

‘Opportunistic alignment’ in and beyond consociational systems. Evidences from South Tyrol and Bosnia Herzegovina

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Abstract

The consociational model of democracy (Lijphart 1977) is the most employed to manage plural societies and, in its corporate variant, it regulates political representation and participation by accommodating the interests of groups identified according to ascriptive criteria (McCulloch 2012). In so doing, however, it marginalises and even excludes all those bearers of identities not foreseen and included in the system. Generally regrouped under the catch-all label ‘Others’, these individuals are confronted with the choice of either adapting to the ethnic divide or remain left out. The paper asks how do citizens ‘Others’ deal with ethnically connoted and organised states, it explores what mechanisms and strategies they do adopt when facing structural obstacles, and it pays particular attention to the ‘identity choices’ granting them greater inclusion and participation. The study is grounded upon empirical material collected in South Tyrol and Bosnia Herzegovina, and it demonstrate that the self-interested mobilisation of collective identities - here named ‘opportunistic alignment’ - allows to overcome the rigidity and exclusivity allegedly entrenched in consociational systems, also exerting a stabilising effect preventing substantial systemic changes. The study’s conclusions can however be broadened beyond the case studies, informing a discussion about ‘stability and quality’ of democracy - in and beyond beyond consociational settings.

Keywords

Ethnic governance – consociational democracy - opportunism – alignment - South Tyrol - Bosnia Herzegovina

Introduction

Arendt Lijphart defined plural societies as societies clearly divided along religious, ideological, linguistic, cultural, or ethnic lines; separated sub-societies with their own political parties, groups of interest, and media (Lijphart 1977). Consociational arrangements envisage a model of power-sharing safeguarding each group through the implementation of 1) a coalition government; 2) mechanisms of proportional representation; 3) veto rights; and 4) autonomy, implying a high degree of decentralisation and/or federalism. There are, however, two main types of consociations according to how the groups that will share power are identified: corporate consociations identify groups according to ascriptive criteria such as language, religion, ethnicity; liberal consociations, instead, reward any political identity emerging in democratic elections according to the logic of self-determination (McCulloch 2013). Consociations define individuals' rights and obligations, ensure political representation, guarantee seat in government and public office, and distribute economic and financial resources, depending on their group membership. Inevitably, however, individuals not fitting into the predefined identity categories are excluded (Agarin et al. 2018). These citizens - ranging from people from mixed marriages, members of communities not involved in the conflict, politically irrelevant groups, as well as those avoiding identity labelling for ideological reasons - are generally regrouped within the umbrella category 'Others', and they too seek to have at least a similar share of opportunities, recognition, and representation as the main groups. When confronted with the choice of either to adapt to the ethnic divide or remain aside of it, they rarely are able to break out of the 'ethnic logic', remaining either invisible and marginalised, or 'co-opted, stripped of agency and disempowered by power-sharing' (Nagle 2017: 2). Much of the established scholarship on consociational mechanisms in divided societies assesses the effects of macro institutions and political mechanisms of participation and representation on political elites', but less so on citizens' behaviour. While consociations' tendency to freeze, and institutionally privilege, collective identities (Horowitz 1985; Noel 2005) perpetuate ethnic division and dangers of consociations' sliding into ethnocratic modus of governance (Stojanović 2019) are generally well understood (O'Leary 2005; Reilly 2004), much less is known about citizens' reasons to continuously endorse suboptimal outputs of representation. On the other hand, the effects of power-sharing on Others have recently received closer attention by the 'Exclusion Amid Inclusion (EAI) Dilemma' team (Agarin, McCulloch 2020; Agarin et al. 2018). These scholars assessed consociations' ability to accommodate greater diversity in citizenries and deliver more effective governance. Overall, however, there has been little academic engagement

with the individuals' agency in the process of conforming to the predefined ethnopolitical matrix of consociational societies. None of scholars start their investigation from the point of view of the citizen who does 'not fit in' the identity-based rubric of consociational systems. As a result, although the reasons for institutional and political stability of consociations are comparatively well studied, we know very little about the societal foundations for stable intergroup relations in consociational divided societies. This paper addresses and fills this gap by focusing on Others' 'identity choices', and it does so by looking at two different corporate consociations: South Tyrol (ST) and Bosnia Herzegovina (BiH). ST, the northernmost Italian province, is populated by two major ethno-linguistic groups: the German (69,41%) and the Italian (26,06%) ones; and by a third, smaller, group of Ladin speakers (4,53%)¹. BiH, instead, is mostly populated by three major ethnic groups: Bošnjaks (50,01%), Bosnian Croats (15,5%) and Bosnian Serbs (30,08%)² - the latter almost exclusively inhabiting the Entity of Republika Srpska, while the other two groups mostly living in the Federation of Bosnia Herzegovina (FBiH)³. In BiH the non-ethnically aligned citizens (Others) count the 3,7%⁴ of the total population, while in South Tyrol those who declare Other and then aggregate to one of the three groups represent the 1,68%⁵.

By building upon empirical material collected in the years 2019 and 2020 through semi-structured interviews, the key observation underpinning the exploration is that Others can be considered central agents ensuring system's stability and the perpetuation of ethnic politics: by endorsing suboptimal identities for opportunistic reasons, these citizens, on the one hand, overcome the rigidity and exclusivity allegedly entrenched in consociational systems; while, on the other hand, contribute to salience ethnic divisions, legitimise identity-based politics, and stabilise the gover-

¹ Census of the population, 2011 <https://astat.provincia.bz.it/it/censimento-generale-popolazione-abitazio-ni.asp>

² Census of population, households and dwellings in Bosnia and Herzegovina, 2013 <http://www.statistika.ba/#link2>

³ BiH is one single country yet internally partitioned into two Entities: the Federation of BiH comprises the 51% of the Bosnian territory, while the Republika Srpska occupies the 49% of it. Additionally, the District of Brčko became autonomous in 1999, not belonging to any Entity;

⁴ Census of population, households and dwellings in Bosnia and Herzegovina, 2013 <http://www.statistika.ba/#link2>

⁵ Census of the population, 2011 <https://astat.provincia.bz.it/it/censimento-generale-popolazione-abitazio-ni.asp>

nance based on serving the ethnically distinct communities preventing structural changes. The arguments put forward throughout the article contribute to the academic debate on inclusion and representation in consociational settings, as well as inform a discussion beyond the case studies, and concerning the relationship between democracy's stability and quality in and beyond consociational systems.

Managing plurality via consociationalism

The South Tyrolean consociation: an institutional overview

The South Tyrolean 'complex power-sharing' (Wolff 2008: 340) consists of three key aspects: i) decentralisation of legislative and administrative powers to the province; ii) unique political and institutional agreements between the province and the government in Rome; iii) institutional mechanisms, specific and unique to the province, aimed to accommodate and protect its diversity. This hybrid system of segregation and integration (Woelk 2006) protects the linguistic minorities through the implementation of a set of mechanisms, among which stands the ethnic quota system. Introduced already back in 1946 with the Gruber - De Gasperi Agreement, consociationalism's principles have been retained with the entering into force (1972) of the so-called Second – and current – Autonomy Statute (ASt). Such mechanisms were essentially meant to include, represent, and safeguard each group's identity, culture, and interest while assuring and maintaining the ethno-linguistic plurality of the public bodies and institutions of the state. The tool identified to achieve such goals was the ethnic quotas system - which applies 'to everyday life and the whole public sphere, and establish[es] a detailed regime of individual and collective linguistic rights (Alber 2021: 187). Ethnic proportions are calculated on the basis of the most recent census and are applied according to the ethno-linguistic groups' numerical strength. The tool used to identify the quotas' size is the so-called 'linguistic declaration or aggregation': by asking ST's inhabitants, aged 18 or above, to self-identify/aggregate themselves with one of the three ethno-linguistic groups (Italian, German, Ladin), the declaration allows determining the size of each group and, in a second step, to calculate the proportions for the ethnic quotas to which a set of rights and benefits are connected. From a citizen's perspective, the declaration allows 1) to 'stand for public office; 2) to be entitled to file an application to receive subsidies and [...] 3) to be employed as a civil servant' (Alber 2021: 190).

Although functional to its aim, this system based on ethnic proportionality is however not perfect, and the language declaration has been object of a quite intense debate – yet particularly in the 1980s. A first issue raised was about the declaration resembling ‘an ethnic counting’ - yet, after the 1984 Council of State’s decision, it was agreed that ‘adults complete a form at each census in which they indicate to which of the language communities they (and their children) “prefer” to affiliate and another form for statistical purposes where no group identity is declared. The “language” list is then submitted to the respective local authorities and used for purposes of calculating the size of the respective language communities without disclosing the identity of the individual who completed the form’ (De Villiers 2017: 18). Additionally, if until the 2001 census the linguistic declaration was not anonymous, and if a person wished to stand for elections in a certain office, it automatically was included in the quotas available for her ethno-linguistic group (Stojanović 2018), it has then been decided that the declaration made in the occasion of the 2001 census keeps its effect until the person will (if ever) change it (Lantschner, Poggeschi 2008). On this purpose, while citizens are allowed to modify their linguistic declaration at any moment, the change displays its effects only 18 months after.

A further yet linked concerning aspect was about the linguistic declaration’s crystallising effect on the ethno-linguistic collective identities, and the fact that all those bearers of ‘non standard and not foreseen identities’ are (theoretically) cut out from the system. The issue was initially raised, in the 1980s, by Alexander Langer⁶, a politician member of the Green Party (*Verdi-Grüne-Vërc*), forbidden to run for mayor of Bolzano/Bozen because he refused to provide the linguistic declaration during the 1991 census. Langer, and others together with him, loudly pointed out rigidities, limits, and possible negative outcomes of such a mechanism, blamed to trap individuals into ‘ethnic cages’. Those failing/avoiding to declare themselves during the census were automatically banned from running for offices and, until 2001, they could not change their declaration until the next census. A judgment of the Supreme Court, in 1995, paved the way for the 2005 reform of the by-law to the statute, which separated the census - anonymous and used for statistical purposes - from the declaration of linguistic belonging - happening on a voluntarily base if someone wish to benefit from the ethnic quota system. And while citizens had been given (in 1991) the possibility to declare themselves Others, they remain(ed) compelled to ‘aggregate’ with one of the three ethno-linguistic groups if they want to actively participate in the political life of their society, and take advantage from the benefit, rights, and resources redistributed ac-

⁶ Alexander Langer, citizen of Bolzano/Bozen politically active in the Greens, questioned the ST’s ethnic power-sharing mechanisms - accused, as he was used to say, to trap people into ethnic cages;

ording to ethnic criteria. Failing/refusing to provide the linguistic declaration, or aggregating to one of the ethno-linguistic groups, (still) automatically causes the exclusion from the ethnic quota system, hence the renunciation of the rights and benefits enjoyable only through it. Nevertheless, the linguistic declaration does not have to correspond to ‘reality’, and there are no checks, sanctions, or punishments impeding ‘to lie’ about it, hence to give ‘false declarations’ for opportunistic reasons.

The Bosnian Herzegovinian tripartite system

The Bosnian domestic constitution, namely the Annex IV of the Dayton Peace Agreement (DPA) signed in 1995, recognises the status of Constituent Peoples to three major ethnonational groups - Bosnian Serbs, Bosnian Croats, and Bošnjaks, next to which stand the ‘Others’. This latter is an umbrella category including both the members of the 17 minorities living in BiH ever since, and all those who cannot or do not want to identify themselves with none of the main ethnonational groups.

In the light of its ethnic heterogeneity and conflicting past, and in order to avoid the supremacy of one group over the others while guaranteeing socio-economic equality and proportional representation, the DPA foresaw the post-war implementation of power-sharing mechanisms similar to those already in place during the Yugoslav era (Radan 1998). Among other tools, quotas apply also in BiH but, contrary to South Tyrol: i) their implementation follows both ethnic and ethno-territorial⁷ criteria; ii) a fix⁸ number of quotas regulates representation in some of the major state

⁷ the DPA made official internal partitions generated by and during the war, and the country is now divided into two Entities – the Federation of Bosnia Herzegovina (FBiH), inhabited mainly by Bosnian Croats and Bošnjaks, and the Republika Srpska (RS) whose inhabitants are almost only Bosnian Serbs. The Brčko district, instead, became autonomous in 1999;

⁸ the ethnic quotas are determined according to the data gathered during the 1991, pre-war, census of the population - still in place all over the country, except for Canton Sarajevo;

bodies⁹; iii) while in other state body as well as field of the social and public life, the application of the ‘national key’ (Pearson 2014) follows informal rather than official criteria - yet ethnic proportionality is carefully observed even when and where not officially prescribed. Concerning Others, at the state level they cannot (officially) run neither for the tripartite state Presidency nor for the House of Peoples, while one member of the Cabinet, the Council of Minister, can be Other. At the municipal level, Others always have a reserved quota (Stojanović 2018: 359). Nevertheless, while in the immediate war-aftermath Bosnia Herzegovina was busy in re-building both its state and society, the structural discrimination suffered by Others came to the surface in the second half of the 2000s. In 2008, the representatives of the Jewish and Roma communities, respectively Mr Jacob Finci and Dervo Sejdić, sued the state of BiH because they were not allowed to run for the tripartite presidency in virtue of their being Others. The case was brought before the European Court of Human Rights (ECHR), which in 2009 decided the Bosnian constitution must be modified, and so its institutions. Among others, similar cases have been that of Ms Azra Zornić, who refused to declare her belonging to one of the three ethnic groups; or Mr Svetozar Pudarić, prevented to run for the tripartite presidency because he was a Bosnian Serb from the FBiH instead of the RS. In spite of the various ECHR sentences and internationals’ solicits, the Bosnian ruling class has not yet found an agreement about how to reform the country’s constitution, institutions, and mechanisms of representation. And while the Bosnian system remains ethnic and exclusive, citizens Others keep on remaining at its margins. Nevertheless, although lacking a tool similar to the South Tyrolean linguistic declaration, also the Others from BiH have found their ways to cope with such ‘ethnic obstacles, opportunistically aligning to the ethnic divide and governance in order to take advantage from it.

2.3 Who are the Others?

⁹ the 15 members composing the House of Peoples must be 5 Serbs, 5 Croats, 5 Bošnjaks, two-thirds elected in the FBiH and one-third in the RS; decisions are taken with a quorum of 9 members, 3 for each community. The House of Representatives is composed by 42 members, two-thirds elected in the FBiH and one-third in the RS; decisions are approved with one-third of the representatives from both the Entities. The Constitutional Court is composed by 9 members (4 appointed by the House of Representatives of the Federation, 2 by the RS National Assembly, and 3 appointed by the President of the European Court of Human Right) and it is the only institution for which an ethnic composition is not by law prescribed;

By definition, in a consociation Others are all those who cannot or do not want to identify with the available collective categories (Agarin et al 2018); yet, from an individual perspective, *anybody* might find it hard to say ‘who s/he is’, potentially falling into the ‘Others’ box. We need in fact to distinguish between i) individuals’ declared identity or, better, the declared group of belonging, which correspond to the collective identity mobilised in case of need and/or in certain circumstances; and ii) the feeling of belonging, corresponding to one’s own personal idea of ‘being’. None of the two necessarily correspond or overlap to the ‘alleged’ identity/group membership, namely that one *inferred* and *guessed* from the outside the basis of one’s one personal name, language spoken, or any other feature that cannot be hidden. Evidence in this direction, for example, is the fact that, as a consequence of the ‘Italinisation’ happened in ST during the fascist era, some of those holding an Italian surname are actually German speakers, from German families, and with German backgrounds. In any case, from a structural perspective, the content of the category ‘Others’ is highly heterogeneous, and its potential members are confronted with the choice of either aligning to the ethnic divide - if they want to be fully represented, participate into their society’s public life, and enjoy rights and resources; *or* endorsing supra-ethnic forms of identification, challenging the ethnic governance while refusing all those rights and resources allocated on ethnic bases. According to the data collected in today’s South Tyrol and Bosnia Herzegovina, those who might fall into the category Others can be, in turn, regrouped into four main sub-groups:

- i) the *ethnic minorities*: citizens belonging to ethnic groups different from the main groups/constituent peoples (i.e. in BiH: Jews, Roma, etc; in ST foreigners either possessing the Italian citizenship or a long stay residence permit equating them to Italian citizens);
- i) the *mixed*¹⁰ : individuals coming from mixed unions/marriages between two or more groups. The mixed union may be either between domestic groups, or between one domestic and one foreigner group;
- ii) the *against*: avoiding or rejecting any form of ethno-national/linguistic self-identification. Mostly avoiding self-ascription as a form of political protest, these sub-group’s members in ST were called *ethnic objectors*; they were definitely visible and louder in the 1980s while today they have disappeared. In BiH, instead, next to those rejecting ethnic labelling as a political stance, we can find those who have either retained or post-war endorsed non-aligned forms of identification (i.e. Yugoslav, Sarajevan, Bosnian Herzegovinian).

¹⁰ in South Tyrol these individuals are called ‘mistilingue’ in Italian - where the term has a neutral connotation; while ‘gemischtsprachig’ in German - where the term is negatively connoted;

By always keeping in mind that social reality is far more complex than the above, the typology suggested discards any pretense of exhaustiveness and only tried to make some order in the complexity of the catch-all category Others' - helping us to understand the logic behind these citizens' endorsement of suboptimal outputs of representation and inclusion.

Making an identity choice: understanding 'opportunistic alignment'

The next sections build upon a empirical material collected in South Tyrol and Bosnia Herzegovina in 2019 and 2020, and explore rational and interests behind citizens Others' negotiations and mobilisations of collective identities in contexts of ethnic power-sharing. The aim is to shed light on how Others navigate the ethnic divide and governance - whether adapting or reacting to it; and to understand to what extent consociations succeed or fail in representing and including also citizens' whose collective identities are not foreseen by the consociational mechanisms, accommodating and satisfying their needs and interest.

First-hand data have been collected through semi-structured interviews performed in the main urban centres of South Tyrol (Bolzano/Bozen, Merano/Merano, and Brunico/Bruneck) and Bosnia Herzegovina (Sarajevo, Mostar, and Banja Luka) for a total number of about a hundred conversations. The respondents ranged from members of the dominant political parties, to civil society organisation 'closest' to the Others' issue, and ordinary citizens (aged 20-65). They have been reached through the snowball sampling technique, yet never approached on the base of the author's assumptions concerning their ethno-linguistic/national origins; as a consequence, I might say the study's respondents offered their perceptions over the 'issue of Others'. The questions asked, adapted according to the interlocutor, explored two main macro-areas: i) *Others and institutions*: in order to investigate which obstacles and institutional discriminations people bearers of identities not included/foreseen by the consociational system are likely to face; which strategies they might possibly adopt to circumvent/overcome those obstacles; and which criteria guide 'identity choices' allowing to enter the system, benefitting from it; ii) *Others and political representation*: in order to assess how, in the light of the (ethnic) identity politics framework in which interactions take place, citizens potentially Others ask for, and obtain, an adequate degree of political inclusion and representation. Given the methodology used and the rather small sample, the research results have no statistical relevance and cannot be generalised to the whole population of ST and BiH; yet the findings below discussed shed light on the factors incentivising,

and the logic behind, Others' opportunistic behaviour, highlighting the stabilising effect of their identity choices.

Availability and redistribution of economic resources

While discussing how and through which channels citizens, and especially those potentially Others, interact with ethnicised state institutions, the interviews performed made clear that the factors shaping individuals' behaviours and identity choices are multiple and subjective, and we cannot build a grand theory explaining their modalities of self-ascription. Yet the empirical material pointed out that i) virtually anybody, Others in particular, tend to align to the ethnic divide without challenging the governance in place; and ii) the criterion driving their identity choice is, generally, one rooted in opportunism.

The South Tyrolean wealth

South Tyrol is a small territory in which a set of favourable conditions - above all the exceptionally beneficial fiscal policies - allowed for economic growth and generalised socio-economic wealth. According to the European statistics rankings, the Autonomous Province has a GDP per capita of 'about 150% of the Italian and the EU average values'¹¹, figuring among the wealthiest areas in Europe (Lantschner, Poggeschi 2008). According to the AsT's provisions, in fact, the Autonomous Province not only has budgetary freedom, but it is entitled to receive nearly all tax revenue collected within its territory. Additionally, while the 2008 financial crisis marked one of Italy's toughest moments, the ST economy has further been safeguarded by the 2009 Milan Agreement and the 2014 Pact of Guarantee, which allowed the Province to retain 9/10 of the taxes paid in its territory. The availability of substantial financial resources served to create services and job opportunities, eventually nurturing a generalised feeling of efficiency and security while avoiding the ST population to move elsewhere (Pan 2018).

With this in mind, we can better understand citizens Others' identity choices - which, as the study respondents' explained, are largely driven by the numerous advantages guaranteed (to *anybody*) at the sole condition of ethnic alignment.

¹¹ <https://ec.europa.eu/growth/tools-databases/regional-innovation-monitor/base-profile/bolzano>

Here everything is working perfectly only because there is lots of money. The unanimously cherished 'South Tyrolean model' does not exist, I do not see all this integration and cooperation. [...] We live in the richest city in Italy...I mean, it is ok as it is (Male, BZ, Nov 2019)

There are no 'heart issues', never seen in my life. People could not care less to declare they are Italian or German; it is all about opportunism and the only thing that matters is work and the opportunities connected to the declaration. Money is the only thing that matters here (Male, BZ, Nov 2019)

Being autonomous, the Province of Bolzano/Bozen has a very extended public administration: out of 49.406 public employees 41.949 work the provincial administration (ASTAT 2019). In order to access the selection procedures for a public job, candidates must have deposited their linguistic declaration/aggregation - which allows them to compete for the posts reserved for the linguistic group they have declared to belong/aggregated to, not for the totality of the open positions (Lantschner, Poggeschi 2008). It goes that, while on the one hand, the criteria for accessing and participating into such a system might appear 'rigid and ethnically-exclusiveness' - especially in the eyes of those potentially Others; on the other hand, they happened to be as such only *apparently*, as *in practice* anybody is served with much more incentives in aligning rather than challenging the mechanism of 'ethnic self-ascription'. Non-alignment, hence challenging the ethnic quota system by refusing to provide the declaration of linguistic belonging/aggregation, represents a pragmatically disadvantaging choices.

If you don't declare it is clearly disadvantageous; and it is so also if you fill up your declaration later on, after your 18th birthday. Your rights are delayed and, for example, you won't benefit from the house contribution which is up to 60.000€ (Female, BZ, Oct 2019).

The Bosnian survival strategy

In BiH we can observe a slightly similar reality, as most people - Others included - tend (when possible) to align to the ethnic divide without challenging its mechanisms and principles. Yet contrary to ST, Bosnia Herzegovina is ranked among the captured states (Džankić 2018; Hulsey 2018) - which means the public (and not only) institutions are controlled by the ruling ethnonational parties. In such an environment, not only one's own ethnicity, but also 'connections and recommendations' (Brković 2017), namely ethno-clientelistic ties (Piacentini 2019; 2020b), represent indispensable tools to survive the ethnic scaffolding.

After the 1992-95 war, except for the war-profiteers (Hulsey 2018), the whole Bosnian society resulted impoverished: economic and social inequalities increased, and the in-flow of money coming from international organization also contributed to make the country a ‘rentier-state’ (Belloni 2020). In addition to that, the salience conferred to ethnicity by the the power-sharing mechanisms ended to further favour the capturing of the state, as the ethnonational political elite found itself provided the with the needed tools for administrate, redistribute, and control, the public institutions and (scarce) resources of a decentralised and fragmented state.

The empirical material collected in BiH revealed that, while on a personal level ethnicity is not a matter of concern, it definitely is when it comes to the political and institutional spheres. Ethnonational identity has become an indispensable tool to be mobilised in order to enter the system and benefit from its resources (Piacentini 2020a).

Ethnicity first, then connections. In any case. They are both indispensable: if you are not politically engaged, you won't get a job (Female, MO, Oct 2020)

When you apply for a public job, the only thing that works is štele: this is the guy winning the position. Nobody else. (Male, SRJ, Sept 2020)

As mentioned, contrary to South Tyrol - where ethnic quotas are carefully regulated and calculated, in BiH their application is mostly based on informal practices. Besides when explicitly prescribed by the DPA (i.g. triple Presidency, House of Peoples, House of Representatives), the ethnic quotas are unofficially implemented by public authorities which always make sure not to have ‘*ethnically pure sectors of the public administration*’ (Male, SRJ, Sept 2020). In order to do so, and in the absence of a tool similar to the ST ‘linguistic declaration’, individuals’ ethno-nationality is checked by the public authorities by asking candidates to exhibit their birth certificate: as the interviewees explained, that is the only official document displaying informations about one’s own background, as from both parents’ names and surnames it is possible to infer - quite precisely - the person’s ethno-national origins. The informality of such a practice further underlines its personalised character and, by extension, the key importance ‘connections and recommendations’ have when dealing with the public institutions of the state. Accordingly, while in the past ‘*the respect of ethnic quotas was low profile*’ (Female, MO, Oct 2020), the current ethnicity’s institutionalisation, alongside with the capturing of the state and the ‘normalisation’ of ethno-clientelistic ties, seem to have favoured citizens’ opportunistic behaviours of ethnic alignment.

*This politician from *** initially was declaring 'Other' but then she declared Bošnjak so to enter the power structure, because there were no seats for 'Others' (Male, SRJ, Sept 2020)*

Moreover, the lack of a tool similar to the ST linguistic declaration/aggregation, and the absence of checks and potential sanctions discouraging opportunistic behaviour, further and definitely allows for the opposite.

You can switch according to what is best for you. Many people do change their declared identity, constantly - according to the territory, the job...there are no rules, no punishments, nothing (Male, SRJ, Sept 2020)

As acknowledged by the respondents from Bosnia Herzegovina, once ethnic belonging becomes the factor allowing and guaranteeing political representation and resources' allocation, anybody's, and Others' above all, alignment to the ethnic divide becomes *the* way to access rights and resources. Therefore, like emerged in South Tyrol - though due to different reasons, in BiH too to be/declare to be Other is pragmatically disadvantaging. Opportunistic alignment, on the contrary, represents the strategy assuring the highest pay off.

Prestige and groups' status: winner and loser(s)

The winner group in South Tyrol and shifting identities phenomenon

In South Tyrol the abundant economic resources have largely been employed to create a better and more efficient society for everyone; nonetheless, as De Villiers (2017: 19) pointed out, it is also true that there clearly are 'social benefits that accompany the numerical size of the respective groups [given that] government grants are paid to local municipalities in proportion to the language group in the area of the local government, which means there is a financial incentive for communities to increase their numerical size'. On the one side, therefore, alignment to the ethnic divide is institutionally incentivised by, for instance, the absence of ethnic quotas for Others or the possibility to give a 'false' declaration of linguistic belonging.

You can declare whatever you want. Ethically it is not correct, but it does not matter. (Male, BR, Feb 2020).

On the other side, the choice of which group to align with is strictly tied, and thus driven by, nature and amount of opportunities granted to each group throughout the ethnic quota system. Not surprisingly, be the South Tyrolean corporate consociationalism - among other things - a way to safeguard the minority groups, the ‘winning group’ inevitably happens to be the German one. This does not mean there are ethnic imbalances or groups disparities: resources are proportionally allocated according to the groups’ numerical strength in the ST territory, hence the German group - being a minority group in Italy yet a majority in ST – ‘enjoys the biggest slice of cake’, and ‘assures better, not greater, inclusion in the society’ (Female, BZ, Dec 2019). Accordingly, as the interviewees coming from foreigner or ethnically mixed background stated, they all have opted ‘to side’ with the German group regardless of personal and emotional considerations, attachment to the Italian culture, or actual linguistic competencies.

You never know what is going to happen in the future [...] There are reserved quotas and job positions, you must think wisely what group to aggregate with. (Female, non-EU citizen, BZ, Jan 2020)

The mixed families I know they all declared they are German because it makes more sense. [...] After I got the residence permit, I declared I am German too. It is a pragmatic decision...if I will ever want to work in the public administration (Female, EU citizen, BR, Dec 2019)

Curiously enough, sometimes it is also the members of the Italian and Ladin groups too ‘switching identity’ as a form of ‘opportunistic alignment’.

I did not want to be the vice-director of anyone, I wanted to be the director (Female, BZ Nov 2019)

My husband is from Naples, he learnt german and appreciates the german culture, and yes - he declared German [...] I believe the declaration has been misunderstood, it is not an excluding mechanism, quite the opposite (Female, ME, Dec 2019)

My husband is from Tunisia and he declared german. [...] After he got the Italian citizenship he declared as German - even though his knowledge of the German language is definitely lower than his Italian. (Female, BZ, Dec 2019)

This phenomenon has been linked to how, and how many, resources are allocated to the groups, once again pointing the attention to the opportunism intrinsic to the ST consociation and declaration system. As many argued, the mechanism regulating the redistribution of resources in ST is

highly political, and ‘particularly the Italian speakers feel disadvantaged with regard to their allocation to the most important positions in the administration’ (Lantschner, Poggeschi 2008: 222). On this purpose, it is important to mention the fact that the declaration of linguistic belonging, although allows for ‘freedom of choice’, is closely linked to the actual linguistic competencies of the individual. For example, when it comes to job positions in the public administration, the candidates run for the post issued to the group they declared to belong to, yet they must prove that group’s language proficiency by possessing a linguistic certification called ‘patentino’. While some might argue against the opportunism argument raised by this article, it is fair to note that, in the last years, the ST Provincial authorities have softened the selection procedures for public jobs, allowing the not yet bilingual candidates to acquire the ‘patentino’ *after* their selection, and within a period of 5 months¹². As most respondents pointed out, this softening of the regulation has favoured the Italian speakers by broadening their chances of obtaining a public job even when not (yet) bilingual. By extension, this softening might further incentivise Others as well as Italian speakers to strategically declare membership to the German group in view of future opportunities, allowing them to acquire the linguistic skills only if and when needed (hypothetically *after* their successful selection, and not before the application, for a public job). Although seeming provocative, these reflections have been corroborated by the empirical material gathered, as well as by the already documented ‘uneasiness’ of the Italian speaking group in ST. As pointed out by Carlà (2018; 2019), this feeling of discomfort is rooted in the Autonomy Statute provisions’ themselves, after which the Italian speaking group has lost its dominant position especially but not solely in the economy field. The Italian community’s fear of being ‘surpassed’ by the German group has also been documented by the most recent surveys (ASTAT 2015: 189; Carlà 2019: 159), which show that the 70% of the Italian speakers in ST feels disadvantaged when it comes to employment, while the 40% always in the fields of education, economy, and housing. While these data help us better frame the Italians’ uneasiness vis-a-vis the German group ‘winning status’, and thus also their ‘identity shifting’, they also corroborate what articulated about opportunistic alignment.

The system is reaching its limit, it is no longer ethnic because anyone can declare or aggregate as s/he wishes. Of all those declaring to belong to the German group, approximatively a 30% has nothing to do with that group. The system is crumbling, but we must not say it out loud! Its rules

¹² there have recently been a number of cases in which the ethnic quota system proved to be inadequate and *ad hoc* selection criteria, based on the candidates’ merit, were required;

and dogmas are constantly violated, but nobody dares to say it, we must shut up. (Male, ME, Nov 2019)

Bosnia's 'all losers'

In Bosnia Herzegovina we observe a slightly different scenario and dynamics compared to South Tyrol, partly because of the very rational behind the implementation of corporate consociationalism, and partly because of the war-dynamics. In BiH the implementation of ethnic power-sharing was first of all meant to end the conflict, avoid the supremacy of one group over the others, and appease ethnic claims while assuring the three dominant groups' equality. Additionally, not only none of the three Bosnian groups left victorious the war, but they all found themselves 'equally losers' also in Dayton's BiH, as their wishes didn't come true in the post-war state.

The empirical material exploring Others' 'identity choices' has in fact shown that, contrary to ST where the respondents have clearly named a 'winning group', in BiH the alignment strategy doesn't follow a groups' status hierarchy: '*it is bare survival*' (Female, SRJ, Sept 2020). In BiH, ethnic and opportunistic alignment seems to be matter of 'greater' - not 'better' - opportunities. Yet, as happens in ST, also the bosnian Others, as well as any other citizen, can possibly change or switch their declared identity according to the need. As they explained, they do so according to the ethnic quotas reserved to each group, the 'connections and recommendations' they have in the public institutions and bodies for which are competing; as well as according to the territory - whose ethnic composition does also play a role.

If it is required in order to apply for a public post, people can change it, and they declare t h e y are...whatever it is needed (Female, BL, Sept 2020)

In virtue of both the consociational and ethno-clientelistic mechanisms of resources' redistribution (see Piacentini 2021), as well as the post-war ethnicity's territorialization, institutionalisation, and politicisation, what overall results to be crucial in order to be represented and, most importantly, enjoy and benefit from the scarce resources offered by the state is to declare membership to one of the three constituent peoples *and* to have the 'right connections' in the ruling parties.

I heard a story of a man who had the chance to be hired in the national TV. The man was bošnjak and the only thing he had to do to get the job was to say he was part of the 'Others' - because

they were lacking 'Others' in that institution. So the man said 'ok, I am part of a national minority, I am not sure which one, but I am Other'...so he got the job. (Male, SRJ, Nov 2020)

Among the many Bosnian citizens which would feel more comfortable to self-identify themselves in terms different than those strictly ethnic, only a few - if any - eventually 'self-exclude themselves'. The price to pay is high and, as a woman clearly explained: *'Others are really present in BiH, many would definitely prefer to declare as such - but they do not do that because they need to survive'* (Female, MO, Oct 2020). Regardless of the personal experiences, opinions, and family backgrounds, the country's poor economic and living conditions, endemic corruption and undeniable ethnicity's salience, ethnic alignment has become the majority's most practiced choice. Moreover, the ethnic and opportunistic alignment performed by citizens Others supports the status quo, eventually stabilising and maintaining in place the Bosnian ethnocracy.

Opportunistic alignment: who are the Others then?

In South Tyrol the implementation of ethnic quotas has successfully parified the German speaking population's socio-political status with the one of the Italian speakers, correcting the disproportionality featuring the public sector; yet the success of the ST model has greatly been favoured by extremely beneficial fiscal and monetary policies. As confirmed by the respondents, economic growth and generalised wealth helped to sooth inter-group tensions and cooperation for the common good – both further incentivised by the excellence characterising the Autonomous Province's bureaucratic apparatus and the public services offered to its inhabitants. Economic prosperity and resources' abundance have 'prevent[ed] ethnic competition in economic terms' (Wolff 2003: 149); but, in the light of the AsT consociative provisions and ethnic proportionality, membership to the German speaking group is the one assuring higher socio-economic prestige and pay offs. As a consequence, when confronted with the choice of 'if and where to align', citizens potentially Others do largely opt for this group. Moreover, even in those cases of factual 'Otherness', citizens seldom feel 'cut out from the system' and, in the last decade, there have not been pressures or demands for greater/beyond ethnic representation and inclusion. On a similar vein, while a considerable amount of Bosnian Herzegovinian citizens is claiming the right to feel, declare, and be represented as such - meaning as citizens instead of groups' members (and, by extension, as Others), the vast majority of the population keeps on aligning and conforming to the ethnic scaffolding. Nevertheless, and contrary to ST, in BiH 'opportunistic alignment' does not follow any status hierarchy, and the three constituent peoples have been descri-

bed as ‘equally losers’: generalised and cross-ethnic poverty have made opportunistic, and ethnic, alignment a rather straightforward choice for (almost) anyone, Others above all. As a few pointed out, in fact, those whose identities are somehow ‘fixed’ are left with no options, and these ‘real Others’ cannot count on ‘opportunistic alignment’.

Those coming from ethnic minorities, such as Roma, Jews, and so on, are actually the only ones really ‘Others’ and really discriminated: their identities are fixed, they cannot lie about it. If you are a Roma your identity is pretty clear, and you can’t actually change it. (Male, BL, Sept 2020)

While from an everyday life’s perspective that of Others (meaning that of people difficulty fitting into pre-determined ethnic/ethno-linguistic categories) is an actual issue in both ST and BiH, it is also true these people rarely, if ever, declare membership to the Others category - preferring to conform and get absorbed by the preexisting ethnic categories. Through ‘opportunistic alignment’, therefore, Others play the key role of cementing the divide, legitimising identity politics, finally strengthening the *raison d’être* of ethnicity-based criteria of inclusion and participation, as well as rights and resources redistribution.

Conclusive reflections

The paper focused on the corporate consociations of South Tyrol and Bosnia Herzegovina and investigated the identity choices citizens potentially Others perform when confronted with the dilemma of either or not to align to the ethnic governance. The paper, grounded upon empirical material collected in South Tyrol and Bosnia Herzegovina through semi-structured interviews, has shown that Others - be them from an ethnically mixed backgrounds, from minority groups not specifically included in the power-sharing mechanism, or citizens rejecting ethnic categorisation - keep remaining ‘invisible’, neglected, and at the margins of the social and political life of both the countries surveyed. Nonetheless, while all those belonging to none or more than one of the major societal segments, or are irresolute to the question, can feel discriminated against or excluded in virtue of their (formally) being Others, it is also true they are allowed and even encouraged by the system to align to the ethnic divide, endorsing suboptimal collective identities in order to take advantage of the opportunities offered by the consociational mechanisms *at the sole condition of alignment*.

Overall, the empirical material shows that, in both South Tyrol and Bosnia Herzegovina, to be and/or declare Other is pragmatically disadvantaging and, whenever possible, citizens opt to con-

form and go along with the ethnic governance. Yet, while in BiH it is particularly the generalised and cross-ethnic economic difficulties, widespread corruption and clientelism, the factors making ‘opportunistic alignment’ the optimal and most practiced identity choice, in ST it was the opposite factors: cross-ethnic socio-economic wealth, resources abundance, and institutional smooth functioning. In the participants’ words: while in BiH ‘*it is matter of bare survival*’ (Female, SRJ, Sept 2020), in ST ‘*it is matter of better, not greater, opportunities*’ (Female, BZ, Oct 2019).

From a broader perspective, the findings do open for further reflections, contributing to the current academic debates in different ways:

- i) by combining top-down and bottom-up approaches, this study adds complexity to the debates on consociations in divided societies, and particularly to the so-called ‘Exclusion Amid Inclusion dilemma - EAI’ (Agarin, McCulloch 2020; Agarin et al. 2018). As seen, the exclusion *in principle* suffered by some citizens in virtue of consociations’ rigidity and identity’s crystallisation is often maintained – by its circumnavigation - by the citizens Others themselves. We might thus question (corporate) consociations’ alleged rigidity, as the possibility to ‘lie’ about one’s own ethno-linguistic belonging, or ‘switch’ identity according to the need, alongside with the absence of checks and punishments, as well as the adoption of occasional *ad hoc* solutions as in ST, or the often ‘informal and personalised’ character of the quotas’ implementation as in BiH, allow corporate consociations to elude rigidity and ethnic exclusivism by potentially including *anybody* at the sole condition of ethnic alignment. As widely emerged in both case studies, both the South Tyrolean and Bosnia Herzegovinian consociations keep on functioning *as they are*: not only both systems have demonstrated to actually be flexible and inclusive but, at the end of the day, they both succeed in satisfying their most important function: the psychological one - making clear that, eventually, the groups composing the plural societies of South Tyrol and Bosnia Herzegovina are still not ready to abandon the safety net provided by ethnic quotas and mechanisms, and that they are better off living *next to each* though under a common roof;
- ii) the shift of perspective proposed by the study allows to look at Others’ behaviours ‘unraveling’ their active role as agents *de facto* maintaining the ethnic governance and divide. Through ‘opportunistic alignment’, in fact, those potentially Others elude ethnic barriers by adopting (sub)optimal forms of identification, in turn a) transforming the ethnic categories into tools of participation, inclusion, and resources’ redistribution, and b) paving the way for the category Others to disappear, emptying it of its content (which seems to be better off when aligned to the ethnic divide);

- iii) in turn, we might question the very 'otherness of Others'. As shown by the case studies, while on the one hand those potentially Others do clearly exist, on the other hand neither they do necessarily feel, or declare membership, to the Others category; nor the category Others is acquiring a new socio-political relevance or is requiring institutional changes. It goes that, even in those cases of potential 'Otherness', the majority of these citizens is not really 'cut out from the system', as through 'opportunistic alignment' they elude structural obstacles participating into the system. By so doing, instead of being possible promoters of changes going beyond ethnicity, Others do contribute to legitimise ethnic mechanisms of participation and inclusion;
- iv) last but not least, causes and consequences of Others' opportunistic alignment nurture the debate concerning 'stability versus quality' of democracy, particularly thought not exclusively in ethnically plural societies (Stojanović 2019). As seen, economic conditions - be these of wealth or malaise - greatly influence individuals' behaviours: while in ST the factors incentivising Others, and anybody else, opportunistic alignment were mostly related to the high standard of its living conditions; in BiH was the opposite, namely resources' scarcity. Beyond the case studies, it has already been documented how, in times of deep crisis and uncertainty, a sort of equilibrium and stability is reached and maintain at the expenses of democracy's quality (Dimitrova 2018; Knott 2018) - hence fights for greater and beyond-ethnic inclusion and participation might easily be 'sacrificed' in the name of stability and 'negative peace' (Carlà 2018).

Concluding, the article suggests the need for further comparative studies focused on and beyond consociations and divided societies, thus investigating the interplay between individuals' opportunistic behaviours, democracies' mechanisms of inclusion and redistribution of resources, and resources scarcity/abundance. The exploration of such an interplay might tell us something new and very interesting about how the equilibrium between quality and stability of democracy is reached, maintained, and constantly re-negotiated by the various socio-political actors, at the net of varying socio-economic surrounding conditions.

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