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1-1-2019

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### Recommended Citation

Philip C. Aka, *Review Essay: The EU in Transition and Its Ramifications for Bosnia and Herzegovina*, 34  
Emory Int'l L. Rev. Recent Dev. 2001 (2019).

Available at: <https://scholarlycommons.law.emory.edu/eilr-recent-developments/2>

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## Review Essay

### The EU in Transition and Its Ramifications for Bosnia and Herzegovina<sup>†</sup>

Kenan Ademović, *Kriza Evropske unije i budućnost evropskih integracija [Crisis of European Union and the Future of European Integrations]* (Perfecta, 2018)

Philip C. Aka<sup>\*</sup>

#### INTRODUCTION

On June 23, 2016, British citizens voted in a non-binding referendum to leave the European Union (EU).<sup>1</sup> The withdrawal, ever since adorned with the coinage “Brexit,”<sup>2</sup> was a decision their leaders chose to enforce.<sup>3</sup> In addition to

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<sup>†</sup> The Center for Human Rights and Transitional Justice, Faculty of Law, International University of Sarajevo, held a launch for this book on February 28, 2019. Professor Aka presented some remarks at the event. This Review Essay draws from those remarks.

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<sup>1</sup> See Haroon Siddique, *Is the EU Referendum Legally Binding?* THE GUARDIAN (June 23, 2016), <https://www.theguardian.com/politics/2016/jun/23/eu-referendum-legally-binding-brexit-lisbon-merkel-parliament>. See also Stephanie Hancock, *Unpacking Brexit: The UK's Decision to Leave the European Union*, HUM. RTS. WATCH (Oct. 16, 2019), <https://www.hrw.org/news/2019/10/16/unpacking-brexit-uks-decision-leave-european-union>; Will Kenton, *Brexit*, INVESTOPEDIA, <https://www.investopedia.com/terms/b/brexit.asp> (last updated Oct. 23, 2019); *Brexit: All You Need to Know About the UK Leaving the EU*, BBC NEWS (Oct. 28, 2019), <https://www.bbc.com/news/uk-politics-32810887>.accessed (“Why is the UK Leaving?”).

<sup>2</sup> The terminology, compound for British Exit, harks back to “Grexit,” the Greek attempt years before, ultimately unsuccessful, to withdraw from the Eurozone. See Will Kenton, *Grexit*, INVESTOPEDIA, <https://www.investopedia.com/terms/g/grexit.asp>, (last updated May 17, 2018).

<sup>3</sup> See John Harris, *Cameron May Have Fought Brexit But It Was His Policies That Made It Happen*, THE GUARDIAN (Sept. 16, 2019), <https://www.theguardian.com/commentisfree/2019/sep/16/david-cameron-brexit> (commenting on the belief of former British Prime Minister David Cameron that putting UK membership of the

being non-binding, the vote was close; it did not resemble the supermajority often associated with referendums.<sup>4</sup> In the case of Scotland, for example, not one Scottish local government area voted to leave the EU, though Moray came close with 49.9% of the area voting for Brexit.<sup>5</sup> Although Scotland as a whole rejected the referendum by 62%, the country represents only 8.4% of the United Kingdom's (UK) population. As a result, its vote to stay in the EU, along with that of Northern Ireland (which accounts for 2.9% of the UK's population), was heavily outweighed by the "Leave" votes of much-larger units England and Wales.<sup>6</sup>

UK voters chose to leave the EU "largely in response to a series of destabilizing economic events that befell the EU from 2007 to 2016."<sup>7</sup> Also factoring into the decision was a growing concern over domestic issues that voters perceived as threats to UK sovereignty, such as immigration, terrorism, and "the perceived drag of [EU] bureaucracy on the British economy."<sup>8</sup> Because of the complicated circumstances, the British attempt to leave the supranational organization has been an issue of discussion in the academic literature and a staple of the popular press.<sup>9</sup> The UK is leaving the EU after over 40 years in an

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EU to the public "was necessary and ultimately inevitable" such that he would peg his political future on the referendum vote that the Prime Minister ultimately lost, leading to his resignation and replacement as Prime Minister by Theresa May). *See also* Will Hutton, *David Cameron's Self-Indulgent Sorrow Doesn't Excuse His Cowardice*, THE GUARDIAN (Sept. 15, 2019), <https://www.theguardian.com/politics/2019/sep/15/david-cameron-self-indulgent-sorrow-referendum-coward-will-hutton> (contending that Mr. Cameron "allowed the Tory [P]arty's ultra right to railroad him into a referendum that did not have to be held"). According to Hutton, because it is hard to say who between parliament or the referendum represents the will of the people, a prime minister should "only hold a referendum in a parliamentary democracy if [he or she] can win—otherwise all hell breaks loose."

<sup>4</sup> Kenton, *Brexit*, *supra* note 1 ("The Referendum") (pointing out that "the overall figures conceal stark regional differences: 53.4% of English voters supported Brexit, compared to just 38.0% of Scottish voters" and, importantly still, that taking the English vote out for a moment and looking at the results in the other three units of the UK, i.e., Wales, Scotland, and Northern Ireland, "Brexit would have received less than 45% of the vote."). Based on data from the UK's Electoral Commission, voters choosing to leave won with 17.4 million votes, constituting 51.9% of the ballot, compared to 16.1 million votes, representing 48.1% for those who voted to remain in the EU. The turnout was 72.2%. *See also* Adrian Low, *Brexit is Not the Will of the British People—It Never Has Been*, LONDON SCHOOL OF ECONOMICS (Oct. 24, 2016), <https://blogs.lse.ac.uk/brexit/2016/10/24/brexit-is-not-the-will-of-the-british-people-it-never-has-been/> (pointing out, *inter alia*, that "[t]he difference between leave and remain was 3.8 percent or 1.3 million in favor of Leave[.]" and that based on "predicted demographics, the UK will want to remain in the EU for the foreseeable future.").

<sup>5</sup> Kenton, *Brexit*, *supra* note 1 ("What Would Independence Look Like?").

<sup>6</sup> *Id.* Scotland joined England and Wales to form the UK in 1707.

<sup>7</sup> Will Kenton, *Article 50*, INVESTOPEDIA (last updated March 13, 2019), <https://www.investopedia.com/terms/a/article-50.asp>.

<sup>8</sup> Kenton, *Brexit*, *supra* note 1 ("Arguments For and Against Brexit.").

<sup>9</sup> *See* Kevin O'Rourke, *Reading Between the Lines: Books to Help Us Understand Brexit*, THE

organization that it arguably never fully belonged in, given its lukewarm disposition.<sup>10</sup> Article 50 of the Lisbon Treaty spells out the modalities for a member-state's withdrawal of its membership from the EU.<sup>11</sup> The provision kicked in the moment the UK government chose to enforce the non-binding referendum of its electorate to withdraw from the EU.<sup>12</sup> The UK is the first country to withdraw from the EU based on this provision, leaving many questions unanswered.<sup>13</sup> As this Essay was being put together, the withdrawal remains unresolved. Following the resignation of David Cameron on July 13,

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GUARDIAN (Jan. 25, 2019), <https://www.theguardian.com/books/2019/jan/25/reading-between-the-lines-books-to-help-us-understand-brexite> (reviewing several books designed to help interested readers to understand Brexit). For a brief overview of EU institutions and legal system, see Michael J. McCormick, *A Primer on the European Union and Its Legal System*, ARMY LAWYER 1–12 (Dec. 2002). For an official and more elaborate documentation, see *Consolidated Version of the Treaty on the Functioning of the European Union*, OFFICIAL J. EUROPEAN UNION, C 202/47 (2016), [https://eur-lex.europa.eu/resource.html?uri=cellar:9e8d52e1-2c70-11e6-b497-01aa75ed71a1.0006.01/DOC\\_3&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:9e8d52e1-2c70-11e6-b497-01aa75ed71a1.0006.01/DOC_3&format=PDF).

<sup>10</sup> For example, by 1975, a mere two years in the supranational organization, at the indulgence of their leaders, British voters decided whether or not they wanted to continue membership. See Robert Skidelsky, *The UK Was Never Truly Part of the EU*, FIN. NEWS (July 17, 2018), <https://www.fnlonon.com/articles/britain-was-never-truly-part-of-the-eu-20180717> (pointing out that for all the long years of its membership in the EU, “the British have always been an awkward, Eurosceptical partner”); STEPHEN GEORGE, *AN AWKWARD PARTNER: BRITAIN IN THE EUROPEAN COMMUNITY* (Oxford Univ. Press 1998) (arguing similarly 20 years before). One possible reading of all this is that, proverbially speaking, the UK wants to have its cake and eat it too. As Skidelsky, a member of the British House of Lords and Professor Emeritus of Political Economy at Warwick University in the UK, points out in his newspaper article, then British Prime Minister Theresa May “hopes for an exit from the EU whereby Britain would retain the benefits, but avoid the costs, of membership.” Skidelsky, *supra* note 10. Xavier Bettle, Prime Minister of Luxembourg, aptly summarized the matter when he spoke to news reporters on March 22, 2019, following a meeting of EU leaders in Brussels that deliberated on a proposal tabled by the British government. Bettle, directing his response to the UK, said “[y]ou’re in or out—UK always wants special treatment, that’s not possible.” *Brexit: “You’re IN or OUT,”* YouTube (Mar. 22, 2019), [https://www.youtube.com/watch?v=nfglV\\_QZn7o](https://www.youtube.com/watch?v=nfglV_QZn7o).

<sup>11</sup> Put together in Lisbon, Portugal, the Treaty of Lisbon, less famously known as the Reform Treaty, was adopted on December 13, 2007, coming into force nearly two years later on December 1, 2009. The agreement consolidated and updated two prior treaties which form the constitutional basis of the EU: the first concluded in Rome, Italy, in 1957; and the second concluded in Maastricht, the Netherlands, in 1992. The new treaty was designed “to enhanc[e] the efficiency and democratic legitimacy of the Union and to improv[e] the coherence of its action.” *Kenton, Article 50, supra* note 7. See also *McCormick, supra* note 9; *Q & A: The Lisbon Treaty*, BBC NEWS (Jan. 17, 2011), <http://news.bbc.co.uk/2/hi/europe/6901353.stm>. For a text of Article 50 with the relevant provisions, see *Internet Archive Way Back Machine*, <http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-European-union-and-comments/title-6-final-provisions/137-article-50.html>.

<sup>12</sup> See *Kenton, Article 50, supra* note 7.

<sup>13</sup> *Kenton, Brexit, supra* note 1. Two countries that withdrew before the UK were Algeria through independence from France in 1962, and Greenland, a self-governing Danish territory, through a special treaty in 1985. *Id.* Article 50 became a subject of discussion during the European sovereign debt crisis of 2010 to 2014, when Greece experienced severe economic difficulties. To save the Euro and perhaps the EU itself from collapsing, EU leaders considered expelling Greece from the Eurozone. The problem these leaders encountered with Article 50 was that there was no clear guidance for pushing a member state out against its will. Eventually, Greece reached agreements with its EU creditors. *Kenton, Article 50, supra* note 7.

2016, after six years in office as Prime Minister,<sup>14</sup> Theresa May took over but stepped down effective July 7, 2019, after less than three years in office and three unsuccessful attempts to get Parliament to approve her proposals.<sup>15</sup> She was replaced July 24, 2019 by conservative stalwart Boris Johnson, former foreign secretary and mayor of London, who promised to take the UK “out of the EU on October 31 [2019], no ifs or buts.”<sup>16</sup> However, despite his efforts to negotiate a revised deal, Johnson failed to meet this deadline, as he was unable to get the British Parliament to pass his Brexit deal into law, thereby necessitating the EU’s agreeing in principle to a further extension until January 31, 2020.<sup>17</sup>

## I. ARGUMENTS AND ORGANIZATION

Using Brexit and related topics, Kenan Ademović, an adjunct professor who teaches courses relating to the EU in the Faculty of Law at the International University of Sarajevo (IUS), wrote this timely book. The work’s main argument is that Brexit brings Europe to a crossroad, one that leads either to disintegration or to future integration and strengthening of the EU and its institutions. Put differently, the book combines two elements in one: what Ademović considers the crisis of the EU and the future of European integration, each strongly affected, if not driven, by the UK’s attempt to leave the EU.<sup>18</sup>

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<sup>14</sup> See Heather Stewart et al., *David Cameron Resigns After UK Votes to Leave European Union*, THE GUARDIAN (June 24, 2016), <https://www.theguardian.com/politics/2016/jun/24/david-cameron-resigns-after-uk-votes-to-leave-european-union>.

<sup>15</sup> See *Transcript of Theresa May’s Resignation Statement*, FIN. TIMES (May 24, 2019), <https://www.ft.com/content/ea043814-7e06-11e9-81d2-f785092ab560>. In her resignation statement, Prime Minister May stated that, after three unsuccessful attempts to get Parliament to back her deal for the UK’s withdrawal from the EU, “[it] is now clear to [her] that it is in the interests of the [UK] for a new prime minister to lead [the] effort.” *Id.* For one notable assessment of her tenure as Prime Minister, see Owen Jones, *Feel No Pity for Theresa May: She Has Been the Worst Prime Minister in Recent History*, THE GUARDIAN (May 24, 2019), <https://www.theguardian.com/commentisfree/2019/may/24/theresa-may-worst-prime-minister-brexite-windrush> (branding her “the worst prime minister [...] since Lord North’s reign in the late 18th century, when the US colonies declared their independence[.]” noting, with respect to Brexit, that “[s]he appointed Boris Johnson as foreign secretary, antagonizing the EU states with whom she needed to strike a deal [thereby] reducing Britain further to the status of a laughing stock.”).

<sup>16</sup> See, e.g., *Boris Johnson Appointed UK’s New Prime Minister*, ALJAZEERA (July 24, 2019), <https://www.aljazeera.com/news/2019/07/boris-johnson-appointed-uk-prime-minister-190724140200874.html>.

<sup>17</sup> See BBC NEWS, *Brexit*, *supra* note 1.

<sup>18</sup> My guess is that the author probably wanted to create some suspense that will pique the interest of his readers. The occurrence called to mind what some parents used to do when I was growing up. They will remove the meat from the soup and save it in a separate plate so that the children don’t start with the meat and at times leave the rest of the food uneaten. They will bring the meat toward the end. But because it came toward the end, the whole meal is shrouded with anticipation of when Mom or Dad will bring the meat. Some children would want to start with the meat which, in many instances, ranked as the truly delicious portion of the meal.

For Ademović, Brexit is not only bad for the EU, but also for UK citizens and their economy—with these two consequences intertwined at times. He fears that by leaving, the UK would lose its influence in shaping EU growth for the foreseeable future, that the disintegrative factors in Europe would prevail over integrative forces, and that the UK will gradually lose its influence on the Balkans, among other reasons. For him, Brexit risks weakening the EU economically and politically because of the UK's multiple strengths that include its status as the fifth-largest economy in the world, a nuclear power, and a permanent member of the United Nations Security Council.

Ademović is concerned, if not dismayed, that the UK plans on leaving the EU at the very moment the supranational organization faces multiple challenges that the UK, as an experienced hand, could help resolve. These intractable challenges (“crises” as he denominates them) include the migrant trouble, terrorist attacks, a slow recovery of the Eurozone economy after the global financial meltdown, debt trouble in the southern periphery of Europe, an energy problem, tense relations with Russia, and the growth of populist parties promoting the idea of weakening the EU. The results of the referendum have shown, he argued, how destructive a powerful weapon like populism, egged on by elite demagoguery, can become in the hands of a politically irresponsible electorate.

Organizationally, the book has nine chapters, including Chapter 1, the introduction. Chapter 2 entitled “Historical Aspects of European Integration,” provides some historical background. Chapter 3, divided into ten sections, is titled “Current Functions of the European Union.” Chapter 4, equally comprising ten sections, focuses on issues of security and defense in the EU. Chapter 5, with no section and one of the shortest chapters in the book, is titled “legal nature and the democratic legitimacy of the EU.” Chapter 6, comprising six sections, recounts the problems facing the EU. Chapter 7, divided into five sections, is on Brexit. Chapter 8 looks at the potential crisis areas in the EU and is divided into two sections with subsections, altogether making it seven divisions. Chapter 9, divided into six sections, sketches the future of Euro-integration.

Given the coincidence of its appearance with the UK's still ongoing attempt to finalize its departure from the EU, the book is, as earlier indicated, timely.<sup>19</sup> Additionally, its organization and penetrable writing style were designed to reach the average reader without neglecting the needs of more advanced literati,

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<sup>19</sup> See discussion *infra* Section 3 “Critique.”

for which the author created a bibliography, particularly for Chapter 7 on Brexit. It is an informative, straight-forward account couched in readable prose on a topical issue that, in our assessment, contributes to our debate as to whether Bosnia and Herzegovina (BiH) should join the EU, as this Essay elaborates shortly below.

Dr. Ademović is well qualified to write this book. In addition to his experience as an adjunct professor teaching EU courses at IUS,<sup>20</sup> the author wrote his dissertation for the Ph.D. degree from the University of Sarajevo on this topic.<sup>21</sup> To increase its audience beyond BiH and give more people the opportunity to read the work, the book should be translated into English.

## II. CRITIQUE

That said, there are various claims in the book that simply cannot hold. The first is the assertion that the results of the referendum have shown how populism and demagoguery can gain wings in the hands of people who are politically irresponsible. But how else do we do democracy? The will of the people, not always easy to divine in a democracy, is important to the point of being sacred.<sup>22</sup> The second argument is that the UK's impending exit has brought Europe to a critical crossroad—one that leads either to disintegration or future integration of the EU and its institutions. It is too early to say yet. Time will tell, as the reggae king Bob Marley would put it. We live in a fast-changing world driven by “the promise and peril” of technological innovations, including the surrealistic world of social media.<sup>23</sup>

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<sup>20</sup> *See id.*

<sup>21</sup> Kenan Ademović, *European Constitution and Perspective of BiH toward European Integrations*, (2014) (Ph.D. thesis, Univ. of Sarajevo). The University of Sarajevo is a main plank in Bosnian education and its instructional roots date back to its foundation in December of 1949 in the aftermath of World War II. *See History of the University*, UNIV. OF SARAJEVO, <http://www.unsa.ba/en/about-university/organization/history-university> (from an organizational standpoint, portraying the university as “a large and complex public institution, comprising 30 organizational units.”). Ademović comes from a family of lawyers. In his own words, he is “the fifth generation of lawyer by his mother’s line and the fourth generation on his father’s line.” His great-grandfather back to 1883, was a lawyer.

<sup>22</sup> *See* Gordon Lynch, *Democracy Must Be Treated as Sacred*, THE GUARDIAN (Dec. 16, 2010), <https://www.theguardian.com/commentisfree/belief/2010/dec/16/democracy-sacred-bond-politicians-voters> (contending that “[i]n Britain, as with other liberal democratic societies, the conviction that the government must be grounded in the will of the people is one of the sacred realities around which society is symbolically organized.”). The context for this view relates to “violence in London to cynicism across the country” that spells the “need for a renewed bond between politicians and voters.” *Cf.* Jason Brennan, *Why Democracy is Not Sacred*, REASON (Nov. 8, 2016), <https://reason.com/2016/11/08/why-democracy-is-not-sacred> (“The only thing that could justify democracy is if no other system does a better job protecting our rights and promoting prosperity. Democracy is a hammer, nothing more. It has built-in defects. It’s time to start considering alternatives.”).

<sup>23</sup> *See generally* BRAD SMITH & CAROL ANNE BROWNE, *TOOLS AND WEAPONS: THE PROMISE AND THE*

The third claim relates to the assertion that, although the UK is among the founding members of the EU, it ingeniously used the opt-out clause to separate itself from some EU initiatives,<sup>24</sup> such as the introduction of the Euro and Schengen membership.<sup>25</sup> The argument rests on Britain's difficulty in deciding whether to remain or leave, which has characterized its membership within the EU. The UK joined the then European Economic Community (EEC) in 1973 along with Denmark and Ireland. In 1975, two short years later, under Labor Prime Minister Harold Wilson, the UK held a referendum on whether it wanted to continue its membership of the then EEC.<sup>26</sup> The British electorate voted "yes" by little more than 67% to approximately 33% to stay in the organization.<sup>27</sup>

The fourth claim is the proposition that the UK's exit will economically and politically weaken the EU, given its multiple merits that include its economic strength, nuclear power status, and permanent membership of the United Nations Security Council. If, for the sake of argument, these attributes are conceded, the EU will remain strong, given that its membership still boasts several key states, among them a unified Germany; and France, which like the UK, is a member of the UN Security Council. Today's Britain, a supposed "special partner" of the United States (US), is a mere shadow of the former ruler of the waves, on whose vast imperial possessions scattered across the world—as the popular saying goes, the sun never sets.<sup>28</sup> *Implementation* is the tricky part

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PERIL OF THE DIGITAL AGE (Penguin and Random House, 2019).

<sup>24</sup> Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community, Dec. 13, 2007, 2007 O.J. (C 306) 1 [hereinafter Treaty of Lisbon]. This clause is a provision under Article 51 of the Treaty on the European Union (2007), permitting any member-state which so chooses, "to withdraw from the [EU] in accordance with its own constitutional requirements." *Id.*, art. 51(1). See also *infra* note 44 and accompanying text.

<sup>25</sup> For further explanation of Schengen membership, see *infra* note 44.

<sup>26</sup> See James Walsh, *Britain's 1975 Europe Referendum: What Was It Like Last Time?* THE GUARDIAN (Feb. 25, 2016), <https://www.theguardian.com/politics/2016/feb/25/britains-1975-europe-referendum-what-was-it-like-last-time>.

<sup>27</sup> See Richard Nelson, *Archive: How the Guardian Reported the 1975 EEC Referendum*, THE GUARDIAN (June 5, 2015), <https://www.theguardian.com/politics/from-the-archive-blog/2015/jun/05/referendum-eec-europe-1975>.

<sup>28</sup> For example, in June of 1982, the UK managed to prevail in a military campaign against the Argentine military over the Falklands but only with critical US military support. See, e.g., Clinton Uh Luna, *US Support to UK in Falklands War Was Decisive!*, AMANDALA (July 23, 2016), <http://amandala.com.bz/news/us-support-uk-falklands-war-decisive/> (The quote that formed the title came from former Argentine Army Commander General Martin Balza during an interview by Chilean news media.); Robert Fox, *CIA Files Reveal How US Helped Britain Retake the Falklands*, EVENING STANDARD (Apr. 4, 2012), <https://www.standard.co.uk/news/world/cia-files-reveal-how-us-helped-britain-retake-the-falklands-7618420.html>; Nicholas Watt, *Crucial Falklands Role Played by US Missiles*, THE GUARDIAN (Sept. 6, 2002), <https://www.theguardian.com/uk/2002/sep/06/falklands.world>.

in any contractual relationship.<sup>29</sup> Things can turn out differently when contracting parties get to the intricacies and messiness of implementation.<sup>30</sup> For this reason, less focus should be placed on the speculation surrounding the potential economic and political consequences caused by the UK exit.

Given the foregoing observations, it appears that there is unsubstantiated support for what this book adjudges a crisis.<sup>31</sup> The author appears to read too much into one event in his analysis, an event to which, paradoxically, he assigned a small portion of the entire book.<sup>32</sup> In sum, the book gives too much credence to the term *crisis* almost to the point of unwittingly sensationalizing it. I return to this theme later in this Essay.

### III. RAMIFICATIONS OF THE WORK FOR BOSNIA AND HERZEGOVINA

There are two interlinked lessons in all this for Bosnia and Herzegovina (BiH).<sup>33</sup> The Greek philosopher Socrates (circa 470-399 BCE) once famously advised that an unexamined life is not worth living.<sup>34</sup> Consistent with this counsel, the time has come for BiH to at least debate its reflex intention to join the EU.<sup>35</sup> The BiH has yet to perform the necessary groundwork of restructuring, without which it will not qualify for accession into the EU.<sup>36</sup> BiH faced a similar dilemma regarding its future prospects under former Yugoslavia.<sup>37</sup> The main

<sup>29</sup> See, e.g., JEFFREY L. PRESSMAN & AARON WILDAVSKY, IMPLEMENTATION: HOW GREAT EXPECTATIONS IN WASHINGTON ARE DASHED IN OAKLAND 35–69 (Univ. of Cal. Press, 3d ed. 1984) (commenting on the “[t]he trials of implementation.”).

<sup>30</sup> *Id.*

<sup>31</sup> The *Business Dictionary* defines a *crisis* as a “[c]ritical event or point of decision which, if not handled in an appropriate and timely manner (or if not handled at all), may turn into a disaster or catastrophe.” *Crisis*, BUSINESS DICT., <http://www.businessdictionary.com/definition/crisis.html>. *Oxford Dictionaries* defines it as “a time of intense difficulty or danger ... when a difficult or important decision must be made” (e.g., a situation that “has reached crisis point.”). *Crisis*, ENGLISH OXFORD LIVING DICTIONARIES, <https://en.oxforddictionaries.com/definition/crisis>. *Merriam-Webster Dictionary* defines the term as “the turning point for better or worse in an acute disease or fever.” *Crisis*, MERRIAM-WEBSTER DICT., <https://en.oxforddictionaries.com/definition/crisis>.

<sup>32</sup> See discussion *infra* Section 2 “Arguments and Organization” (describing and commenting on the organization of the book).

<sup>33</sup> The abbreviation is Bosnian for Bosnia i Hercegovina. It is preferred over two competing expressions: “B&H,” given the awkwardness of the ampersand in the coinage; and “BH,” which elides the “and.”

<sup>34</sup> See James M. Ambury, *Socrates (469–399 B.C.E)*, INTERNET ENCYCLOPEDIA OF PHILOSOPHY, <https://www.iep.utm.edusocrates/#SSH2biii> [https://perma.cc/CZ6L-Z2ER].

<sup>35</sup> Philip C. Aka & Mirza Ljubović, *Listen Up, Leaders and Publics of BiH, There’s an Alternative to Integrating Yourself and Your Institutions into a Growingly Amorphous EU*, Remarks at the Round Table, Center for Human Rights and Transitional Justice, Int’l. Univ. of Sarajevo (Dec. 20, 2019).

<sup>36</sup> *Id.*

<sup>37</sup> Bosnians’ self-awareness of their separate statehood goes back in time to the tenth century. One recent indication of that self-awareness and was in 1943 when the country’s present boundaries were determined as

difference now is the existence of an asset known as sovereign self-determination, which BiH can use creatively to achieve its development consistent with its own values. It will not be easy, but it is doable, better now than under considerably more amorphous socialist Yugoslavia.

In seeking integration into the EU without first critically assessing its developmental options, BiH aims to benefit from what some analysts call the EU's "convergence machine."<sup>38</sup> The machine signifies the supposed ability of the EU to "propel[] poorer, and newer, member states to become high-income economies" and to deliver to the citizens of its member-states "some of the highest living standards and lowest levels of income inequality in the world."<sup>39</sup> It is a model that some commentators hail as "the most successful model of economic transformation."<sup>40</sup> For BiH, the challenge for which this machine offers a solution, according to these commentators, is how to fix identified imbalances in the Bosnian economy, specifically the haven of "a bigger and internationally competitive private sector, which would encourage youth to stay in BiH and the diaspora to return or invest in export-oriented sectors that can generate sustainable, productive jobs."<sup>41</sup> But as the World Bank also instructively observes, the reality is the recognition that "convergence is not automatic."<sup>42</sup>

Secondly, it is not easy to leave an organization even one with a so-called exit strategy.<sup>43</sup> Although the UK is not a founding member of the then EEC, now EU, British authorities succeeded in using the opt-out clause to exempt the UK from certain EU conditions, particularly the permission to retain the pound sterling in place of the euro, and to not share open borders with a number of

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part of a boundary-making exercise for the whole of Yugoslavia. See HEALTH CARE SYSTEM IN TRANSITION: BOSNIA AND HERZEGOVINA 3 (Jennifer Cain et al., eds., European Observatory on Health Care Systems, 2002).

<sup>38</sup> Ellen Goldstein et al., *Three Reasons Why the Economy of Bosnia and Herzegovina is Off Balance*, BROOKINGS (Nov. 5, 2015), <https://www.brookings.edu/blog/future-development/2015/11/05/three-reasons-why-the-economy-of-bosnia-and-herzegovina-is-off-balance/>.

<sup>39</sup> Cristobal Ridao-Cano & Christian Bodewig, *Growing United: Upgrading Europe's Convergence Machine*, WORLD BANK GROUP (Mar. 8, 2017).

<sup>40</sup> Goldstein et al., *supra* note 38.

<sup>41</sup> *Id.*

<sup>42</sup> Ridao-Cano & Bodewig, *supra* note 39.

<sup>43</sup> One of the difficult issues that Brexit negotiators on both the UK and EU sides faced involved the rights of EU citizens living in the UK, as well as the rights of UK citizens living in other EU countries. The point here is the growing number of EU citizens leaving the UK since the referendum. Kenton, *Brexit*, *supra* note 1 ("Citizens' Rights"). This has resulted in a phenomenon some analysts refer to as "Brexodus." Will Kenton, *Brexodus*, INVESTOPEDIA (last updated Mar. 4, 2019), <https://www.investopedia.com/terms/b/brexodus.asp> (describing the term as a compound of Brexit and Exodus, which "refers to the mass exit of individuals," especially EU nationals and UK corporations).

other European countries.<sup>44</sup> In the end, when it came time for implementation, none of these devices or techniques has made leaving the EU easy. For example, the Brexit bill, the financial settlement the UK government owes to the EU following its withdrawal is estimated to be about £39 billion.<sup>45</sup> The Bosnian masses and their governments need to keep this in mind. Getting out is as hard, if not harder, than getting in. Therefore, BiH should be wary about getting into organizations that it might have difficulty getting out of without constraining its developmental options.

## CONCLUSION

Beware of single stories and unidimensional explanations. Based on observations in this Essay, this book reads a bit too much into a single event, even one as consequential as Brexit. The EU that Ademović portrays to be in crisis because of developments involving the UK, this Review Essay sees rather as an EU in transition. For reasons indicated before, the second leg of the book's argument speaking to the future of European integrations reads more like transition than crisis.<sup>46</sup> There is lesson in all of this for Bosnia and Herzegovina.

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<sup>44</sup> Kenton, *Brexit*, *supra* note 1 (“Arguments For and Against Brexit.”). Named after an agreement concluded in 1985 in Schengen, Luxembourg, the Schengen Area comprises 22 EU states and 4 non-EU European states that have officially abolished barriers relating to passport, visa, and other controls at their mutual borders. The EU countries are Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, and Sweden. The non-EU states are Iceland, Lichtenstein, Norway, and Switzerland. Four new EU members obliged to join the area are Bulgaria, Croatia, Cyprus, and Romania. Unlike these members, Ireland and the UK concluded agreements that permitted them to opt out of the zone. For a primer on Schengen, *see generally* Rebecca Fabrizi, *What is Schengen?*, AUSTRALIAN OUTLOOK (Apr. 7, 2016), <https://www.internationalaffairs.org.au/australianoutlook/what-is-schengen/>.

<sup>45</sup> Kenton, *Brexit*, *supra* note 1 (“Financial Settlement”). *See also* Thomas Faull, *Brexit Extension: How Much Will It Actually Cost the UK to Leave the EU?*, CONVERSATION (Apr. 17, 2019), <https://theconversation.com/brexit-extension-how-much-will-it-actually-cost-the-uk-to-leave-the-eu-115486>; Sam Christie, *Final Countdown: Brexit Divorce Bill—How Much Will Leaving the EU Cost UK Taxpayers?* THE SUN (Apr. 9, 2019), <https://www.thesun.co.uk/news/5024206/brexit-divorce-bill-how-much-leave-eu-british-taxpayers-deal/>. The amount includes the financial contribution the UK will make during the transition period (because it will be still acting like a member state) and its contribution toward the EU's outstanding 2020 budget commitments. On the credit side for Britain, the country will also receive funding from EU programs during the transition period and a share of its assets at the end of it, including the capital it paid into the European Investment Bank (EIB). Kenton, *Brexit*, *supra* note 1 (“Financial Settlement”).

<sup>46</sup> *See supra* notes 29–32 and accompanying text.