

**Annex Two: Title page**



**Master of Arts Thesis  
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**University of Strasbourg**

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**'Political and cultural rights of Muslim/Bosniak minority in the  
Republic of Serbia and Muslim/Bosniak Minority in the Republic of  
Croatia'**

**'The comparison of two case studies in the time frame of the 1990s – the present  
time'**

**Submitted by:**

Majra Hasanefendić

Student numbers:

22122029

80119991

+387 60 333 2222

majra-h@windowlive.com

**Supervised by:**

Samim Akgönül

Yasir Yilmaz

**Place, date**

**Strasbourg, Olomouc, 4<sup>th</sup> of December 2023**

**Signature**

Majra Hasanefnedić

## Annex Three: Declaration sheet



### MA Programme Euroculture Declaration

I, Majra Hasanefendić hereby declare that this thesis, entitled "Political and cultural rights of Muslim/Bosniak minority in the Republic of Serbia and Muslim/Bosniak Minority in the Republic of Croatia: The comparison of two case studies in the time frame of the 1990s – the present time", submitted as partial requirement for the MA Programme Euroculture, is my own original work and expressed in my own words. Any use made within this text of works of other authors in any form (e.g., ideas, figures, texts, tables, etc.) are properly acknowledged in the text as well as in the bibliography.

I declare that the written (printed and bound) and the electronic copy of the submitted MA thesis are identical.

I hereby also acknowledge that I was informed about the regulations pertaining to the assessment of the MA thesis Euroculture and about the general completion rules for the Master of Arts Programme Euroculture.

In case the research process involved participants (especially participants from vulnerable communities and populations), please ensure that the following boxes can be ticked before submitting the thesis, or tick the third box, if not applicable to your project:

I declare that I have obtained the required permission from the relevant ethics committees of the two universities supervising my thesis concerning my research proposal in order to proceed with proposed research involving participants;

I declare that I have obtained informed consent from these participants and that the consent forms are stored lawfully and in accordance with the rules of the two universities supervising my thesis.

The two items above do not apply to this project.

Signed

Date            December 1<sup>st</sup>, 2023

# Table of Contents

- Abstract.....4
- 1. Introduction.....5
  - 1.1. Historical and political background.....7
  - 1.2. Legal background for the analysis.....15
    - 1.2.1. Croatia’s legal documents.....15
      - 1.2.1.1. European Union accession background.....18
    - 1.2.2. Serbia’s legal documents.....18
      - 1.2.2.1. European Union process of accession.....22
    - 1.2.3. International legal framework.....23
- 2. Literature review.....29
- 3. Theoretical Framework.....37
- 4. Methods.....47
- 5. Findings.....49
  - 5.1. Bosniak/Muslim minority in Croatia.....49
  - 5.2. Bosniak/Muslim minority in Serbia.....57
- 6. Discussion and Conclusion: Minority Rights in Croatia and Serbia: A Comparative Analysis Through International Frameworks.....64
- 7. Conclusion.....70
- 8. Bibliography.....74
- 9. Appendixes and Annexes.....81

## **Abstract**

This thesis undertakes a comprehensive examination of the political and cultural rights of the Muslim/Bosniak minority in the Republic of Serbia and the Muslim/Bosniak Minority in the Republic of Croatia, spanning from the 1990s to the present. The primary research question focuses on uncovering potential differences in the attitudes of the Croatian and Serbian governments toward respecting the rights and freedoms of the Muslim/Bosniak minority. The overarching inquiry probes the differences in the approaches of these governments, shedding light on the evolving dynamics of minority rights in the post-Yugoslav context.

Conducting qualitative interviews with members of the Bosniak/Muslim communities served as the foundation for this study, offering essential insights to formulate hypotheses and comprehend core issues. A notable aspect of this research is the absence of a predefined hypothesis, allowing the investigation to adapt to the dynamic nature of minority issues in the selected study cases.

The findings resulting from in-depth open-ended interviews are multifaceted, covering critical aspects such as political representation, the controversy surrounding minority censuses, the legal treatment of the minority, and their struggles in cultural, religious, educational, and political domains. Additionally, the research delves into integration problems and potential solutions, providing a nuanced understanding of the challenges faced by the Muslim/Bosniak minority in both countries.

**Keywords:** Ethnic/National Minority, Religious Minority, Ethnicity, Integration, Political Representation, Cultural Autonomy, Multiculturalism, Interculturalism, Segregative Multiculturalism, Integrative Multiculturalism.

## **1. Introduction**

Minorities in the ex-Yugoslavian countries have long grappled with cultural, educational, and political challenges, underscoring a persistent struggle for recognition and representation. Regardless of the political spectrum from which governing parties emerge, the issues facing minorities seldom take precedence. This phenomenon is most evident in the political landscape, where the preservation of the majority's political power appears paramount. Conversely, while many minorities express dissatisfaction with current political treatments, they often acknowledge that present circumstances are an improvement compared to historical periods.

Despite the existence of Conventions on Minority Rights and various International Organizations committed to minority protection, governments display a reluctance to exert substantial efforts in definitively resolving ongoing minority issues. This research delves into the political and cultural relations of two ex-Yugoslavian states, the Republic of Croatia and the Republic of Serbia, with their ethnic minorities.

The focal point of this Master's Thesis is the exploration of the 'Political and cultural rights of the Muslim/Bosniak minority in the Republic of Serbia and Muslim/Bosniak Minority in the Republic of Croatia: The comparison of two case studies in the time frame of the 1990s – the present time.' Employing primarily qualitative research methods, the study incorporates elements of both qualitative and quantitative methods to enhance the richness and depth of its findings. The flexible approach afforded by the mixed method facilitates the incorporation of analyses from both research paradigms, contributing to a more comprehensive understanding of the subject.

As the research unfolds, no predefined hypothesis guides the investigation due to the dynamic nature of the minority issues in the Balkans region. The thesis concentrates on legal issues and political struggles experienced by the two minorities during the transition from authoritarian rule to a more democratic system.

The research question of this thesis is 'When comparing two study cases, can the major differences be seen in attitudes of the Croatian and Serbian governments towards respecting

the Muslim/Bosniak minority rights and freedoms?'. So, the central inquiry guiding this thesis is whether, in a comparative analysis of two case studies, some distinctions emerge in the approaches of the Croatian and Serbian governments toward upholding the rights and freedoms of the Muslim/Bosniak minority. The overarching research question probes the disparities in the attitudes of the Croatian and Serbian governments toward respecting the rights and freedoms of the Muslim/Bosniak minority. Qualitative interviews with members of the Bosniak/Muslim communities serve as a cornerstone, providing crucial insights to formulate a hypothesis and understand the core issues.

Several sub-questions emerge, delving into the reasons behind diverse political outcomes, the divergence in political directions, and the roles played by government and minority leaders in fostering integration and multiculturalism. Reflecting on the experiences of the two countries, the thesis seeks to uncover valuable lessons and potential areas of improvement.

The motivation behind this research stems from the paucity of comprehensive studies on these minorities in recent decades and the scarcity of comparative analyses. The thesis aims to spotlight Croatia's progress in culturally integrating Muslims while contrasting it with the challenges faced by the Muslim minority in Serbia. This comparative lens offers insights into the complexities of cultural and political representation.

Moving beyond the immediate scope, the research explores the implications of international organizations, the impact of peace-building efforts, and the evolving dynamics since the departure of peacekeeping organizations from the capital city of Croatia.

The ensuing chapters - Literature Review, Theoretical Framework, Methods, Findings/Results, Discussion, and Conclusion, unravel a structured journey through theories, literature, methodologies, and analyses, culminating in a nuanced understanding of the research question. Exclusions of certain topics such as the relations between other minorities and the Bosniak/Muslim minority in both countries and its shared struggles, the cause and meaning of the issue of antagonism between right-wing parties and its followers and these minorities, or the issue of different sub-minorities (e.g. disabled people, LGBTQ+ population or women in conservative areas) of these ethnic minorities, are made to maintain focus, with acknowledgment of related topics that warrant future exploration. These topics are of great importance and should be researched in the future.

In conclusion, this thesis strives not only to unravel the intricacies of minority rights but also to contribute to the ongoing discourse on cultural and political representation in post-Yugoslav states.

### **1.1. Historical and political background**

Dealing with the multi-ethnicity of the society and solving the national status of the minority was a big challenge and a stumbling block in the process of consolidation of all former Yugoslavian countries.<sup>1</sup> Many minorities, including Bosniaks/Muslims, are believed to be 'mismatched' – meaning attached by formal citizenship to one state but by ethnonational affinity to another.<sup>2</sup>

Right after the end of WW2, the communist regime that won the war had to work on reshaping religious minority identities for the goal of creating unity of the country., and that was the beginning of minorities' major struggle to maintain their so-called 'religious uniqueness'. The new regime pursued a Marxist revolution, implementing reforms in education, gender equality, law, and land ownership, alongside repressive measures. Muslims faced specific challenges as the regime aimed to eradicate Sharia and traditional institutions, leading to the marginalization and persecution of religious leaders.<sup>3</sup>

Post-World War II, the regime targeted the Sharia system, employing propaganda, repression, and selective punishment. Fascists and their supporters, including high-ranking Muslims in the Croatian Ustasha (the name for Croatian Fascists and Nazi supporters) regime and those in the Gestapo and Waffen SS units, were hunted down, imprisoned, tried, and sometimes executed. However, most Muslims were allowed to continue their lives without reproach for practicing their faith. An Islamic activist described the initial post-war days as seemingly normal, with Muslim students in Zagreb having separate facilities to adhere to religious rules.

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<sup>1</sup>Ksenija Marković, "Challenges of political integration of national minorities with special reference to the 2016 parliamentary elections in Serbia." *Forum for Security Studies* 1, no. 1 (2017): 212 <https://hrcak.srce.hr/clanak/394592>

<sup>2</sup>Rogers Brubaker, 'National Minorities, Nationalizing States, and External National Homelands in the New Europe.' *Daedalus* 124, no. 2 (1995): 109 <https://www.jstor.org/stable/20027299>

<sup>3</sup> Greble Emily, 'Muslims and the Making of Modern Europe', (New York: Oxford Press, 2021) p. 232

Despite these conditions, conflicts arose as the regime aimed to overhaul Muslim societies, leading to clashes between Islamists and communists, as well as within Muslim communities. Progressive Muslim intellectuals asserted cultural identity, while the regime targeted legal pluralism, religious separatism, and class distinctions.<sup>4</sup>

Youth recruitment, literacy campaigns, and promises of modernization were central to communist strategies. The 'Rebirth' Muslim association played a role in eradicating illiteracy, but over time, resistance decreased as the regime stabilized provisions. Then in the 1950s, Young Muslims emerged as a conservative opposition to the regime, trying to keep old religious laws, political system, and education, but were eventually eliminated.

The regime's literacy and modernization efforts reshaped Muslim identity, moving from religious to cultural spheres. Despite these changes, Muslims remained divided along political, linguistic, and regional lines due to opposition to European political projects.<sup>5</sup>

The District Committee for the People's Youth of Serbia in Novi Pazar faced difficulty recruiting Muslim children for the communist youth organization, as most continued attending religious schools. Those schools, seen as crucial to conservative Muslim communities, were viewed as an "attack on religion" if shut down. Even well-educated Muslims, benefiting from modernization and secular education, organized their lives around Islam. The illusion of religious lifestyles coexisting with modernization was created, with Muslim women in headscarves teaching classes featured in local papers. Some religious leaders pitched literacy campaigns as critical for Muslims' survival and prosperity.<sup>6</sup>

In the year 1990/1, Croatia left the Confederation of Yugoslavia and started the process of recognition. In the period of its recognition, it paid little attention to its minorities and their protection. Former president Franjo Tuđman's extreme right-wing behavior and rhetoric did not help the situation either. During his presidential mandate, he publicly expressed Islamophobic statements and got supporters.<sup>7</sup> His behavior contradicted the fact that the Islamic community has been institutionally present in Zagreb since 1878, and in 1916 the Croatian Parliament was one of the first in Europe to recognize Islam as an equal state

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<sup>4</sup> Ibid, p. 234

<sup>5</sup> Ibid, 241

<sup>6</sup> ibid

<sup>7</sup>Marko Prelec, 'The Fear of Islam In Croatian Politics.' Wilson Center, 1998 <https://www.wilsoncenter.org/publication/169-the-fear-islam-croatian-politics>.



religion.<sup>8</sup> As well as, the fact that Muslims were mainly living in the capital city and have been a part of the political and cultural life for decades.<sup>9</sup>

The 1990 Constitution was a very fragile protection of national minorities,<sup>10</sup> it was also rejected by the Badinter Arbitration Committee, which asked for improvements to the Constitution as a pre-request for international recognition and acknowledgment.<sup>11</sup> When the Constitution was amended in 1997, it completely left out Muslim minorities from a section of recognized minorities,<sup>12</sup> even when they were a third religious and ethnic group by the population.<sup>13</sup> In the 2001 population census, this religious minority that was called the Muslim minority (with a big M)<sup>14</sup> throughout several decades in former Yugoslavia, was split into three minorities, two new ones - Bosniaks and Croatian Muslims<sup>15</sup> and an existing one - Muslims.<sup>16</sup> The decision to introduce new minority names confused many members of the minority and did not help much, because it scattered a minority that was already small. Even

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<sup>8</sup> Tomislav Kovač, 'Islam as a paradigm for contemporary European society and Christian thought.' *The New Presence: A Journal of Intellectual and Spiritual Affairs* VII, no. 2 (2009): 216. <https://hrcak.srce.hr/42783> ; Jørgen Nielsen et al., *Yearbook of Muslims in Europe*, Volume 1., Brill, (2009): 70

<sup>9</sup> Jørgen Nielsen et al., *Yearbook of Muslims in Europe* Volume 2., Brill, (2010): 115

<sup>10</sup> In the first Croatian Constitution, any person not belonging to the Catholic Church or not declaring himself/herself/themselves as Croatian was considered either a minority or an ethnic group, but it was discussed in a few of the articles (that are listed in the footnotes), that the government and lawmakers poorly described the definition of minorities and their rights in the 1990s and early 2000s until they were pressured from Council of Europe's Venice Commission to resolve the issues and clarify the rights

<sup>11</sup> Goran Bandov, 'Minority Rights in Croatia – From Independence of Croatia until 2010.' *Sicherheit Und Frieden (S+F) / Security and Peace* 29, no. 3 (2011): 191 <https://www.jstor.org/stable/24233178>

<sup>12</sup> Giovanna Campani, 'Minorities and Migrants: "Models" of Multiculturalism in Europe and Canada.' *FLORE (FLOrence REsearch)*, 2004 <https://flore.unifi.it/handle/2158/406420>

<sup>13</sup> Jørgen Nielsen et al., *Yearbook of Muslims in Europe*, Volume 1., Brill, (2009): 68 <https://brill.com/edcollbook/title/15709>

<sup>14</sup> The ethnic group called Muslims got its recognition during the 1940s and legally by the 1960s by former dictator Josip Broz Tito. The reason behind this decision was to distinguish the population that was Muslim from the orthodox or catholic population. The problem was that one religious group became an ethnonational group, even though many Muslims living in Yugoslavia had their own national identities formed around the countries they lived in, but they were never a majority in most of the federal states, and that caused them problems with self-identification. Only in Bosnia and Herzegovina, they were in majority.

<sup>15</sup> After the dissolution of Yugoslavia, the USA and some Bosnian and Herzegovinian politicians decided that the ethnic group called Muslims would be renamed into a new term – Bosniaks. This political term was introduced to people just as a replacement for the previous inefficient term Muslims. It is mostly connected to the term Bosnians or Bosnian Muslims, but it doesn't have the same meaning. Bosnians are all the citizens of Bosnia, meaning Bosnian Orthodox, Bosnian Catholics, Bosnian Jews, and Bosnian Muslims, but being Bosniak is connected only to being a Muslim from an ex-Yugoslavian country. Most of the Muslims from Serbia and Croatia were left without any protection in the extreme-right-wing regimes, so they were seeking to establish some kind of political 'kinship' with their neighboring country (Bosnia) and accepted to use the same term 'Bosniaks' in the national census, without actually having any historical connection to that term.; The term Croatian Muslims was produced at the same time as the term Bosniaks, from people whose religion was Islam but who felt that they are Croatians. All three of these groups have the same religion, and most of them have the same origins (except Albanians and Roma people), but it is believed that people who declare themselves still as Muslims are most likely older generations, and people who see themselves as Bosniaks or Croatian Muslims are younger.

<sup>16</sup> Nenad Pokos, and Zlatko Hasanbegović. '(Three) one nation. Bosniaks, Muslims and Muslim Croats in Croatia in the 2001 and 2011 censuses.' *Social Research: Journal of General Social Issues* 23, no. 3 (2014): 433. <https://doi.org/10.5559/dj.23.3.03>

with many petitions and plagues from the Bosniak political party called Party of Democratic Action of Croatia to the Government to change the status of 20,000 ethnic Bosniaks who were registered as ethnic 'Muslims' in the national population register, the government hasn't done it yet.<sup>17</sup> There are around 0,70% of Bosniaks and 1,3% of Muslims as two separate minorities on the previous population census. Croatian Muslims are added to the majority group.<sup>18</sup> This decision also produced the main issue of the minority, which is having bad political representation, by not being able to get its seat in the Parliament and cross the electoral threshold. On the other hand, the minority has good cultural autonomy and, according to Zagreb's mufti Aziz Hasanović, a high level of integration into society.<sup>19</sup> Islamic Community of Zagreb, which is part of the main Islamic Community in Sarajevo,<sup>20</sup> signed the agreement in 2002 with the Government to have complete freedom to publish research papers and build religious and educational institutions.<sup>21</sup> However, many International organizations as well as the Venice Commission<sup>22</sup> have stated that Croatia can be seen as a multicultural state but not an intercultural one because it does not have a lot of interactions and dialogue between minority and majority societies.<sup>23</sup> Although this aspect might change in the future when it comes to the Bosniak/Muslim minority because the minority is already well-integrated and the government has drastically changed its behavior towards the minority in the last two decades.

The political party that represents the minority is the Bosniak democratic party of Croatia (BDSH). The minority is not politically very well organized and does not have many political representative options.<sup>24</sup>

In neighboring Serbia, the situation is a bit different. Even though the Bosniak/Muslim minority<sup>25</sup> has all the rights and protection guaranteed in the Constitution, but that is not the case in real life. Serbia has come a long way from the authoritarian regime of Slobodan Milošević, which was violating every human and minority right as well as spreading

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<sup>17</sup>Jørgen Nielsen et al., Yearbook of Muslims in Europe, Volume 1., *Brill*, (2009): 70

<sup>18</sup>Tomislav Kovač, 'Interreligious Dialogue in Croatia.' *Bogoslovska Smotra* 91, no. 5 (2021): 988. <https://doi.org/10.53745/bs.91.5.13>.

<sup>19</sup> *ibid*

<sup>20</sup>Jørgen Nielsen et al., Yearbook of Muslims in Europe, Volume 3., *Brill*, (2011): 128

<sup>21</sup>Jørgen Nielsen et al., Yearbook of Muslims in Europe, Volume 4., *Brill*, (2012): 137

<sup>22</sup>Framework Convention for the Protection of National Minorities (FCNM), 'Specific Monitoring in Croatia of the Implementation of the Framework Convention for the Protection of National Minorities', 1998 <https://www.coe.int/en/web/minorities/croatia>.

<sup>23</sup>Giovanna Campani, 'Minorities and Migrants: "Models" of Multiculturalism in Europe and Canada.' *FLORE (FLOrence REsearch)*, 2004 <https://flore.unifi.it/handle/2158/406420>

<sup>24</sup> State audit office, d.o.o, 'Political parties'.

<sup>25</sup>The definition of minorities in Serbia is similar to the definition of the term in neighboring Croatia. In Constitution, it is specifically written that the country belongs to the Serbian people.

Islamophobia and nationalism focused on anti-Bosniak propaganda, to the government with the Constitution that focuses on protecting the minority. But the reality is that the government is not recognizing and accepting all minority rights, the minority is being alienated from the Serbian majority, and is often facing harassment and attacks. It has a really bad level of integration, and while Serbia is often seen as a multicultural state, Bosniaks/Muslims and Serbians are still living in segregationist multiculturalism.<sup>26</sup> In the Constitution, Serbia treats the issue of the position of national minorities as an important segment of social relations and regulates it in a protectionist manner, striving to protect the identities and integrity of minority communities and their members. Already in its third article, the Constitution, among the priorities of the rule of law, guarantees the rights of national minorities. On the other hand, it is emphasized from the very beginning that Serbia is the country of the Serbian people, which is a characteristic of a nation-state and not the state of all citizens.<sup>27</sup>

Historically, the minority has been part of the country for centuries and has been the third-largest religious and ethnic community in Serbia. The minority has been living for a long time in the southern region called Sandžak, where it is the majority.<sup>28</sup> In geopolitics, the region has a strategic position and is one of the unstable areas of the Balkan region. Bosniaks/Muslims form the absolute majority in the three southern municipalities (Tutin 94.2% – 28,319, Novi Pazar 78.2% – 65,593, and Sjenica 75.5% – 20,512). Significant Muslim communities are also present in Belgrade (20,366 or 1.3%), central Serbia (10,000 or 0.3%), and Vojvodina (8,000 or 0.4%). Sandžak is home to 60% and Preševo Valley (southeastern part) to 25% of Serbia's Muslims.<sup>29</sup> In the new population census, there are 2,2% Bosniaks and 0,30% Muslims (with a big M).<sup>30</sup> The minority was facing a similar problem as the one in Croatia, because it was split into two minorities, and it has not been able to get more political rights and seats in parliament. For example, one of the political parties called the Party of Democratic Action of Sandžak could not enter the parliament until the mid-2000s due to the electoral threshold of 5 percent, but luckily a few years later the

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<sup>26</sup>Autor Ilija Vujačić refers to segregative multiculturalism as something opposite to integrative multiculturalism (the article is a bit old, and the term interculturalism is used instead nowadays) that used to be part of Serbian society until the late 1980s. After the fall of Milošević's regime, democratic parties tried to reintroduce the concept of integrative multiculturalism but unfortunately failed. Segregative multiculturalism is still happening in smaller cities and rural parts of Serbia.

<sup>27</sup> Ilija Vujačić, 'TEN YEARS OF THE NEW MINORITY POLICY IN SERBIA.' *Political Thought: Journal of Political Science* 49, no. 2 (2012): 155 <https://hrcak.srce.hr/84668>.

<sup>28</sup>Jørgen Nielsen et al., Yearbook of Muslims in Europe, Volume 1., Brill, (2009):71

<sup>29</sup>Jørgen Nielsen et al., Yearbook of Muslims in Europe, Volume 2., Brill, (2010):115

<sup>30</sup>Slaviša Orlović, 'Political representation of national minorities – Serbia in comparative perspective.' *Migration and ethnic topics*, Vol. 27 No. 3, (2011):407 <https://hrcak.srce.hr/clanak/115931>; Jørgen Nielsen et al., Yearbook of Muslims in Europe, Volume 2., Brill, (2010):115

government changed the electoral threshold.<sup>31</sup> Unfortunately, in some other areas, they do not have many rights because they do not exceed the quota of 15% for local authorities to deal with minority protection.<sup>32</sup> The legal disputes between two Islamic Communities – the Islamic Community of Serbia in Belgrade, which is recognized by Serbia, and the Islamic Community in Serbia in Novi Pazar, which is an autonomous unit within the Islamic Community of Sarajevo,<sup>33</sup> and different minority political parties are not helping the overall situation of better integration and more freedoms and rights of minorities.

Contrary to the minority in Croatia, many Bosniak political parties in Serbia have been in the political spotlight in the past ten years. They are the Sandzak Democratic Party, Party for Sandzak, Sandzak People's Party, Sandzak Democratic Action Party, Sandzak Democratic Party, Sandzak Alternative, Bosniak Civic Party, People's Movement of Sandzak, Bosniak Democratic Union, Bosniak People's Party, Justice and Reconciliation Party and Sandzak Liberal Party. Some are very influential such as the Sandzak Democratic Action Party and Sandzak Democratic Party, which have been able to influence the political decisions, others are either still new or do not have enough support to enter the Parliament.<sup>34</sup>

In the context of religious institutions' relations with both governments as well as the EU, the best example can be shown by the fact that the Islamic Community in Zagreb and Novi Pazar, distinct from the one in Belgrade, co-signed the 'Declaration of European Muslims' in 2006, authored by the main Islamic Community's previous Grand Mufti, Grand Mufti Cerić, who held the position at the time of writing. Amidst the backdrop of terror attacks, the declaration conveys the European Muslim perspective to the European Union, European Muslims, and Muslim-majority countries. The Declaration mentions that European Muslims (in the case of this research those are these two religious minorities, but the Declaration does not limit itself to just them) express expectations from the EU for the institutionalization of Islam, economic development, the establishment of Islamic schools, political representation, and protection from Islamophobia. The declaration underscores that Muslim freedom in Europe must be earned through assuming responsibilities in economic, political, and cultural spheres. It emphasizes presenting Islam as a universal culture, encouraging spiritual and intellectual strength in the younger generation, and committing to a comprehensive religious dialogue

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<sup>31</sup>Slaviša Orlović, 'Political representation of national minorities – Serbia in comparative perspective.' *Migration and ethnic topics*, Vol. 27 No. 3, (2011):407 <https://hrcak.srce.hr/clanak/115931>

<sup>32</sup>Ilija Vujačić, 'TEN YEARS OF THE NEW MINORITY POLICY IN SERBIA.' *Political Thought: Journal of Political Science* 49, no. 2 (2012): 155 <https://hrcak.srce.hr/84668>.

<sup>33</sup>Jørgen Nielsen et al., *Yearbook of Muslims in Europe*, Volume 1., and 3., Brill, (2009 and 2011):71

<sup>34</sup>ite.gov.rs, 'Political parties'.

program. The program aimed to build awareness, promote understanding, affirm religious identities, contribute to human rights discourse, and establish a common platform for religious coexistence. The declaration concludes by calling on the global Muslim community to lead in promoting peace and security worldwide.<sup>35</sup>

One aspect of the minority issues that are similar in both countries is the legal bodies that are supposed to represent, protect, and resolve the problems of minorities. Croatia's Council/Committee of National Minorities together with several other regional Bosniak National Councils was established to discuss, propose, regulate, and resolve issues related to the exercise and protection of minority rights, but unfortunately, through the years all of them were only given a limited consultative role and have not had any major influence on political decisions.<sup>36</sup> In Serbia, there are local self-governing units for Human and Minority Rights Groups that are dealing with problems minorities are facing, as well as one main Bosniak National Council situated in Novi Pazar.<sup>37</sup>

In 1993, the establishment of the Bosniak National Council took place and since then it is the only legal body representing the minority. The Bosniak National Council (BNC) is the highest representative body for Bosniaks in the Sandžak region of the Republic of Serbia. Established on May 11, 1991, initially named the Muslim National Council of Sandžak (MNVS). It operated as the Bosniak National Council of Sandžak (BNVS) until 2003, after which it continued as the Bosniak National Council (BNV). Founded in response to ethnic cleansing and oppression by Slobodan Milošević's regime against the Bosniak people in Sandžak, the BNC played a crucial role in international forums during the Yugoslav crisis. It contributed to the internationalization of Sandžak's status and the realization of the national rights of Bosniaks. During the turbulent 1990s, the BNC pursued a policy of peace, keeping Sandžak Bosniaks away from the conflicts in the former Yugoslavia. The Council facilitated the education of over a thousand young Bosniaks abroad during this period. In 1993, the BNC adopted the Memorandum on Special Status, emphasizing the peaceful resolution of the Bosniak status in Sandžak. The Memorandum aimed for autonomy within the Federal Republic of Yugoslavia, contributing to peace, security, and democratization. Following democratic changes in 2000, the BNC supported democratic forces, leading to Slobodan

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<sup>35</sup>Islamic Community, Declaration of European Muslims, Mustafa Cerić, Sarajevo, 2006, <https://islamkazajednica.ba/index.php/dini-islam/tekstovi/83-ostalo/45-deklaracija-evropskih-muslimana>

<sup>36</sup>Antonija Petrušić, 'Constitutional Law on the Rights of National Minorities in the Republic of Croatia.' *Anti-Discrimination Library*, <https://adatabase.ohchr.org/IssueLibrary/Forms/DispForm.aspx?ID=1372>.

<sup>37</sup>Konstantin A. Polovchenko, 'Constitutional Rights and Freedoms of National Minorities: The Experience of Serbia.' *Opción* 35 (2019): 1435 <https://produccioncientificaluz.org/index.php/opcion/article/view/30123>

Milošević's regime's fall. In 2003, it transitioned to the Bosniak National Council, functioning within the legal framework of Serbia. The BNC actively participated in creating legislation for minority protection and significantly influenced the improvement of minority rights in Serbia.<sup>38</sup>

Despite initial progress, the process of realizing collective identity rights for Bosniaks in Sandžak slowed down, leading to the BNC's warnings and resolutions. The Council's efforts to pressure the government to unblock this process were unsuccessful. The BNC continued to advocate for Bosniak national identity, issuing resolutions and proclamations as practical guides for Bosniak parties and associations. In 2012, the BNC issued a resolution on the position and rights of Bosniaks in Serbia, followed by a proclamation to the Bosniak people. These documents aimed to garner national consensus and unity within the Bosniak community in Sandžak, emphasizing the importance of recognizing and respecting their national identity.<sup>39</sup>

In conclusion, it could be discussed that the minority organization on the regional level is better organized than in the example of Croatia, and the Serbian example would be a good example if the units and the Council wouldn't have to deal with all the issues by themselves without having much financial and legal support from Ministries.

All of these given facts are making the lives of minorities harder, and none of the problems have been resolved yet. Therefore, the case study of these two minorities is significant for the studies of international relations and European politics. In my research, I am specifically researching the legal and political issues of these minorities. I look at how much both governments respect the rights given in the Constitution and what they are legally and politically doing to improve the overall situation of minorities.

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<sup>38</sup>Bnv official website, accessed June 2023 <https://www.bnv.org.rs/>

<sup>39</sup>ibid



## 1.2. Legal background for the analysis

### 1.2.1. Croatia's legal documents

When it comes to Legal Framework, the Constitution of the Republic of Croatia (1991, amended in 2013) and Croatia's Constitutional Law on the Rights of National Minorities, followed by political shifts from the extreme right-wing political establishment to center-left one, was adopted in 2002. It was suggested by left-wing political parties in 2000. In the Law, it is said that all of the national minorities are represented by the Council for National Minorities situated in the capital city. The Council unfortunately does not have much power lately. On the other hand, city-specific councils for Bosniak minority representation are situated in several bigger cities where the minority population is concentrated, and although they do not have much power, they are still an influential part of the minority's life. Croatia also has a Government office for human rights and minority protection that is directly responsible for the implementation of all the laws related to the protection of minorities and their right to associate.<sup>40</sup>

The legal landscape for safeguarding minority rights in Croatia witnessed significant improvement with the enactment of the Constitutional Law on the Rights of National Minorities (CLNM) in 2002. This legislation, complemented by various related laws, establishes a robust normative foundation for the protection of minority rights. The Constitutional Law on the Rights of National Minorities in the Republic of Croatia ensures the rights of national minorities, encompassing education in their language and script, the use of language and script specific to a national minority, cultural autonomy, and the right to engage in public affairs. This participation extends to representation in local and regional representative bodies, as well as at the state level, including administrative and judicial bodies.<sup>41</sup>

In the realm of Constitutional Law on the Rights of National Minorities, several pivotal articles play a crucial role in dissecting the overarching political issues surrounding these

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<sup>40</sup>Office for Human Rights and and rights of national minorities, 'Prove of the Constitutional Law on the Rights of National Minorities in the Republic of Croatia', <https://pravamanjina.gov.hr/provedba-ustavnog-zakona-o-pravima-nacionalnih-manjina-u-republici-hrvatskoj/583>

<sup>41</sup>Florian Bieber et al., Political Parties and Minority Participation, (Skopje, Friedrich Ebert Stiftung, 2008), p. 52

minorities. Article 7 underscores the Republic of Croatia's commitment to ensuring the exercise of special rights and freedoms for national minority members, spanning language and script use, education, cultural autonomy, religious practices, media access, self-organization, and representation in various bodies. Article 10 grants members of the National minorities the right to freely use their language and script, both privately and publicly. Article 11 emphasizes the right to education in the language and script of their use.<sup>42</sup>

Of paramount significance to the research problem of this thesis are Articles 15 and 18. Article 15 allows members of national minorities to establish organizations and institutions supporting their cultural identity, with financial support from governmental units. Article 18 designates radio stations and TV studios to promote understanding of national minorities, with allocated funds for minority programs. Additionally, Articles 19 and 20 guarantee representation in the Croatian Parliament and local/regional self-government bodies for national minority members. Article 21 allows units where minorities are not a majority to elect minority members proportionally.<sup>43</sup>

The establishment of a Council for National Minorities, as outlined in Article 35, further solidifies the constitutional framework. This council collaborates with government bodies, minority self-governments, and organizations, proposing debates and measures to enhance minority positions and addressing issues related to the exercise of minority rights and freedoms.<sup>44</sup>

The creation of the Council for National Minorities (CNM) was mostly driven by the objective of fostering participation in public life and the oversight of local activities. With the formation of national minority councils, there was an anticipation of a more substantial influence on community-related matters, including but not limited to education, the utilization of minority languages, cultural autonomy, and media issues. These minority-specific institutions are consequently deemed vital supplements to parliamentary minority representation.<sup>45</sup>

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<sup>42</sup>Government of Croatia, Constitutional law on National minorities, no. 155/2002, Zagreb, 2002

<sup>43</sup> *ibid*

<sup>44</sup> *ibid*

<sup>45</sup> Florian Bieber et al., *Political Parties and Minority Participation*, (Skopje, Friedrich Ebert Stiftung, 2008), p. 54



In essence, these constitutional provisions lay the foundation for safeguarding the rights and cultural identities of national minorities in Croatia, offering a comprehensive framework for their representation, education, and cultural preservation.

Within Croatia's Constitution of 1991, amended through 2013, certain articles stand out as pivotal in the examination of minority rights and freedoms in these case studies. Article 15 explicitly underscores the equal rights of all national minorities within the Republic of Croatia, with provisions for the Constitutional Act to regulate equality and protection through the prescribed procedure for organic law adoption. Although not currently applicable, there was a mention of the potential special right for minority members to elect representatives to the Croatian Parliament, indicating a historical context that has evolved.<sup>46</sup>

Article 35 guarantees everyone's right to respect and legal protection of personal and family life, dignity, reputation, and honor. However, historical events in the 1990s suggest that this guarantee may not have been fully realized during that period, raising questions about the practical application of these rights.<sup>47</sup>

Article 40 reinforces the freedom of conscience and religion, ensuring the right to manifest religious beliefs. Article 41 emphasizes the equality of all religious communities before the law, their separation from the state, and the freedom to engage in various activities, including performing religious services and managing institutions. The application of these articles appears to be more concrete in the case of the Islamic Community, which enjoys the rights outlined in Article 41.<sup>48</sup>

Article 48 guarantees the right of ownership, a fundamental right that was likely compromised in 1997 when Muslims were removed as national minorities and faced challenges as citizens, questioning the full applicability of this right during that period. These constitutional articles provide a nuanced backdrop for understanding the evolution and challenges surrounding minority rights in Croatia during different historical phases.<sup>49</sup>

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<sup>46</sup> Government of Republic of Croatia, Croatian Constitution from 1991 and 2013, Zagreb, 2013

<sup>47</sup> *ibid*

<sup>48</sup> *ibid*

<sup>49</sup> *ibid*

### **1.2.1.1. European Union accession background**

From a normative and political standpoint, Croatia's journey towards EU membership began with the submission of its application on 21 February 2003. Following a positive opinion from the Commission on 14 April 2003, Croatia attained candidate status on 18 June 2004 and became a member in 2013. The European Partnership for Croatia, accompanying the opinion, delineated short- and medium-term priorities for Croatia's integration into the European Union. Both sets of priorities underscored the imperative improvement of minority rights. Specifically, the objectives emphasized the need to achieve proportional representation of minorities in local and regional self-government units, state administration, judicial bodies, and public administration entities. Authorities were further urged to allocate the necessary resources, including adequate funding, to ensure the effective functioning of elected minority councils.<sup>50</sup>

The EU report from 2006 highlighted that the implementation of the Constitutional Law on the Rights of National Minorities (CLNM) remained sluggish, with persistent challenges, notably concerning the under-representation of minorities in state administration, the judiciary, and the police. The accession process directly contributed, particularly in the 2000s, to the notable improvement of effective minority representation in the country, encompassing both the legislature and the state administration.<sup>51</sup>

### **1.2.2. Serbia's legal documents**

The legal framework for the protection of national minorities in Serbia, established after the country's independence in 2006, is based on the Constitution of the Republic of Serbia (2006), Law on National Council of National Minorities (2009) and the Law on Protection of Rights and Freedoms of National Minorities (2002), enacted during political changes in Yugoslavia's government, and Serbia's independence. Particularly noteworthy in the minority representation aspect is the establishment of the Bosniak National Council in 1993, serving as the sole legal entity representing the minority.<sup>52</sup>

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<sup>50</sup> Florian Bieber et al., *Political Parties and Minority Participation*, (Skopje, Friedrich Ebert Stiftung, 2008), p. 48

<sup>51</sup> *ibid*

<sup>52</sup> BNV official website, <https://www.bnv.org.rs/>

The following articles within the Law on Protection of Rights and Freedoms of National Minorities are central to the minority's discussion. Article 5 safeguards freedom of expression of national affiliation, emphasizing that no one should suffer consequences for expressing or refraining from expressing their national identity. Article 10 secures the right of members of national minorities to freely use their language and alphabet in private and public spheres. Article 11 addresses the official use of language and script, allowing equal official use in areas traditionally inhabited by national minorities, with obligatory inclusion if their population reaches 15% of the total according to the last census.<sup>53</sup>

Article 11a mandates the publication of laws in the languages of national minorities, ensuring the translation and dissemination of relevant laws. Article 12 underscores the right to nurture culture and tradition, permitting the establishment of cultural, artistic, and scientific institutions by members of national minorities. Article 13 guarantees education in the mother tongue, involving national councils in curriculum development, yet the realization of this right lacks concrete examples.<sup>54</sup>

Article 18 establishes the Council for National Minorities to monitor and enhance the realization of minority rights, proposing measures for equality and monitoring cooperation. Article 19 empowers national councils, elected by members of national minorities, to represent and make decisions in culture, education, information, and language use. The legal framework anticipates financial support through the Budget Fund for National Minorities, regulated by a special law, although practical access and transparency are questionable according to interviews and reports in this research indicating reduced government financing.<sup>55</sup>

Several articles are pivotal to the discussion on minority rights within the Constitution of Serbia. Article 5 addresses the role of political parties, ensuring their role in shaping citizens' political will. The establishment of political parties is emphasized as a free and integral component of the democratic process.<sup>56</sup>

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<sup>53</sup> Government of Serbia, Law on Protection of Rights and Freedoms of National Minorities, no.11/2002, Belgrade, 2002

<sup>54</sup> *ibid*

<sup>55</sup> *ibid*

<sup>56</sup> *ibid*

Language and alphabet are crucial components of national identity, and Article 10 declares that in the Republic of Serbia, the Serbian language and the Cyrillic alphabet are in official use. The official use of other languages and scripts is to be regulated by law, underlining the importance of linguistic diversity within the constitutional framework.<sup>57</sup>

Article 14 focuses on the protection of national minorities, with the Republic of Serbia committed to safeguarding the rights of these communities. The state guarantees special protection to national minorities to ensure complete equality and the preservation of their distinct identities.<sup>58</sup>

Under the section on Human and Minority Rights and Freedoms, Article 18 establishes the direct application of guaranteed rights, emphasizing that these rights are not just guaranteed by the Constitution but also directly applicable. This reinforces the commitment to upholding human and minority rights based on international laws and treaties.<sup>59</sup>

Article 44 delineates the relationship between churches, religious communities, and the state, emphasizing equality and separation. Churches and religious communities have the freedom to independently regulate their affairs and activities, including religious ceremonies, schools, and social institutions.

Article 49 prohibits incitement of racial, national, religious, or other forms of inequality, hatred, and intolerance. This legal provision underscores the commitment to fostering a harmonious and inclusive society.

Article 78 explicitly prohibits forced assimilation of members of national minorities, with legal mechanisms in place to protect against such actions. Measures that could artificially alter the national composition of minority-populated areas are strictly forbidden.<sup>60</sup>

Finally, Article 81 highlights Serbia's commitment to promoting tolerance, intercultural dialogue, and mutual respect among all people, irrespective of their ethnic, cultural, linguistic,

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<sup>57</sup> *ibid*

<sup>58</sup> *ibid*

<sup>59</sup> *ibid*

<sup>60</sup> *ibid*

or religious identities. This signifies a dedication to fostering a diverse and harmonious society through educational, cultural, and informational means.<sup>61</sup>

The Serbian Law on National Councils of National Minorities encompasses crucial articles for this research investigation, detailing their functions, structure, and powers.

Article 1a defines the National Council as an organization entrusted with specific public powers to participate in decision-making or independently decide on matters related to culture, education, information, and the official use of language, aiming to realize the collective self-governance rights of national minorities.<sup>62</sup>

Under the status issues of the National Council, Article 7 outlines its internal organization, including a president, an executive committee, and committees for education, culture, information, and language use. Article 7a specifies that the president and executive committee members cannot hold positions in political party bodies or elected roles in state or local government units that decide on national council-related matters.

Article 9 sets the number of National Council members between 15 and 35. In the realm of education, Article 13 empowers the National Council to propose education programs to the minister responsible for education, particularly those expressing the uniqueness of the national minority in history, music education, and art.<sup>63</sup>

Regarding culture, Article 18 grants the National Council the authority to determine the strategy for the development of the national minority's culture. In the official use of languages and letters, Article 22 enables the National Council to propose the highlighting of names in the language of the minority, establish the minority language as official in local self-government units, and take measures to enhance its official use.

Article 71 outlines the candidacy and electoral list provisions, allowing groups of voters, associations focused on minority rights, and registered political parties of national minorities to propose electoral lists. For optional material, Article 89 mandates bilingual printing of

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<sup>61</sup> *ibid*

<sup>62</sup> Government of Serbia, Law on National Councils of National Minorities, 72/2009, Belgrade, 2009

<sup>63</sup> *ibid*

election materials in both Serbian and Cyrillic, as well as the language and script of the national minority if officially used in a local self-government unit.<sup>64</sup>

Finally, under financing activities, Article 112 stipulates that the National Council adopts an annual financial plan and final account, ensuring transparency and accountability in its financial operations.<sup>65</sup>

#### **1.2.2.1. European Union process of accession**

Regarding EU accession discussions, the legal framework is outlined in the COUNCIL DECISION of 18 February 2008, emphasizing principles, priorities, and conditions within the European Partnership with Serbia. Annex 2 specifically addresses priorities for Serbia, particularly focusing on Minority rights, cultural rights, and the protection of minorities as crucial components for accession.<sup>66</sup>

The document mandates Serbia to ensure adherence to constitutional provisions regarding cultural and minority rights, emphasizing the full implementation of strategies and action plans related to the integration of minorities, including returnees. Efforts to bolster inter-ethnic relations, especially through educational measures, are underscored. Additionally, the strengthening of minority national councils, the adoption of pending legislation, and the promotion of minority participation in the judiciary and law enforcement bodies are highlighted priorities. Awareness-raising activities, including the use of minority languages, are encouraged as part of the broader strategy.<sup>67</sup>

Furthermore, the document stresses the need for Serbia to adjust relevant legislation to align with the new constitution and ensure the comprehensive implementation of minority rights, particularly those about education in the mother tongue. These requirements represent essential criteria for Serbia's progression towards EU accession, emphasizing a commitment to the protection and promotion of minority rights as an integral part of the accession process.<sup>68</sup>

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<sup>64</sup> *ibid*

<sup>65</sup> *ibid*

<sup>66</sup> COUNCIL DECISION of 18 February 2008 on the principles, priorities, and conditions contained in the European Partnership with Serbia including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999 and repealing Decision, 2006/56/EC, Brussels, EU, 2008

<sup>67</sup> *ibid*

<sup>68</sup> *ibid*

### 1.2.3. International legal framework

In the international framework, both Croatia and Serbia, as members of the Council of Europe, have committed to upholding the Framework Convention for the Protection of National Minorities (FCNM). Croatia signed the Convention in 1996, it was ratified in 1997, with the date of Entry into Force being 1st of February 1998. Serbia acceded on 11 May 2001, and the agreement came into force on 1 September 2001.<sup>69</sup>

This convention, initiated by the Council's Committee for the Protection of National Minorities in 1995 and enforced in 1998, establishes a monitoring system to evaluate its implementation in member states. The Advisory Committee, composed of 18 independent experts, scrutinizes state reports, providing country-specific opinions that guide the Committee of Ministers in formulating resolutions.<sup>70</sup>

The crucial Articles from the FCNM legal document for the analysis for the comparative analysis of the Serbian and Croatian Bosniak minorities are found in the first and second sections of the Conventions. The articles collectively emphasize the international commitment to safeguarding the rights of national minorities. Article 3 underscores the right of individuals to freely choose their minority status without facing disadvantages. Article 4 prohibits discrimination, ensuring equal legal protection. Article 5 promotes the preservation of cultural identity, including religion and language. Article 6 encourages tolerance and intercultural dialogue. Articles 7 and 8 guarantee various rights, including freedom of expression and religion, for individuals in national minorities. Articles 12, 13, and 15 advocate for education, participation in public life, and the creation of conditions for minority involvement in cultural and economic spheres. Article 17 protects cross-border contacts, and Article 18 encourages bilateral agreements with other states to safeguard national minorities.<sup>71</sup>

Croatia's First Cycle involved a delegation visit from 23 to 26 October 2000, with the opinion date on 6 April 2001, and Serbia's First Cycle included a delegation visit from 27 September to 3 October 2003, with the opinion date on 27 November 2003. Regarding the Committee of

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<sup>69</sup> Official website for the monitoring on the Framework Convention for the Protection of National Minorities, Strasbourg, Council of Europe, <https://www.coe.int/en/web/minorities/country-specific-monitoring>

<sup>70</sup> *ibid*

<sup>71</sup> CoE, Framework Convention for the Protection of National Minorities, Strasbourg, Council of Europe, 1994

Ministers' Resolutions, Croatia's resolution was adopted on 6 February 2002, and Serbia's resolution was adopted on 17 November 2004. Follow-up Dialogues between the delegation and countries' officials occurred on 21 March 2002 for Croatia and on 10 October 2005 for Serbia.<sup>72</sup>

In recent cycles of reports, Croatia's foremost concerns regarding minority issues have shifted away from the Bosniak minority. Nevertheless, it is imperative to underscore that the initial report and opinion highlighted a pivotal concern: the non-recognition of the minority in Croatia's Constitution following amendments made in 1997. The subsequent actions undertaken by the country, notably the initiation of a new Amendment three years later to enhance the status of the Muslim minority (before the legal recognition of the term "Bosniak"), were acknowledged by the Council's Committee.<sup>73</sup>

The Committee's observations on the normative listing of national minorities, incorporated in the Constitutional Law of Human Rights and Freedoms and the Rights of National and Ethnic Communities or Minorities, revealed noteworthy disparities. The amendments in May 2000 expanded the list to encompass 22 minorities, with a provision for the inclusion of "others" under Article 3. However, the preamble to the Constitution, amended in 1997, presented a more selective approach by enlisting only 10 "autochthonous" national minorities and a general category of "others." The Committee expressed regret over the omission of explicit reference to additional minorities, such as Bosniacs, Roma, and Slovenes, listed in the Constitutional Law. The Committee emphasized the need to avoid undue differentiation between various national minorities, particularly lamenting the absence of explicit mention of other minorities in the Constitution.<sup>74</sup>

The Committee's opinion also commended the marked improvement in the attitudes of the highest central authorities toward national minorities. Government initiatives promoting tolerance and intercultural dialogue were acknowledged as positive steps. Additionally, the Committee expressed satisfaction with the advancements in the protection of minority languages, improvements in the educational system catering to minority needs, and concerted efforts to address legal issues affecting the minority.<sup>75</sup>

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<sup>72</sup> *ibid*

<sup>73</sup> *ibid*

<sup>74</sup> *ibid*

<sup>75</sup> *ibid*



In the most recent report, Croatia's commitment to assessing and addressing minority concerns is evident through surveys and interviews conducted in areas with a significant minority population. The institutions of the country are actively engaged in ameliorating issues raised by the minority, as indicated by ongoing efforts to enhance the handling of minority complaints. The report included insights from the country's council for national minorities, highlighting a significant challenge: the decline in the minority percentage between the 2021 and 2011 censuses. This demographic change emerged as a key concern, emphasizing the need for continued attention to ensure the protection and well-being of the minority population.<sup>76</sup>

In conclusion, the evolution of Croatia's approach to minority rights reflects a broader commitment to addressing concerns, fostering inclusivity, and continually evaluating and improving measures to protect the rights and well-being of all minorities within its borders.

In contrast to Croatia, Serbia's successive reports and opinions continue to address concerns related to the protection of the Bosniak and Muslim minority. The most recent report highlights persisting issues in the relationship between the government, civil society, and, predominantly, the minority society. Freedom of speech concerning minority issues has seen little improvement recently, despite governmental efforts driven by aspirations to join the European Union.<sup>77</sup>

Examining the initial report during the Yugoslav era, it was noted that the irregular circumstances under which the Bosniak and Muslim minority emerged led to varied nomenclature in the Yugoslav constitutions. The Constitution of the Republic of Serbia (1990) referred to nationalities, while the Constitution of the Republic of Montenegro (1992) mentioned national and ethnic groups. Although relatively developed legal regulations existed for minority protection, the need for improvement, especially in practical implementation, was recognized in the wake of democratic changes in the country. In general, it was tough time for the Muslim minority (the Bosniak term did not yet legally exist) because the democratic institutions were new and had their challenges.<sup>78</sup>

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<sup>76</sup> *ibid*

<sup>77</sup> *ibid*

<sup>78</sup> *ibid*

The report acknowledged the challenges faced by the Muslim minority, given the new democratic institutions. Subsequently, after the political changes in 2000, a separate Federal Ministry of National and Ethnic Communities was established, headed by a representative of the Bosniak community, demonstrating a proactive approach to minority representation. The adoption of the Federal Law on Protection of Rights and Freedoms of National Minorities (2002) was identified as a crucial step in legal regulation, addressing significant issues vital for the survival and development of national minorities.<sup>79</sup>

Early reports welcomed the preparation for changes in electoral laws to facilitate minority participation in representative governmental bodies, which eventually materialized a few years later. The significance of enhanced financial support for minority education and representation was highlighted, echoing concerns that persist to the present day.<sup>80</sup>

The most recent report claims significant improvement in key minority issues without explicitly delving into Bosniak/Muslim concerns, and the awaited commentary from the Council is yet to be published. Reports and opinions collectively indicate substantial progress from the first one to the last, portraying positive aspects.<sup>81</sup>

However, the pace of certain changes and improvements remains sluggish in both countries. Notably, discussions surrounding the Bosniak and Muslim minorities do not dominate the discourse anymore, which shows that the urgent matters of this minority might be mostly resolved.

### **International Declarations and Conventions**

Regarding international commitments, both countries are signatories to the Council of Europe's European Convention on Human Rights (1994) and The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities, adopted by the UN General Assembly in 1992. Croatia and Serbia also signed UNESCO's 1960 Convention against Discrimination in Education.

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<sup>79</sup> ibid

<sup>80</sup> ibid

<sup>81</sup> ibid

The European Convention on Human Rights (ECHR) plays a pivotal role in analyzing the case studies related to the Balkans, with several key articles influencing the examination. Article 1 establishes the obligation to respect human rights within the jurisdiction of the High Contracting Parties. This article is particularly crucial for delving into the historical issues that arose during the early stages of independence in these countries.<sup>82</sup>

Article 3 prohibits torture and inhuman or degrading treatment or punishment. While not directly impacting the contemporary situation, it holds significance for understanding the historical context, especially the inhumane treatment of the Serbian Muslim minority in the southern region during the 1990s by extreme right-wing political establishments.<sup>83</sup>

Article 7 safeguards against punishment without law, ensuring that individuals are not held guilty for acts not considered criminal under national or international law at the time. This is vital for contextualizing the historical background of extreme right-wing behavior in the 1990s.

Article 9 focuses on freedom of thought, conscience, and religion, asserting the right to change one's religion or belief. This article is crucial for the analysis of minorities' complaints and their quest for greater religious freedom.

Article 11 addresses freedom of assembly and association, ensuring the right to peaceful assembly and association with others. This article becomes particularly important for analyzing governmental policies regarding the establishment, elections, and financing of Councils.<sup>84</sup>

Article 14 prohibits discrimination on various grounds, emphasizing that the enjoyment of rights and freedoms must be secured without discrimination. This article is central to the analysis of minorities' enjoyment of constitutional rights and the application of those rights in practice. Article 2 of the Protocol to the Convention enshrines the right to education,

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<sup>82</sup> Council of Europe, The European Convention on Human Rights, Rome, 1994

<sup>83</sup> *ibid*

<sup>84</sup> *ibid*

emphasizing that no person shall be denied this right. This article becomes crucial for scrutinizing the educational policies and practices of both countries.

Lastly, Article 3 of the Protocol to the Convention underscores the right to free elections. This commitment by High Contracting Parties to hold free elections at reasonable intervals is crucial for analyzing the elections conducted for various National Councils, as well as elections on the country's level in both case studies. The ECHR and its associated protocols thus provide a comprehensive framework for evaluating human rights, historical contexts, and contemporary issues in this political framework.<sup>85</sup>

On the other hand, the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities holds crucial significance for the analysis of the Bosniak minorities in Croatia and Serbia as well. Both countries, with a particular focus on Serbia, have encountered challenges in fully respecting or, in some instances, disregarding the stipulations of the UN articles.

Article 1 emphasizes that states must protect the existence and the national or ethnic, cultural, religious, and linguistic identity of minorities within their territories. They are further encouraged to create conditions promoting the identity of these minorities, requiring the adoption of appropriate legislative and other measures.<sup>86</sup>

Article 2 underscores the rights of persons belonging to minorities, ensuring their freedom to enjoy their own culture, practice their religion, and use their language without interference or discrimination. It grants them the right to participate effectively in various aspects of life, including cultural, religious, social, economic, and public spheres. The article also highlights the right to establish associations and maintain peaceful contacts with other minority members and individuals across borders.<sup>87</sup>

Article 4 mandates states to take measures to ensure that persons belonging to minorities exercise all their human rights and fundamental freedoms without discrimination. Additionally, it calls for creating favorable conditions for the expression and development of

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<sup>85</sup> *ibid*

<sup>86</sup> UN, the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 47/135, Geneva, 1992

<sup>87</sup> *ibid*

minority characteristics, culture, language, religion, traditions, and customs. States should facilitate opportunities for learning mother tongues, encourage education about minority history and culture, and promote full participation in economic progress and development.<sup>88</sup>

These articles serve as a comprehensive framework for evaluating the treatment of Bosniak minorities, covering aspects ranging from cultural preservation and linguistic rights to economic participation and non-discrimination. The analysis of how these articles have been observed or neglected provides valuable insights into the complexities of minority rights in the context of the two Balkan countries.

This comparative exploration aims to shed light on the progress, challenges, and shared commitments of Croatia and Serbia in safeguarding the rights and freedoms of their respective minority populations. Through the lens of international frameworks, legal structures, and monitoring outcomes, the analysis seeks to contribute to a nuanced understanding of the dynamics surrounding minority rights in the two nations.

## **2. Literature Review**

The exploration of ethnic minorities in the territory of former Yugoslavia has undergone substantial development across various research domains. In the tumultuous 1990s and early 2000s, scholars primarily concentrated on political disputes and the challenges faced by minorities, often shaped by ongoing or recently concluded ethnic wars. Over time, the research landscape shifted towards a more comprehensive examination of critical issues encompassing legal, educational, cultural, and political dimensions, which form the crux of minority problems. Notably, studies spotlighting the Croatian Bosniak/Muslim minority and the Serbian Bosniak/Muslim minority gained prominence during the dissolution of Yugoslavia and the subsequent wars, casting minorities within the framework of post-socialist ethnonationalism and positioning minorities as scapegoats for emerging authoritarian regimes.

While significant improvements have been made in addressing gaps in understanding urgent issues and developing political theories, a notable research gap still persists. Particularly, the

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<sup>88</sup> *ibid*

literature on comparative case studies involving these minorities or similar ones in the region remains unresearched. Despite advancements, the need for more in-depth comparative analyses stands as an ongoing challenge in the exploration of the Balkans' minority studies.

In the Journal of the American Academy of Arts and Sciences 'Daedalus', the article - National Minorities, Nationalizing States, and External National Homelands in the New Europe, from author Rogers Brubaker, one of the international relations theories were discussed as the most suitable theory for the studies of ethnic minorities in former Yugoslavia. The theory author Brubaker discusses is - the triangular relationship. The relationship is between national minorities, the newly nationalizing states in which they live, and external national 'homelands' to which they belong or think they belong by ethnocultural affinity but not by legal citizenship.<sup>89</sup> While the theory focuses on the studies of Yugoslavian and other post-soviet ethnic minorities, and with that, on the studies of these two minorities as well, there are some theoretical gaps. Some members of both minorities would like to be part of neighboring Bosnia and Herzegovina, which they perceive as their homeland, but for example, most Muslims or Bosniaks in Croatia have been living on the territory of the country for two centuries,<sup>90</sup> and are very well integrated and satisfied with living in the country, and many of them hold dual citizenship because the former Yugoslavian countries Bosnia and Herzegovina and Croatia signed Agreements on allowing dual citizenship. On the other hand, the minority of Bosniaks and Muslims in Serbia has closer relationships to the neighboring country and many members of the minority even moved either permanently or temporarily to Sarajevo, but do not hold Bosnian citizenship. The theory is very well described and can be used for some minority examples in the Balkans, but not as a main theory. The author continues to discuss the relationship between minorities, homelands, and new state, saying that it can be seen as an arena of struggle among competing stances and that there is constant RECIPROCAL MONITORING between all three elements, which can be seen more in the case of the minority in Serbia.

Professor at the Faculty of Political Sciences in Zagreb, Siniša Tatalović discussed in his papers 'National Minorities and Croatian Democracy' and 'National Minorities in Republic of Croatia' the real reason for the improvement of attitude towards Muslim minorities is the change of party in power in the early 2000s, that was a center-left party. As well as, after

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<sup>89</sup> Rogers Brubaker, 'National Minorities, Nationalizing States, and External National Homelands in the New Europe'. *Daedalus* 124, no. 2 (1995): 110 <https://www.jstor.org/stable/20027299>

<sup>90</sup> Jørgen Nielsen et al., *Yearbook of Muslims in Europe*, Volume 2., Brill, (2010):115

political change, the new 2004 Constitutional law on the rights of national minorities followed, and it gave more cultural and political freedom to Bosniaks and Muslims.<sup>91</sup> But he added that the Republic of Croatia, despite the hardships of the war, managed to create a satisfactory model for the realization of ethnic rights of members of national minorities and harmonize it with the appropriate European experiences and standards. The model became based on integration, and not on assimilation.<sup>92</sup> Both of his research papers give a clear picture of the process of resolving the minority's issues. Similarly, in the article - 'War and the Changes in Social Distance Toward the Ethnic Minorities in Croatia'. It is shown through quantitative research how there was a huge social distance from the Croatian catholic majority towards the Muslim minority. It was said that citizens' social distance when it comes to friendships and marriages, was possibly one of the reasons why the situation of the Muslim minority was not discussed more in public.<sup>93</sup>

The role of media in the decades after the war was crucial in the Bosniak and Muslim integration and helped spread awareness on struggles of political representation and the problem of religious education and intercultural dialogue.<sup>94</sup> One of the Croatian Ph.D. and research associates Goran Goldberger in his paper - 'Representation of Islam and Muslims in Croatian Daily Newspapers From 1990 to 2006', focused on the role of the media in promoting Islam and the Muslim community in Croatia, and how well they did it. He explained the good as well as bad influence of Croatia's media in the 1990s and 2000s and in the last couple of years, which is a refreshing topic and sort of information that can help minority studies.

The important role of International Organisations such as OSCE/CSCE, the UN, as well as the Council of Europe and EU, has also been the focus of the studies about Croatia's minority policy. Author Kuntić in his article 'Minority Rights in Croatia' for Croatian International Relations Review discusses that they insisted on adequate standards for the protection of the

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<sup>91</sup> Siniša Tatalović, 'National Minorities and Croatian Democracy' Political Thought: Journal of Political Science no. 5 (2006): 15. <https://hrcak.srce.hr/clanak/32344>

<sup>40</sup>Siniša Tatalović, "National minorities in the Republic of Croatia." Political Thought: Journal of Political Science 38, no. 3 (2001): 98 <https://hrcak.srce.hr/clanak/38701>

<sup>92</sup> Siniša Tatalović, "National minorities in the Republic of Croatia." Political Thought: Journal of Political Science 38, no. 3 (2001): 98 <https://hrcak.srce.hr/clanak/38701>

<sup>93</sup> 41Ivan Šiber, 'War and the Changes in Social Distance Toward the Ethnic Minorities in Croatia.', Journal for political science:: political thought Volume 34, (1997):19 <https://hrcak.srce.hr/105422>

<sup>94</sup> Goran Goldberger, "Representation of Islam and Muslims in Croatian daily newspapers from 1990 to 2006." Sociology and space: journal for Spatial and sociocultural development research 52, no. 1 (198) (2014): 91–109. <https://doi.org/10.5673/sip.52.1.5>.

Human Rights of every citizen because the early 1990s political situation in Croatia was an unstable situation for minorities.<sup>95</sup>

While reading many research papers, it can be noticed that the unresolved 'statistical anomaly' of three ethnic minorities in the case of Croatia and two minorities in the case of Serbia, is one of the significant legal problems in studies of Western Balkans minorities. It has been mentioned in most of the research papers on the research topic. In the case of Croatia, the authors from the Institute of Social Sciences 'Ivo Pilar', discussed it mainly in their paper - (Three) one nation: Bosniaks, Muslims, and Muslim Croats in Croatia in the 2001 and 2011 censuses. In the case of the Serbian minority that has been scattered, there are contributions from scholars such as Jurica Botić with his 'Sandzak Bosniaks in the Context of Contemporary Geopolitical and Security Challenges in Southeast Europe' article, that delves into the contemporary geopolitical and security challenges faced by the Sandzak Bosniaks, shedding light on the issues influencing the region's dynamics; as well as the researchers from the Institute of social sciences in Belgrade like Ksenija Marković and her article 'Political challenges, integration national minority with a special review of parliamentary 2016 elections in Serbia, that she wrote for the Ministry of education of the Republic of Serbia'. The studies on this legal issue do not provide any solutions yet but discuss the topic in detail and provide many critics.

In the 'Ten years of the new minority policy in Serbia' that was published by the Faculty of Political Sciences in Belgrade and written by Ilija Vujačić, it was explained that Muslims, Bosniaks, and Serbians are still struggling with the feeling of the deep ethnic animosities towards each other and that the change in legal and political situation will not come if there are still historical unresolved problems. The paper talks about the fact that the legal framework of the state is based on the Serbian nation, and not on the citizens of Serbia and that if it is not changed in the near future, there will not be the cultural and political will of Bosniak/Muslim minority for better dialogue and integration.<sup>96</sup> This issue has also been discussed in the journal Southeast European Politics article - 'Nation-Building vs. Minority-Destroying'. It explains that the Serbian regime failed to recognize the rights of ethnic Bosniaks and that is the reason why they denied the legitimacy of the Serbian regime and the state, that there is a lack of Bosniaks wish to integrate and concludes that the minority would probably be open to integrate into the larger societal framework of a multinational state

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<sup>95</sup> Dario Kuntić, 'Minority Rights in Croatia', Croatian International Relations Review 9, no. 30/31 (2003): 35 <https://hrcak.srce.hr/6705>

<sup>96</sup> Ilija Vujačić, 'TEN YEARS OF THE NEW MINORITY POLICY IN SERBIA.' Political Thought: Journal of Political Science 49, no. 2 (2012): 155 <https://hrcak.srce.hr/84668>



that is not guided by the principle of a simple majority.<sup>97</sup> In another article published by the University of Belgrade, and written by Siniša Orlović, it was explained that work with minority rights is at the level of the human rights service, not the ministry; social instability is constantly present in the southern part of the country, but luckily the OSCE office is doing its best to interfere and help the minority. The organization also played an important role in minority rights through the state-building process in the 1990s and again in 2006.<sup>98</sup>

When it comes to crucial historical information about both minorities, the book 'Muslims and the Making of Modern Europe' by Emily Greble in Chapter 9 called 'The Eradication of the Shari'a Legal Order in Tito's Yugoslavia', explains the historical, political and cultural backgrounds of the question of this minority. It goes into specific details about the animosities between the Muslim minority and the state's political establishment, which lays a solid knowledge base for minority research. Some other articles and books, that are very helpful in understanding the complex historical and political background of this religious ethnic minority are: 'Islam and Muslims in Croatia: a sketch of the Creation of Muslim/Bosniak Essence of Platitude', by Ružica Čičak-Chand and 'The Fear of Islam in Croatian Politics', by Marko Preleć, where it is even discussed the long misunderstanding of hatreds between this minority and other majorities.

In Routledge's book 'Muslims in 21<sup>st</sup> Century Europe: Structural and Cultural Perspectives', that was edited by Anna Triandafyllidou, the religious ethnic group is explained in the more global context, where it gives an understanding of the bigger picture of the issue of this minority and their religion. It is mentioned that Islam has become a politically, culturally, and symbolically important dimension of difference that often overshadows ethnicity.<sup>99</sup>

The yearly report of the different aspects of minorities' life - the Yearbook of Muslims in Europe with its Fourteenth Volumes, gives the most detailed explanations of both state and minority relations. It mentions all aspects of everyday life of religious and ethnic groups, as well as the explanation of new political situations and problems. In some of the volumes, it

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<sup>97</sup> Dejan Guzina, 'Nation-Building vs. Minority-Destroying: Majority-Minority Relations in the Post-Socialist Serbia.' Southeast European Politics 1.1 (2000): [https://www.academia.edu/2338036/Nation\\_building\\_vs\\_Minority\\_destroying\\_majority\\_minority\\_relations\\_in\\_the\\_post\\_socialist\\_Serbia\\_Southeast\\_European\\_Politics\\_1\\_1\\_2000\\_25\\_40](https://www.academia.edu/2338036/Nation_building_vs_Minority_destroying_majority_minority_relations_in_the_post_socialist_Serbia_Southeast_European_Politics_1_1_2000_25_40).

<sup>98</sup> Slaviša Orlović, 'Electoral system and institutional design' in Recommendations for modification of Electoral Legislation in Serbia, edited by Jovanović Milan, Orlović Slaviša et al. (University of Belgrade: National democratic institute for international affairs in Serbia, (2011)), 41 [https://www.researchgate.net/profile/Slavisa-Orlovic/publication/348154898\\_Izborni\\_sistem\\_i\\_institucionalni\\_dizajn/links/5ff0d85aa6fdccdeb8264b85/Izborni-sistem-i-institucionalni-dizajn.pdf#page=131](https://www.researchgate.net/profile/Slavisa-Orlovic/publication/348154898_Izborni_sistem_i_institucionalni_dizajn/links/5ff0d85aa6fdccdeb8264b85/Izborni-sistem-i-institucionalni-dizajn.pdf#page=131)

<sup>99</sup> Anna Triandafyllidou, 'Muslims in 21st Century Europe' (New York: Routledge, 2010)

gives a better overview of the historical background and its connections to nowadays political affairs, and in other volumes, explains more about the relationship of Islamic Communities with each other, the government, and their freedoms and limitations.

In the discussions about the Croatian Bosniak minority, there are a few important articles and books that provide a lot of crucial information for the discussion, but most importantly for the construction of the case study's questionnaire. The research articles such as 'Croats of Islamic religion', 'Islam and Muslims in Croatia and Bosnia', 'Interreligious Dialogue in Croatia', and 'Transitions related to minorities religion - Croatian case' detail many crucial religious issues as well as solutions that would be based on intercultural understanding and education. Few other research articles deal specifically with minority-majority relations in Croatia. Articles such as 'Minority rights in Croatia - from the independence of Croatia until 2010', 'Minority rights in Croatia' by Snežana Trifunovska, 'Minorities and migrants in Europe and Canada', 'Multiculturalism and Integration' by Tariq Modood, and 'Political Parties and Minority Participation' by Bieber et al, give an excellent insight in political minority disputes. However, they all give slightly different solutions to these urgent political matters but remain to answer crucial minority questions. The legal focus of Dimitrios Jim's analysis of Croatia's implementation of the Framework Convention for the Protection of National Minorities in 'The Mixed Tale of Croatia's Implementation of the FCNM: Successful Legal and Institutional Implementation' gives a legal base for the research.

The following literature review provides a comprehensive exploration of the geopolitical significance of the Sandzak region, offering valuable insights into its historical context, political challenges, and the minority rights within the broader framework of Serbia. Florian Bieber's edited work, 'Confronting the Yugoslav Controversies: A Scholars' Initiative Journal on Ethnopolitics and Minority Issues in Europe', sets the stage for understanding the complexities of the region by presenting diverse perspectives on ethnopolitics and minority affairs. Furthermore, the literature reflects a nuanced exploration of Serbia's approach to multiculturalism and minority rights, as evidenced in works like Snežana Ilić's 'Serbia between Multiethnicity and Multiculturalism' and Slaviša Orlović's examination of political representation and elections in 'Political representation of national minorities – Serbia in comparative perspective'. This literature review sets the stage for a thorough exploration of the Sandzak region's geopolitical dynamics, providing a foundation for understanding the historical and contemporary challenges faced by national minorities within Serbia.

The compiled literature provides a more general comprehensive exploration of minority policies, studies, and issues, offering a nuanced understanding of the connections between minorities, multiculturalism, and nationalism within both political and sociological frameworks. Charles Ingrao and Thomas A. Emmert's work in "Confronting the Yugoslav Controversies: A Scholars' Initiative" initiates a scholarly dialogue on ethnopolitics and minority issues in Europe. Dušan Janjić's contribution, "State and Ethnic Minority," further delves into the complex dynamics between the state and ethnic minorities, shedding light on the multifaceted aspects of minority experiences.

The exploration of multicultural citizenship by Will Kymlicka and the edited volume "Multiculturalism, Muslims, and Citizenship: A European Approach" by Tariq Modood, Anna Triandafyllidou, and Ricard Zapata-Barrero provide insights into the broader European context, emphasizing the relationships between multiculturalism and citizenship in diverse societies. Will Kymlicka's "Politics in the Vernacular" adds depth to the discourse by examining the intersections of nationalism, multiculturalism, and citizenship. Florian Bieber's "Institutionalizing Ethnicity in the Western Balkans" contributes to the literature by managing change in deeply divided societies, providing critical perspectives on the complexities of ethnic identity.

Ljubica Djordjevic's exploration of local bodies for interethnic relations in the Western Balkan states underscores the ongoing challenges in implementing effective structures. The examination of kin-minority laws and the 1999 seminar report on minority rights and religious freedom in Balkan countries by Florian Bieber contribute to a nuanced understanding of the evolving dynamics in the region. Additionally, Tariq Modood's "Essays on Secularism and Multiculturalism" further enriches the literature by offering valuable insights into the complexities surrounding secularism and multiculturalism. Collectively, these works provide a wealth of knowledge, contributing to a broader discourse on minority policies, multiculturalism, and the interplay of nationalism within various societal contexts.

In contrast to the broader exploration of minority policies and multiculturalism, the following texts concentrate specifically on the Serbian Bosniak Minority case, unraveling Serbia's nuanced attitude towards this particular minority group. Konstantin A. Polovchenko's work, "Constitutional Rights and Freedoms of National Minorities: The Experience of Serbia," provides a focused examination of the constitutional landscape and the actual experience of national minorities within Serbia. Ljubica Djordjevic's contribution, "Conceptual Disputes

over the Notions of Nation and National Minority in the Western Balkan Countries," delves into the concepts that shape Serbia's approach to national identity and minority status.

Kenneth Morrison's exploration of "Political and Religious Conflict in the Sandzak" goes in on the specific challenges faced by the Bosniak population in the Sandzak region, shedding light on the political and religious dynamics and disputes. The editorial efforts of Zoran Lutovac in "Political Participation and Cultural Autonomy of National Minorities in Serbia" further amplify the understanding of how political structures impact the cultural autonomy of national minorities. Danija Gavrilovic's analysis of "Religions and Religious Beliefs of National Minorities in Serbia" adds depth to the discussion by dissecting the role of religion in shaping the experiences of minority communities.

Nevena Petrusic's work on "International Relations and Protection of Minority Rights in Serbia" explores the broader regional context, illustrating the interconnectedness of minority rights and international relations. Lajos Göncz's examination of "Linguistic Minorities in Serbia (with Special Emphasis on Education in Minority Languages)" explains the vital role language plays in shaping the experiences of minority communities. Ksenija Markovic's work focuses on the "Influence of Political Parties of National Minorities on Cultural Autonomy in the Republic of Serbia," providing insights into the political landscape and its impact on cultural dynamics.

Matthias König's assessment of "The Situation of Minorities in the Federal Republic of Yugoslavia - Towards an Implementation of the Framework Convention for the Protection of National Minorities" offers a comprehensive overview of the challenges faced by minorities in the broader Yugoslav context, which is helpful for the comparison of various study cases. Maria Todorovic's examination of "The Emergence of Bosniak Identity Politics in Sandzak in the 1990s" contributes a historical perspective, tracing the roots of Bosniak identity politics in the Sandzak region. Finally, the "Serbia's Sandzak: Still Forgotten" report from 2005 by the International Crisis Group mentions the ongoing issues and the perceived neglect of the Sandzak region. Collectively, these texts provide a detailed and specific exploration of the Serbian Bosniak Minority case, enriching the understanding of Serbia's complex relationship with the Bosniak group within its borders.

### **3. Theoretical Framework of Political and Cultural Rights of Muslim/Bosniak Minority**

This study explores the political and cultural rights of the Muslim/Bosniak minority in Serbia and Croatia, spanning from the 1990s to the present. The primary inquiry centers around discerning major differences in the Croatian and Serbian governments' attitudes toward respecting the rights and freedoms of the Muslim/Bosniak minority, which will be answered by the usage of the following theories with data gathered from questionnaires and other crucial information from different sources in the Findings/Results chapter. Additional sub-questions delve into the reasons for disparate political outcomes, exploring the timing and motives behind divergent political trajectories and minority policies. The research considers whether shortcomings in Serbia are solely the government's responsibility or also involve minority leaders and religious figures. It contemplates cross-country learning opportunities—Serbia adopting cultural integration lessons from Croatia and Croatia benefiting from Serbia's improved political representation for minorities. The study seeks comprehensive solutions for both cultural and political rights and evaluates the role of international organizations in fostering mutual understanding, coexistence, and a better future. The impact of peace-keeping organizations on minority experiences since their departure from Croatia's capital is explored, along with the role of these organizations in shaping relations between Serbia's majority and the Bosniak/Muslim minority. The theoretical framework draws from key theories in minority studies, political science, and anthropology, offering insights into the complex dynamics at play. The upcoming section will discuss these theories, their relevance, and the nuanced perspectives they contribute to understanding the research question(s), as well as the key definitions and terms that are closely related to the theories and research question.

One of the main terms in this research and the following theories is ethnic minority or national minority or ethnic group. According to the Article 5 of the Constitutional Law on the Rights of National Minorities, “a national minority within the terms of the Law shall be considered a group of Croatian citizens whose members have been traditionally inhabiting the territory of the Republic of Croatia and whose ethnic, linguistic, cultural and/ or religious characteristics differ from the rest of the population, and who are motivated to preserve these characteristics.”<sup>100</sup>

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<sup>100</sup> Government of Republic of Croatia, Constitutional law on national minorities, 2002, Zagreb

In the Law on protection and freedoms of national minorities, Serbian government states “that the national minority is any group of citizens of the Republic of Serbia that is sufficient in terms of numbers representative, although a minority within the territory of the Republic of Serbia, belongs to one of the population groups that are in a long-standing and solid relationship with the territory of the Republic of Serbia and possesses such features as language, culture, national or ethnic affiliation, origin or creed, in which it is different from most of the population, and whose members are distinguished by the care to together they maintain their common identity, including culture, tradition, language or religion.”<sup>101</sup> However, the Framework Convention for the Protection of National Minorities (FCNM) does not define "national minority" as there is no general definition agreed upon by all Council of Europe member states. Each party of the Framework Convention is then left to assess which groups are to be covered by the Convention within their territory.<sup>102</sup>

The term Muslims with a big M has been the old name for the minorities that lived in Croatia or Serbia throughout the 20th century. It was first coined (as a term for an ethnic group, not a religious group) in 1943 at an Anti-Fascist Council,<sup>103</sup> as a national group, then in 1968 for the purpose of political representation and power, and finally in 1972 when it was legally adopted with new Constitution. The whole term was mostly connected to their neighboring state Bosnia and Herzegovina and its citizens who were muslims, but since both minorities are connected to the country, they accepted the term as well.<sup>104</sup> The whole purpose of the term was to distinguish this religious group from other nations that were part of different religions, but most likely since there was a lack of either secular intellectuals belonging to one of these minority groups or a lack of interest and knowledge from the Yugoslavian political elite, the term stayed like that for several decades, and even to this day, there are members of a minority that are using the term on censuses and elections. Members of the Muslim minority and Bosniak minority belong to the same minority, they are just divided on censuses.<sup>105</sup>

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<sup>101</sup>Government of Serbia, Constitutional Law on rights and freedoms of national minorities, no 11/2002, Belgrade, 2002

<sup>102</sup> ‘Factsheet on the Framework Convention for the Protection of National Minorities - National Minorities (FCNM) - [Www.Coe.Int](http://www.coe.int)

<sup>103</sup>War government of Yugoslavia, document ZAVNOBIH, Mrkonjić Grad, 1943

<sup>104</sup>Husnija Kamberović, ‘Dzemaal Bijedic and Affirmation Muslim nations during the 1960s and 1970s’, YU history website, accessed July 2023

<sup>105</sup> Pokos and Hasabegović, ‘(Three)one people. Bosniaks, Muslims and Croats Muslims in Croatia in the 2001 and 2011 census’.

On the other hand, the term Bosniak was produced in the 1990s by right-wing intellectuals, to again distinguish the ethnic group from other nations, but also to replace the term Muslim, since it was inadequate. It was accepted by both governments in the early 21<sup>st</sup> century and is widely used nowadays as a term for minority self-determination.<sup>106</sup> Both minorities in Serbia are part of the old minorities because they inhabited the territory of nowadays Serbia throughout history. On the other hand, Croatian Bosniaks and Muslims are new minorities, because they immigrated from Bosnia in the early 20<sup>th</sup> century and in the late 1970s and 1980s.<sup>107</sup>

It is important to mention that in some news articles, political speeches, and interviews as well as on census information on terminology, the terms Croatian Muslims and Serbian Muslims have ‘surfaced’ in the past two decades. Explanation for these in my opinion might be that it's either citizens coming from interfaith marriage, they are part of some other Slavic nationality or Albanian and do not want to be associated with Bosniaks as they do not have the connection with it, but on the other hand do not want to call themselves Muslims with big ‘M’ as it is old Yugoslavian Socialistic term that was completely politically incorrect. The last option could be that they simply perceive themselves as Croatians even though they have historical backgrounds identical to or similar to the other two minorities.

One of the other crucial terms for this research and the research theories is ethnicity. While the term is going to be discussed in this Chapter by some theorists, I am first just going to give a brief explanation which is widely accepted today. “Ethnicity refers to the identification of a group based on a perceived cultural distinctiveness that makes the group into a “people.” This distinctiveness is believed to be expressed in language, music, values, art, styles, literature, family life, religion, ritual, food, naming, public life, and material culture.”<sup>108</sup>

Now that all the main terms are briefly explained, the following research theories will be summarized and commented on for the interpretation of the research findings.

## Theory of Intersectionality

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<sup>106</sup> Mišur, ‘Hrvati islamske vjeroispovijesti: relikv prošliosti ili moderni europski muslimani?’

<sup>107</sup> Pokos and Hasanbegović, ‘(Tro)jedan narod. Bošnjaci, Muslimani i Hrvati muslimani u Hrvatskoj u popisima stanovništva 2001. i 2011. godine’.

<sup>108</sup> ‘Anthropology - Education, Culture, Society | Britannica’.



Intersectionality (or intersectional theory), introduced by Kimberlé Williams Crenshaw in 1989, delves into the study of overlapping social identities and their interconnected systems of oppression, domination, or discrimination. The theory emphasizes the interaction of various identity markers such as gender, race, class, ability, sexual orientation, religion, and more, on multiple levels.<sup>109</sup>

According to this theory, people often face disadvantages from multiple sources of oppression, and intersectionality highlights the complex convergence of these oppressions. Used widely in qualitative studies, its recent uptake in quantitative research signifies its growing importance. Despite its value, intersectionality has faced backlash, particularly from the right.<sup>110</sup>

“Put simply, intersectionality is the concept that all oppression is linked. Intersectionality is the acknowledgment that everyone has their own unique experiences of discrimination and oppression and we must consider everything and anything that can marginalize people – gender, race, class, sexual orientation, physical ability, etc.”<sup>111</sup>

In my view, intersectionality provides a profound understanding of the nuanced struggles within minority groups. The theory can surely open a path for more focused research on specific segments of the Bosniak/Muslim minorities, such as women in rural areas, LGBTQ+ individuals in rural minority communities, persons with disabilities within the minority, or members of religious minorities born into interfaith families.

### Theory of Primordialism

Historically prevalent until the 1970s, primordialist theory sees ethnic identity as natural, fixed, and permanent. Each individual is seen as born into an ethnic group or 'tribe,' culturally defined and often categorized by material culture, biology, and territorial features. The primordial approach, connected with the 'ancient hatreds' argument/theory, suggests that fundamental cultural differences lead to a 'clash of cultures,' sparking ethnic violence.<sup>112</sup>

Primordialists argue that ethnic conflict stems from inherent differences in ethnic identities, assigned at birth and passed down genealogically. This perspective asserts the fixity of ethnic identity over time, emphasizing the importance of 'common blood' within each ethnic group.

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<sup>109</sup> Bridie Taylor, 'Intersectionality 101', Womenkind Worldwide, accessed Oct 2023

<sup>110</sup> Syracuse University Library, Intersectionality, accessed Sept 2023

<sup>111</sup> *ibid*

<sup>112</sup> Adlparvar and Tadros, 'The Evolution of Ethnicity Theory', accessed Sept 2023



Primordialists anticipate cooperation within the in-group and conflict with out-groups, driven by ancestral, deep, and irreconcilable differences.<sup>113</sup>

However, the primordialist focus on fixed identities overlooks the diverse nature of ethnic group formation. While some associations are short-term, others are longstanding, robust, and deeply rooted in biological and historical contexts.<sup>114</sup>

### Primordialism and its Connection to Ancient Hatred Theory

The connection between Primordialism and ancient hatred theory, as described by journalist Robert Kaplan in his work, attributes ethnic conflicts to hostile feelings between groups based on ethnic identity. Apart from feelings of hostility, he mentions that there is fear of domination which moves groups to attack one another. For example, Kaplan links the Yugoslavian Civil War to 'ancient hatreds' theory and cultural incompatibilities based on religion. For that analysis, he received much criticism and backlash.<sup>115</sup>

While this theory seems to answer some of the questions on ethnic minorities, it seems to me like it was coined and more accepted by right-wing scientists, politicians, readers, and in general more conservative citizens. It might be a useful theory to take into account when discussing these two minorities since they have a strong sense of 'belonging', but I think that even some members of the minority nowadays feel a sense of belonging to both majority and minority ethnicity for the purpose of better integration. However, I think that its connection with the theory of ancient hatred in the case of Croatia and Serbia is and was a bit outdated even for the late 20th century. Some form of this hostile feeling might still exist in areas that do not have much interaction with other ethnic and religious groups and are in general rural, conservative areas with more of the older population. The concept of these so-called 'ancient hatreds' was used historically in the region by extreme right-wing political leaders to mobilize people for their own benefit. Just as scientist Marko Preleć wrote in his short publication for the Global Europe Program the narrative of ancient Balkan ethnic animosity is largely misconstrued. Before the late 19th century, the conflicts in the Balkan peninsula

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<sup>113</sup> Afa'anwi Ma'abo Che , 'Linking Instrumentalist and Primordialist Theories of Ethnic Conflict'., 2016, accessed 2023

<sup>114</sup> 'Ethnic Conflict | Definition, Causes, Types, Examples, & Facts | Britannica'., accessed August 2023

<sup>115</sup> Jonas, Gareth, 'Were "Ancient Hatreds" the Primary Cause of the Yugoslavian Civil War?', 2019, accessed 2023

primarily unfolded between the South Slavs and their imperial neighbors, rather than internal strife among the South Slavs. He also mentioned that it's essential to note an authentic ancient conflict in the region, which entangled the South Slavs with the Ottoman Empire.<sup>116</sup> It might be a good theory for analyzing the extreme right-wing political movements during the 1990s, which still have some small political remains nowadays, but the theory does not have many proofs in the 21st century.

### Theory of Instrumentalism

Initiating a challenge to classic primordialist perspectives, instrumentalism emphasizes the situational nature of ethnicity. Scientist Barth contends that ethnic boundaries are maintained through the interaction of 'us' and 'them,' with cultural features being situationally defined rather than fixed. The 'Manchester School,' exemplified by Abner Cohen's study in 1969 on the Hausa and Yoruba tribes, underscores ethnicity's principal function as an informal political organization. Political elites, as seen in Cohen's work, create and exploit 'primordial' symbols to garner followers. Cohen's analysis also helped lay the foundation for instrumentalist contributions to the study of ethnic conflict. He explains that elites provoke ethnic tensions and, sometimes intentionally provoke ethnic violence as a method to gain power and protect their existing authority.<sup>117</sup>

Nathan Glazer and Daniel Moynihan in 1975 contributed to instrumentalism by framing ethnicity to the state, highlighting its 'strategic efficacy' in making claims on the modern state.<sup>118</sup> In the instrumentalist view, ethnic conflict does not arise directly from differences in ethnic identity but results when these identities are politicized for political and socio-economic advantages. Ethnic conflicts, under instrumentalism, are often motivated by grievances and frustration. Unlike primordialism, instrumentalism recognizes the role of political and socio-economic structures in understanding temporal and geographical variations in ethnic conflicts.<sup>119</sup>

However, instrumentalism, while acknowledging elite manipulation, cannot independently explain the ease with which people mobilize along ethnic lines. It draws on primordialism's understanding of ethnicity's power in fostering a sense of 'common blood,' shared values, interests, threats, and solidarity crucial for collective action.

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<sup>116</sup> Marko Prelec, 'The Fear of Islam In Croatian Politics | Wilson Center', Wilson Center, 169

<sup>117</sup> Adlparvar and Tadros, 'The Evolution of Ethnicity Theory'.

<sup>118</sup> *ibid*

<sup>119</sup> Che, 'Linking Instrumentalist and Primordialist Theories of Ethnic Conflict'.

The instrumentalist approach sees ethnicity as a tool used by individuals and groups to mobilize populations for political goals such as self-governance, autonomy, resource access, and minority rights. Despite its insights, instrumentalism faces criticism from those who argue that ethnicity, unlike political affiliations, is deeply rooted in and regulated by society as a whole.<sup>120</sup>

I believe that Cohen's theory of the political elite's usage and exploitation of 'primordial' symbols and intentional provocation of ethnic violence as a method to seize power and protect their existing authority, could be used to understand violence based on ethnic differences that happened in the 1990s in Sandžak region in Serbia (with kidnapping, stealing from and destroying minority's properties),<sup>121</sup> as well as nowadays, with some extreme right-wing politicians who are using the old fears of the 'other' in this case an ethnic religious minority for their own benefits. This theory could be used as well to explain the situation in which the Croatian Muslim minority was during the invasion/war and the early stages of the country's independence. One research showed that Croatian Muslims during the second part of the 1990s experienced social and cultural exclusion from the majority, mostly because of the fact that they were of different religions.<sup>122</sup> But the situation quickly changed for the better. One of the reasons for the situation might be that Bosnian Croats/Catholics were at war with Bosnian Muslims in the southwestern territory of Bosnia and Herzegovina at some point during the 1990s, and the political elite at that time, which was extremely conservative, was using the fear of the war. Luckily, nowadays Croatian Bosniaks/Muslims are not witnessing political provocations.

### Constructionist Approach/Theory

In contrast to primordialism and instrumentalism, the constructionist approach posits that ethnicity is not inherent but socially constructed. This theory, building on its instrumentalist predecessor, asserts that ethnicity is continuously constructed through social interactions involving both elites and ordinary individuals.<sup>123</sup>

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<sup>120</sup> 'Ethnic Conflict | Definition, Causes, Types, Examples, & Facts | Britannica'.

<sup>121</sup> Refugees website, 'Refworld | Chronology for Sandzak Muslims in Yugoslavia', accessed June 2023

<sup>122</sup> Ivan Šiber, 'War and the Changes in Social Distance Toward the Ethnic Minorities in Croatia', *Issues in Croatian Politics: Voters, Minorities and Media*, 1997, Zagreb

<sup>123</sup> Adparvar and Tadros, 'The Evolution of Ethnicity Theory'.

Main agents in the theory are

#### Individuals as Agents of Social Construction

It explains that ordinary people, alongside elites, play a crucial role in the continuous construction and reconstruction of ethnicity. Ethnic identity is seen as evolving through the everyday actions of individuals who perceive themselves as part of a specific ethnic group. In the context of ethnic conflict, constructionist theories highlight how marginalized members may contest existing identities, leading to the construction of new ones. This process can trigger violence, either retaliatory or directed at other ethnic groups, as a means of gaining acceptance or challenging established identities.<sup>124</sup>

#### Discursive Formations as Agents of Social Construction:

Another strand of constructionist theory emphasizes the role of discursive formations or cultural systems in shaping ethnic differences. However, this perspective has faced criticism for bordering on primordialism, as it implies a static and unchanging role of culture in ethnic construction. Concerning ethnic conflict, this literature explores how discourse can predispose one ethnic group to view another as a natural target for violence. However, it is criticized for its inability to explain the wide variety and variance in ethnic violence globally.<sup>125</sup>

#### Broad Structural Forces as Agents of Social Construction:

The largest group of constructionist theory focuses on the impact of broad social, political, and economic forces on the construction of ethnicity. This part of the theory often explores ethnogenesis, the process leading to the emergence of ethnicity, linked to factors such as globalization, modernity, nationalism, and the formation of nation-states. In the context of theorizing ethnic conflict, constructionist literature argues that broad structural forces, like modernization, can lead to ethnic tensions, although lacking a general explanation for how ethnic conflict emerges. The concept of 'converging aspirations' is proposed to explain why ethnic violence may occur in the wake of modernization.<sup>126</sup>

The constructionist approach/theory seems like a very logical explanation for the formation of ethnic groups and minorities. In my opinion, the theory's idea that normal citizens are also

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<sup>124</sup> *ibid*

<sup>125</sup> *ibid*

<sup>126</sup> *ibid*

part of the construction of ethnic groups can have examples in both of these minority cases. Long before political and religious elites of Bosniaks in Serbia and Croatia started constructing the idea of the Bosniak/Muslim ethnic groups, ordinary people were already viewing themselves as part of the different ethnic groups. The best example is Croatia's Parliament's recognition of Islam as the state religion in 1916. Another smaller example can be the document of Legal basis for the creation of the Islamic Religious Community in Serbia created by the Law on Waqf Countries in 1863.<sup>127</sup> Although this decision might have some other external influences and pressures as well. However it is important to keep in mind that both minorities did not have strong political elites at those times, but their religious and ethnic identity was very strong.

### Marc Howard Ross's theory

Scholar Marc Howard Ross proposes a psycho-cultural interpretation theory of ethnic identity, emphasizing shared, deeply rooted worldviews shaping group dynamics. He asserts that ethnic identity, unchangeable but adaptable, plays a central role in conflicts, challenging a group's existence. The theory recognizes variations in ethnic identity depth and dynamism, suggesting that the expression of ethnicity leading to violence depends on context. Ross identifies war, shared history, discrimination, literacy, and non-immigrant status as factors influencing ethnic identity salience and intensity. The theory highlights the adaptability of ethnic identities to unforeseen circumstances, contributing to their complexity and resilience.<sup>128</sup>

The theory by Ross seems to me like an extension of primordial theory. While I do not agree with some aspects of this theory, I can notice in these minorities' cases the patterns of the history of common efforts, stories of sacrifices for a common goal, and memories of human suffering that create strong connections among the members of affected ethnic groups, and a pattern that if a group experiences economic, political, and cultural discrimination, group cohesion tends to increase.

### Triangular relationship theory

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<sup>127</sup> Smailović, 'mufti Aseric: Serbia recognises Islam 50 years before Croatia', Belgrade, 2016

<sup>128</sup> 'Ethnic Conflict | Definition, Causes, Types, Examples, & Facts | Britannica'.

Florian Bieber's article highlights the ongoing transformation of the triangular relationship among state, nation/ethnicity, and democracy in post-Yugoslav states. Ethnicity plays a significant role, shaped by a history of conflicts and tensions between majorities and minorities.<sup>129</sup> Rogers Brubaker's theory of the triangular relationship extends to national minorities, newly nationalizing states, and external national homelands. Minorities often face a mismatch between formal citizenship and ethnonational affinity, dealing with conflicting nationalisms from their residing state and homeland. Conflict arises when ethnically heterogeneous nation-states promote their dominance, while alienated minorities seek autonomy and resist assimilation. External homelands monitor and support their diaspora politically, sometimes claiming territorial rights. This dynamic can lead to accusations of disloyalty, illegitimate interference, and struggles for recognition and rights. The term "national minority" is constantly fostering ongoing struggles and reciprocal monitoring among the three elements.<sup>130</sup>

The theory could be used for the explanation of these two minorities during the dissolution of Yugoslavia. Just like with many other minorities in all the countries, Serbian Bosniaks and Muslims felt a strong connection with neighboring Bosnia and Herzegovina, because of shared history, in some partial way shared religion (Serbian Bosniaks/Muslims being Muslims, and citizens of Bosnia and Herzegovina having Islam as one of the four main state religions), and maybe even in some way shared so-called 'ethnic trauma'. The connection at cultural and political levels is still very strong, which is even guaranteed to them by Article 2, 5. of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities that says that persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.<sup>131</sup> The case was similar with Croatian Bosniaks and Muslims during the 1990s, but this minority has been smaller and in the last two decades better integrated, so I would say that their relationship with neighboring Bosnia and Herzegovina is not as strong as it is the case with Serbian Bosniaks/Muslims.

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<sup>129</sup> Article by Florian Bieber for Journal on Ethnopolitics and Minority Issues in Europe

<sup>130</sup> Brubaker, 'National Minorities, Nationalizing States, and External National Homelands in the New Europe'.

<sup>131</sup> UN, UN Convention on minorities rights, Geneva, 1992

In summary, although the theories of Intersectionality, Primordialism, and Marc Howard Ross contribute valuable perspectives for interpreting findings and data, they don't seamlessly align with the narrative. However, I believe that intersectionality is of a big importance for future studies on this topic. Conversely, the Triangular Relationship theory, the Constructionist approach, and the theory of Instrumentalism offer more adaptable segments that align well with the research. As a result, these three theories will be prominently utilized in the thesis.

#### **4. Methods**

The pursuit of answering the profound research question posited in this thesis, "When comparing two study cases, can the major differences be seen in attitudes of the Croatian and Serbian governments towards respecting the Muslim/Bosniak minority rights and freedoms?" requires a comprehensive approach to research and analysis. In navigating this intellectual terrain, I used a few methods, approaches, and analyses, each contributing to the nuanced understanding of the complex issue.

The initial phase of data collection involved a deep engagement with secondary sources, employing thematic qualitative analysis coupled with the line-by-line coding derived from the Constructivist Grounded Theory by Kathy Charmez. This coding served as the foundational step in conceptualizing ideas, wherein the segmentation of data into concise sections allowed for the development of abstract notions. These labels and categories proved instrumental in shaping the direction of my research as I delved into the issue of minority rights.<sup>132</sup> The thematic qualitative analysis, complemented by Constructivist Grounded Theory coding, not only facilitated the organization of data but also laid the groundwork for the emergence of new ideas. This methodological analysis allowed for the exploration of multifaceted themes that, in turn, guided the construction of interview questionnaires. As the research unfolded, these themes played a pivotal role in structuring the analysis of interview responses, ensuring a nuanced understanding of the attitudes of the Croatian and Serbian governments toward the Muslim/Bosniak minority.

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<sup>132</sup> Ildikó, 'How to Code Qualitative Data?', accessed January 2023

Thematic analysis, together with coding, played a pivotal role in refining my focus and pinpointing key issues in the early stages of exploration. These insights were invaluable in shaping the construction of interview questionnaires and later proved essential during the analysis of interview responses.

In certain segments of my research, where the data required both qualitative and quantitative dimensions, a blend of qualitative and quantitative methods was employed. This included census data, threshold, and parliamentary seat numbers, to ensure comprehensive and nuanced findings.<sup>133</sup>

The integration of inductive and deductive research approaches was crucial given the diverse nature of the data encountered. The inductive 'bottom-up' approach facilitated the creation of open-ended questionnaires, fostering an exploratory and knowledge-enriching process during interviews. Conversely, the inductive 'top-down' approach was instrumental in testing and applying predefined theories to the gathered data.<sup>134</sup>

In the realm of mixed methods research design, the deployment of a convergent parallel design was a strategic choice. Collecting data simultaneously but analyzing them differently and employing different methodologies enabled a comprehensive comparison of findings and a more nuanced formulation of conclusions.<sup>135</sup>

The qualitative method for my research included in-depth interviews, case studies, and a bit of observation, with the case study adopting an explanatory stance seeking to find causal factors explaining specific phenomena. The qualitative analyses incorporated thematic analysis, which helped me, through coding, find themes that would support the existing theories of the research, discourse analysis, and critical discourse analysis, which helped with analyzing emails, interviews, and most importantly by allowing me to include the social context as well as language in interpretations, conversation analysis for communication through phone and video calls, documentary analysis for secondary sources and legal documents, content analysis for Constitutions and Laws, and comparative analysis. I used the Comparative method of analysis together with a cross-case study, meaning that I had two cases, which after

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<sup>133</sup> George, 'Mixed Methods Research | Definition, Guide & Examples' accessed February 2023

<sup>134</sup> Streefkerk, 'Inductive vs. Deductive Research Approach | Steps & Examples'. accessed February 2023

<sup>135</sup> 'Basic Mixed Methods Research Designs' accessed February 2023



researching, collecting, and examining the data, I later compared and derived the conclusions from that comparison. All of these analyses were crucial in answering my research question.<sup>136</sup>

The selection of sources for analysis encompassed a diverse array of materials such as journal articles, books, news articles, legal documents, and conventions. This multi-faceted approach not only enriched the research but also ensured an examination of the subject matter from various angles.

Transitioning to the specifics of the interview process, the interviews conducted with the Croatian minority involved two distinct questionnaires administered to four participants. For the Serbian minority, six participants were interviewed with seven questionnaires distributed. Challenges arose in securing participation from the Bosniak National Community in Zagreb and the Islamic Communities in Serbia, impacting the final participant count.

The qualitative, open-ended, and in-depth nature of the questionnaires sent via email underlined the depth of insights sought from the participants. The selection of interviewees followed purposeful and snowball sampling methods. Purposeful sampling, marked by its subjectivity, aimed to recruit participants providing in-depth information about the phenomenon under investigation. While this method was initially intended as the primary and only approach, logistical constraints required the addition of a snowball sampling technique. This unique approach involved leveraging initial participants to identify others meeting the eligibility criteria, proving instrumental in expanding the number of interviewees with firsthand knowledge of minority issues.<sup>137</sup>

In essence, these methods and approaches served as a compass guiding the research through the labyrinth of comparative analysis, ensuring the richness and depth of insights required to address the research question at its core. The complexity of the research demanded a multifaceted analytical approach, with each method contributing uniquely to the tapestry of understanding surrounding government attitudes towards minority rights and freedoms in Croatia and Serbia.

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<sup>136</sup> UK Research and Innovation, 'Qualitative Research', accessed June 2023

<sup>137</sup> SooleenAbbas, 'Different Types of Sampling Techniques in Qualitative Research', accessed June 2023

## **5. Findings/Results**

### **5.1. Bosniak/Muslim minority in Croatia**

The insights presented in this section are derived from a series of in-depth, open-ended interviews conducted to address the central research question: "When comparing two study cases, can the major differences be seen in attitudes of the Croatian and Serbian governments towards respecting the Muslim/Bosniak minority rights and freedoms?" This initial set of findings focuses on interviews conducted with members of the Bosniak/Muslim minority in Croatia. The interviews involved four participants, with each responding to 16 questions. Additionally, two supplementary questions were directed specifically to the interviewee from the Islamic Community in Croatia. For comprehensive access to the complete questionnaire and detailed responses, the appendices and annexes section should be viewed, facilitating a thorough exploration of the results.

The first interviewee was Mr. Mustafa Alagic who is 65 years old, from Zagreb, and works as a president of the Association of Independent Intellectuals 'Circle 99'. He was the former owner of the publishing house 'Sarajevo Publishing' which had some of its headquarters in Zagreb. The second one was Miss Aida Alagic, who is 31 years old from Zagreb, and an assistant at the University of Zagreb, Faculty of Philosophy. The third one is Mr. Bermin Meškić (38 years old, Zagreb) who studied at the Faculty of Law at the University of Zagreb and the Diplomatic Academy of the Ministry of Foreign Affairs. He was a former Member of the Council for National Minorities at the Government of the Republic of Croatia and a candidate for the Croatian Parliament in 2020, and Mr. Senad Hevešević was the last interviewee. He is from Osijek, a member of the Islamic Community Council in Croatia from 2017 to 2018, and an author of the 2018 chapter on Croatia in the 'Yearbook of Muslims' published by Brill. They all have offered diverse perspectives on various aspects related to the Bosniak and Muslim minorities in Croatia. Their insights, spanning issues of constitutional rights, political representation, cultural autonomy, and the historical context of Muslim identity in Croatia, contribute to a comprehensive understanding of the challenges and opportunities faced by these communities. The interviews provide valuable firsthand accounts and reflections on the intricate dynamics shaping the experiences of Bosniaks and Muslims within the Croatian social and political landscape.

When asked about legal recognition of the minority, Mustafa Alagic, president of the Association of Independent Intellectuals ‘Circle 99’, attributed the delay in recognizing Muslims as a national minority in Croatia to the dominance of right-leaning forces in the political landscape after the formation of the Croatian state in 1991. According to him, national minorities were pushed to the background, and some politicians propagated the idea that Croatia is the home of Croats, considering others as tenants. Alagic believes that the pressure from the Venice Commission played a crucial role in expediting the process and directing it in the right direction. He asserted that without this external pressure, the resolution of minority issues, especially for Bosniaks, would have been further delayed. Aida Alagic, an assistant at the University of Zagreb, saw the delay in recognizing Muslims as a national minority in Croatia as a result of the emphasis on forming a nation-state and the national identity of Croatia after the Croatian War of Independence. She explained that national minorities were a minor theme in this context. Aida believes that the pressure from the Venice Commission was beneficial and accelerated the process, which would have otherwise been delayed by a few years. Bermin Meškić, a former member of the Council for National Minorities at the Government of Croatia, provided historical context. He pointed out that Muslims were initially recognized as a national minority in the Constitution of the Republic of Croatia in 1990 but were removed in the 1997 amendments. The subsequent restoration of their status as Bosniaks in the 2010 amendments rectified this exclusion. Meškić emphasized the significance of external factors, particularly the influence of the EU path for Croatia, in shaping legal solutions. He noted that the conditions for national minorities in Croatia are generally positive, but there is a need for proper organization, planning, and cooperation with political stakeholders. Senad Hevešević, a member of the Islamic Community Council in Croatia, acknowledged the consequences of wartime challenges and the EU-driven legal solutions in Croatia. He emphasized that political decisions were influenced by various factors, both internal and external. He noted that the positions of national minorities in Croatia are generally positive, and improvements are achievable through effective organization, planning, and collaboration with political stakeholders. The consensus among the interviewees was that the pressure from the Venice Commission played a significant role in prompting Croatia to recognize Muslims as a national minority. They attributed the delay to political factors, emphasizing the dominance of right-leaning forces and the focus on nation-building in the aftermath of the war. The historical context, legal amendments, and the

EU integration process are identified as key factors shaping the recognition of national minorities in Croatia.

Mr. Mustafa Alagić expressed the view that the interference of the International Community in Croatian politics of the 1990s was necessary, yielding positive results in the relations between the Bosniak minority and the Croatian majority. He emphasized that without this external pressure, the current state of relations, while improved, remains less than satisfactory. Miss Aida Alagić echoed this sentiment, describing the international intervention as positive. She believed it played a crucial role in tempering nationalist tendencies prevalent in Croatian politics during the '90s and '00s. Aida asserted that this intervention was necessary to shield the Bosniak minority from potential neglect and discrimination by the majority. On the other hand, Mr. Bermin Meškić took a broader historical perspective, where he highlighted the honorable nature of the Croatian defensive and liberation war and connected it to a good example of the interference of international organizations in the 1990s. Mr. Meškić acknowledged the successful construction of the Croatian state, its Euro-Atlantic integration, and the positive outcomes of EU accession negotiations, as another good example.

In the discussions about language and culture, Mr. Mustafa Alagić noted that during the second half of the 1990s, the social climate for national minorities in Croatia, especially concerning language and speech, was strongly unfavorable. Changes began with the shift in government in 2000, particularly improving the situation for Bosniaks, and significant changes were felt with Croatia's entry into the EU. Miss Aida Alagić echoed similar sentiments, emphasizing the persistent prejudices faced by national minorities, especially in language and speech. Aida observed a better societal position for the Muslim national minority over time, but in her opinion, hierarchical sections still promote a strong national component. Mr. Bermin Meškić outlined the successful period of Bosnian schools during the war, emphasizing constitutional provisions and laws guaranteeing language and script rights for national minorities. He acknowledged the passing of instructions in 2012 for the consistent implementation of language laws and stated that Bosniaks are not coerced to use Bosnian instead of Croatian in personal accounts, but that Croatian might be used as the languages are very similar. Mr. Senad Hevešević discussed that there were prejudices and language issues faced by minorities in the '90s. He highlighted positive changes resulting from maturing minority institutions, improved connectivity to funding sources, and the introduction of

minority language instruction in schools. He emphasized that the transition to a multi-party system requires time and resources for institutions to achieve a satisfactory level of quality activity.

Mr. Mustafa Alagić stated that in the first decades of Croatia's statehood, there are no known examples of property usurpation against the Bosniak minority. Miss Aida Alagić, while not witnessing such situations personally, expressed that it wouldn't surprise her if they occurred. Mr. Bermin Meškić and Mr. Senad Hevešević were not aware of Bosniaks being denied property ownership rights during the stated period.

Regarding employment discrimination, Mr. Mustafa Alagić highlighted discrimination in the state sector but not in the private sector. Miss Aida Alagić shared a personal experience of facing resistance based on her name during employment selection, despite being the most qualified candidate. Mr. Bermin Meškić referred to Constitutional Law on the Rights of National Minorities, noting provisions for representation in state and local administration. However, he emphasized poor implementation and a need for advocacy, as well as the minority's ignorance of the possibility of using the Law in their favor. Mr. Senad Hevešević acknowledged occasional discrimination against Muslims and Bosniaks in employment due to names and origin, especially for higher positions in the social hierarchy.

When it comes to changes related to the EU accession process, Mr. Mustafa Alagić acknowledged a change in policy towards the Bosniak minority, but he did not observe abrupt changes before or after Croatia's EU entry. Changes, according to him, have been gradual and subdued. Miss Aida Alagić also did not witness sudden changes but noted a slow acknowledgment of the Bosniak minority as a legitimate minority. She sees room for progress in the state's approach to the minority. Mr. Bermin Meškić viewed the EU accession negotiations positively, accelerating the exercise of minority rights. However, after entry into the EU, he described the situation as stagnant, with national minorities not being a priority.

Regarding the President of the Council for National Minorities' concerns about Croatian Radio and TV's (HRT) failure to meet minority-related obligations, Mr. Mustafa Alagić attributed the issue to HRT's editorial policy rather than resource limitations. He expressed skepticism about significant improvements without EU pressure. He mentioned as an example of minority involvement that he occasionally works as an editor for someone at HRT with a

Bosniak background. Miss Aida Alagić believes that the situation at HRT can be fixed with will, but she sees a lack of current political will in Croatia. She assumes that Muslim/Bosniak minority employees at HRT are minimal and serve only to meet default quotas. Mr. Bermin Meškić acknowledged the existing problem pointed out by the Council, expressing doubt about significant changes due to a lack of political will. He said he knows at least one Bosniak minority employee at HRT. Mr. Senad Hevešević emphasized the need for quality programs to foster the language and culture of national minorities. He had no specific information about the number of Bosniak or Muslim employees at HRT.

On the topic of the involvement of the citizens in politics, Mr. Mustafa Alagić believes that the exclusion of Bosniak intellectuals from the Croatian political scene is due to the lack of interest from the ruling political elite and the reluctance of Bosniak intellectuals to challenge the corrupt political system. Miss Aida Alagić attributed the limited involvement of Bosniak intellectuals to the reluctance of the cultural and political hegemony in Croatia to include anything threatening national discourse. She also suggested the reluctance of Bosniak intellectuals to confront an unjust and corrupt system. Mr. Bermin Meškić emphasized the historical contribution of Bosniaks to Croatia but acknowledged a lack of political engagement. He cites disunity among Bosniaks as a hindrance and advocates for a change in the paradigm of action or consolidation within the Bosniak community. He stressed the need for a special proxy for Bosniaks in the Croatian Parliament. Mr. Senad Hevešević points out the lack of tradition for minority engagement in higher levels of the political scene, insufficient readiness of intellectuals for party work, and a need for a stronger construction of religious and national identity to resist assimilation pressures.

Regarding the parliamentary representation issue, Mr. Mustafa Alagić believes that the Bosniak minority needs its own representative, considering it is the second-largest minority. He suggested joint efforts by the Bosniak minority and the Croatian government, possibly with EU assistance. Miss Aida Alagić agreed that MP Ermina Lekaj Prljaskaj cannot equally and correctly represent five distinct minorities. She called for greater effort from the Minority Council and the government to address this problem. Mr. Bermin Meškić supported the idea that a single MP cannot represent five national minorities equally and believes the Bosniak minority needs its own representative in Parliament. He emphasized the need for a special unit for Bosniaks in the Croatian Parliament. In summary, all interviewees agreed on the need for

greater Bosniak representation and involvement in Croatian politics, addressing issues related to both cultural recognition and parliamentary representation.

When it comes to self-declaration discussions, Mr. Mustafa Alagić expressed a negative view of self-declarations, preferring the term Bosniak and considering the clarification as Muslim negative due to its religious connotation. He believes the three modes of self-declaration for Muslims in Croatia are encouraged by the ruling policy to disunite and downplay Bosniaks.

On the other hand, Miss Aida Alagić sees in general pluralism in self-declaration as a positive thing and doesn't find the need to build a single identity. She explained that she doesn't have a problem with the variety of self-declarations. Mr. Bermin Meškić acknowledged that self-declarations for Muslims in Croatia haven't helped in building a unified identity. He emphasized the importance of education to address the issue and pointed out that trying to ban or impose declarations is not the solution. Mr. Senad Hevešević also believes that people should be allowed to declare themselves as they see fit and that the focus should be on educating individuals about the distinctions between religious and national pronouncements.

Regarding the question about combining figures for Muslims and Bosniaks for a more accurate count on the census, Mr. Mustafa Alagić thinks the Bosniak community needs to work on promoting the identity of Bosniaks. He sees the larger number of self-declarations as Muslims as a result of a not fully built statehood and a passive mentality. Again, on the contrary, Miss Aida Alagić sees no reason to deny self-declaration to any group of people, emphasizing that if statistics are crucial, the count can be done without linking it to questions of personal identity. Mr. Bermin Meškić sees the desire for greater minority rights and better political representation as essential. He believes that sending a message of maturity and a clear sense of identity is the primary reason for self-declaration. In summary, opinions on self-declaration vary among the interviewees, with some favoring the term Bosniak and others expressing a more open attitude toward pluralism in self-identification. The discussion also touches on the importance of education and the desire for better representation and minority rights.

In the discussions about the Council of National Minorities, Mr. Mustafa Alagić viewed the Council for National Minorities as serving the government's politics and believes it hasn't brought any benefit for national minorities. He perceives it as lacking an impact on political decisions. Miss Aida Alagić has a similar view, she hasn't experienced any benefits from the



Council's work and sees such bodies as potentially serving as convenient backdrops to meet norms without concrete political power. Mr. Bermin Meškić, who mentioned that he worked at the Council for a short time, while acknowledging the Council's usefulness, noted its limited impact on politics. He suggests in general improvement through better projects, and he emphasizes the importance of education and representation for national minorities.

In the topic of suggestions for the Council's improvements, Mr. Mustafa Alagić proposed securing quality funding to enable the Council to achieve its purpose without being kept under total government control. Miss Aida Alagić suggested working on the Council's visibility, making its roles and tasks known, and improving transparency in funding. Mr. Meškić emphasized the need for better project writing and pointed out the challenge of distributing funds fairly, calling attention to the lack of political representation.

Regarding the relationship with Croatian ministries, Mr. Mustafa Alagić noted minimal interaction, with slight positive shifts in education for minority communities after Croatia's EU accession. Miss Aida Alagić did not have concrete knowledge but believed that cooperation has improved somewhat since joining the EU. Mr. Meškić highlighted the presence of the Bosnian language in schools for the Bosniak minority but pointed out the issue of low participation from the community.

In the discussion about OSCE and its past influence, Mr. Mustafa Alagić and Miss Aida Alagić haven't felt significant benefits or impact from its work. Mr. Bermin Meškić has no knowledge of the OSCE's involvement in Croatia.

In an additional discussion with Mr. Hevešević about Islamic Community matters, he acknowledged that the Islamic Community in Croatia faced challenges since the country's independence in the 1990s. These challenges included internal issues such as financial, personnel, and organizational difficulties within the Islamic Community. External factors, such as interfaith and international relations during the turbulent period of the 90s in the former Yugoslavia, also contributed to the challenges. While the constitutional principle granting freedom and independence to religious communities, including the Islamic Community, existed from the beginning, its application faced various directions and hardships. Mr. Hevešević suggested that a detailed analysis of archival documentation on



relations between the Islamic Community and the State would provide a more comprehensive understanding.

Regarding the question of Muslims in Croatia and their European identity, he emphasized that the Islamic Community in Croatia is a multinational community, predominantly composed of Bosniaks and Albanians—indigenous European people. He argued that the absence or problematization of the European identity of Muslims in Croatia would be contradictory, given the historical presence of Muslims on European soil since the 8th century. He mentioned that the experience of the Islamic Community's integration in Croatia over the years could be beneficial to Muslim communities in the European Union. However, he noted that a clear definition of the so-called European identity would be needed for a more precise answer to the question.

In conclusion, the perspectives shared by the interviewees shed light on the complexities and challenges faced by the Bosniak and Muslim minorities in Croatia. The discussions covered a range of issues, including property ownership, employment discrimination, political representation, and the nuanced relationship between religious and national identities. The interviewees highlighted both positive developments, such as increased awareness and legal provisions for minority rights, and persistent challenges, including the need for better political representation and addressing discriminatory practices. Additionally, the role of international organizations, particularly the OSCE, and the dynamics within the Islamic Community in Croatia were explored. Overall, the interviews provided valuable insights into the intricate dynamics surrounding minority experiences and their integration within the Croatian socio-political landscape.

## **5.2. Bosniak/Muslim minority in Serbia**

In exploring the perspectives of the Bosniak minority in Serbia, a diverse narrative emerges, reflecting the complex language, culture, and political dynamics. In the following part, the responses from various individuals shed light on the challenges and opportunities faced by the Bosniak community within the minority socio-political landscape. From discussions on language rights to considerations of cultural identity, these insights offer a good understanding of the complexities inherent in the relationship between the Bosniak minority and the larger Serbian context. The interviewees for this questionnaire encompassed a diverse group of individuals, each offering unique perspectives on the Bosniak minority in Serbia. Amela

Zoranić, 44 years old and coming from Novi Pazar, is a distinguished Professor of English Language and Literature. She has served as the former dean of the Department of Arts and vice chancellor for teaching at the International University of Novi Pazar. Additionally, she held the positions of representative in the Serbian People's Assembly and chief secretary of the Bosniak Cultural Community. Jasmin Hodžić, 40 years old, represents the Social Democratic Party of Serbia in the Parliament, residing in Priboj/Belgrade. Sanida Klarić, 61 years old and based in Belgrade, is a graduate of the Faculty of Philosophy, actively involved in projects addressing employment, social entrepreneurship, and poverty reduction. Admir Mulaosmanović, 39 years old, from Priboj, serves as an employee in one of the municipalities of Priboj. Dželila Mujović, an 18-year-old high school graduate from Novi Pazar, provides a youthful perspective to this research. Mehmed Kurtagić, a 40-year-old teacher at 'Novi Pazar' high school, also shares insights from the same city. Muamer Suljić, 62 years old and from Novi Pazar, is a Doctor at the local hospital and a university professor.

In the upcoming section, we will delve into key issues faced by the minority, aiming to address the primary research question of this study.

In the discussion about the possible decentralization of the state, Amela Zoranić, a former dean and representative in the Serbian People's Assembly, believes that while the decentralization of Serbia is essential, it may not necessarily solve the Bosniak issue. Admir Mulaosmanović, a government administration employee in Priboj, suggested acknowledging the territorial divisions of Sandzak and advocated for the Muslim-Bosniak people to continue living in Serbia with their rights protected, emphasizing the importance of coexistence. Dželila Mujović, a high school graduate, supported the idea of decentralization and greater autonomy for Sandzak, expressing optimism that it would grant more rights to Bosniaks without leading to assimilation. Mehmed Kurtagić, a high school teacher in Novi Pazar, agreed that decentralization and autonomy for Sandzak are necessary but emphasized the role of EU institutions to ensure an intercultural and politically acceptable process. Muamer Suljić, a doctor and university professor in Novi Pazar, sees decentralization and regional autonomy, potentially extending across borders with Montenegro, as a viable solution for addressing the Bosniak minority's concerns.

In the exchange of views about autonomy, Miss Zoranić argued that greater cultural autonomy for the Bosniak minority would not disturb social integration; instead, it would enhance openness to diversity, fostering better interculturalism. Mr. Mulaosmanović supported the idea

of greater cultural autonomy for Bosniaks/Muslims, emphasizing the importance of developing their identity to facilitate interaction with other cultures. He acknowledged the existing multiculturalism in Sandzak but emphasized the need for more effort in fostering intercultural understanding. Miss Mujović holds the view that greater cultural autonomy for Bosniaks would improve the overall image of multiculturalism in Serbia. Mr. Kurtagić believes that greater cultural autonomy would contribute to better intercultural respect, promoting a more accurate representation of ethnic diversity. Mr. Suljić contended that greater cultural autonomy is crucial for fostering multiculturalism in Serbia, aligning with societal norms.

Miss Zoranić suggested that the state's approach to minority issues depends on the unity of political entities within minority parties. The lack of consensus on national issues among Bosniak political parties allows the government to address individual needs while neglecting the broader needs of minority peoples. She also noted that the existence of two Islamic communities contributes to the state's neutrality. Mr. Mulaosmanović believes that the state practices segregationist multiculturalism, emphasizing the need for civil, non-national political parties. He asserted that the Islamic community advocates coexistence and respect for others. Miss Mujović observes a shift towards integrative multiculturalism, indicating a positive change in the state's approach. Mr. Kurtagić emphasized the importance of reinforcing cultural communities against divisive political entities to promote integrative multiculturalism. Mr. Suljić notes a systemic shift towards integrative multiculturalism but highlighted inadequate representation of Bosniaks in public institutions. He attributed poor progress in social ties to the responsibilities of both majority and minority political parties and religious communities, citing disagreements within the Islamic community. Jasmin Hodžić acknowledged both processes but suggested a lack of awareness among the public. Sanida Klarić mentioned her cooperation with people sharing EU values, highlighting the eagerness of young people in Sandzak to enter the EU while expressing reluctance to confront traditional and patriarchal stereotypes in their local communities.

Regarding the issue of the Islamic Communities, Miss Zoranić strongly opposed the existence of two Islamic communities, considering it a political outcome causing disunity among Muslims. She views the merger as a return to the spiritual center in Sarajevo. Mr. Mulaosmanović deemed the division unnecessary and favored having a single Islamic community. Miss Mujović advocated for a single Islamic community, believing that multiple

communities only deepen divisions. She suggested the merger should involve mutual effort and ideally include a figure who fought for Bosniak rights or was a politician. Mr. Kurtagić proposed a unified grand mufti with separate Islamic communities for individual municipalities. Mr. Suljić considers the coexistence of two Islamic communities unfavorable for Bosniaks in Sandzak and Serbia. He works in general towards uniting the communities, emphasizing the majority's recognition of the Community in Novi Pazar.

Regarding EU entry, Miss Zoranić asserted that minority members believe it will resolve their issues and improve their standard of living. Mr. Mulaosmanović supports EU entry for a more democratic society, acknowledging potential challenges but believes they will become visible and manageable with democratic development. Miss Mujović expressed reservations about EU entry, citing misalignment with Bosniak culture and tradition. Mr. Kurtagić sees a reduced potential for EU entry, emphasizing the need for accelerated admission to address urgent cultural and economic matters. Mr. Suljić highlighted the clear desire of the Bosniak people for accelerated EU entry, independent of any political party. Miss Klarić, involved in projects with the UN Development Programme, believes EU projects contribute to improving coexistence in the Sandzak territory.

Miss Zoranić expressed skepticism about the effectiveness of a special mission of other international organizations and the EU, collectively known in the region as the International Community, in Sandzak, believing it wouldn't significantly improve the situation. Mr. Mulaosmanović is unfamiliar with the topic of a special mission in Sandzak, and Miss Mujović hasn't heard much about the need for a special mission. Mr. Kurtagić believes there is always a need for international missions, to provide realistic images of the conditions in a particular territory. Mr. Suljić stated that the need for international missions was more prominent before 2016 (when the topic circulated media the most), and there was no great need during that specific period.

Regarding the OSCE and UN, Miss Zoranić believes they contribute significantly to improving coexistence and the sense of security among Bosniaks. Mr. Mulaosmanović asserted that these organizations contribute to improving coexistence for all people in Serbia. Miss Mujović confirmed that the OSCE and UN are helpful in the overall process, contributing to better coexistence. Mr. Kurtagić agreed but suggested a more significant presence of these organizations in Sandzak to ensure uninterrupted funds. Mr. Suljić

expressed confidence that OSCE and UN missions will start improving coexistence and the feeling of safety.

Miss Zoranić has high expectations for the National Council of the Bosniak National Minority (BNV) but sees poorly visible results, attributing its actions to serving one political party rather than national interests. Mr. Mulaosmanović had trust in the BNV when ex-mufti and politician, Muamer Zukorlić was alive (according to him, Mr. Zukorlić had some influence in BNV) but is unsure of its current capabilities. Miss Mujović believes that BNV contributes positively to the Bosniak people, and a possible reason for reduced government funding is to silence minority groups. Mr. Kurtagić believes the intentional weakening of funds aims to prevent council advancement, weakening the political power of the multi-party system. Mr. Suljić expressed trust in the current BNV and sees positive changes in minority rights. He notes that earlier governments manipulated the council's composition but had no information about decreasing government funding. Miss Klarić said she lacks trust in the Bosniak minority council, perceiving them as incompetent for the job.

In the discussion of minority political parties, Miss Zoranić said she does not have complete trust in Bosniak political parties, viewing their policy as confining rather than open. Mr. Mulaosmanović lacks trust in political coalitions, seeing politicians driven by personal interests. Miss Mujović doesn't have much information about these coalitions but doesn't express trust in them either. Mr. Kurtagić doesn't trust Bosniak political parties, believing they prioritize personal interests over those of Bosniaks. Mr. Suljić expressed a lack of trust in all current Bosniak political parties, offering a detailed critique of the major players in the Bosniak political scene in Sandzak and Serbia. He described the SDA Sandzak, led by Sulejman Ugljanin, as inconsistent, losing citizens' confidence, and being more focused on political power than on effectively addressing Bosniak interests. The party is criticized for its servility when in power and radicalism when out of power, as well as its involvement in the contentious breaking of the Islamic Community. The SDP Sandzak, associated with Rasim Ljajić, is depicted as a party driven by the goal of material enrichment, allegedly employing questionable methods. The SPP (Justice and Reconciliation Party), emerging from the legacy of the deceased Mufti Zukorlić, is viewed more positively. Suljić expected more from the SPP, praising its clear national profile, commitment to reconciliation among nations, and various initiatives contributing to education and cultural development. He anticipated a joint performance by the SPP and SDA in the next election, aiming to articulate Bosniak national

interests. Suljić implied that the SDP may not play a significant role in this collaboration and could become part of the political past if it doesn't participate. Miss Klarić suggested that politicians geared toward European integration and social justice for vulnerable groups should emerge as new political movements. Mr. Hodžić emphasized the need for people to learn about various political parties and anticipated the emergence of new ones.

Regarding the division of minorities in censuses, Miss Zoranić sees the term "Muslim" as a Communist legacy and suggests only "Bosniak" and "Muslim" in religious terms should be accepted. Mr. Mulaosmanović also believes only "Bosniak" should be on the list. Miss Mujović associates "Muslim" with membership in Islam and emphasizes that not every Bosniak is a Muslim, and that is why the census is confusing. Contrary, Mr. Kurtagić sees "Muslim" as a nationality, with Bosniak indicating national affiliation and Islam indicating religion. Mr. Suljić noted the division into Bosniaks and Muslims in the census and suggests the term "Muslim" is more familiar in environments with a majority of Serbs.

On the need for new political elites, Miss Zoranić believes new leadership is needed, as existing political organizations do not meet the criteria. Mr. Mulaosmanović considered it necessary to have young intellectuals with new ideas and a future-oriented view in the spirit of interculturalism and coexistence. Miss Mujović agreed that new political changes are needed.

Mr. Kurtagić welcomed any more modern vision and highly educated staff to improve the political apparatus. Mr. Suljić believes new political options that work to advance multiculturalism are needed, seeing the SPP as a potential option.

Towards the end of our interviews, the respondents provided varied perspectives on the cultural and political dynamics within the Bosniak minority in Serbia. On the matter of Assimilation and Language, the participants acknowledge the presence of assimilation, particularly due to the shared language with the Serbian majority. Concerns were raised about the need for the Bosniak National Council (BNV) to work harder to preserve the Bosnian language and implement it in line with constitutional rights.

Regarding the Cultural Rights Improvements, while there is a perceived shift in cultural rights improvements since the early post-Milosevic regime, opinions differed on the extent of progress. Some participants see generally positive changes, albeit small, while others feel that more significant steps are required.

For the question about Identity Documents in Cyrillic, the issuance of identity documents primarily in Cyrillic is discussed in relevant literature in terms of disrespecting the cultural and linguistic rights of the Bosniak minority, but the participants express varied views, with some emphasizing the importance of having the option to choose between Latin and Cyrillic, and some said they do not pay too much attention to it.

In the topic of homogenization and the issue of political threat, concerns were raised in media and literature about the potential for Serbia's attempts to homogenize society to create a "psychosis of political threat" among the Bosniak minority. Some participants believe generally that the minority has already overcome such a psychosis, while others expressed skepticism about the impact of homogenization on the improvement of interculturalism and the whole political situation.

Overall, the responses highlighted in the last part the complexities of the relationship between the Bosniak minority and the broader socio-political context in Serbia, touching on language rights, cultural considerations, concerns about political dynamics, as well as trust in political and state institutions.

The responses gathered from the questionnaire put an accent on the dynamics characterizing the Bosniak minority's position within the broader socio-political landscape of Serbia. The multifaceted nature of their experiences is evident in the discussions surrounding language rights, cultural preservation, and the perceived impact of political maneuvers on the minority community. Language stands out as a crucial aspect of identity, with concerns raised about assimilation due to the shared language with the Serbian majority. Participants emphasized the need for the Bosniak National Council (BNV) to play an active role in preserving the Bosnian language and ensuring its implementation in alignment with constitutional rights. The issuance of identity documents primarily in Cyrillic script also becomes a focal point, reflecting a broader discourse on the recognition and protection of cultural and linguistic rights.

Cultural considerations spread throughout the responses, with varying opinions on the extent of improvements in cultural rights since the early post-Milosevic regime. While some perceive positive shifts, others highlight the incremental nature of these changes, indicating that there is still work to be done to fully address cultural concerns within the Bosniak minority.



The questionnaire also touches on the potential impact of Serbia's efforts to homogenize society. The participants expressed concerns about the creation of a "psychosis of political threat" among the Bosniak minority, signaling the delicate balance between political dynamics and the preservation of cultural diversity. The skepticism expressed by some respondents underscores the need for ongoing efforts to foster interculturalism and address the evolving political landscape. In conclusion of the findings, the questionnaire reveals the nuanced challenges faced by the Bosniak minority in Serbia, encompassing language rights, cultural preservation, and concerns about political dynamics. The diverse perspectives presented put an accent on the importance of ongoing dialogue, collaboration, and policies that safeguard the rights and identity of the Bosniak minority within the broader framework of a multicultural and inclusive Serbian society.

## **6. Discussion: Minority Rights in Croatia and Serbia: A Comparative Analysis Through International Frameworks**

Despite the challenges of the war, Croatia has successfully developed a model that emphasizes the integration of ethnic minorities, steering away from assimilation. This approach has contributed to a more harmonious coexistence and aligns with European standards. In contrast, Serbia's legal framework appears to be more oriented towards the Serbian nation rather than its diverse citizenry.<sup>138</sup> This may impede the cultural and political will of the Bosniak/Muslim minority for improved dialogue and integration.

Author Florian Bieber wrote in his article for the Center for Policy Studies 'Balancing Political Participation and Minority Rights: The Experience of the Former Yugoslavia', that over the past decade, there have been significant improvements in advancing minority rights in the region, but also in the European context. It was once considered a peripheral subject during the Cold War, and now these rights have become integral to mainstream discussions and human rights instruments. The establishment of the OSCE's High Commissioner on National Minorities, the CoE's Framework Convention for the Protection of National Minorities, and the EU's Copenhagen Criteria for new member admissions have collectively

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<sup>138</sup> Dejan Guzina, *Nation-Building vs. Minority-Destroying: Majority-Minority Relations in the Post-Socialist Serbia*, Vol. 1, Center for the Study of Democracy, 2000



contributed to substantial progress in promoting minority rights. However, despite these advancements, the definition of 'minorities' itself remains ambiguous and international standards lack clarity. Beyond safeguarding minorities from discrimination, the focal points of minority rights have centered on linguistic and educational rights in political and legal frameworks in the case studies of Yugoslav minorities.<sup>139</sup> Author and political scientist Tariq Modood has discussed in his research article 'Multiculturalism and Integration' that 'multiculturalism' is mostly defined by its critics, whose sole purpose is to create a so-called straw man to knock down.<sup>140</sup> That perfectly explains various analyses of the Bosniak minority 'political grapples' of the past decades. The two states whose territory this minority inhabits could have improved multiculturalism and integration, and already incorporate the aspect of interculturalism if it weren't for nation-oriented political establishments that are stumbling blocks of both societies. Most of the minority members, as seen from the interviews, are hopeful for better multiculturalism, but because of the above-mentioned 'political currents', they became skeptical as well.

The 'statistical anomaly' of two/three ethnic minorities in Croatia<sup>141</sup> compared to two in Serbia, stands out as a significant legal challenge in the Western Balkans. This discrepancy warrants further examination to understand its implications for minority rights. On the other hand, the numerical categorization in Serbia's legal framework may contribute to a simplified view of diversity, potentially hindering the nuanced representation of minority groups and their specific needs. Lingering ethnic animosities among Muslims, Bosniaks, and Serbians persist, hindering the potential for positive legal and political changes. Addressing historical grievances is crucial for fostering a more inclusive environment. Historical problems that remain unaddressed contribute to the persistence of tensions. Resolving these issues is essential for building trust and creating an atmosphere conducive to positive changes.

The Serbian regime's failure to recognize the rights of ethnic Bosniaks in its early stages led to a denial of Serbia's legitimacy by the Bosniak minority.<sup>142</sup> Acknowledging and rectifying these past oversights are vital for moving forward. The discussions prompt consideration of legal reforms in Serbia that acknowledge and address the historical and cultural rights of

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<sup>139</sup> Bieber et al, *Balancing Political Participation and Minority Rights: The Experience of the Former Yugoslavia*, 1999

<sup>140</sup> Tariq Modood, 'Multiculturalism and Integration'. Univeristy of Bristol, European University Institute Robert Schuman Centre for Advanced Studies, 2011

<sup>141</sup> Nenad Pokos, (THREE)ONE PEOPLE. BOSNIAKS, MUSLIMS AND CROATIANS MUSLIMS IN CROATIA IN CENSUS, 2001. I 2011. GODINE, 2014, Zagreb

<sup>142</sup> Jovia Botic, *Sandzak Bosniaks in the context of contemporary geopolitical and security challenges in Southeast Europe*, Ministry of Science and Education, 2007

minority groups, thereby fostering a more inclusive national identity. A notable aspect is the apparent lack of a strong desire among Bosniaks to integrate fully.<sup>143</sup> Understanding the factors influencing this reluctance is crucial for designing effective policies that encourage integration. Exploring the potential for the Bosniak/Muslim minority to integrate into a larger, multinational state that values diversity beyond a simple majority principle could offer a more inclusive path forward.

In the comparative analysis of the legal frameworks and historical contexts of the Bosniak and Muslim minorities in Serbia, the following key observations and conclusions emerge. The foundational legal structure of the Serbian state is rooted in the concept of the Serbian nation, rather than being inclusive of the diverse citizens of Serbia.<sup>144</sup> This framework may pose challenges to fostering a sense of belonging and inclusion among minority groups, such as the Bosniak/Muslim minority. The nation-centric approach may contribute to a lack of cultural and political will among the Bosniak/Muslim minority for improved dialogue and integration. A shift towards a more citizen-centric framework could be pivotal in fostering a sense of equality and shared identity. The Serbian regime's shortcomings in the early stages of its independence, particularly in failing to recognize the rights of ethnic Bosniaks, have had lasting consequences. The denial of legitimacy by Bosniaks towards the Serbian regime and the state reflects the historical grievances stemming from this failure. Acknowledging and rectifying these oversights is not only essential for reconciliation but also for building a foundation of trust necessary for any meaningful dialogue and integration efforts. A notable aspect is the perceived lack of willingness among some Bosniaks to integrate fully into Serbian society, as they wish for more autonomy in their region. Understanding the root causes of this reluctance is essential for crafting effective policies that address the unique needs and concerns of the Bosniak/Muslim minority.

The suggestion that the minority might be more open to integration within a larger societal framework of a multinational state, one that transcends the principle of a simple majority, underscores the importance of inclusivity and respect for diversity.<sup>145</sup> The legal and historical context of the Bosniak and Muslim minorities in Serbia reveals challenges rooted in the nation-centric legal framework, historical oversights, and perceived barriers to integration. Addressing these issues through legal reforms, acknowledgment of historical wrongs, and the

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<sup>143</sup> *ibid*

<sup>144</sup> *ibid*

<sup>145</sup> *ibid*

development of inclusive policies are crucial steps for fostering a more harmonious and integrated society in Serbia.

The situation of the Bosniak and Muslim minority in Croatia presents a multifaceted narrative, influenced by historical, political, and legal factors. The Council of National Minorities, although existing, faces limitations in its powers, and financial constraints have been a recurrent issue, raising concerns among representative councils of the minority.<sup>146</sup> A significant challenge lies in the political representation of Bosniaks and Muslims, who find themselves divided into two groups, hindering their entry into the parliament as a cohesive minority. Currently, their representation is indirectly managed by an Albanian member of parliament, Ermina Lekaj, alongside other minorities, and the situation asks for efforts from Bosniak national councils to advocate for change.

Noteworthy is the active engagement of the Islamic community in Zagreb, contributing to educational initiatives aimed at highlighting the importance of a unified minority identity, especially in the context of censuses. While the community maintains good relations with the government and operates with cultural and educational independence, there is still a minor issue concerning the community and that is an outstanding need for an Islamic primary school.<sup>147</sup> Despite these efforts, the core challenges for the minority remain centered on achieving better political representation.

Reflecting on historical developments, the 1990s witnessed significant hurdles for the minority, but since Croatia's political shift and subsequent EU accession, the intensity of these challenges has diminished. While the minority no longer faces major discrimination issues, its present concern revolves around achieving enhanced political representation. The revision of the Constitutional Law on the Rights of National Minorities in the early 2000s, driven by international pressure, reinstated Muslims as a national minority, emphasizing the influence of external factors in shaping legislative changes. The minority's experience in property ownership has been relatively stable, benefitting from constitutional guarantees, and the constitutional provision of equal access to posts and duties for everyone, although present, has not been fully leveraged.

In conclusion, the Bosniak and Muslim minority in Croatia navigates a landscape shaped by historical legacies, international pressures, and ongoing efforts for political inclusion. The

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<sup>146</sup> Antonija Petrušić, Constitutional Law on the Rights of National Minorities in the Republic of Croatia, Journal for constitutional theory and philosophy of law, 2012

<sup>147</sup> Official website of Islamic Community, accessed November 2022

current emphasis on achieving better political representation underscores the community's evolving dynamics within the broader framework of Croatia's diverse society.

The Serbian Bosniak/Muslim minority confronts challenges concerning self-identification and census options, reminiscent of the Yugoslavian era, where the community remains divided into Bosniaks and Muslims. Unlike the issue of political underrepresentation, which has been effectively addressed since the reduction of the parliamentary threshold in 2005/6,<sup>148</sup> the issue of religious tensions still persists. They are between the Serbian Orthodox minority and the Bosniak/Muslim minority, particularly in the Sandzak region. Despite being the majority in Sandzak, Serbian Bosniaks are occupied with religious disputes, including the conflicts between Islamic communities in Belgrade and Novi Pazar over legal authority.

A prominent political issue revolves around the minority's quest for more autonomy, although geopolitical realities, such as Serbia's separation from Montenegro in 2006 and the loss of Kosovo in 2008, have relegated the autonomy of the Sandzak region to the periphery of the government's agenda. The presence of the OSCE's office in Novi Pazar, in my opinion, serves as more of a symbolic gesture of 'regional autonomy'. Religious and political complexities still persist, with disputes over authority among political parties, religious communities, and the Bosniak National Council.

In the interviewees' personal opinion, resolving these challenges requires dialogues and meetings among powerful political parties to mitigate disputes. Citizens within the minority should actively engage in political discussions, supporting liberal or social democratic-oriented parties that promote interculturalism and improved multiculturalism. Concerns are raised about Serbia's attempts to homogenize society, which potentially makes political tensions even worse, as well as the perceived assimilation of the Bosniak minority due to linguistic similarities with the Serbian majority, but as the interviewees mentioned, it is not alarming. The same concern could be mentioned in the case of Bosniaks in Croatia, but all three languages (Serbian, Croatian, and Bosnian) are very similar interview respondents Mr. Meškić and Mr. Mulaosmanović stressed, that there should be no concerns for the language assimilation because there are no bigger differences.

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<sup>148</sup> Ilija Vujačić, Ten years of new minority policy in Serbia, Political thought Journal, 2012

Suggestions for improvement of the minority issues and challenges in Serbia include greater accessibility and transparency of the Bosniak National Council, increased financial support from the government, and interventions to ensure democratic elections within the council. The interviewees advocate for EU delegation involvement in the Sandzak region during Serbia's accession process, viewing it as a potential catalyst for improved relations and the modernization of conservative political views in the area. The interviewees note a shift from segregationist to integrative multiculturalism but underscore the need for intercultural and multicultural dialogues to address passive political toleration issues.

In addressing the challenge of cultural autonomy, the interviewees highlight the potential obstacles to social integration posed by greater cultural autonomy for the Bosniak minority. However, the interview respondents suggest that decentralization of state government and increased autonomy for the Sandzak region could provide a potential solution to the complex issues facing the Bosniak/Muslim minority in Serbia, particularly in light of the political right's stance on minority issues.

The theoretical framework employed in this research, encompassing the Triangular Relationship theory, the Constructionist approach/theory, and the theory of Instrumentalism, has been substantiated through the analysis of interview responses. The Triangular Relationship theory, asserting a connection between individuals and their homeland, remains relevant, but not as strong as in the 20th century, with some members of the minority expressing a continued affinity for Bosnia as their 'kin state' or perceived to be as a kin state, even though, some members of the minority do not have a personal connection to it. The Instrumentalist theory proves crucial in explaining political processes shaping society, particularly in Serbia, where political awareness among minorities regarding the influence of political situations on their identity construction is evident. In both case studies, Constructionist theory holds true, in examples of individual and cultural aspects influencing political discourse and fostering a more favorable environment for the integration of Bosniaks in Croatia and Serbia.

The research outcomes are directly linked to the inquiry into the level of relations between the minority and the government concerning human rights. However, the analyses reveal that certain aspects of human rights, such as freedom of assembly and association (Article 11) and

the prohibition of discrimination (Article 14) from the CoE's ECHR, are not entirely respected. Financial constraints obstruct minority associations, while discrimination persists in media and employment.

Literature analyses underscore historical legal concerns, indicating significant progress but still emphasizing areas for improvement. CoE's ECHR Article 1 (obligation to respect human rights) and Article 9 (freedom of thought and religion) were disregarded in the 1990s, reflecting governmental shortcomings. Similarly, the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities (Article 1) encountered partial adherence, with governments tolerating minorities in the past without proactive efforts to enhance their quality of life. Croatia still faces challenges in political representation, employment, and media, while Serbia has exhibited a more positive trend in the last decade and a half in that aspect.

Furthermore, legal frameworks in Serbia, such as the Law on National Councils of national minorities and the Law on Protection of Rights and Freedoms of National minorities, and in Croatia, the Constitutional Law on the Rights of National Minorities, provide a robust basis for safeguarding minority rights. However, effective implementation remains a challenge, especially in Serbia's pursuit of EU accession. Some interviewees noted limited improvements post-EU entry in Croatia, and hopefully, Serbia would still persist in enhancing minority rights and freedoms even after accession.

## **7. Conclusion**

In the complex tapestry of the Balkans, different forms of Islam have coexisted, each carrying distinct characteristics. One strain has been inherently secular, Western, and aligned with European modernity, while another tends to lean toward conservatism. The impact of these variations is particularly noteworthy in the context of Serbia, where impediments to significant improvements persist. It is crucial to recognize that even during the atheistic projects of the socialist era, Islam was subjected to different standards, viewed as a fundamentally distinct faith requiring modification and control at an institutional and legal level, transcending the realm of ideology or personal belief. The attempt to foster loyalty

through educational initiatives, teaching Serbian, Croatian, or even German, did not uniformly generate allegiance to Serbia, Croatia, or Austria-Hungary, especially evident in the case of Serbia.

As we navigate the complexities of political and cultural rights for the Muslim/Bosniak minority, it is essential to acknowledge the historical nuances shaping the present landscape. The struggle for recognition and rights unfolds against the backdrop of differing interpretations of Islam and its place within the region's history.

In conclusion, the comparative analysis of the political and cultural rights of the Muslim/Bosniak minority in the Republic of Serbia and the Republic of Croatia within the timeframe of the 1990s to the present has shed light on intricate dynamics and disparities. The central research question, probing into the contrasting attitudes of the Croatian and Serbian governments towards respecting the rights and freedoms of the Muslim/Bosniak minority, has unraveled multifaceted challenges and potential avenues for improvement.

The sub-questions explored in this study have led us to delve into the reasons behind diverse political outcomes, the divergence in political directions, and the roles played by both government and minority leaders in fostering integration and multiculturalism. The research of the two case studies has revealed nuanced scenarios where progress and challenges coexist.

In Croatia, the Bosniak/Muslim minority, while facing dissatisfaction due to suboptimal political representation, has demonstrated commendable levels of integration, religious and ethnic autonomy, and cultural autonomy. Notably, improvements have been witnessed since the early years of Croatia's independence in the 1990s and early 2000s. The collaborative efforts of the government, prime minister, influential figures from the minority as well as religious leaders signal a positive trajectory. However, the role of international organizations, such as the OSCE and UN, in these advancements remains unclear and warrants further examination.

Conversely, Serbia grapples with challenges in providing the Bosniak/Muslim minority with increased autonomy, better integration, and acceptance. The persistent disputes between Islamic communities and various political parties are slowing the progress. The lack of significant influence by international organizations in Serbian politics underscores the

complexity of the situation. The right-wing perspective, attributing the conflicts to ancient hatreds, is opposed to the belief that solutions are attainable even with corrupt governments, emphasizing the importance of improving integration and sidelining extreme right-wing figures.

From a left-wing and center political standpoint, the complexity is seen as partially rooted in the government and citizens' reluctance to embrace diversity. While better educational systems are proposed as a solution, acknowledgment of the impact of historical events, such as the 1990s war, is crucial. It is crucial to understand that the infiltration of corrupt extreme right-wing ideologies during that period complicates the path to reconciliation, and has done some major damage.

Solutions for the Croatian case emphasize the urgency of addressing the political representation issue. The EU institutions could play a more influential role since the OSCE departed from the capital in 2008 and can no longer help. Additionally, the potential merger of Bosniak and Muslim minorities could consolidate political strength. Conversely, Serbia's solution involves granting autonomy to the Sandzak region, improving integration, and fostering political friendship between the majority and minority. International organizations should exert pressure on the Serbian government, while internal political squabbles within the minority should cease once and for all.

Recommendations for future studies on this topic, in my opinion, should include a focus on integrated educational systems that benefit everyone; and the application of the Theory of Intersectionality to address sub-minorities within these minority groups. As crucial issues are resolved, this research will gain even more significance, contributing to a broader understanding of the complexities surrounding the political and cultural rights of Muslim/Bosniak minorities in the region.

Drawing inspiration from Emily Greble's insightful work, she mentions that within European history, Muslims in the Balkans have engaged in multifaceted strategies to navigate their position and assert their identity. It becomes imperative to challenge the false presumption of Islam as Europe's "Other" and, instead, recognize Muslims as an integral part of Europe's historical narrative. By doing so, we can actively reintegrate Muslims into the narrative of European history, breaking free from the cycles of exclusion that history has, at times,



engendered.<sup>149</sup> This was even more shown in the joint political statement ‘Islamic Declaration’ by both Islamic Communities under the lead of their main religious center - the Islamic Community in Sarajevo, in the time after the 9/11 attack, where both ethnic-religious minorities once again showed that culturally, historically and politically they are part of European political view.<sup>150</sup>

In conclusion, the comparison of the political and cultural rights of the Muslim/Bosniak minority in the Republic of Serbia and the Republic of Croatia has unraveled a nuanced web of challenges and opportunities. The divergent trajectories in political attitudes and the historical underpinnings of these complexities underscore the need for a comprehensive understanding. As we move forward, the potential for meaningful change lies not only in addressing immediate political representation issues but also in reshaping narratives to foster a more inclusive and integrated vision for the future.

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<sup>149</sup> Emily Greble, *Muslims and the Making of Modern Europe*, 2021

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## 9. Appendixes and Annexes

### The interviews from this research

#### Questionnaire and answers from Croatian Muslims/Bosniaks

1. In April 1999, the Parliamentary Assembly of the Council of Europe adopted a resolution, in which it called on the Government of the Republic of Croatia to adopt a revision of the Constitutional Law on the Rights of National Minorities. It was not until the year 2000, under pressure from the European Commission for Democracy through Law (better known as „Venetian Commission“) and its Advisory Committee of the Council of Europe which addressed the issues of the Framework Convention for the Protection of National Minorities (FCNM) and which published the first opinion on minority rights in Croatia, that the Government of Republic of Croatia adopted amendments to the Constitutional Law on Human Rights and Freedom and the rights of national and ethnic communities or minorities. In those amendments, it listed Muslims as a national minority, after it stripped the minority of that status in the 1997 Preamble of the Constitution. In your opinion, what are the possible reasons the government took several years until the law was passed? Do you think the government wouldn't have done that if the Venice Commission was not pressuring the government to do it?

**Mustafa Alagic, 65, Zagreb, Croatian Bosniak/Muslim, president of Association of Independent Intellectuals 'Circle 99', former owner of publishing house 'Sarajevo Publishing' that had some of its headquarters in Zagreb:** With the formation of the

Croatian State in 1991, the political power fell into the hands of the right-leaning forces that largely pushed national minorities to the background. Some politicians have even advocated the thesis that the Croatian state is home to all Croats and all others are tenants in the home. The pressure of the Venice Commission helped to move things in the right direction and to accelerate. Without that pressure, the solution of national minorities and Bosniaks in particular would be delayed.

**Aida Alagic, 31, Zagreb, Croatian Bosniak/Muslim, assistant at University of Zagreb, Faculty of Philosophy:** In my view, the reason could have been lying on an emphasis on the formation of a nation-state and the national identity of the Republic of Croatia after the Croatian War of Independence, with national minorities being largely a minor theme. I think the pressure from the Venice Commission was certainly good and it pushed things in the right direction and certainly without the pressure the overall process would only come later, in fact, a few years later.

**Bermin Meškić, 38, Zagreb, Faculty of Law at the University of Zagreb, and Diplomatic Academy – Ministry of Foreign Affairs. Former Member of the Council for National Minorities at the Government of the Republic of Croatia, candidate for Croatian Parliament in 2020:** In the Constitution of the Republic of Croatia which was in force from 22.12.1990 to (including) 14.12.1997, was written that ‘Starting from the historical facts presented, and of the generally accepted tenets in the contemporary world and inalienability and indivisibility, intransigence and intolerable rights to self-determination and state sovereignty of the Croatian people, including both the right to secede and to association, as the basic prerequisites for peace and stability of the international order, the Republic of Croatia is established as a national state of the Croatian people and a member state of those nations and minorities, who are its citizens: Serbs, Muslims, Slovenes, Serbs, Czechs, Slovaks, Italians, Hungarians, Jews and others, who guarantee equality with citizens of Croatian ethnicity and exercise of national rights following the democratic norms of OUN and countries of the free world.

So, in that year 1990, we were valued and recognized as Muslims with the Big M, until 1997. Then we were expelled from the Constitution by amendments to the RH Constitution on 12 December 1997, along with the Slovenes.

By amending the Constitution of the RH from 16 June 2010, we were returned to the Constitution of the Republic of Croatia, and this time as Bosniaks. Slovenes were also

returned. Now the provision of the preamble to the Constitution reads the Republic of Croatia is established as a national state of the Croatian people and a member state of national minorities: Serbs, Czechs, Slovaks, Italians, Hungarians, Jews, Germans, Austrians, Ukrainians, Rusyns, Bosniaks, Slovenes, Montenegrins, Macedonians, Russians, Bulgarians, Poles, Roma, Romanians, Turks, Vlachs, Albanians and others, who are its citizens, which guarantees equality with citizens of Croatian ethnicity and the exercise of national rights following the democratic norms of OUN and the countries of the free world.

Although it wasn't until 2010 that we were returned to the RH Constitution, as early as 2003, Bosniaks were able to choose their representative to the Croatian Parliament along with four other nations that have been placed in the same constituency with Albanians, Slovenes, Macedonians, and Montenegrins. And all of it is congruent to the Constitutional Law on the Rights of National Minorities. The first Bosniak representative was Šemso Tankovic, for two terms. He was followed by Nedžad Hodzic and after them, Ms Ermina Lekaj Prljaskaj belonging to the Albanian national minority was elected from the constituency.

From everything said, one sees various forms and moments of the formation of our national identity given the changes made to us in the home state of Bosnia and Herzegovina, but at the same time one sees the relationship of the state of Republic of Croatia to us.

It is important to note that since 2015 Bosniaks in Croatia do not have their own political representative, which is a systematic indication of our problems, because Bosniaks need someone that can react when it is needed and urgent, considering the current situation in neighboring Bosnia.

**Senad ef. Hevešević, Osijek, member of the Islamic Community Council in Croatia from 2017 to 2018, author of the 2018 chapter on Croatia in the 'Yearbook of Muslims' published by Brill:** The challenging times of war and the upswing left their consequences and the legal solutions were made through the EU path of the Republic of Croatia. Political factors made decisions following time and space as they understood Croatia's role and position at a certain time, and all of these changes were with an evolution that is influenced by external and internal forces. The situation is similar in other states, and the positions of national minorities in Croatia are defined in a way that can be recognized as positive for a lot, and the condition is further improved by proper organizing, quality planning, and work and co-operation with political stakeholders in the Republic of Croatia.

2. What is your opinion on the interference of the International Community in the construction of the Croatian State? Do you think it was necessary and useful for Croatian citizens and building relations between the Croat-majority and Bosniak/Muslim minority?

Mr. Alagić: I think that the interference of the International Community was necessary and it produced results in relations between the Bosniak minority and the Croatian majority. If there had been no pressure from the International Community certainly relations between the Bosniak and the Croatian population would not have 'relaxed' in the way they are now, though they are not yet on satisfactory grounds.

Miss Alagić: I think certainly that so-called 'interfering', or better said intervention, is a positive thing because it managed to calm down at least somewhat the nationalist tendencies that marked the public discourse of the Croatian political scene in the '90s and 00s. I very much believe that this was necessary since the Bosniak or Muslim national minority would otherwise be unprotected in front of the majority and would experience systematic neglect at best.

Mr. Meškić: The Republic of Croatia was created by the defenders and people who defended themselves against Greater Serbian aggression against the Republic of Croatia. It was an honorable, defensive, and liberation war. Let's just remember Vukovar, Skabrnje, and other places of the suffering of innocent Croatian people.

The construction of the Croatian state in the post-war period, from the transition state to the present modern-day Croatian state has successfully finished. RH is now a member of NATO, the EU, the eurozone, Schengen zone. Certainly, accession negotiations on the accession of RH to the European Union contributed to all this where we had to 'align' for the EU's fundamental principles, and values and we are very happy as citizens. That translates to less corruption, a more legal state, rule of law... All in all, we're one successful story now.

But to be that, someone had to make a decision and push us into Euro-Atlantic integration... A strategic orientation of the Croatian state is seen there. I'd like to see our parent BiH take that path as it belongs in the EU. On the other hand, I would like the RH not to interfere in BiH's internal affairs. It's the thing that we Bosniaks in RH bother a lot.

3. During the second half of the 1990s, were minority members able to use minority languages and scripts, such as the Bosnian language, Cyrillic or Arabic script, for example, or did they still encounter prejudice when they used other letters and

languages? If there were problems using language and letters, when have you noticed changes in respecting Constitutional Articles that guaranteed those rights, such as Article 12 for example which states that 'In the Republic of Croatia, there is an official use of Croatian language and a Latin alphabet. In some local units along with the Croatian language and the Latin alphabet, a second language and Cyrillic or some other script under the conditions prescribed by the law' can be introduced into the service; Article 14. which states that the 'Citizens of the Republic of Croatia have all rights and freedoms, independent of their race, color, gender, language, religion, political or other belief, national or social origin, property, birth, education, social position or other traits. All are equal before the law', and Article 15. states that 'In the Republic of Croatia, members of all nations and minorities are equal. Members of all peoples and minorities are guaranteed freedom of expression of ethnicity, free to serve their language and script and cultural autonomy'; and just in general when have you noticed changes towards members of the Muslim minority in politics and culture?

Mr. Alagić: The social climate of all national minorities during the second half of the 90s in the Republic of Croatia was strongly unfavorable, especially in the area of language and speech. The changes that came in this regard as a result of the governmental switch in 2000 when the left-leaning political forces took power. With the arrival of the left political powers, changes are made for national minorities but by no means drastic changes and were not made overnight, and the rights of national minorities are often violated today. The rights of the Serb national minority in Cyrillic script in certain acts of Croatia are most violated. As far as the Bosniak national minority is concerned with the arrival of the new policy in 2000, significant changes were felt, and changes were particularly felt with the entry of the Republic of Croatia into the EU.

Miss Alagić: Since as a member of the national minority I still face various prejudices in the Republic of Croatia today, especially in the area of language and speech, I think in the second half of the '90s, the social climate on the issue was extremely unfavorable for members of national minorities. Changes that came about the issue over time were not at all abrupt or came overnight, and the rights of national minorities are still frequently violated today, especially when it comes to the Serbian national minority and Cyrillic script in certain parts of the Republic of Croatia. As far as members of the Muslim national minority are concerned, I believe that their position in society has become better because Croatian society has in time pluralized and somewhat denationalized with the arrival of new, pro-Europa discourses in

public space, however, I believe that hierarchically higher sections of society, especially in the field of legislation, politics, and similar areas, they continue to insist on a strong national component that only considers national minorities an acceptable element when they can serve them in tailoring nationally convenient content and policies.

Mr. Meškić: Our people had their Bosnian schools in the war and it was one very successful period. Partly because a lot of Bosnian and Herzegovinian (BH) refugees were taken care of in the RH, and went all over the world afterward. In the Republic of Croatia, an article 12. The Constitution of the Republic of Croatia is in official use of the Croatian language and the Latin alphabet and in some local units along with the Croatian language and the Latin alphabet, a second language, and Cyrillic or what other script under the conditions prescribed by law can be introduced into the official use. Paragraph 4 of Article 15. The Constitution guarantees members of all national minorities the freedom to express national affiliation, free service with their language and script, and cultural autonomy. The Constitutional Law on the Rights of National Minorities, in Article 12. it is stipulated that the equal official use of the language and letters served by members of the national minority are realized in the area of the local government unit when members of an individual national minority make up at least a third of the residents of a local or regional unit (regional) self-governments when provided for by international treaties when prescribed by a local unit statute under the provisions of a special law on the use of languages and letters of national minorities in the Republic of Croatia and under acquired rights. Garant of those rights is also the Law on the Use of Languages and Letters of National Minorities in the Republic of Croatia. Let's say, in 2012. in the year, instruction was passed for the consistent implementation of the Law on the Use of Languages and Letters of National Minorities in the Republic of Croatia which prescribed a way of editing the right to an equal official use of the language and letters of national minorities by general acts, that is, by statutes of local and regional (regional) self-government units and a way of exercising the right to equal official use of languages and letters of national minorities in proceedings conducted before first-degree state bodies and legal persons which have public powers. So, the legal assumptions are there. I'm not aware that Bosniaks have been invoked to use the Bosnian language instead of Croatian in personal accounts, especially because of the similarities of language.

Mr. Hevešević: Due to the external factors such as interfaith and international relations in the first half of the 90s of the 20th century there were prejudices and problems using minority letters and languages. Those dubs still persist today, precisely as a consequence of the same

events, but by maturing minority institutions, together with better organized and more robust connectivity to the sources of funding within the state, it allowed minority communities to work better to preserve and use their language and letters, and to introduce minority language instruction in schools. The changes come with a logical sequence of events through the development of institutions, strengthening the legal state through harmonization with the norms of the European Union, and it is necessary to stress that the transition from a one-party system to a multi-party system is not an easy step at all and that institutions require time and means to build a satisfactory level of quality of activity.

4. In the first decade since the founding of the state of RH, have you witnessed situations where the Muslim minority encountered barriers to preserving property ownership guaranteed in the Constitution by Article 48 (which says that the right of ownership is guaranteed and that the right of succession is guaranteed)? Can you give us some positive/negative examples of (not) respecting this Article?

Mr. Alagić: In the first decades of the founding of the Croatian state, there are no known examples of the usurpation of the possessions and ownerships of the Bosniak national minority, but they are known over the Serbian national minority probably caused by the war of the 90s. However, I am familiar with the usurpation of ownership of property of legal persons from Bosnia usurped from the Republic of Croatia (RH) in the 90's and those ownerships have not been returned to this day.

Miss Alagić: Although in that period I was too young alone to personally witness the above situations, it wouldn't surprise me if there were situations like that.

Mr. Meškić: I'm not aware that some Bosniaks would be denied the right you're stating.

Mr. Hevešević: Unfortunately, I cannot offer a more detailed answer to this question because I am not familiar with the details, but the war certainly has had some level of challenge on this issue due to migration, eviction, immigration, moving, war events and so on.

5. Constitutional Article 54 states that all employment and state's duty are available to everyone on equal terms. Have you witnessed situations where the Muslim and Bosniak minorities have encountered discrimination or barriers to employment so far?

Mr. Alagić: The constitution guarantees all equal employment rights, but this is not implemented in practice, with private sector employment, there is no discrimination, however, when it comes to employment in the state sector, discrimination is visible.

Miss Alagić: Yes, I myself experienced resistance to me as a select candidate for a specific position because of my name and last name, although according to the qualifications I was by far the best choice.

Mr. Meškić: In art. 22. The Constitutional Law on the Rights of National Minorities outlines the rights and benefits of employment of members of national minorities. That's how it's stated:

(1) In a local government unit and a regional (regional) self-government unit (in further text: the unit of self-government) in which the proportionate representation of members of its representative body from among members of national minorities is to be secured under the provisions of this Constitutional Law, ensures the representation of the national minority representative in its executive body.

(2) Members of national minorities are provided representation in state administration bodies and judicial bodies in accordance with the provisions of special law and other employment policy acts in those bodies, mindful of the participation of members of national minorities in the total population at the level on which the body of state administration or the judicial body and the rights gained is aligned.

(3) Members of national minorities are provided representation in the bodies of administration of self-government units in accordance with the provisions of a special law governing local and regional (regional) self-government and other employment policy acts in those bodies and in accordance with the rights gained.

(4) In filling the seats from paragraphs 2 and 3 of these articles, precedence under the same conditions is held by representatives of national minorities.

However, the law is poorly implemented, and it seems to me like a weaker part of implementing minority legislation. However, the article is also poorly called upon by our people and they do not consume that right of their own. Although, if we know that about 7 percent of the population is members of the national minorities in the RH and that slightly more than 3 percent of the total employed members of the minorities are employed in government bodies, it is obvious that this must be worked on and indicated. Particularly bad situation with Bosniaks should be worked on, because there is no one in politics to warn about the problem and advocate solutions.



Mr. Hevešević: Although the tradition of employing Muslims and Bosniaks in Croatia is quite long and a large number of workers have been working and residing there for many years, cases of discrimination due to name and origin occasionally occur. In these cases, a greater number of people are sometimes introduced, especially if it is a position that is considered higher or more important in the social hierarchy.

6. Do you think that perhaps one of the reasons the Republic of Croatia changed its policy towards the Bosniak/Muslim minority was the desire to enter the EU more quickly? Have you seen the abrupt changes between the period of EU entry preparation and the period since the state is in the EU?

Mr. Alagić: A change in policy towards the Bosniak minority exists, but there was no sudden change even before Croatia entered the EU, as well as after the EU incursion. Changes exist but they are slowed down and light.

Miss Alagić: I have not seen these sudden changes anywhere, and I have eventually noticed that the Bosniak, or Muslim minority, is starting to be discussed as a legitimate minority, but I feel there's still a lot of room for progress there as far as those 'politics towards the minority are concerned.

Mr. Meškić: Certainly, accession negotiations and the imposition of conditions by the EU on Croatia have been a positive thing in exercising the rights of members of national minorities more quickly. Then the Constitutional Law on the Rights of Nacional Minorities was also being developed in full which is still in force today. I would characterize the period after the entry of RH in the EU in terms of stagnation or status quo. It's not much of a priority for anyone. RH has achieved strategic interest, and the issue of national minorities is as it is. It's just not the focus of interest.

7. The president of the Council for National Minorities in the state, Alexander Tolnauer, in 2019 at one of the professional meetings, stressed that Croatian Radio and Television (HRT) had failed to meet the obligation on minority newsrooms in seven languages, reportedly due to resource limitations, as well as minority topics only present on 1.6 percent of programs. Do you think that in the next few years, the situation can be fixed? Do you have any idea how many employees coming from the Muslim/Bosniak minority are employed by HRT?

Mr. Alagić: President of the National Minority Council sir. Alexander is absolutely right when he said that he is concerned with the Croatian radio and television and that the presence of

minority communities is not represented by more than 2%. This is certainly not a limitation factor of Croatian radio and television's (HRT) resources but HRT editorial policy. I personally don't believe in a much better improvement in the situation unless there's EU pressure. I'm known to be working on HRT as one of Đelo Hadžiselimović's editors, and given his last name, I suppose he comes from the Bosniak national minority.

Miss Alagić: I believe that the situation can always be fixed if there is will, however in the case of the Republic of Croatia the will is not currently in near sight, which is evident in the presence of the Bosniak national minority and its important topics in the public television space or even in the public media space. They are not promoted at all. I don't know how many Muslim/Bosniak minority employees are employed at HRT, I believe it's not much or it's some minimum that serves purely to meet default quotas.

Mr. Meškić: That's the problem the Council continuously points to, which really exists. I'm not sure anything important is going to change. There's just no political will to change. Reports of national minorities have been 'ghettoized' into two radio/TV shows. I know about an employee of the Bosniak minority at the HRT.

Mr. Hevešević: Statistically, I don't know how many people are employed at HRT, and occasionally by name, I recognize that one's background is Bosniak or Muslim, but it doesn't have to mean anything about that person's identity. If I don't know a person personally, I can't tell if they identify with minorities. With regard to minority programming, the situation can always be fixed, but it is necessary to offer quality programs that will also be tempting to public service, which would work to foster the language and culture of national minorities.

8. In your opinion, what are the reasons for the greater lack of involvement of Muslim and Bosniak intellectuals in the Croatian political scene?

Mr. Alagić: I think one of the reasons for not including Bosniak intellectuals in the Croatian political scene is because it is not in the interest of the ruling political elite, because they believe they are going to jeopardize their own electoral rating in voters, nor there is the desire of Bosniak intellectuals to engage and fight against the unjust and corrupt political system of RH.

Miss Alagić: On the one hand the reluctance of hegemony owners on the cultural and political scene of the Republic of Croatia to include anything that could threaten national discourse, on the other hand probably also the reluctance of those intellectuals to fight against an unjust and corrupt system that favors national identity.

Mr. Meškić: We defended the Republic of Croatia, together with the majority nation, and we are the second most numerous national minorities, many of our people died for Croatia's freedom, and many of them disabled came from the Croatian War of Independence. We have very many intellectuals in our ranks. We are a positive story of society, however, politically, we are gone. I have to say it's partly up to us. We witness the disunity. There are usually too many views between Bosniaks. It is necessary to change our paradigm of action or to consolidate our Bosniak community. Then people will get more involved, too. I especially stress the need for consensus by Bosniaks, related to promoting and advocating the idea of a special proxy for Bosniaks in the Croatian Parliament, under-representation and historical merit of Bosniaks, especially in the participation of Bosniaks in the Croatian War of Independence and defense of the Republic of Croatia. I am of the opinion that the political leaders of Bosniaks from Bosnia and Herzegovina do not recognize us, and do not help enough. That they have very little real information about our condition, and they do not deal with our issue systematically, but along the way. And that makes things difficult for us.

Mr. Hevešević: I would say lack of tradition of engaging minority members in higher levels of the political scene, insufficient readiness of said intellectuals for party work, and an insufficient level of equal construction of religious and national identity that would be able to resist potential assimilation pressures

9. The Bosniak minority in current electoral legislation has no parliamentary representative of its own, but a representative represents the Slovenian, Bosniak, Montenegrin, Macedonian, and Albanian minorities. The five "ex-Yu" minorities in the Parliament are represented by Albanian minority MP Ermina Lekaj Prljaskaj. Do you feel that the Minority Council and the government need to work harder on this problem and that MP Ermina Lekaj Prljaskaj can (not) represent Bosniaks/Muslims and 4 other minorities equally and correctly at the same time?

Mr. Alagić: The Bosniak minority in the current electoral legislation of the term needs its own representative who will represent their interests. The Bosniak minority is the second minority in the RH and is represented by an Albanian representative, whose minority is on fourth place in numbers which is nonsense. I think the Bosniak minority together with the RH government must deal with this issue together with the EU's mandatory assistance.

Miss Alagić: Absolutely, because members of completely different national minorities with different problems are put in the same basket, and one person simply cannot represent or resolve equally and correctly their problems.

Mr. Meškić: Certainly, the MP cannot represent five national minorities in an equal way and that is logical. The Bosniak could not represent all minorities equally. We Bosniaks today are, in essence, on the sidelines of Political life in Croatia. The situation is concerning about protecting our political rights. We lack our representative in Parliament and in a legislature where various policies are being shaped into laws. All of that is important to protect our interests, but also for our representative to be vocal about important social issues and also those about BH-Croatia relations. It is very important that we from Croatia, in a situation where huge pressure is being put on BH from Croatian politicians, to promote independent, sovereign, and indivisible Bosnia and Herzegovina.

I see the need to act so many times and say something on our behalf in the Parliament about issues happening in 'our Bosnia'. Unfortunately, we're gone from parliament, for quite a long time. Clearly, there is discrimination in our constituency, but the topic cannot penetrate the mainstream media.

I talk about it all the time as a lawyer and activist. Bosniaks in Croatia have 0.62 % in the last Census and we are the second national minority in numbers while Albanians are 0.36 %, and both of those national minorities are in the same constituency with three other nations. It is an egregious example of the uneven distribution of votes and thus discrimination against citizens. That's exactly why I stress the need to change the electoral law in Croatia. This is also sought after by civil society organizations that continuously indicate unequal vote value and in the general ten constituencies. Certainly, as part of the change in the electoral legislation, one should also take care of the special unit for Bosniaks in the Croatian Parliament. We certainly deserve it with our relationship with Croatia.

10. Are you happy with options for self-declaration from the 2021 census? Do you see self-declaration as a Muslim for an ethnic/national group as a positive or negative fact? It has often been mentioned in the media that many see such self-declaration as also the so-called 'Communist legacy,' what is your opinion of it?

Mr. Alagić: I am satisfied with the option of self-declaration at the 2021 census, where I declared myself as a Bosniak. I consider the clarification as a Muslim as negative because that name is interpreted as the religious name for the religious group.

Miss Alagić: I believe that this option is a positive thing as long as national minorities do not get their legitimate status within the Republic of Croatia. I don't think it has anything to do with the 'communist legacy' and I would myself probably identify myself as an ordinary

citizen of the Republic of Croatia not to irritate myself with that attitude towards national minorities and also because of those dishonest relations towards minorities, I have no need to defy all these polished statistics on the uniqueness of the national being of the Republic of Croatia.

Mr. Meškić: That's a complex question. The National Bureau of Statistics has opted for an open list, for people to declare themselves as they wish. That's all right for me. To me, a Muslim in person with a large M in a national sense is not natural and is a relic of time. But there's still a number of our fellow citizens who feel that way. We need to educate people work with them and make known a national identity that's been pinned down for over 200 years.

Mr. Hevešević: The clarification was well prepared and it was possible to express its identity. And 'Muslim' as an ethnic/national group comes as a consequence of the just described communist legacy that in turn has roots in decades-long wandering in the national definition of Bosniaks attempts in the 1970s of 20th century to put a final stamp on the ethnic name, but by the nature of things, it was not logical or sustainable in the long term to bind the national statement of Bosniaks exclusively with a notion of religious group. It just aims to reduce one group exclusively to a religious group (aiming to further move Muslims to being a political factor).

11. How do you comment on three different self-declaration (Muslims, Bosniaks, and Croats Muslims) for Muslims living in Croatia? Do you think that didn't help much in building 'one identity'?

Mr. Alagić: My opinion towards these self-declarations is explicitly negative because we identify as a people called Bosniaks living in the RH and by no means different. I am sure that these three modes of self-declaration are encouraged by the ruling policy to disunite and downplay Bosniaks in RH, and this does not help to build identities.

Miss Alagić: As far as I'm concerned, I don't have any problem with that, I think pluralism in that regard is a very possible thing and I don't see why there would be a need to build 'one identity' at all.

Mr. Meškić: Certainly, it didn't help. But I would say, you can't ban people or impose how they're going to declare themselves. That's not how it's done. The education of our people is important.

Mr. Hevešević: Everyone declares themselves as necessary and appropriate and in accordance with their perception and feeling. Perseverance on uniformity is not necessary, but only necessary to sufficiently educate all involved in the exact differences between the categories described. Understanding the distinction between religion and nationality is one of those fields that requires serious work. It is unclear from the above question what is meant by the 'one identity among members of the' minority because the categories are quite clearly separate: Muslims are all those who belong to the Islamic Community or identify as followers of Islam, Bosniaks are an ethnic/national determinant of the indigenous European people, and Croats are all so declared, regardless of their religious affiliation. The name 'Bosniak' is a logical and proper name for the national minority of Bosniaks and is consistent with historical facts. The abolition of the name 'Muslim' for a national self-declaration should itself be done so that these people are automatically added to Bosniaks because it is an archaic name for the Bosniak national minority. The question of 'what would then happen to Albanians and Macedonians if the term is completely abolished' is posed. It is simple. They have nothing to do with the question of declaring themselves 'Muslims' because they are, ethnically/nationally, Albanians and Macedonians (and religiously Catholic, Orthodox, Muslim, or anything else, etc.). No one abolishes religious pronunciation, and it is necessary to further educate all involved about the difference between religious and national pronouncement.

12. In the pre-census period (2020/2021) Mr Armin Hodzic said that in the last census of 2011, about 9,500 people identified themselves as Muslims 'with the great M', and more than 31,000 as Bosniaks. If those figures were combined, they would get much more specific and accurate statistical information on the number of Bosniaks in Croatia. Aside from the desire for greater minority rights and better political representation, are there any other reasons for such self-declaration?

Mr. Alagić: I think the Bosniak community needs to work harder on the identity of Bosniaks and educate and encourage Bosniaks to declare themselves like that. The benefit of this is certainly in the aspect that the Bosniaks will receive their representative in the Parliament who will know how to present and articulate their interests in there. I think the reason for the large number of people's self-declaration as Muslims should be sought in their not built statehood as a people, and in their so-called passive mentality.

Miss Alagić: Again, I see no reason to deny such self-declaration to any group of people. If the statistics are so important for the representativeness of the groups mentioned, they can

simply count out in numbers, without people being able to declare a question of their own identity, since it is based on one side of a national but on the other hand on a religious commitment that is not the same thing.

Mr. Meškić: Greater minority rights and better political representation is a condition without which one cannot live and it is very important. But the biggest reason is to send a message that we have matured as a people who know who they are and know where they are headed as an ethnic group. Then we will be adequately represented and respected.

13. Do you see the work of the Council of National Minorities as beneficial? Or in your view, the Council so far had no major impact on political changes and decisions?

Mr. Alagić: I think the Council for National Minorities is in the service of governing politics, and it hasn't brought any benefit for national minorities. In my view, the Council has so far had no impact on political decisions and has made no changes.

Miss Alagić: I personally have not experienced any National Minority Council work benefits and for this reason, I find such bodies quite empty or even some convenient backdrops to meet some sort of norms and default frameworks, but which do not have any concrete political power.

Mr. Meškić: I was a member of the Council in front of the Bosniak national minority and I find the Council a useful body. The council has no major impact on politics, but it also somehow does. And it's good that it exists as a body that coordinates the work of national minorities. Programs strengthening the cultural autonomy of national minorities which slows assimilation are also funded by the council, enabling quality association and work. If it could do better, it can.

14. Do you have suggestions on how the Council's work could be improved? What are the possible solutions for better funding? Is there still the unwillingness of local bodies and the government to secure its funding?

Mr. Alagić: I don't have suggestions for the work of the council because I don't know its work program, but if the government secured quality funding for the Council, I believe it would achieve its purpose in existence. This is how the government keeps the Council addicted and under total control.

Miss Alagić: For starters, they should work on their own visibility in public space, for people to know what their roles and tasks are, but also the goals they work for. As far as funding

goes, I can't comment on anything because I don't know where they're funded and how, but it would certainly help them make that element public as well and to get transparently a glimpse of the data around who and how it funds them. In this way, I believe there could also be fairer funding, that is, involving local bodies and the government in it.

Mr. Meškić: Better projects need to be written. The RH government funds the Council from the state budget. It is not funded by a local government body. The government increases funding each year for members of national minorities. There's a real problem distributing funds. Let's say Bosniaks are the second national minority and we're fifth in funding. There, we can see the lack of our political absence from the council.

15. What is the relationship between Bosniak and Muslim minority groups with Croatian ministries (for education, sports culture, etc)? Do ministries equally allocate aid and work to benefit the minority? Has cooperation improved since joining the EU?

Mr. Alagić: The relationship between the Bosniak minority group and the Ministry of Education, sports, and culture is minimal or none. Some changes occurred during the period of Croatia's EU accession when the Bosnian language was allowed to be introduced in schools for the Bosniak minority and Bosnian language textbooks were used in schools. Other benefits are not known to me. For the grants of help, I don't know anything because I do not know of that. The entry of RH in the EU feels a slight shift in the education of minority communities.

Miss Alagić: I've never been involved in such processes before, so I don't have any concrete knowledge of it. I believe that by entering the EU, that cooperation due to the general encouragement of cohesion, pluralism, and openness has certainly improved at least somewhat.

Mr. Meškić: I can speak for the Bosniak minority. Bosnian language is present in schools by type C and that instruction is held. The problem is our people who don't send children to that activity in elementary and high schools. It's up to us. Good conditions are there.

16. How did you see the work of the Security and Co-operation Organization in Europe (OSCE) mission and the later OSCE office in Croatia? Were they part of the state's change until its closure in 2008? How many young people from the Bosniak and Muslim minorities collaborated or worked for this organization? What was your relationship with the OSCE, did you get support from this organization?



Mr. Alagić: I did not have much contact with OSCE work in Croatia, nor did I notice some benefits of their work and existence in Croatia. I know that some people from the Bosniak national minority have collaborated with the OSCE and received support from them, that they were grateful for that collaboration, and that they were helping them exercise their rights in education.

Miss Alagić: I personally haven't felt any benefits from the OSCE office or the general existence of the organization in Croatia. There may have been some advantages, but since they were not communicated in public space, I can't say that I was aware of them and that I perceived them as something that affected my life.

Mr. Meškić: I have no knowledge of this issue.

**Additional questions specifically for the Islamic Community in Croatia and mr.sc. Senad Hevešević, Osijek, member of the Islamic Community Council in Croatia from 2017 to 2018, author of the 2018 chapter on Croatia in the 'Yearbook of Muslims' published by Brill**

1. The 1990s Constitution of the Republic of Croatia, and its Article 41 (which states that all religious communities are equal before the law and separate from the state and that religious communities are free, in accordance with the law, to perform religious ceremonies publicly, to establish schools, classrooms, other institutes, social and charitable institutions, and to manage them, and in their activities they enjoy the protection and assistance of the state) freedom and independence is given to the Islamic Community in Croatia. Has this Constitutional article been respected by the state since the beginning of international recognition of independence and sovereignty or has the Islamic Community encountered problems with its work in its initial years?

The work of the Islamic Community in Croatia since the independence of the Republic of Croatia had its challenges that were expected at the time. For one part, the reasons were internal (difficulties in financial, personnel, and organizational terms within the Islamic Community), and on the other hand, there were challenges whose source was in external factors such as interfaith or international relations during the first half of the 90s in the former Yugoslavia. A constitutional principle existed from the outset, and the application of each and

even this constitutional principle had its own direction and direction of development, and was also logical to expect certain hardships. For a more detailed review of this issue, it is necessary to analyze and expound archival documentation on relations between the IC and the State in detail.

2. Muslims in Croatia have been an integral part of the Croatian state/territory for centuries. In 1916, the Croatian Parliament was among the first in Europe to recognize the status of Islam as a traditional religion. Also, Mufti Aziz Ef. Hasanovic has often spoken in public about how pleased he is with the Islamic Community's (IC/IZH) position in Croatia and the Croatian government's relationship with the IC.

Considering these facts, do you believe that Muslims in Croatia do not have a problem with the so-called European identity?

The Islamic community in Croatia is a multinational community, but the dominant majority of its members are Bosniaks and Albanians who are indigenous European people and the absence or problematization of the European identity of Muslims in Croatia would be an oxymoron, in itself. The Centennial O.S. experience in Croatia in the field of integration offers a rich experience that can be of great benefit to Muslim communities in the space of the European Union, as well, and which are not nationally compact to the extent that the IC is in Croatia. Also, the need for an additional or even clearer answer to this question would be to define a so-called European identity, but the general answer would be that, historically, the Muslim factor (and so the Muslims in Croatia) is present on the soil of Europe since the 8th century and thus, there is no need for a problem with the so-called European identity.

### **Questionnaire for Bosniak/Muslim Minority in Serbia**

1. Do you consider that one possible solution to the Bosniak/Muslim minority problem/question could be the decentralization of state government and greater autonomy of the Sandzak region? Or do you think that this would lead to the accelerated assimilation of members of the Bosniak minority living outside the Bosniak-majority Sandzak region, and conversely in the case of the Serb minority in the region of the Sandzak region?

**Amela Zoranić, 44 years old, Novi Pazar, Professor of English Language and Literature, former dean of the Department of Arts, and former vice chancellor for teaching at the**

**International University of Novi Pazar, former representative of the Serbian People's Assembly, former chief secretary of the Bosniak Cultural Community Muammar Zukorlic, one of the founders of the party called the Bosniak Democratic Union - BDZ and the Bosniak Democratic Union of Sandzak – BDZS party, later renamed Justice and Reconciliation Party – SPP:** The decentralization of Serbia is very important and necessary, but I do not feel that this would lead to a solution to the Bosniak issue.

**Admir Mulaosmanović, 39 years old, Priboj, an employee of one of the municipalities of the city of Priboj:** Given that part of Sandzak belongs territorially to Serbia, part to Montenegro, and one part to Bosnia and Herzegovina, I think it would be best for the Muslim-Bosniak people to accept this fact as it is and continue to live in Serbia as it is, of course with all its rights because these people don't have other countries as their own. They're who they are, and for those who know it, there's no assimilation for them, and we are rewarded or doomed by the fact that we must live together and therefore meet each other and take good things from each other.

**Dželila Mujović, 18, high school graduate student in June 2023, Novi Pazar:** Yes. And I don't think it would lead to the assimilation of members of one group into another because the greater autonomy of the Sandzak region only brings more rights to Bosniaks who may have been denied them before.

**Mehmed Kurtagić, Novi Pazar, 40 years old, 'Novi Pazar' high school teacher, Novi Pazar:** Yes, basic decentralization and greater autonomy of Sandzak region would be needed to facilitate and complete Bosniak rights in Serbia, but only with the mediation of EU institutions to make it all more intercultural and politically painless for the people of Sandzak.

**Muamer Suljić, 62, Novi Pazar, Doctor at the Hospital in Novi Pazar and university professor:** Yes, one possible solution would be the decentralization of Serbia, and/or some form of autonomy for the Sandzak region, why not the cross-border region Sandzak with the Montenegrin part of Sandzak (modeled after some regions that function like that in Europe).

2. Would greater cultural autonomy for the Bosniak minority be a barrier to better social integration, and on a longer plan would not help the interculturalism and multiculturalism of society in the Republic of Serbia?

Miss Zoranić: The product of greater cultural autonomy of the Bosniak minority would not be an obstacle to better social integration but rather the opposite, developing and fostering its own cultural heritage would produce greater openness to diversity and also intensify interculturalism.

Mr. Mulaosmanović: The Bosniak-Muslim people should have greater cultural autonomy and develop it, so they know who they are and therefore to meet other cultures. The people of Sandzak are multicultural but lack interculturalism. Both Bosniaks and Serbians can live next to each other but still have it a little harder to get to know each other, except in individual cases. Certainly, we need to work on interculturalism and develop it and strive to meet and expand our views and meet others and others.

Miss Mujović: On the contrary. Greater cultural autonomy for Bosniaks would even improve the image of multiculturalism in the Republic of Serbia from one point of view.

Mr. Kurtagić: Greater cultural autonomy of Bosniaks would only contribute to better intercultural respect for ethnic diversity that would better represent it to those who respect it.

Mr. Suljić: It is precisely the greater cultural autonomy that would have helped the multiculturalism of Serbia, after all, like all other societies.

3. Do you think the state still applies to Bosniaks/Muslims segregationist multiculturalism, or are you seeing shifts toward integrative multiculturalism? What should be done about the so-called passive political toleration between minority and majority? Do you feel that the poor progress of fragile social connections, and the segregationist multiculturalism/passive political toleration are also contributed by minority political parties, and by the Islamic community and their disagreements?

Miss Zoranić: The state's relationship with minority peoples will depend largely on the unity of the political entities of minority parties and their clear expression of the needs of minority peoples. Political parties have no consensus on the national issues of Bosniaks which gives the government the opportunity to meet the individual needs of political entities and neglect the real needs of minority peoples. The same applies to the Islamic community, the existence of two Islamic communities gives the right to the state to maintain neutrality towards both.

Mr. Mulaosmanović: I certainly believe that the state applies segregationist multiculturalism and there's a lot more to it. Political parties should be civil, not national. The Islamic community does not affect the deterioration of relations, on the contrary, it advocates for coexistence and respect for others.

Miss Mujović: I personally notice a shift towards integrative multiculturalism.

Mr. Kurtagić: To spread integrative multiculturalism, cultural communities, and their actions must be reinforced against 'political ruminants' who live at the expense of quarrels and disagreements by reducing democracy through the prism of the cultural spectrum which are then overshadowed in this journey of enlightenment of different entities.

Mr. Suljić: They are seen to shift towards integrative multiculturalism, but this is to be done systemically. (It may not be the subject of this issue, but still in public government institutes such as police, judiciary, etc., there is no adequate representation of Bosniaks). As for the progress of social ties, I think that's where the responsibility lies on the political parties of both the majority and minority people (and who have been in power here for a long time), although lately, this political discourse has changed. This is also on the religious communities (Islamic and Christian), it's also a big responsibility, too, and I don't think they are dealing with it. There are disagreements in the Islamic community itself, I'm also of the view that they all are hurting the multiculturalism of society in Serbia.

**Jasmin Hodžić, 40 years old, Serbia's member of Parliament in front of the Social Democratic Party of Serbia's parliamentary group, Priboj/Belgrade:** I think that in general there are both of the processes, but our people do not have so many knowledge about it to recognize it.

**Sanida Klarić, 61, Belgrade, graduate of the Faculty of Philosophy in Belgrade, works on projects for the employment through social entrepreneurship projects for poverty reduction and social inclusion:** I cooperate with people who share EU values and who try to present these values to local communities. Young people in Sandzak are very keen to enter the EU but do not want to contend with tradition and patriarchal stereotypes in their local communities and are more disposed to move into EU countries.

4. What is your opinion on the existence of two Islamic communities? Do you think it was necessary for Muslims in Serbia? How do you comment on the news of a possible merger between both communities?

Miss Zoranić: The existence of two Islamic communities is unacceptable. The formation of another Islamic community is a political product of the disunification of Muslims in Serbia. I see the merge of the two communities in terms of the return of those who have seceded within the Community in Novi Pazar, with the spiritual center in Sarajevo.

Mr. Mulaosmanović: The division of the Islamic Community was by no means supposed to happen, that's what the politicians did. And it would be best if there was only one.

Miss Mujović: I think there should be only one Islamic community. The existence of more Islamic communities creates only a larger divide among Muslims in Serbia. However, to merge of the two Islamic communities requires mutual effort and it is imminent for the two communities to bring together one Islamic learned person, not someone completely different, even if the same one fought for the rights of the Bosniaks or was a politician.

Mr. Kurtagić: I think grand mufti should be one, and Islamic communities are framework enterprises that can be for each municipality individually.

Mr. Suljić: Two Communities (The Islamic Community of Serbia-IZS, with a seat in Belgrade, and The Islamic Community in Serbia–IzuS, with a seat in Novi Pazar which is an integral part of the Islamic Community of BH in Sarajevo) are very unfavourable for Bosnians in Sandzak and Serbia. The biggest majority of Bosniaks recognize and are part of IzuS with a seat in Novi Pazar and Mufti in Sarajevo. We work to unite the communities.

(The Islamic Community in Belgrade was produced by SDA Sandzak and Sulejman Ugljanin, with the support and assistance of the then Serbian government and the government of Turkey, and made the IZS with a seat and a rating in Belgrade that is not part of the IZ BiH. The religious affairs office of Turkey gives them every infrastructure aid (money, organization, imam, etc.). Why they had an interest in breaking the religious community of the Bosniak people and Muslims in Serbia, and against our interests (though they failed), would require a longer analysis. However, if something is safe, history will remember and condemn it.

5. In 2016, one of the Bosniak political parties (Political Party of democratic action in Sandzak) in an election campaign, among the topics it has promised to focus on in the future, mentioned work to improve accelerated entry into the EU. Is there the same will and desire to enter the EU by other minority members?

Miss Zoranić: YES, minority people believe that by entering the EU, they will resolve their issues and standard of living and express their desire to enter the EU.

Mr. Mulaosmanović: We are certainly in favor of entering the EU and as soon as possible, because it will bring a more democratic society. I'm not saying it's ideal, but so far, I haven't met a better system for society to work. I'm aware of what it carries with it, but all anomalies certainly already exist hidden in society, at the development of democracy they will become visible and the right will be given to everyone to live as they please.

Miss Mujović: No. The EU has its advantages. However, some changes must occur in the Republic of Serbia for entry into it, which does not align with Bosniak culture and tradition, nor does it align with Serbian.

Mr. Kurtagić: I would say there is a very reduced potential for EU entry right now, which reflects on all cultural essentials for national minorities. Therefore, the speeding up of EU admission is needed to improve living conditions for all the urgent matters from culture to economic betterment.

Mr. Suljić: When it comes to accelerated entry into the EU, the desire of the Bosniak people is clear, and it does not depend on the position of any political Bosniak party.

Miss Klarić: I particularly work with some of their projects, and the UN Development Programme conducts the EU project for people, so in the Sandzak territory it certainly contributes to improving coexistence.

6. Another topic the party focused on during this period, was the display of the necessity of establishing a special mission in Sandzak by the international community. Do you feel there is/was a need for that?

Miss Zoranić: No, the existence of a special mission in Sandzak would not result in a particular betterment.

Mr. Mulaosmanović: I'm not familiar with this.

Miss Mujović: I have not heard much about it, to be honest.

Mr. Kurtagić: There is always a need for it, wherever there is the existence of so-called 'neutral subjects' (meaning international organizations and observers), there are realistic images of the condition of the people of that particular territory as well.

Mr. Suljić: Long before 2016, there was more need for international missions and there was no great need during that exact period around 2016.

Miss Klarić: I have no confidence in the Council of the Bosniak minority because I know some personally and feel they are not competent for this job.

7. Do you feel that the OSCE and UN organizations are contributing to improving coexistence and helping the Bosniak minority feel safer?

Miss Zoranić: Yes, I believe that the OSCE with its special office in Novi Pazar makes a significant contribution related to the sense of security among Bosniaks.

Mr. Mulaosmanović: All these organizations contribute to improving co-existence, not only for Bosniaks but all people living in Serbia.

Miss Mujović: Yes, definitely. They are very helpful in the overall process.

Mr. Kurtagić: Yes, but to some extent I would say. Most of the organizations as well as the UN and its agencies are stationed in Belgrade, and it should be changed and some should be present in Sandzak as well, because then the funds would come uninterrupted.

Mr. Suljić: I'm sure the OSCE and UN missions are going to start improving the co-existence and feeling of safety.

8. Do you have trust in the National Council of the Bosniak National Minority (BNV) and the fact that the Council works to improve the situation of the minority? Do you



think the Council is part of a change in the minority's situation or has not contributed to changes so far? In your opinion what are the Government's reasons for financing the Council less and less each year?

Miss Zoranić: Expectations of BNV are high, but the results of action are poorly visible. The position of the Bosniaks was not improved because of the BNV, which had so far been mainly in the service of one political party and served for the purposes of political rather than national actions. There is no transparency in spending BNV's financial resources, so I'm not aware if the Government is cutting back on the funding it allocates to minorities or not.

Mr. Mulaosmanović: I had trust in them while Muamer Zukorlic was alive and contributing to its work. I don't know how capable they are of contributing to the changes and improvement of coexistence. Time will show.

Miss Mujović: I believe that BNV contributes to overall positive changes for the Bosniak people. One possible reason the government is funding minority councils less and less is to silence minority groups because, with a worse financial picture, the council will find it harder to continue its work.

Mr. Kurtagić: They intentionally weakened funds so that councils would not advance, when the council body of national minorities is strengthened then the political power of the multi-party system is weaker, and the stronger council is the primary objective in helping the EU with dealing with national minorities.

Mr. Suljić: I want to trust it, and now in the current Bosniak National Council I have a lot of trust. I was not satisfied beforehand, and some of the earlier governments manipulated it when it came to composition. The council itself was completely without reputation and influence in the community. They are currently doing well on minority rights from their range. Actually, most of the rank of the SPP party is in co-alignment with SDA, SDP has run out of council positions this time. It's good that clearly profiled Bosniak parties are starting to work together (SDA and SPP) when it comes to national interests. I don't have information that the government is decreasingly funding council year after year.

9. Do you have trust in the Bosniak political parties or in their coalitions such as the 'List for Sandzak' coalition, and their day-to-day work?

Miss Zoranić: No, I don't have complete trust in them. The policy they run is not based on life and openness to others but represents a policy of confinement.

Mr. Mulaosmanović: I don't have trust in those coalitions, because the politicians in them only look at their own personal interests.



Miss Mujović: Not really, but I also don't know too much about every one of those coalitions.

Mr. Kurtagić: I don't, because it turns everything into a general personal interest that dominates the general interest of Bosniaks.

Mr. Suljić: I have no trust in all Bosniak current political parties.

(In the Bosniak political scene in Sandzak and Serbia, three political parties are up to date:

-SDA Sandzak - Sulejman Ugljanin. The party is undeniably due to an earlier period, and back then it was more of a movement than a party. However, the party has no consistency in the work and loses constantly the confidence of the citizens. They didn't do a great deal in achieving Bosniak interests. When they are part of the political position at the state level, they are very servile, and when they are not in power very radical, and the impression is given that the only importance is given to the political power. In addition, they are dragging a difficult matter on their backs, and that is the aforementioned breaking of the IZ. Currently, they have two of their Bosniak deputies in the republican parliament.

On the other hand, SDP Sandzak - Social Democracy Party of Rasim Ljajić. The party came on the wings of the poor work of the SDA with the help of the authorities in Belgrade. A party that does not deal with issues of interest to the Bosniak people, nor do they care. Their goal is material enrichment, and this is the methodology of crime and corruption, with the desire to get more money. The government is only a means for them to reach that end. Right now, they have one Bosniak deputy in the republican parliament (but they did not independently contest the parliamentary elections but were Serbian National Party's enforcers, and with that supporters of President Vučić's policies. If they had walked out on their own, they probably wouldn't have had that only MP either.

The SPP - Justice and Reconciliation Party (from the deceased Mufti Zukorlić), is the party we expect more from. Clear nationally profiled, clear views, with a clear line to fight for reconciliation among nations but on the grounds of justice. SPP has done more from the position of opposition in Sandzak than these two other parties as authorities. Clearly, they support the unity of IZS and IZuS with a seat in Sarajevo, they were part of the formation of preschools, they built a new madrasa building, formed the Faculty of Islamic Studies, and as well as waqf and the University of Novi Pazar. Mr. Zukorlić initiated various associations and academies of sciences, publishing activities, and a number of other activities, especially educational ones. They currently have their three Bosniak deputies in the republican parliament. I expect the SPP to be the new political impetus that we have needed if it continues on the path of the deceased Mufti Zukorlić.

Currently, the intellectual Bosniak elite is working on a joint performance by the SPP and the SDA in the next election, hopefully, a successful one, which will help a lot to articulate our national interests. Similar to what was done in the Bosniak National Council. It would be good if part of it was SDP, though I don't expect it. In case they don't, I think they'll be part of the political past.

Miss Klarić: They should emerge. Those politicians who are geared toward European integration and social justice for the most vulnerable groups in the community.

Mr. Hodžić: There are so many political parties right now, people should first learn all about them and their programs, but there are going to be new ones for sure.

10. What is your opinion on the division of minorities in the past two censuses, into two minorities – Bosniaks and Muslims (and in some census cases Serbian Muslims as well)? Do you see the name Muslim more as a so-called 'Communist legacy' or is the term still accepted among members of an ethnic minority group?

Miss Zoranić: The term Muslim is definitely a legacy of Communism and should not be offered as an option. The only generally accepted term in the national sense should be Bosniak and Muslim in religious terms.

Mr. Mulaosmanović: It's certainly not good. Only BOSNIAKS should stand on the list.

Miss Mujović: 'Muslim' is a member of Islam for us. Not every Bosniak is Muslim and Islam is not limited only by Bosniaks.

Mr. Kurtagić: No, I see it just as nationality, meaning being Muslim, then national affiliation Bosniak, and religion Islam.

Mr. Suljić: As far as I'm familiar with the census, there was a division into Bosniaks and Muslims (there was no Serbian Muslim). It is more familiar in some other parts maybe. A small number of Bosniaks identify themselves as Muslim, and mostly in environments that are majority inhabited by Serbs. Probably inheritances from the communist time, and perhaps a little sense of insecurity in the majority of Serb environments.

11. In your opinion, does the Bosniak minority need new political elites that are more open to cooperation and improvement of interculturalism in the state, or are current ones meeting the criteria now?

Miss Zoranić: Yes, I believe that this is what is needed. Existing political organizations do not meet the criteria unless there happen to be radical changes in the future.

Mr. Mulaosmanović: Certainly necessary, young intellectuals with new ideas and a new view of the future in the spirit of interculturalism and coexistence are very much needed.

Miss Mujović: Yes, definitely in need of new political changes.

Mr. Kurtagić: Yes, of course, any more modern vision/highly educated staff to improve the political apparatus is welcome.

Mr. Suljić: Those new political options are needed, and they will work clearly to advance multiculturalism. I see that new option right there in the SPP (Justice and Reconciliation Party).

12. Do you think that because of the same/similar language that the Bosniak minority has with the Serbian majority, there may be or there is already greater assimilation compared to other minorities in the state?

Miss Zoranić: I think there's an assimilation. The BNV must work harder to preserve and implement the Bosnian language in accordance with the guaranteed Constitutional Rights.

Mr. Mulaosmanović: There's assimilation, it's always been like that, unfortunately.

Miss Mujović: It is very noticeable in the whole area.

Mr. Kurtagić: That assimilation is still very small because the Bosnian language is poorly represented in our state media in Serbia, so it is all about the progress of the Bosnian language in our areas where the Bosniak people mostly inhabit.

Mr. Suljić: I don't think that's the reason for assimilation, nor there is any...

Miss Klarić: I haven't actually thought about this subject. I've accepted it just for granted.

13. Has there been any shift in cultural rights improvements from the early years of the post-Milosevic regime?

Miss Zoranić: Yes, the distinction is evident and is manifested in the daily life of minority groups.

Mr. Mulaosmanović: The shift is being observed, but the steps are very small.

Miss Mujović: Yes, they are very visible.

Mr. Kurtagić: It is better, but it is not yet at the required or at the highest level.

Mr. Suljić: Yes, there is a shift (but not by the dynamic we are satisfied with) in cultural rights, compared to Milosevic's period, and the early post-Milosevic period.

14. What is your opinion on the issuing of identity documents by the state in Cyrillic most of the time and thus disrespecting the cultural and linguistic rights of the Bosniak minority?

Miss Zoranić: The law gives the possibility that documents can be issued in Latin and Bosnian, at the request of the individual, the question is how ready the individual is to use that right.

Mr. Mulaosmanović: We know how to read and write both Latin and Cyrillic, and I don't think that question matters that much, but certainly we should have both options as an offer.

Miss Mujović: The issuance of ID documents in the letters of a state in which the citizen lives does not really constitute non-compliance with the person's rights.

Mr. Kurtagić: Full rights are held by Bosniaks to choose documents in Latin/Cyrillic as guaranteed by the constitution of the state of Serbia when respecting the rights of national minorities when issuing identity documents to their citizens, it is also an example of how everything should be adopted and cultivated to make living together better at all levels for Bosniaks and all the national minorities in Serbia that live in it as well.

Mr. Suljić: My IDs are on the Latin alphabet. You have the right to choose your letter when applying for personal documents.

15. Do you think that Serbia can cause the so-called 'psychosis of political threat'/mentality of endangerment among the Bosniak/Muslim minority in the near future with its attempts to homogenize society and thereby exacerbate the tense political situation?

Miss Zoranić: No, I believe that the Bosniak minority has overcome the "psychosis of endangerment".

Mr. Mulaosmanović: The situation is already tense, so I don't know what I'd say here.

Miss Mujović: The homogenization of society really destroys different minority cultures, so I am skeptical of interculturalism in the country.

Mr. Kurtagić: Homogenization of society is only favorable if everyone living in the state brings out one national flag and shows that they are all satisfied by their rights, any other form of homogenization with this kind of national flaw is disrespectful to the right of a minority. Ultimately, respect for minority rights contributes to the development and prosperity of the broader community. So, the solution would be a state that cares for all of its citizens.

By enhancing the rights of minority communities all the potential leading to wars, destruction, as well as ethnic cleansing would be lost.

Recognition of Srebrenica as genocide of the Bosniaks (meaning not just genocide of our neighbors but of our minority in general) is not a legal act that Serbia should adopt, but rather

a sincere respect for the rights of national minorities who have been largely disrespected and harmed. Those rights are in fact guaranteed by all international legal acts, and that form of recognition of the rights of national minorities is a positive decision that would influence minority politics.

Mr. Suljić: I think that with the president's attempts at homogenization, he can present "psychosis of endangerment" among the Bosniak minority.

### **Important legal Documents that were used in this research**

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

<https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-rights-persons-belonging-national-or-ethnic>

The General Assembly,

Reaffirming that one of the basic aims of the United Nations, as proclaimed in the Charter, is to promote and encourage respect for human rights and for fundamental freedoms for all, without distinction as to race, sex, language or religion,

Reaffirming faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small,

Desiring to promote the realization of the principles contained in the Charter, the Universal Declaration of Human Rights, the Convention on the Prevention and Punishment of the Crime

of Genocide, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and the Convention on the Rights of the Child, as well as other relevant international instruments that have been adopted at the universal or regional level and those concluded between individual States Members of the United Nations,

Inspired by the provisions of article 27 of the International Covenant on Civil and Political Rights concerning the rights of persons belonging to ethnic, religious and linguistic minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to the political and social stability of States in which they live,

Emphasizing that the constant promotion and realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities, as an integral part of the development of society as a whole and within a democratic framework based on the rule of law, would contribute to the strengthening of friendship and cooperation among peoples and States,

Considering that the United Nations has an important role to play regarding the protection of minorities,

Bearing in mind the work done so far within the United Nations system, in particular by the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the bodies established pursuant to the International Covenants on Human Rights and other relevant international human rights instruments in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Taking into account the important work which is done by intergovernmental and non-governmental organizations in protecting minorities and in promoting and protecting the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Recognizing the need to ensure even more effective implementation of international human rights instruments with regard to the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Proclaims this Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities:

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.

2. States shall adopt appropriate legislative and other measures to achieve those ends.

#### Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.

2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.

3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.

4. Persons belonging to minorities have the right to establish and maintain their own associations.

5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group and with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

#### Article 3

1. Persons belonging to minorities may exercise their rights, including those set forth in the present Declaration, individually as well as in community with other members of their group, without any discrimination.

2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights set forth in the present Declaration.

#### Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.

2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion,

traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

3. States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

#### Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

2. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

#### Article 6

States should cooperate on questions relating to persons belonging to minorities, inter-alia, exchanging information and experiences, in order to promote mutual understanding and confidence.

#### Article 7

States should cooperate in order to promote respect for the rights set forth in the present Declaration.

#### Article 8

1. Nothing in the present Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.

2. The exercise of the rights set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognized human rights and fundamental freedoms.

3. Measures taken by States to ensure the effective enjoyment of the rights set forth in the present Declaration shall not prima facie be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.



4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

#### Article 9

The specialized agencies and other organizations of the United Nations system shall contribute to the full realization of the rights and principles set forth in the present Declaration, within their respective fields of competence.