Name of agency	Key tasks	Relevant Annex of DPA (if applicable)
EUFOR (formerly IFOR/SFOR)	Monitor security situation on the ground; ongoing deterrence; until recently, direct execution of law enforcement activities in the fight against organised crime.	1A; <i>Military aspects</i> 1B; <i>Regional stabilisation</i> 2; <i>Boundary line & related issues</i>
HR / EUSR	Coordinate civilian peace implementation. Since 1997, special 'Bonn powers' to impose legislation and dismiss local officials (currently being phased out). EUSR's political coordination role is increasing substantially.	10; <i>Civilian implementation</i>
EUPM (formerly IPTF)	Train law enforcement	11; <i>International policing</i>

	<p>personnel; assess threats to public order; inspect local police and promote overall reform of the police sector; no executive policing.</p>	
European Commission	<p>Deliver financial aid; monitor compliance with EU conditionality through annual progress reports.</p>	-
OSCE	<p>Confidence and security- building; organize post-war elections; implement human rights; contribute to civil society development, and coordinate education reform</p>	<p>1B; <i>Regional stabilization</i> 3; <i>Elections</i> 6; <i>Human rights</i></p>
UNHCR	<p>Coordinate return of refugees and internally displaced persons.</p>	<p>7; <i>Refugees and displaced persons</i></p>

(Recchia 2007, 13)

Studying the plethora of the international aid, in terms state and institution building assistance, along with the huge amount of economic aid, the prospects should be accountably positive. Hence, in BiH the situation approaches more the case of a ‘‘de facto nationalistic partition, rather than a single sovereign state’’ (Bose 2002, 23) and as a result, the actual political economic and social situation have not been so prosperous.

Except for the successful peacekeeping mission, all the other tasks were implemented with moderate or low standard performance. Florian Bieber argues that ‘‘the too early elections [of September 1996] gave power to the nationalistic parties and established the national division in the heart of politics in BiH’’ (F. Bieber 2002, 26). According to Article 2 / Annex III of the

Dayton Agreement the OSCE “[the] elections [should] take place on a date (“Election Day”) six months after entry into force of the [Dayton] Agreement or, if the OSCE determines a delay necessary, no later than nine months after entry into force”. Was the OSCE Commission¹⁰ unable to promptly recognize Bieber’s statement? The point is that OSCE and the rest of the international organizations and agencies tried to become the pioneers of the state re-build, “running” and deciding faster than they should and could. On the other hand, make this phenomenically major failure of the first attempt towards the democratization of the state is mistreated more than it deserves. In fact the elections, especially those concerning the offices of the central state, made the constituent peoples to take part in the same “game”. These elections should not be strictly criticized as a failure but as the first, even short, step towards the creation of the common idea of the state.

But is it possible for a state to establish a fruitful common idea without a centrally controlled educational system. The aim of the education is not to transfer academic knowledge to the students but the nation’s political views· the obedience of the youth’s will towards the will of the nation (Kedourie, 1961). The UNESCO International Institute for Educational Planning points out the lack of a state-level ministry of education. The whole situation in BiH’s educational system which reflects its inability to implement the national goal of people’s unity is concluded in the next paragraph: “From the very beginning, the Constitution created a decentralized, asymmetric and defective education management system that has undermined unity in educational policies, common educational goals, common values, positive and patriotic feelings for one’s country and homeland, etc.” (Pašalic-Kreso, 2008: 360). Article III of the BiH Constitution (Annex 4 of the Dayton Agreement) gives all powers ‘not expressly assigned’ to state institutions to the entities (Republika Srpska and the Federation of Bosnia and Herzegovina), while Section III, Article 4(b) of the Federation constitution gives the cantons responsibility for ‘making education policy, including decisions concerning the regulation and provision of education’. Education is thus highly decentralized in the Federation of BiH and highly centralized in the RS” (Magill 2010, 23). Moreover the three “constituent languages” discriminate the prospect of the common idea: ‘*A consequence of Dayton’s recognition of three languages has been the strengthening of arguments for separate languages of instruction in school. Despite a high level of agreement about common linguistic roots and mutual intelligibility, the postwar developments have politicized language and script in a way that strengthens separate development rather than state cohesion*’ (Magill 2010, 52).

¹⁰ Commission was the code name of the OSCE Provisional Election Commission, according to Article 3 Annex III of the Dayton Agreement.

The state building process in BiH except for the core political or economic issues, also, had to overlap the critical outcomes came both from the tremendous amount of deaths and the violent displacement of millions of people. Psychologists have concluded that two of the most stressful situations is the death of loved people and the moving from a place to another even if someone moves “from a shack to a palace” (Zwolinski 2012). In 2012 the Ministry of Health published a survey according to which, more than 60 percent of the Sarajevo population suffered from post traumatic stress disorder symptoms and 73 percent had stress related problems (Dzidic 2012).

The mandate of the ICTY for the contribution to a restoration and maintenance of peace (ICTY 1993) is absolutely connected with the breaking of the hatred, which is rooted to the atrocities of the civil war. Refik Hodzic signalizes the inability or unwillingness of the tribunal to serve its mandate. The lengthy complicated trials, the great number of trials that have not been addressed, the releasing of criminals who later on became heroes in their local communities along with the low level of transparency and reluctance by the people of Post-Yugoslav area, have made the ICTY not to be approved as a court that served the transitional justice but as another UN body serving political aims (Hodzic 2013). Jasna Dragovic-Soso and Eric Gordy despite their criticism against ICTY, they argue that the tribune impulse to domestic legal institutions to judge humanitarian law cases and also that it had contributed to the documentary record for the conflict period (Dragovic-Soso and Gordy, 2010). Except for the domestic and international judiciary performance in the field of the war crimes of 1992-1995, in general, the rule of law is still kept in low standards. All the Annual Reports of EU Commission about BiH conclude in the low level rule of law. Corruption of the political elite also is pointed out by the Commission. The unreliable judiciary system and lack of of an effective rule of law, also have negative consequences to the state’s economy. BiH instead of gradually attracting FDIs, on the contrary has been almost totally depended on international financial aid (Marko 2005, 9).

Concerning the return of the millions of refugees and displaced citizens of BiH, the promising provisions of Annex VII of Dayton Agreement did not manage to prevail against the ethnic cleansing. The failure of the return programs caused by the unwillingness and misleading of the domestic and international players along with the establishment of the IEDL were enough proof that the ethnic cleansing became status quo (Toal and Dahlman 2011).

By 2003 the European Union has taken over the lion share of the state building process in the Post Yugoslav area. Taking for granted the failure of the Dayton Agreement to serve as an reliable and effective state and institution building basis the path of conditionality was regarded

as the prosperous one way path towards the success of the appropriate double transition: liberal democracy and free market economy. The EU conditionality became ‘a viable alternative to international trusteeship in BiH’ (Recchia 2007, 6). The approval of the Feasibility Study by the EU Commission in 2003 expressed an optimistic view of the European prospect of BiH (Commission 2003). Even more optimistic was the analysis of Recchia who has stated that the Office of High Representative would have been closed by 2007 (Recchia 2007, 6). But even the High Representative Schwarz-Schilling himself, in 2006, stated that he would have been the last HR (Willigen 2012, 439). On the other hand the realistic situation is described by Florian Bieber. The EU exercises a long distance assistance towards BiH. The Venice Commission 2005 stated that there is the direct intervention [of OHR] is incompatible with the rule of law and the democratic perspectives (Council of Europe 2005). Therefore the more legitimized state building process should be the most effective. On the contrary, as state builders, the *aquis communautaire* has been proved weak and the Copenhagen Criteria have little guidance on the nature of the state. The direct intervention of the OHR did not manage to cut the lines of the local political elites who do not favour or are unable to proceed to domestic state building processes and on the other side, they prefer the sub state and parallel state units (Bieber, 2011). How could the soft power of EU conditionality have better results in the contemporary political environment of Euroscepticism? Why a political system should take painful decisions taking the risk to loose its political clients without short coming advantages? More over the different emphases and the declarations by the EU Special Representative, the OHR, PIC and EU delegation reduce the effectiveness of conditionality (Bieber, 2011). The different opinion and view between the EC’s 2003 assessment and the PIC Steering Board noted in February 2008 that ‘constitutional reform will be necessary in order to equip BiH to meet the requirements of a modern European state and the prerequisites settled by the PIC for the handover to the EUSR¹¹ are certain signs of dispute between them. This dispute has also been transferred in the domestic political game. In 2011 Republika Srpska managed to delegitimize the authority of HR Inzko and reached an independent agreement with Catherine Ashton, the EUSR special representative for foreign and security policy, regarding the need to reform judicial bodies at the central state level (Pehar n.d.).

The state building analysis has not managed to formulate not even one of the three vital elements of the state of BiH. The ineffective and unreliable institutional expression, the absence of the common idea along with the poor and problematic physical base have created and

¹¹ Cited in: <http://dpc.djikic.com/uimages/pdf/post-pic-assessment.pdf>

maintain negative potential for a prosperous future of the state. The establishment of the Ministry of Defense in central state level and of a common command for both armies, the integration of both armies by 2005, the settlement of a common State Border and a VAT collected by the state were some of the few steps initiated by the HR towards the empowerment of the central state. The EU also assisted the local authorities in implementing some steps towards the European integration. These efforts of course are far from creating a strong state. Why so much inefficiency by the side of the IC? The answer maybe is hidden behind the crude statement of a high rank German official in Beirut on June of 2015 about the future of the political and military peacekeeping operation UNIFIL in Lebanon. ‘‘We do not care about the training and the performance of the Lebanese armed forces. If we train them efficiently in a level that they could act as a sovereign state, then we would be useless, along with the UNIFIL mission. So we keep them in a low level of performance in order this mission to be mandatory. By this way Germany and all the other nations who participate in the mission maintain their presence in the area and have the opportunity to extent their sphere of influence’’. The nation states are hidden behind the showcase of globally approved and legitimized international organizations and agencies, such as UN, NATO, EU, OSCE and serve their own individual interests. If their presence in a certain area is not politically costly for their domestic clientele, as it was in the cases of Iraq and Afghanistan, then they can remain and play their role as long as they earn geopolitical and economic profits. This political attitude reflects on the efficiency and the viability of the state building process.

Kosovo is another case where peace agreements offered a substantial reconstruction package, as a carrot to the opponent parties to cease the armed conflict (Leader and Colenso 2005, 17). Again, international agencies and institutions, governmental and no governmental organizations took part in the healing of the humanitarian crisis and the state building process. Along with BiH, Kosovo was among the 10 fragile states of the world which gained just under the half of all humanitarian aid between the years 1995-2001 (Leader and Colenso 2005, 39). The state establishment and construction was based in the Rambouillet Accord. In fact this proposal for agreement was never adopted by both sides, but it was de facto turned in use as it was included in the UN Security Council Resolution 1244. Initially the framework was Kosovo to ‘‘enjoy substantial autonomy within the Federal Republic of Yugoslavia’’ (UNSCR 1244 Article 10). The Special Representative of the Secretary General and the UNMIK were the international civilian agencies which according to Article 11 had the responsibility to:

- (a) Promote the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo, taking full account of annex 2 and of the Rambouillet accords (S/1999/648);
- (b) Performe basic civilian administrative functions where and as long as required;
- (c) Organize and oversee the development of provisional institutions for democratic and autonomous self-government pending a political settlement, including the holding of elections;
- (d) Transfer its administrative responsibilities while overseeing and supporting the consolidation of Kosovo's local provisional institutions and other peacebuilding activities;
- (e) Facilitate a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords (S/1999/648);
- (f) In a final stage, oversee the transfer of authority from Kosovo's provisional institutions to institutions established under a political settlement;
- (g) Support the reconstruction of key infrastructure and other economic reconstruction;
- (h) Support, in coordination with international humanitarian organizations, humanitarian and disaster relief aid;
- (i) Maintain civil law and order, including establishing local police forces and meanwhile through the deployment of international police personnel to serve in Kosovo;
- (j) Protecting and promoting human rights;
- (k) Assuring the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo; (UNSCR 1244 Article 11).

Despite the fact the Rambouillet accords did not establish a federal entity, as it was settled in the case of BiH by the Dayton Agreement and despite the fact that in the pre-independence declaration constitution, as well as in the post-independence constitution of Kosovo, the equal protection of all communities under the law was a fundamental provision, the creation of a common idea was o mission impossible. The armed conflicts of 2004, that resulted in the death of several people were the tip of the iceberg. Even ‘provisions for participation of minority communities (especially Serbs) in the administration despite included in the law are still pending’ (Krasniqi 2013, 404). The lack of legitimization basis by the Serbs, especially those of the North, was expressed by the repeating boycotting of the elections¹². The OSCE which was again responsible for the organization and the monitoring of the elections in Kosovo (Rambouillet Accords Constitution, Chapter III) did not manage to act effectively, for one more time within five years (meaning the case of BiH). In Addition, the Serbian intervention through

¹² Krasniqi describes the sequence of the local and national elections in Kosovo, giving a concentrating picture of the political situation (Krasniqi 2013, 402-407)

the parallel institutions who are coordinated by the Ministry of Kosovo and the Serb Coordination Center for Kosovo along with the external actions through ICJ, mainly in the Northern part of the Kosovo's Territory, are negative factors which affect the potential success of the institutional expression of the state (Krasniqi 2013, 407) (Yannis 2004, 73). Hence the problematic institutional expression has not its roots only the the Serbian intervention in the structures of the state. The Swisspeace institute indicates that: *'When the Yugoslav forces departed from Kosovo in June 1999, they left behind a temporary vacuum in authority. Organized criminal groups, which consolidated in the course of the conflict, took advantage of this situation before the new law enforcement and justice systems were established to further strengthen themselves and extend their control in the territory'* (Teran 2007, 10). It is almost impossible to transform the corruption and crime into western liberal democracy and institutional prosperity within few years. Even the efforts of EULEX by 2008, have not been translated into sufficient results. Despite the political approach between Serbia and Kosovo by 2012 the prospects of the creation of a stable sovereign state are out of the question.

FYROM is the less affected state by the war, mainly due to the successful crisis prevention coordinated by United Nations Preventive Deployment Force (UNPREDEP) and subsequently by the implementation of the SAP of EU (Die Bundesregierung 2004, 10-11). However, according to the IMF was the poorest and most undeveloped region of the FRY. The lessons learned by the problematic Dayton agreement and the Rambouillet negotiations were taken into account in the Ohrid agreement, which was more *'realistic and workable'* (Weller, 2005, pp. 54-55). The basic principles of the framework agreement, between the state's majority and the minority of ethnic Albanians paved the way towards the *'common idea'* and the national security:

' 1.2. Macedonia's sovereignty and territorial integrity, and the unitary character of the State are inviolable and must be preserved. There are no territorial solutions to ethnic issues.

1.3. The multi-ethnic character of Macedonia's society must be preserved and reflected in public life.

1.4. A modern democratic state in its natural course of development and maturation must continually ensure that its Constitution fully meets the needs of all its citizens and comports with the highest international standards, which themselves continue to evolve*'* (Ohrid Agreement, 2001).

Serbia and Montenegro are the outputs of a *'* condemned to death*'* state: The State Union of Serbia and Montenegro was formed in February 2003. Article 60 of the Constitutional

Charter of the State Union of Serbia and Montenegro describes in few sentences the whole issue: *“Upon the expiry of a 3-year period, member states shall have the right to initiate the proceedings for the change in its state status or for breaking away from the state union of Serbia and Montenegro. The decision on breaking away from the state union of Serbia and Montenegro shall be taken following a referendum”*. The referendum of Montenegro took place on 21 May 2006 and the result was 55,5% in favor of the independence. The EU had settled the limit of 55% majority over which the potential voting for independence would be acceptable¹³. According to Lee Hudson Teslik this decision of the EU had two possible branches. Either the EU intended make the potential succession of the Montenegro more difficult or the EU had the intention to make a potential voting for the independence more legitimized settling a more demanding majority (Teslik 2006). The statements of Florian Bieber concerning the attitude of the EU towards the state-building process of the State Union, indicate that the second reason was the most probable: *“ The decision of the EU to shift the bulk of negotiations with Serbia and Montenegro from the State Union to the member states through the twin track approach in 2004, suggests an even more limited commitment to state. It furthermore appeared to confirm the argument of the Montenegrin leadership that the joint state did not facilitate the process of EU accession. Similarly, the financial commitment of the EU to the state was limited. In 2005, the European Agency for Reconstruction had a budget of e147 million for Serbia and e20.5 million for Montenegro, but only e7 million for the State Union”* (Bieber, 1798).

After the dissolution of the State Union, Montenegro’s state building process has been following the route of EU conditionality. The sufficient common idea within the state stabilizes the still insufficient institution expression which critically affected by the lack of political variety and the norms of corruption and clientelism. It is too early to judge the state-building process as it is one of the newest nation state members of the UN.

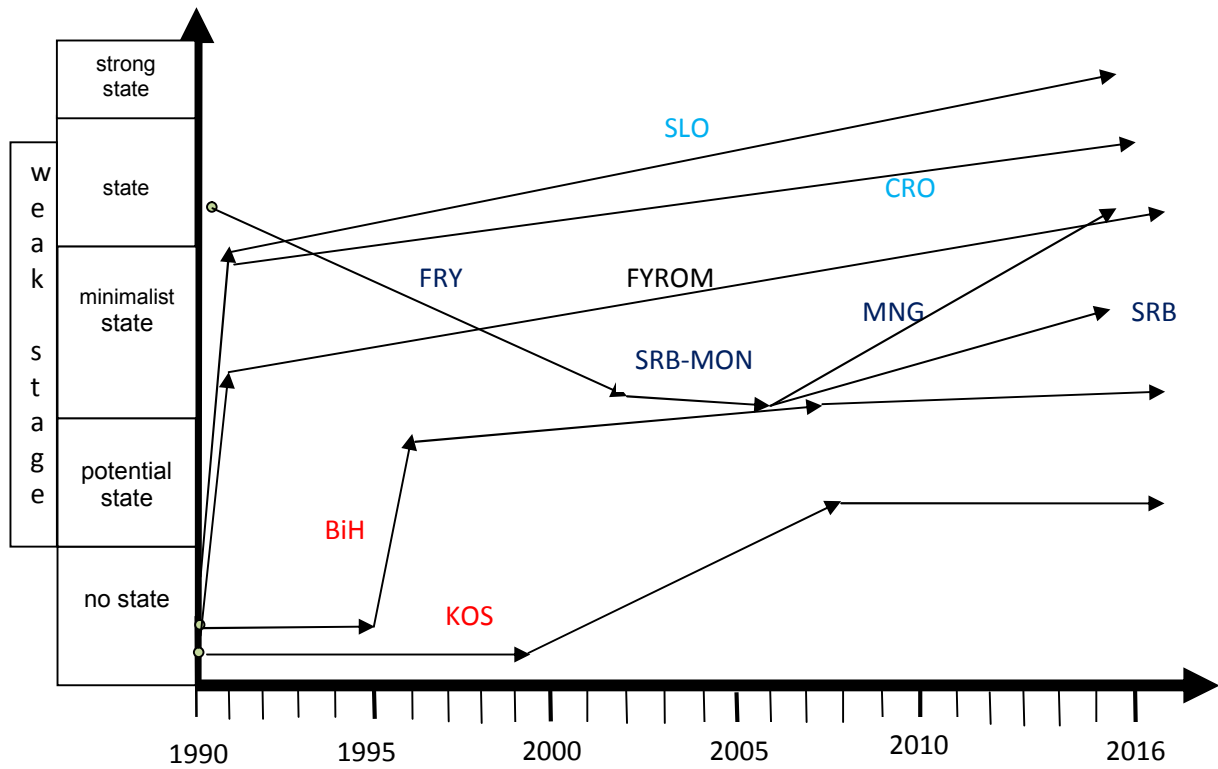
Article 60 of the Constitutional Charter of the State Union of Serbia and Montenegro also indicates that *“ Should Montenegro break away from the state union of Serbia and Montenegro, the international instruments pertaining to the Federal Republic of Yugoslavia, particularly UN SC Resolution 1244, would concern and apply in their entirety to Serbia as the successor”*. This is a definite proof that Serbia is regarded as the only descendant and continue of the Federal Republic of Yugoslavia. The engagement of Serbia in the war of 1990’s resulted in the critical and catastrophic consequences for the state’s structures. Dr Stubos points out *“that Yugoslavia [and mainly Serbia] has suffered the deepest decline for the longest period”*

(Stubos 2002). Disruption of transportation and supply routes, interruption of production and destruction of the productive capacity, along with the severe sanctions imposed by the UN affected and almost destroyed the already problematic institutional expression of the state. The common idea almost until the end of the NATO bombardments of 1999 was kept and preserved in a sufficient level, preventing the state from the total collapse. The years 2000 and 2001 there was a widespread opposition movement against the regime of Slobotan Milosevic who expressed the unity of the state. After his arrest in 2001 the state began to change its political root towards the EU conditionality and in general to the west sphere of influence. The EU became the leading state building organization. In 2012 the improvement in Serb-Kosovo relations had the positive output of the EU partnership status for Serbia (Krasniqi 2013, 409). There have been made significant and some times “superhuman” attempts by the after-Milosevic political elite towards the improvement of Serbia’s relations with the West. I was a witness in a very stressful incident in the framework of the International Competition of San Remo for the Law of Armed Conflicts, in 2004. The delegation of the Serbian Military Academy was forced by their supervisor officer to salute and exchange military souvenirs with the delegation of the USA after the end of the last workshop. The Serbian military cadets after the incident came to the side of the Greek delegation and weeping said that :”we disgraced our fathers and mothers. Five years ago they killed as like animals and now I have to deal with for the prosperity of the state”. It was an evidence for the definite u-turn towards the western sphere of influence. The fact is that this trend has begun to fade during the last at least couple of years and the Serbian ruling political elite has started to preserve a neutral position between the west and Russia. This attitude of course has negative consequences in the institution building process which is driven by the EU.

Slovenia’s and Croatia’s state building process was totally aligned with the western democratic norms. The problems that were faced in the case of Croatia have been overlapped in great precedence and the state managed to fully integrate with the EU in 2013. The common idea and especially the institutional expression in both states are uncomprairable with the other states’ in the Balkan region. Their comparatively successful state building process was definitely connected with the intentions and the assistance of the IC and especially Germany to get detached from the discriminating politico-economic environment of the Yugoslav area.

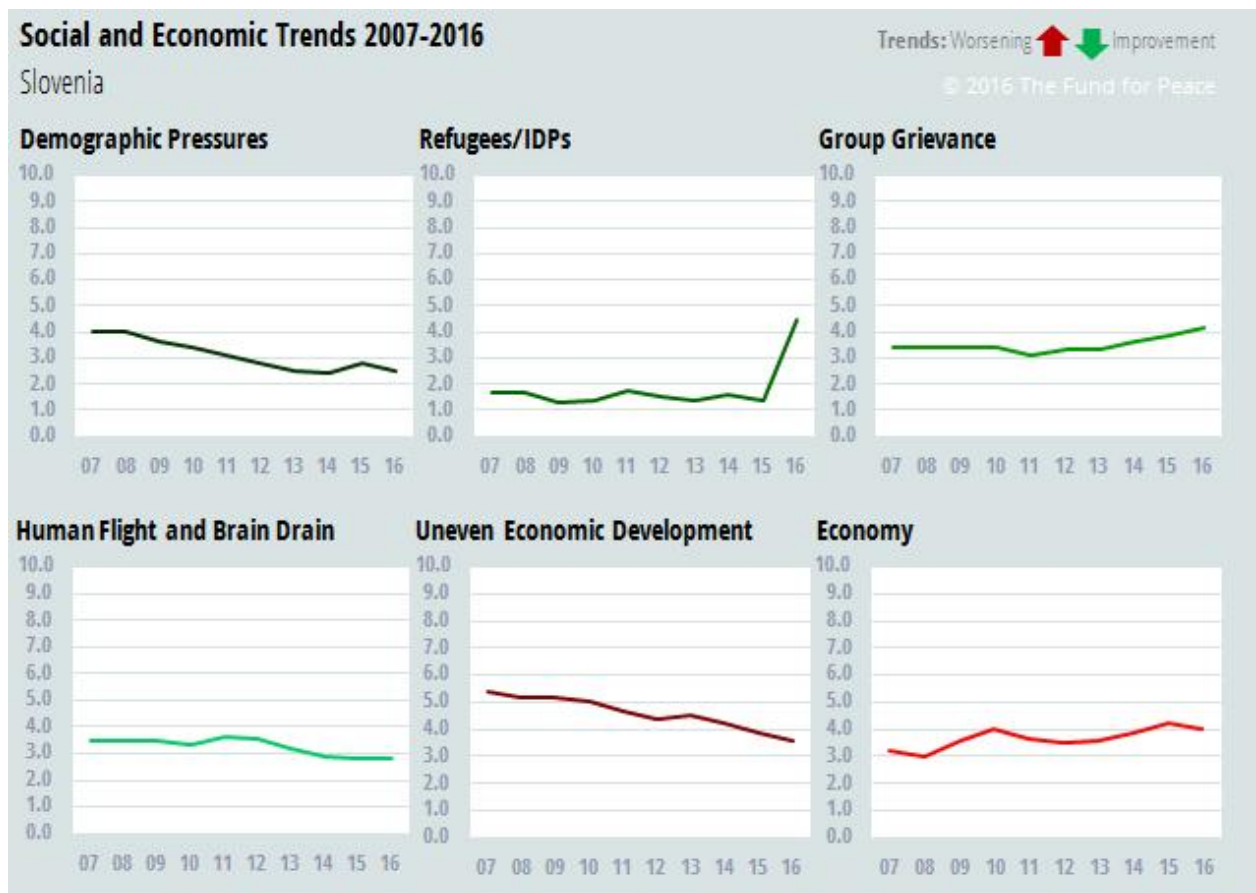
The conclusion of the above brief macroscopic analysis is the setting of the post-yugoslav states in the comparative diagram of the state building process. The exact trajectory of its state requires an additional in deep microscopic analysis. The following table concerns the starting point of its state. In other words it tries to present the potential strength or weakness of

the post Yugoslav states at their birthing time. What is important in that diagram is not the exact positioning of the individual states but their relative post.



Ch III: The Cases of Slovenia and Croatia

“Globalization has increased their [the state’s] power over domestic forces rather than weakening it”. (Pierre & Peters, 2000, p. 180). Here is the case of Slovenia and Croatia. The Slovenia, of course, was the pioneer towards the establishment of a strong state for the following main reasons: The Slovenia’s comparatively developed economy was not seriously affected by its short term involvement in the war. Being closer to the Central European modern democracies the political elite and the society was more prepared for the Europeanization step. Slovenia in 2004 entered the EU, in 2004 became a member of NATO and in 2007 it joined the Euro zone. It is categorized in the “more stable” states by the Fund for Peace and holds the rank 160 out of the total of 178 regarding the fragility index¹⁴. The index results for the 2016 prove the constant improvement in almost all the indicators. Even those indicators who have been just deteriorated do not severely affect the state’s overall performance, in other words the “triangle” remains strong.



¹⁴ The rank 1 corresponds to the state in “very high alert” and the rank 178 to the “very sustainable” state.

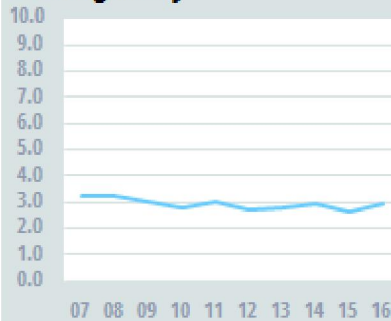
Political and Military Trends 2007-2016

Trends: Worsening ↑ ↓ Improvement

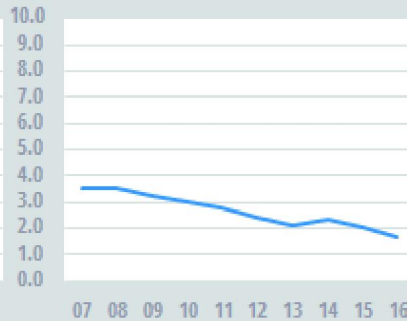
Slovenia

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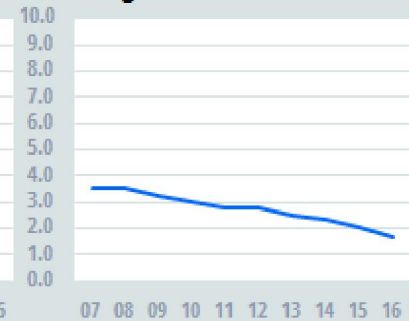
State Legitimacy



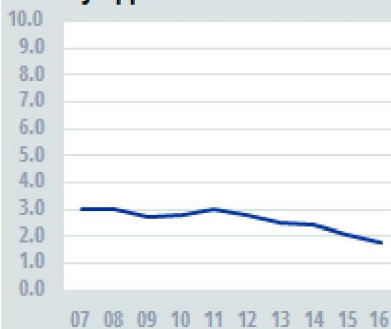
Public Services



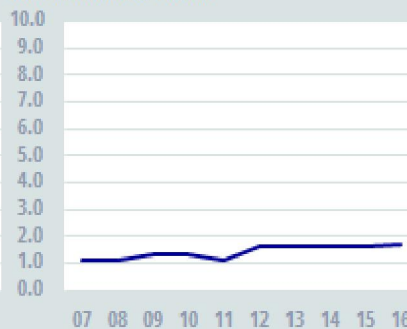
Human Rights & Rule of Law



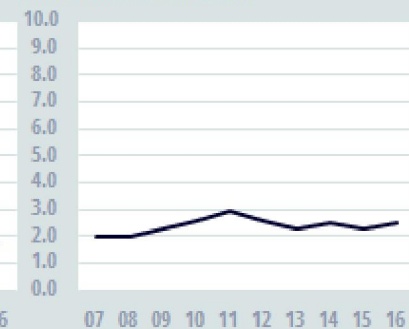
Security Apparatus



Factionalized Elites



External Intervention



Overall Trend 2007-2016

Trends: Worsening ↑ ↓ Improvement

Slovenia

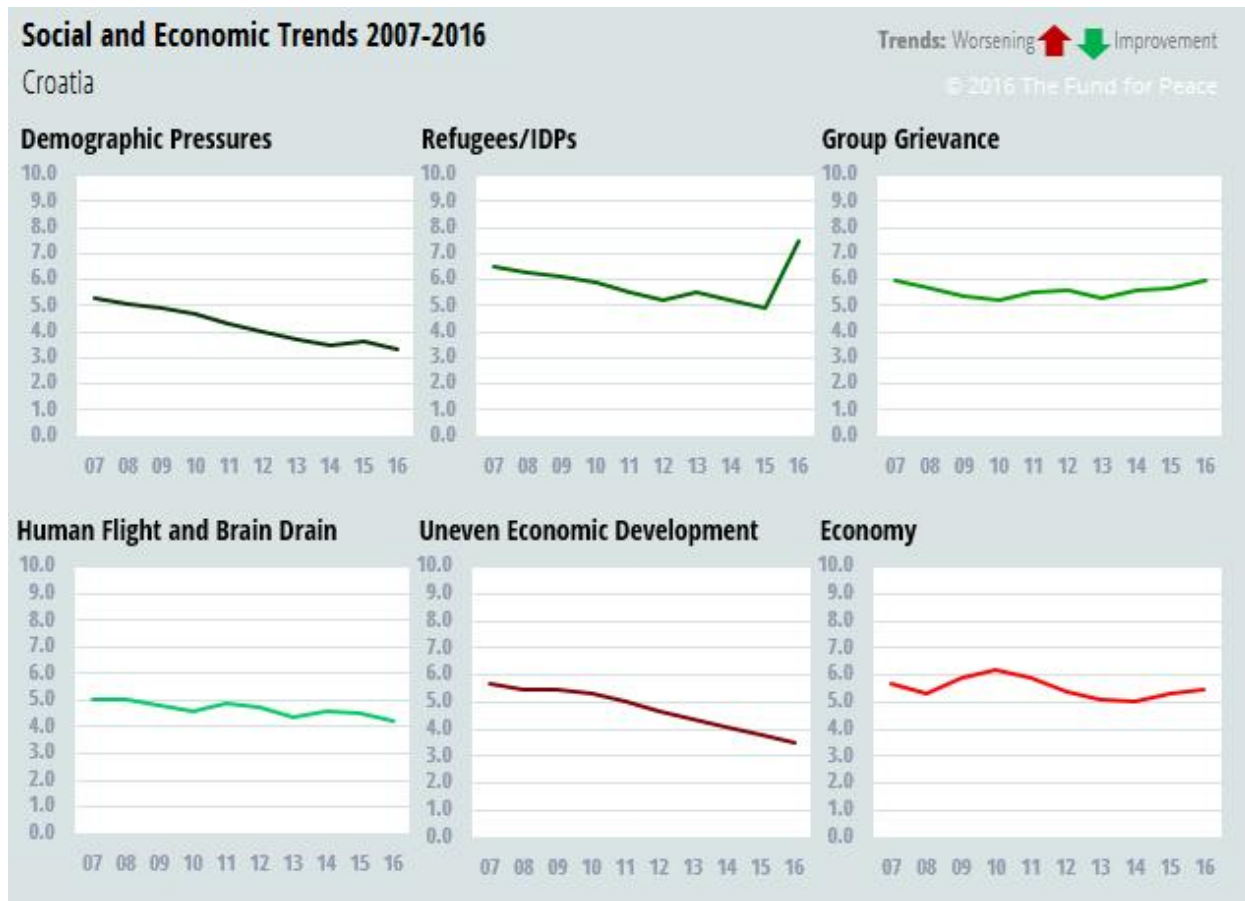
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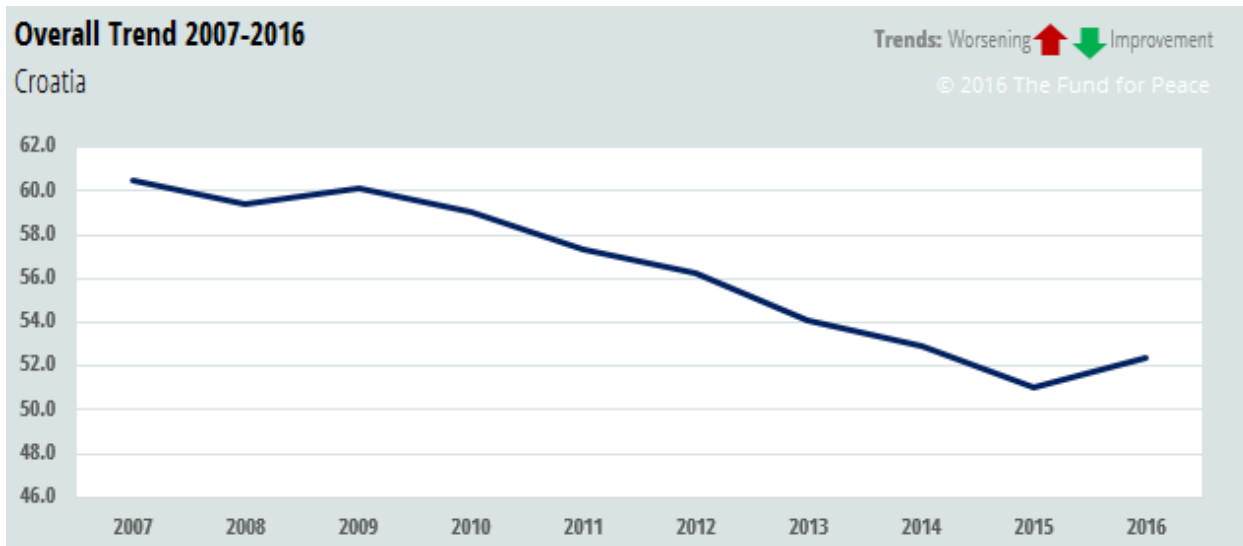


FSI for Slovenia

The case of Croatia is similar to Slovenia but there is a remarkable time gap. The authoritarian regime of Tudjman, did not favor the rapid alternation towards the democratization and Europeanization. Moreover the involvement in the war delayed significantly this process. Tudjman died in 2003 and Croatia managed to enter the NATO on 2009 and the EU on 2013. It is categorized in the “less stable” states by the Fund for Peace and holds the rank 136. The

index results from 2006 to 2015 prove the constant improvement in all the vital indicators. The minor worsening in the overall assessment of 2016 could not diminish the state building success. The triangle is strong enough but with thinner lines than those of Slovenia. In conclusion the trend seems to indicate a quick and stable approach to a stronger situation of the state.





FSI for Croatia

Why is it important to highlight the entrance of these states to the EU and NATO? Except for the argument about the influence of globalization there are two significant factors that should be taken into account. The EU enlargement process through the implementation of the Copenhagen criteria and the Acquis Communautaire offers the gradual and in depth integration of the candidate states in all the aspects of political, economic and social life. Moreover NATO, through the "Article 5" offers the greatest possible level of security, in the nowadays geopolitically fragile world. As a result the state is stabilized and prospects for further prosperity are created. The state retains its legitimacy, securing the "common idea". Of course as it was referenced in Chapter II countries such as Turkey serve selective attitude by the side of NATO. On the other hand the full membership in the strongest military organization of the world strengthens the "interdependence sovereignty" of the state.

An economic factor that decisively affects the physical base of the state is the GDP (PPP). According World Economic Outlook Database of the International Monetary Fund for the year 2015 (IMF 2016) the GDP (PPP) for Slovenia was 31.007 dollars (rank 38) and for Croatia was 21.581 dollars (rank 57). The gradual filling of the following table, throughout the next chapters of the thesis results in a useful output which could be used as the basis for the theory of state building.

STATE	Relate post in the comparative diagram of state building concerning the trend (1 for the strongest state)	Rank in the FFP Fragile States Index ([178 is the strongest state])	Absolute value of GDP [PPP] for the year 2015 (dollars)	Rank in the IMF World Economic Outlook Database (1 is the higher GDP [PPP])
Slovenia	1	160	31.007	38
Croatia	2	136	21.581	57

Ch IV: The Cases of Serbia, Montenegro and FYROM

FYROM is a case of weak but improving state. The lessons learned by the problematic Dayton agreement and the Rambouillet negotiations were taken into account in the Ohrid agreement, which was more ‘realistic and workable’ (Weller, 2005, pp. 54-55). The basic principles of the framework agreement, between the state’s majority and the minority of ethnic Albanians paved the way towards the ‘common idea’ and the national security.

The coalition between the VMRO-DPMRE and the Democratic Union for Integration (Albanian largest party) was an evidence for the above argument. However the problematic administrative norms by the side of the government, which is mentioned by the annual EU Commission Reports (rule of law, manipulation of media etc) and the political crisis after the elections of 2014 (EFDS 2016) bring to surface the serious problems of the democratic consolidation, something that threatens the integrity of the triangle because it affects the institutional expression. Despite its political problems concerning the ‘name issue’ FYROM is a country which is promoted by the western powers and especially USA and Germany. FYROM expects that its reaction and attitude towards the refugee crisis will be translated with prosperity in the near future.

The prospects of full EU membership and NATO are depended on a potential solution between FYROM and Greece, concerning the name issue. However its institutional performance is not efficient and sufficient enough for its entrance in the EU despite the fact that FYROM was the first Western Balkan state which signed a Stabilization and Association Agreement in 2001.

According to the Fund for Piece it is categorized in the ‘low warning’ states and holds the rank 111. The index results for the 2016 prove the constant improvement in all the vital indicators.

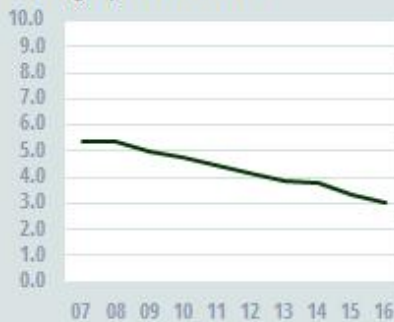
Social and Economic Trends 2007-2016

Trends: Worsening   Improvement

Macedonia

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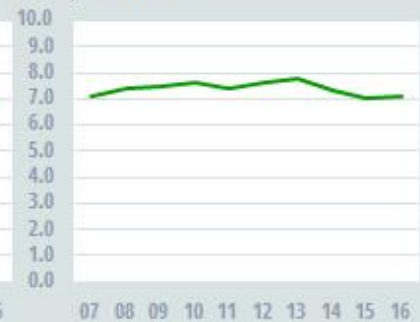
Demographic Pressures



Refugees/IDPs



Group Grievance



Human Flight and Brain Drain



Uneven Economic Development



Economy



Political and Military Trends 2007-2016

Trends: Worsening   Improvement

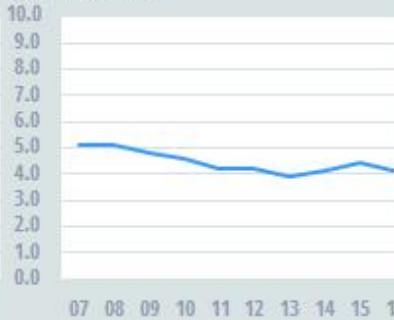
Macedonia

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State Legitimacy



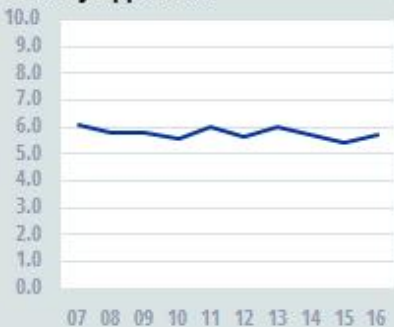
Public Services



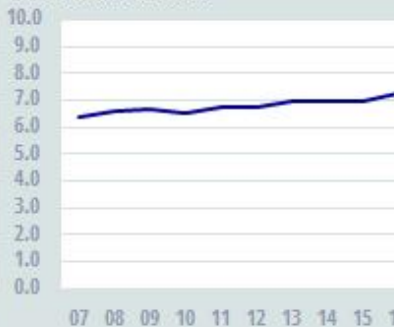
Human Rights & Rule of Law



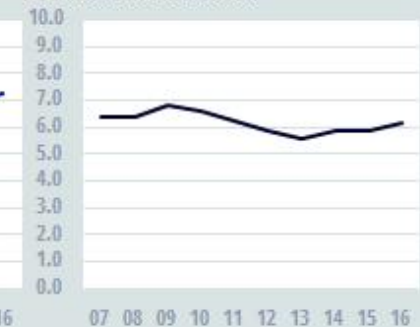
Security Apparatus



Factionalized Elites



External Intervention





FSI for FYROM

Serbia is another weak but improving state. This case is peculiarly unique. Serbia is the country which gained strength and begun to be stabilized after losing territory. The secessionist trend of the Kosovar Albanians was a significant threat for the national security. After the catastrophic war between 1998-1999, the international pressure and engagement resulted in the end of the bloodshed through the Rambouillet negotiations. The priority of the negotiations was the conflict termination and as a result of these many political arrangements of vital significance remained pending (Weller, 2005, p. 54). The situation still affects the national security of the country but in an absolutely lower level. The EU Annual Report for 2015 mentions the steps forward that have been done by the side of Serbia towards the normalization of the relations with Kosovo. The common idea is generally present in the Serbian socio-political life. The opening of two more chapters in the framework of the EU enlargement negotiations is a significant step towards the prospect of Europeanization. The rank of Serbia in the Fund for Peace Index is 87. There is remarkable improvement in many indicators. The pending issues of Kosovo and the Republika Serbska impose critical influence in the security of this state.

Social and Economic Trends 2007-2016

Trends: Worsening   Improvement

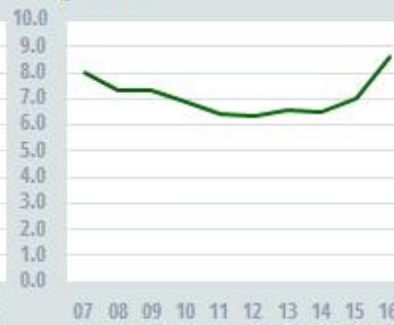
Serbia

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Demographic Pressures



Refugees/IDPs



Group Grievance



Human Flight and Brain Drain



Uneven Economic Development



Economy



Political and Military Trends 2007-2016

Trends: Worsening   Improvement

Serbia

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State Legitimacy



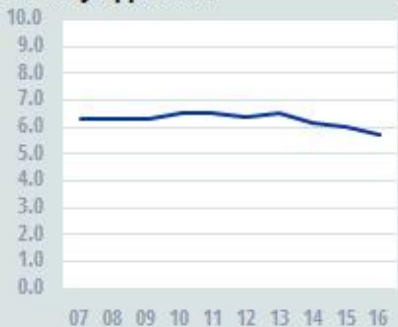
Public Services



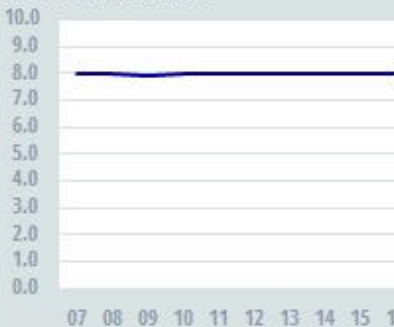
Human Rights & Rule of Law



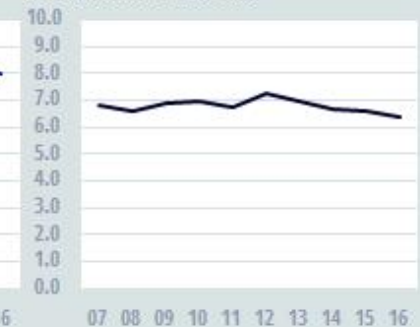
Security Apparatus



Factionalized Elites



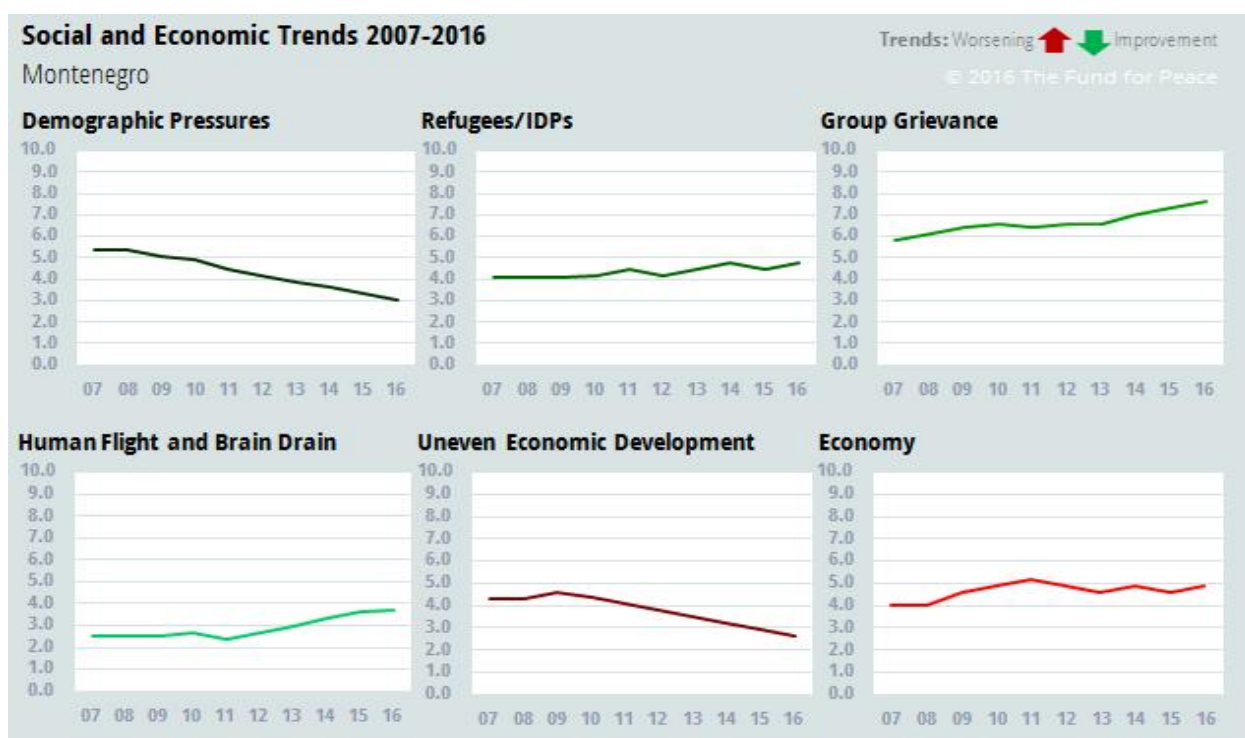
External Intervention





FSI for Serbia

Montenegro was less affected by the wars and the nationalistic issues. The long-standing governance of Milo Duganovic consists a problem of democratic consolidation but in general the prospects for the state's strength are rather than optimistic, in the framework of the high level and successful negotiations for the country's participation into the NATO alliance. The serious street violence by the opponents of NATO is an evidence for problems in the common idea, but not critical ones. On the other hand, the prospect of the EU integration is a vital step to further democratization and prosperity. The rank of Montenegro is 134. The state is still weak but improving.



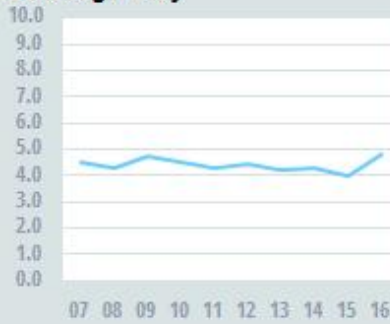
Political and Military Trends 2007-2016

Montenegro

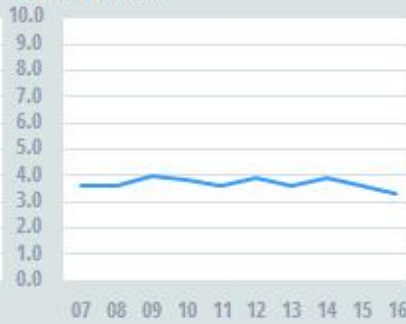
Trends: Worsening   Improvement

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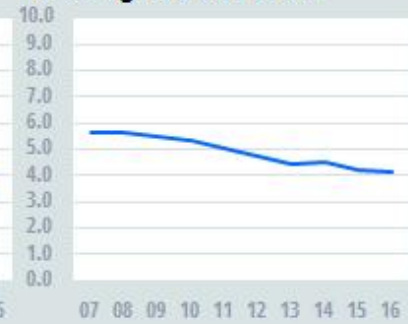
State Legitimacy



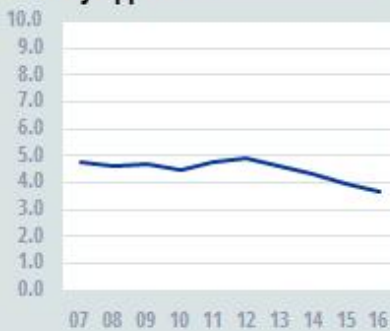
Public Services



Human Rights & Rule of Law



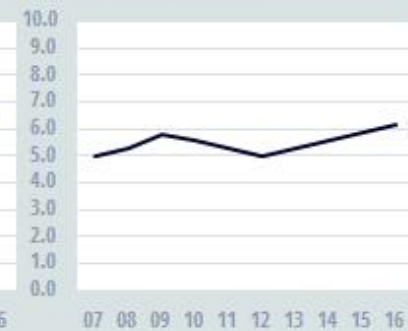
Security Apparatus



Factionalized Elites



External Intervention

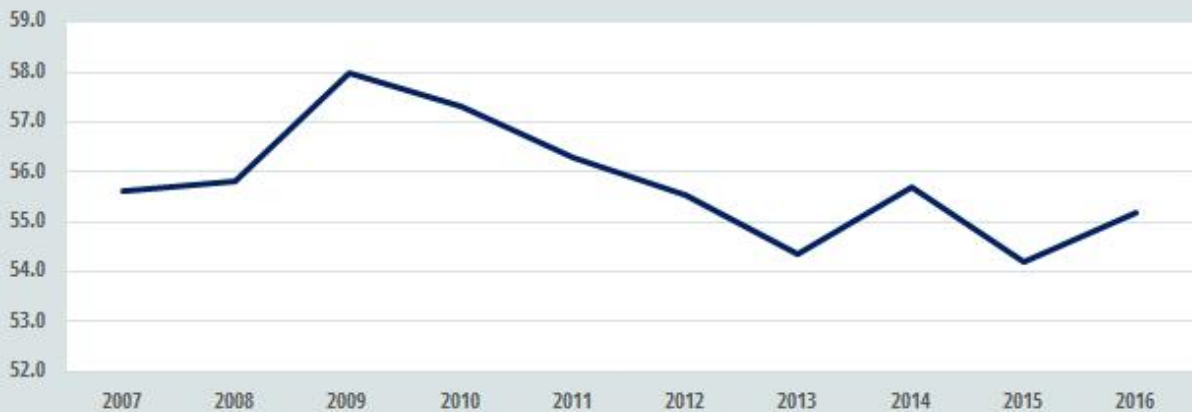


Overall Trend 2007-2016

Montenegro

Trends: Worsening   Improvement

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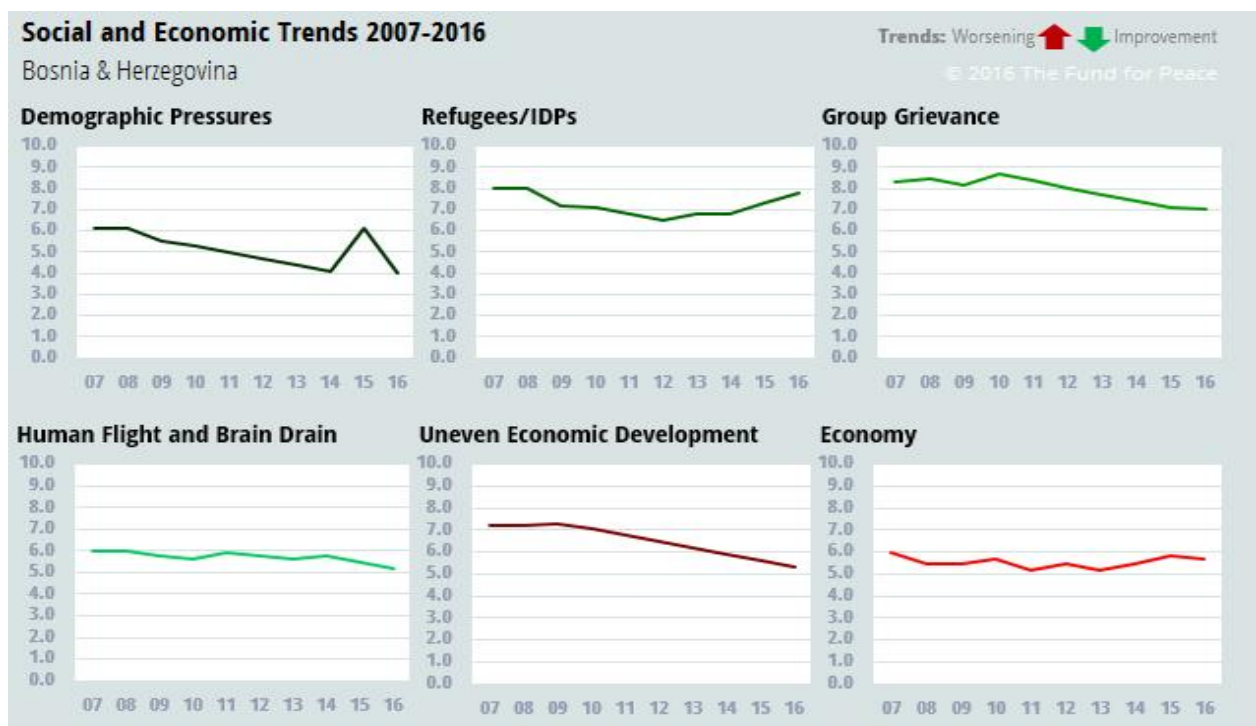
FSI for Montenegro

According World Economic Outlook Database of the International Monetary Fund for the year 2015 (IMF 2016) the GDP (PPP) for FYROM was 14.009 dollars (rank 85), for Montenegro 16.123 dollars (rank 74) and for Serbia 13.671 (rank 87) .

STATE	Relate post in the comparative diagram of state building concerning the trend (1 for the strongest state)	Rank in the FFP Fragile States Index ([178 is the strongest state)	Absolute value of GDP [PPP] for the year 2015 (dollars)	Rank in the IMF World Economic Outlook Database (1 is the higher GDP [PPP])
Slovenia	1	160	31.007	38
Croatia	2	136	21.581	57
Montenegro	3	131	16.123	74
FYROM	4	111	14.009	85
Serbia	5	98	13.671	87

Ch.V: The Cases of Bosnia & Herzegovina and Kosovo

Bosnia and Herzegovina is the case of a weak failing state. The Dayton Agreement came out to be a consensus for the territorial division of the entities rather than a balanced constitutional negotiation (Weller, 2005, p. 54).. Could we argue that there is a common idea or a prosperous institutional expression among the three entities? In 2nd December 2015, the President of Republika Srpska Dodik warned that “if a new law to reform the country’s Constitutional Court is not adopted by the state-level parliament within 120 days, all Republika Srpska representatives will withdraw from all state institutions”. He insisted that “if we move in that direction, we are definitively going into a blockade of Bosnia and Herzegovina, and from that blockade, a break-up is not far away.”¹⁵ The secessionist tensions are still in force. Moreover there are serious concerns about the level of sovereignty because of the presence of the international over-ruler. On the other hand the ruling of HR and EUSR are maybe the reasons why this country remains weak failing state and has managed to avoid the total collapse, becoming a failed state. The resent application for EU membership is just a drop in the ocean and should not provide significant hopes for potential improvement. Bosnia’s rank in the FFP index is 88 which is the worst among all the post-Yugoslav states that are monitored by this organization.



¹⁵ Cited from <http://www.balkaninsight.com/en/article/bosnian-serb-leader-warns-of-breakup-of-bosnia-12-02-2015>

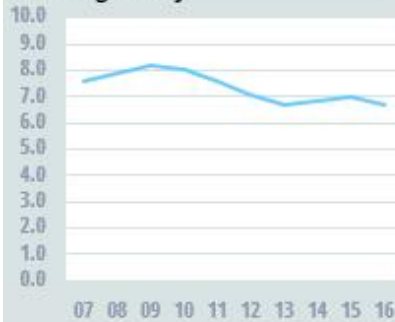
Political and Military Trends 2007-2016

Bosnia & Herzegovina

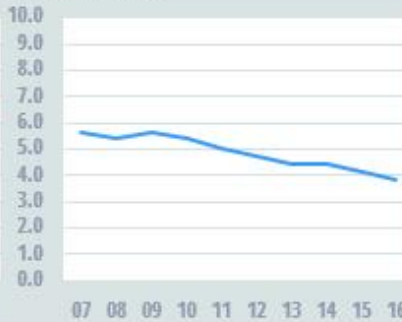
Trends: Worsening   Improvement

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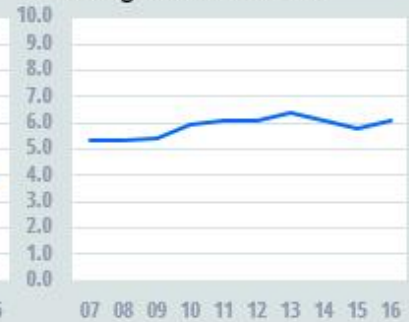
State Legitimacy



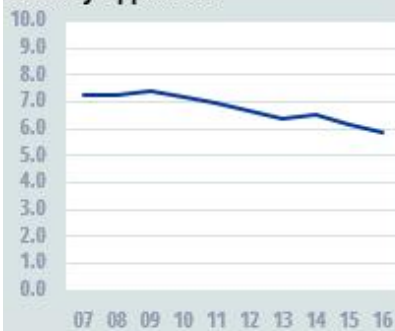
Public Services



Human Rights & Rule of Law



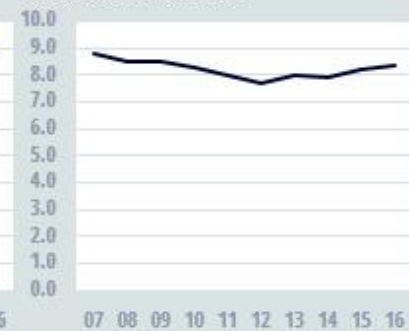
Security Apparatus



Factionalized Elites



External Intervention

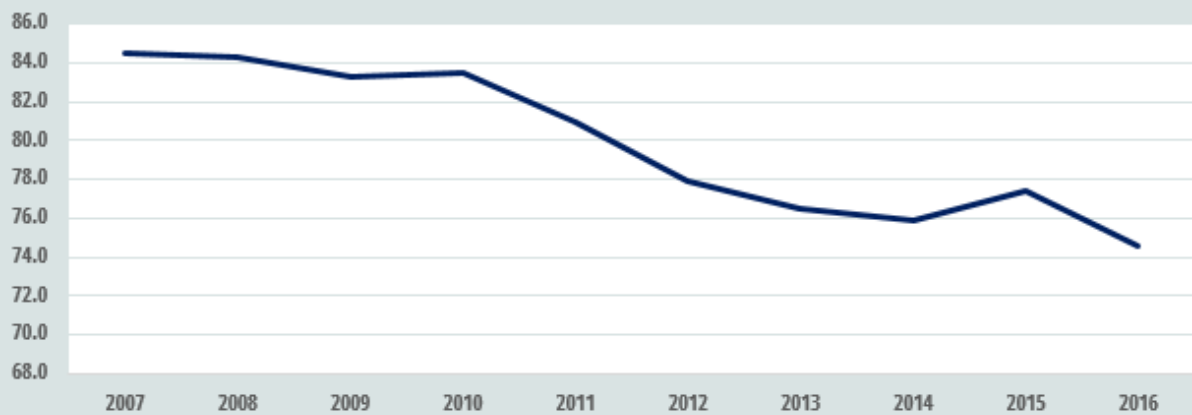


Overall Trend 2007-2016

Bosnia & Herzegovina

Trends: Worsening   Improvement

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FSI for Bosnia & Herzegovina

Kosovo is not included in the monitored states by the Fund for Peace. But could this entity be regarded as a state? The fact that Kosovo is not yet recognized neither as a member nor as a non member state of the United Nations is not the fact. Taiwan, which is one of the four ‘‘economic tigers’’ of Asia has not been recognized by the UN either. The problems of statehood were described in Chapter II. A prosperous sign for the future of Kosovo is the entering into force of the SAA by 01 April 2016. Concerning the normalization of relations with Serbia, which affect both the common idea and the institutional expression, the Annual Report of EU for the year 2015 indicates many positive steps. On the other hand the report submitted to the EU by the government of Kosovo, concerning the Brussels Agreements Implementation State of Play refers that Serbia must cease to promote the parallel structures which undermine the central institutions. EU Commission also points out the need for significant improvements in the election system while indicating the success of the municipal elections in Gračanica/Graçanicë, which is a Serb-majority municipality in central Kosovo. Nevertheless Kosovo remains a IC’s protectorate with low prospects of become a sovereign stable state within the next few years.

According World Economic Outlook Database of the International Monetary Fund for the year 2015 (IMF 2016) the GDP (PPP) for BiH was 10.492 dollars (rank 103), and for Kosovo 9.540 (rank 105) .

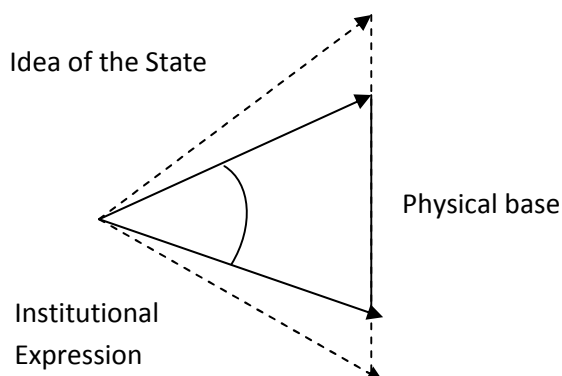
STATE	Relate post in the comparative diagram of state building concerning the trend (1 for the strongest state)	Rank in the FFP Fragile States Index ([178 is the strongest state)	Absolute value of GDP [PPP] for the year 2015 (dollars)	Rank in the IMF World Economic Outlook Database (1 is the higher GDP [PPP])
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Montenegro	3	131	16.123	74
FYROM	4	111	14.009	85
Serbia	5	98	13.671	87
BiH	6	88	10.492	103
Kosovo	7	-	9.540	105

Conclusion

There is a clear connection between the initial steps and trends of the after conflict state building process of the Post-Yugoslav states and their nowadays weak or strong status. The comparative diagram of the state building process indicates that the trend even at the establishment of a state can determine the future effectiveness of the state building process. The ineffectiveness and the unwillingness of the International Community's and domestic players to implement the appropriate and decisive amendments during the implementation of the procedure was the key factor for the low performance statehood, especially concerning the cases of BiH and Kosovo. The international bureaucracy does not prefer to admit its misleading and moreover does not have the will to promote the appropriate changes. The unrepentant R. Holbrook is a remarkable paradigm of such a political attitude. The attempt by the side of the EU to promote the state building process through the route of conditionality also lacks of efficiency and should be amended, because it not suitable for all the cases. In some cases the amendments should be fundamental. Should BiH remain as a federal state and could Kosovo ever been internationally recognized? On the other hand when the IC really intents to assist a developing state, the results are extraordinary. The case of Croatia and mainly the case of Slovenia is an example of IC's effective assist and leadership. Even Montenegro is the output of a paradoxically successful performance by the EU bureaucracy.

The post-Yugoslav area encloses almost all the aspects of the modern theory of state building and statehood. These theories contribute to realize the past but also the contemporary status and in general terms contemplate the future of the Post-Yugoslav states. The common idea is the most vital element of a state and is absolutely connected with its contemporary and future strength status. BiH and Kosovo has received the lion share of the technical, political and economic assistance in the Balkan region. However states that maintain a sufficient level of common idea seem to have significantly better performance in terms of statehood. The second element that contributes to the formulation a prosperous state is the institutional expression. Douglass C. North argues that "the major role of institutions in a society is to reduce uncertainty by establishing a stable structure to human interaction" (North 1990, 6). The performance and norm of the institutional structure of a state is not separated from the society. The state building planning should focus in the creation of sufficient and efficient, for the fruitful existence of a state, common idea as well as institutional expression. The starting point and the initial concern of a state builder, after the establishment of sustainable peace, is the creation of the conditions of basis legitimation. The Physical base, concerning the economic performance, depends on the

efficiency of the state building process which is presented as the “ θ ” angle in the following figure:



The higher the value of “ θ ” angle the longest the side of the Physical Base.

Moreover the table that was filled in Chapters III to V, brings on surface the connection between the macroscopic microscopic analysis of the effectiveness of the state building process.

	Macroscopic analysis	Microscopic Analysis		
STATE	Relate post in the comparative diagram of state building concerning the trend (1 for the strongest state)	Rank in the FFP Fragile States Index ([178 is the strongest state])	Absolute value of GDP [PPP] for the year 2015 (dollars)	Rank in the IMF World Economic Outlook Database (1 is the higher GDP [PPP])
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Serbia	5	98	13.671	87
BiH	6	88	10.492	103
Kosovo	7	-	9.540	105

The ranking post of each state is the same both for macroscopic and microscopic analysis. Another point that is interesting, concerning the implementation of the theory in real politics of state building is that the GDP [PPP] also follows the same ranking. This economic

indicator is connected with the performance of the physical base of the state. As a theoretical conclusion the prosperity of the individuals in a state is connected and depended on the effective performance of the state building process in the fields of the idea of the state and the institutional expression.

Slovenia and Croatia have taken their path towards state prosperity and strength. On the opposite side, BiH and Kosovo are not likely to survive if the contemporary international and domestic political and economic status quo continues to “assist” and act with the same norms and procedures. Montenegro, FYROM and Serbia try to find their way towards the full EU integration and despite their weak status their prospects are positive.

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