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BORDERS AND INTEGRATION: BECOMING A BOSNIAN-AMERICAN

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ABSTRACT

For Bosnian and Herzegovinians fleeing the conflict in their homeland in the 1990s, the process of finding a safe haven was a tumultuous experience. Despite the protections outlined in the 1951 Geneva Convention, the response of former Yugoslavia's neighboring countries to the humanitarian crisis was a tightening of borders and restrictive reception policies. These experiences are in contrast to the reception policies Bosnian refugees encountered in the United States, whose permanent resettlement program at that period in time offered opportunities for 'normal life,' as discussed by Jansen.

'Border work,' using Jones and Johnson's term, has implications for practical forms of integration. This paper reviews and contrasts the 'border work' of European nations and the United States in relation to Bosnian refugees and discusses the integration of Bosnian-Americans in the United States, using St. Louis, Missouri, as an example. With the focus on the Bosnian community in the United States, particularly in cities with many Bosnians, studying the US Bosnian diaspora makes for an interesting case study provided that in terms of social, cultural, and economic adaptation, the Bosnian story is considered an immigrant

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1 Stef Jansen, *Troubled locations: Return, the Life Course, and Transformations of 'Home' in Bosnia-Herzegovina*, 49 *Focaal – EUROPEAN J. OF ANTHROPOLOGY* 15, 15-30 (2007).

2 Reece Jones & Corey Johnson, *Placing the Border in Everyday Life* 1-11 (Reece Jones & Corey Johnson eds., 1st ed. 2014).

success story.

The paper has implications for practical forms of integration, resettlement, and adaptation.

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I. INTRODUCTION

As a result of the conflict in the early 1990s, over half of Bosnia and Herzegovina's (hereafter simply 'Bosnia') 4.3 million people were driven from their homes. Of this number, over a million were internally displaced, while the rest left the country as refugees for various countries around the world. According to estimates by Bosnian authorities, at least 2 million people originating from Bosnia currently live outside the country, which is the highest number recorded by the Ministry since it began publishing an annual report on migration flows in the late 2000s.³ Given that the migration outflows from Bosnia prior to the conflict were minor compared to the exodus triggered by the conflict, the vast majority of the Bosnian global diaspora is therefore constituted by forced or involuntary migrants.

For this fleeing population, the process of finding a safe haven was a tumultuous experience. Despite the protections outlined in the 1951 Geneva Convention, they encountered a tightening of borders and restrictive reception policies among former Yugoslavia's neighboring nations, where many refugees initially sought refuge. This 'border work,' using Jones and Johnson's term, can be contrasted with the reception policies Bosnian refugees encountered in the United States, which offered them a permanent solution to displacement through resettlement. The possibility for 'normal life' through the 'border work' of the US government at that juncture in time has been manifested in the development and flourishing of Bosnian communities and a Bosnian-American way of life in the places identified by the US State Department for resettlement, such as St. Louis, Missouri.

This paper reflects on the immigration policies of European nations and the United States towards Bosnian refugees in the 1990s, comparing the

³ Ministry of Security of BOSN. and HERZ., Sector for Immigration, Bosnia and Herzegovina Migration Profile for the Year 2016-7 (2017).

⁴ Jones & Johnson, *supra* note 2, at 1-11.

conditions for integration provided by the policy framework in each case. It argues that the permanent solution offered by the United States offered more thorough conditions for integration and as such established the foundations for starting over and living normally in a new place and environment. This was critical given the cataclysmic events refugees had experienced in their homeland. In other words, while the conflict upended all notions of comfort and safety in Bosnia, US policies at that time gave Bosnian refugees the chance to rebuild their lives and communities. They have done so in various American cities and towns and thus represent an interesting case study in terms of successful social, cultural, and economic immigrant adaptation.

II. ETHNIC CLEANSING AND GENOCIDE

Over almost four years beginning in late 1991, Serb nationalists carried out a campaign of violent ethnic cleansing and genocide. Their leader Radovan Karadžić did not parse words in the methods they intended to use in order to transform Bosnia from a historically multiethnic homeland into an ethnically homogeneous territory: “They do not understand that there will be rivers of blood [...] and that the Muslim people would disappear.”⁵ As representatives from Helsinki Watch, a division of the organization Human Rights Watch, found when they traveled to Bosnia in the spring of 1992 in order to investigate violations of human rights, a process of extermination is exactly what Serb paramilitary units had begun:

The full-scale war that has been raging in Bosnia-Herzegovina since early April has been marked by extreme violations of international humanitarian law, also known as the laws of war. Indeed, violations of the rules of war are being committed with increasing frequency and brutality throughout the country. The extent of the violence inflicted on the civilian population by all parties is appalling.

⁵ Robert Donia, *RADOVAN KARADŽIĆ: ARCHITECT OF THE BOSNIAN GENOCIDE* 116 (Cambridge U. Press, 2014.)

Mistreatment in detention, the taking of hostages and the pillaging of civilian property is widespread throughout Bosnia-Herzegovina. The most basic safeguards intended to protect civilians and medical establishments have been flagrantly ignored. The indiscriminate use of force by Serbian troops has caused excessive collateral damage and loss of civilian life. A policy of 'ethnic cleansing' has resulted in the summary execution, disappearance, arbitrary detention, deportation and forcible displacement of hundreds of thousands of people on the basis of their religion or nationality. In sum, the extent of the violence raises the question of whether genocide is taking place.⁶

The horrific nature of what was happening being clear to them, the authors did not hold anything back in their recommendation to the United Nations (UN) Security Council to exercise its authority under the 1951 Convention on the Prevention and Punishment of the Crime of Genocide and intervene in Bosnia.⁴

As is now well-known, the international community's response to what was occurring in Bosnia and to appeals such as the above was to remain noncommittal. In Gow's view, "bad timing, bad judgment, an absence of unity and, underpinning everything else, the lack of political will" were a combination that constituted "the essential characteristics of diplomatic dereliction."⁷ For Bosnia's defenders, the implications of that dereliction were catastrophic, as European governments (and later US President Clinton, reversing his previous stance) refused to lift the 1991 UN arms embargo against Bosnian Muslims and Croats.⁸ This essentially tipped the weaponry balance in favor of the Vojska Republike Srpske (Army of the Republika Srpska), or VRS, for the duration of the conflict, as they had

6 Ivana Nizich, War crimes in Bosnia-HERZEGOVINA: A HELSINKI WATCH REPORT 1 (1992)

7 James Gow, Triumph of the lack of will: INTERNATIONAL DIPLOMACY AND THE YUGOSLAV WAR 2 (Colum. U. Press eds., 1997)

8 *Id.*

inherited weapons stockpiles from the Yugoslav National Army. The policy facilitated a relentless assault on the country and its citizens by preventing the Bosnians from effectively fighting back.

An important factor that made the Bosnian and other Yugoslav conflicts so riveting to scholars of ethnicity and nationalism was how ethnicized and violent they became, given that, as Gagnon writes, “indicators on the ground, within specific communities, showed no sign of inevitable violence.”⁹ He and other scholars have pushed back on the explanation of the conflict as the product of ‘ancient ethnic hatreds’ which was promulgated widely among Western journalists, academics and policymakers, instead studying the process of ethnicization more critically in order to explain what occurred and why. For Gagnon, violence along ethnic lines was a policy pursued by certain Yugoslav elites in order to destroy existing social realities:

To motivate someone, it is necessary to tap into relationships, into relational senses of identity and self, or into environmental factors that do so. The violence of ethnic conflicts is thus not meant to mobilize people by appealing to ethnicity – that is, it does not tap into these relational processes. Rather, its goal is to fundamentally alter or destroy these social realities. Indeed, given the rootedness of such realities in peoples’ everyday lives, the only way to destroy them and to impose homogeneity onto existing, heterogeneous social spaces is through massive violence.¹⁰

What this policy meant for Bosnians living in towns and villages throughout the country – particularly in mixed communities - is that, as if overnight, neighbors ceased to be neighbors and became perpetrators of war crimes. Anthropologist Tone Bringa illustrated the development of mistrust and fear among individuals previously peacefully sharing space and place in a conflict imposed from outside in the documentary “We Are

9 V.P. Gagnon Jr., *The Myth of Ethnic War: Serbia and Croatia in the 1990s* xiv (1st ed. 2004)

10 *Id.*

All Neighbours”.¹¹ This transformation of communities occurred across Bosnia: the safety and security of homes were transgressed as VRS militia and police forcibly entered and arrested ‘suspects’ or committed other heinous crimes while family members had no choice but to stand aside.¹² Buildings and cultural symbols associated with a particular ethnic group were severely shelled and damaged, and homes themselves were set ablaze, many burned down to just the foundations.¹³

This context is what hundreds of thousands of Bosnian Muslims, but also Bosnian Croats, left behind as they fled from an anticipated attack, or were simply expelled and forced to hand over keys and sign over ownership of their property. Their homes are now by and large in the Bosnian territorial entity the Republika Srpska, translated to “Serb Republic,” which is comprised of territories that were violently attacked and cleansed of non-Serb residents. The formalization of the Republika Srpska at the Dayton Peace Agreement in 1995 was thus a de facto acceptance of the results of the ethnic cleansing project that had been carried out over the previous three and a half years. It is also the place European policymakers envisioned repatriating the refugees that had sought shelter in their countries, as will be discussed in the following section.

11 Tone Bringa & Debbie Christie, *DISAPPEARING WORLD: WE ARE ALL NEIGHBOURS* (1993).

12 IVANA NIZICH, *WAR CRIMES IN BOSNIA-HERCEGOVINA: VOLUME II* (1994).

13 NIZICH, *supra* note 12.

III. BOSNIAN REFUGEES AND TEMPORARY PROTECTION SYSTEMS IN EUROPE

The first wave of migration triggered by the VRS' ethnic cleansing campaign occurred in 1992, the first year of the war. A second wave occurred in 1993-1994; and the last following the attack on Srebrenica in July 1995.¹⁴ The outflows continued even after the end of the war however, due to harsh economic, political and social conditions.

In the early years of the war, neighboring countries such as Croatia, Slovenia and Serbia and EU countries such as Germany, Austria and Sweden were the destination for most of Bosnia's refugees.¹⁵ These countries kept their borders open to refugees for a longer time than other European countries, and had existing communities of Bosnians, Croats and Serbs that would attract refugees as well as help them in the migration.¹⁶ Figure 1 shows the geographic distribution of refugees displaced by the Bosnian war as well as by the other Yugoslav-related conflicts in Croatia and Kosovo.

14 Marko Valenta & Zan Strabac, THE DYNAMICS OF BOSNIAN REFUGEE MIGRATIONS IN THE 1990S, 32(2) *Refugee Surv. Q.* 1-22 (2013).

15 Marko Valenta & Sabrina Ramet, *Bosnian Diaspora: Studies on Bosnian Immigrants and Transnational Communities* (2011)

16 Valenta & Strabac, *supra* at 14.

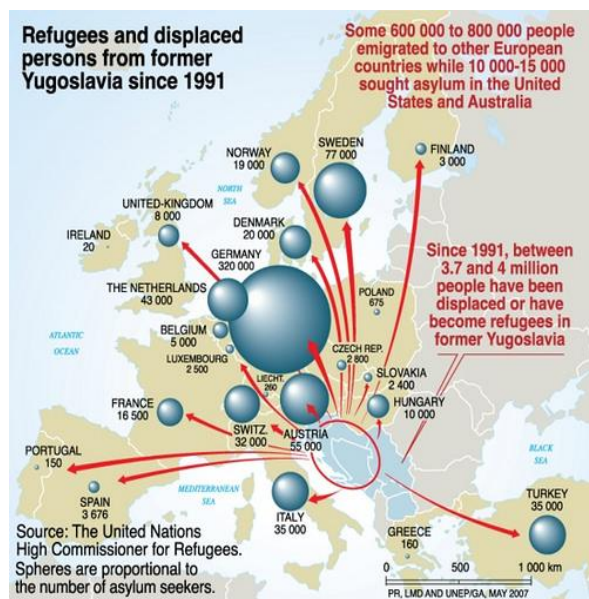


Figure 1. Refugee migrations from the former Yugoslavia. Source: Valenta, Marko and Zan Strabac. (2013). The dynamics of Bosnian refugee migrations in the 1990s, current migration trends and future prospects. *Refugee Survey Quarterly*, 32 (3), 1-22.

However, the specter of refugee inflows from the former Yugoslavia incited many western European countries to begin shifting policy away from resettlement and political asylum and more towards temporary protection and repatriation as solutions to refugee inflows.¹⁷ Jones and Johnson categorize such stricter immigration policies as part of a broader approach by countries that they call ‘border work.’ ‘Border work’ occurs at a range of scales and places and

is directed not only at transgressions of borders in the narrow sense

¹⁷ Alexander Aleinikoff, *State-Centered Refugee Law: From Resettlement to Containment in Mistrusting Refugees* 257-78 (E. Valentine & John Knudsen eds., 1995) [improper pincite]

of preventing a human from violating territorial sovereignty by crossing a line at the margins of a state's sovereignty, but also at border crossing by particular undesirable categories of goods and services, specific types of information, certain classes of humans, and nature.¹⁸

Jones and Johnson argue that despite the predictions of postmodernist literature, borders have become a larger, not smaller part of everyday life for most people. For the millions of other refugees seeking a new home, 'border work' means that they are the 'undesirable categories,' the 'outside' from which 'the inside' is being protected.¹⁹ From the perspective of the countries facing an influx of refugees from Bosnia, the 'outsiders' would bring pressure on the social system, negatively affecting the 'inside.'²⁰

When refugees from the former Yugoslavia thus began arriving at the borders of western European countries, host governments chose a form of 'border work' that while physically granting access across the border would still contain a clear marker of delineation between the 'insider' and the 'outsider.' Specifically, they selected to avoid granting durable protection or asylum to those fleeing and instead provide temporary safe haven. The idea behind this policy was that when safe haven was deemed to no longer be necessary, the displaced would need to return to their homeland. Temporary protection was not a new concept, having been codified in a 1969 African refugee convention as well as discussed as a policy option for those fleeing both southeast Asia and central American civil wars in the 70s and 80s.²¹ But in the early 1990s, UNHCR affirmed and recommended the use of temporary protection to its member states as a strategy to increase the overall safety of people at risk, given that western European governments, alongside promoting temporary protection

18 Jones & Johnson, *supra* at 2.

19 *Id.*

20 Valenta & Strabac, *supra* at 14.

21 Joan Fitzpatrick, TEMPORARY PROTECTION OF REFUGEES: ELEMENTS OF A FORMALIZED REGIME., 92 (2) Am. J. Int'l L. 279 (2000)

for refugees, were at the same time increasing barriers to entry for those from the former Yugoslavia and tightening asylum procedures.²²

Austria was one of the first countries in western Europe to feel the effects of the Bosnian refugee outflow in early 1992. In reaction, in 1993 the Austrian Ministry of Interior developed and enacted a Residence Law according to which Bosnian refugees could be granted temporary residence; however, despite the drastic conditions of their displacement, they still needed to show valid travel documents and adequate financial means to enter Austria. By 1995, these restrictions expanded into the requirement of a visa to enter Austria. Though Bosnian refugees did have the right to apply for full refugee status in Austria – meaning to be recognized as such under the 1951 UN Geneva Convention – statistics show that most Bosnian refugees’ applications were rejected. Franz notes:

The Federal Asylum Office rejected the vast majority of the asylum claims of Bosnian refugees, holding that the applicants had failed to establish a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion in the sense of Article 1 of the 1951 Convention. The Federal Asylum Office also rejected claims of applicants who had been raped by paramilitary forces.²³

Though some of the details differed, most western European countries adopted a version of the policy of temporary protection for Bosnian refugees. Indeed, as Fitzpatrick argues, not only were many European countries not overwhelmed by refugee inflows from the former Yugoslavia as was argued in rationalizing temporary protection (Austria and Germany perhaps being the only exceptions), the application of temporary protection appeared to be a way to circumvent recognition

²² *Id.*

²³ Barbara Franz, BOSNIAN REFUGEES AND SOCIO-ECONOMIC REALITIES: CHANGES IN REFUGEE AND SETTLEMENT POLICIES IN AUSTRIA AND THE UNITED STATES, 29(1) *J. Ethnic & Migration Stud.* 5-25 (2003)

under the 1951 Geneva Convention, threatening the Convention itself.²⁴ Kibreab refers to this harmonization and coordination of refugee policies across territories as ‘Fortress Europe,’ which calls into question the validity of increasing claims in post-modernist literature that globalization has led to a deterritorialization of identity as a consequence of which we are all becoming citizens of a deterritorialized global world. Instead, “the globalization process has been accompanied by restrictive immigration and refugee policies,” as countries not only tighten their borders but also adopt restrictive reception policies that discourage integration into the new society.²⁵

Displaced Bosnians and their families were faced with these restrictive measures upon fleeing to western European countries. There was no consistent set of rights for those under temporary protection, but the rights that did exist were certainly fewer and more limited than what was available to refugees recognized as such under the 1951 Geneva Convention.²⁶ For example, according to a report by the Humanitarian Issues Working Group²⁷ examining countries’ responses to the humanitarian crisis in the former Yugoslavia, the comparison of standards accorded to recognized refugees and those under temporary protection in Austria is described as follows: “Unlike persons formally granted asylum, beneficiaries of temporary protection do not, in principle, have the right to integration assistance, e.g. language and vocational training, accommodation allowances and other financial support, refugee travel documents and work without work permits”. Austria removed some of these restrictions on displaced Bosnians in the later phase of its temporary protection system, but in other countries the policy remained quite strict. On this same question of comparison of standards accorded to recognized

24 Fitzpatrick, *supra* note 21, at 280.

25 Gaim Kibreab, REVISITING THE DEBATE ON PEOPLE, PLACE, IDENTITY AND DISPLACEMENT, 12 J. Refugee Stud. no. 4, 1999 at 390.

26 U.N.H.C.R., A ‘Timeless’ Treaty Under Attack, (June 1, 2001), <http://www.unhcr.org/en-us/news/stories/2001/6/3b4c067ac/a-timeless-treaty-under-attack.html>.

27 Humanitarian Issues Working Group, Survey on the Implementation of Temporary Protection, (Mar. 8, 1995), <http://www.refworld.org/docid/3ae6b3300.html>.

refugees and asylum seekers in Germany, the report is quite blunt: “None of the categories of persons enjoying a form of temporary protection has the same rights as recognized refugees in Germany.”²⁸

Specifically, those under temporary protection in Germany were denied access to the labor market and education.²⁹ In Switzerland, one category of people under the temporary protection system were not given access to social care, the labor market or education.³⁰ Through these restrictions, these host countries’ policies pushed Bosnian refugees to seek other options for improving their personal situations. Many joined the informal labor market for example; according to Franz, Viennese authorities’ figures suggest that about 40 percent of Bosnian refugees, mostly women, were working in the informal sector in 1994.³¹

A. Temporary Protection as Repatriation

Given that the finite nature of the temporary protection policy was one of its key presumptions, when the Dayton Peace Accords were signed in late 1995, most western European host countries launched repatriation programs to have refugees return to Bosnia. Underpinning host countries’ shared objective to repatriate were two factors, according to scholars. First, offering resettlement or a permanent status to the displaced would have appeared as an acceptance of the ethnic cleansing and genocide project in Bosnia. Resisting or reversing the results of ethnic cleansing and genocide was clearly a goal of the architects of the Dayton Agreement and specifically its Annex 7, which outlined the right of refugees and displaced persons to return to their pre-war homes. As Toal and Dahlman write:

while ending the war was the priority, a more ambitious demographic restoration was imagined because it was politically and morally affirming [...] the GFA [General Framework

28 *Id.*

29 Valenta & Strabac, *supra* note 14.

30 Humanitarian Issues Working Group, *supra* at 27.

31 Franz, *supra* note 23, at 22.

Agreement] created the possibility that the human displacement consequences of ethnic cleansing could be reversed.³²

Second, repatriation was also in line with what Malkki calls the sedentarist bias that exists in much of the field of refugee studies and among policymakers. According to this bias, “to become uprooted and removed from a national community is automatically to lose one’s identity, traditions and culture.”³³ Displacement upsets what is a normal state of being, expelling the refugee from the place he belongs. This inherent bias about the natural and inseparable link between people and place inevitably spills over into the realm of policymaking, privileging for example the concept of state sovereignty in refugee matters, whether that refers to controlling borders or managing the refugee as a ‘problem’ through internal policies.³⁴

Western European host countries exercised varying degrees of coercion in the returns policy of Bosnian refugees and offered varying levels of assistance to promote return.³⁵ At the same time, most also gradually changed the status of individuals that did not return and allowed them to remain permanently.³⁶ In addition to Switzerland, Turkey, Croatia and Slovenia which were on the more activist end of repatriating refugees to Bosnia, Germany was notable in that it was the only country that didn’t gradually transform its temporary protection system into one of more permanent protection.³⁷ Germany had one of the largest populations of Bosnian refugees, estimated to be up to 400,000 at its peak. This was partly a consequence of the government’s initial generous welfare offerings to refugees as well as a ban on deportations. However, as the high cost of maintaining the refugee system became more evident and as

32 GERARD TOAL & CARL DAHLMAN, BOSNIA REMADE: ETHNIC CLEANSING AND ITS REVERSAL 162-63 (2011).

33 Lisa Malkki, Refugees and Exile: From “Refugee Studies” to the National Order of Things, 24 Ann. Rev. Anthropology 1995 at 508.

34 *Id.*

35 Valenta & Ramet, *supra* at 15.

36 *Id.*

37 Valenta & Strabac, *supra* note 14.

the war ended in Bosnia, the German government lifted the ban on deportations and began to repatriate Bosnian refugees in phases, with childless couples as well as refugees with criminal records being sent back first.³⁸

Many Bosnian refugees tried to convince host countries that the preconditions for a sustainable return were not in place. In Germany, many also struggled to convince the authorities that they were entitled to humanitarian protection. [...] More than 20,000 Bosnian refugees succeeded in convincing German authorities that they were entitled to refugee status or humanitarian protection and settled permanently in the host country. Nevertheless, since the war ended, German authorities returned hundreds of thousands of Bosnians by force or by using a combination of coercion and extensive pay-to-go schemes.³⁹

Select countries' active efforts to repatriate Bosnian refugees have been criticized as not only premature and a case of mistaken priority⁴⁰, but also "inhumane" in the case of Germany which was conducting involuntary repatriations even though the benchmarks which the UNHCR had set out to be fulfilled before repatriation was to commence were far from fulfilled. Germany was the only EU country that, contrary to UNHCR guidelines, was already in 1997 repatriating people to areas in Bosnia where they would be considered an ethnic minority.⁴¹ In other words, Bosnian refugees in Germany were being sent back to live in communities alongside a majority population whose extreme nationalist leadership had violently forced their removal. Studies of the mental health of those repatriated involuntarily, and where they were returned to their home country and not necessarily to where they used to live, show increases in depression and

38 Khalid Koser & Richard Black, Limits to Harmonization: The 'Temporary Protection of Refugees in the European Union, 37(3) Int'l Migration, ?, 521-43 (1999).

39 *Id.*

40 *Id.*

41 *Id.*

symptoms of PTSD.⁴²

For those facing the scenario of involuntary repatriation, a sense of liminality was reinforced by creating a feeling of insecurity about one's rights and legal status.⁴³ Dimova⁴⁴ argues that the fear and uncertainty created trauma directly linked to duldung or the temporary protection status; it was a trauma on top of pre-existing traumas from the war, because the strict policy meant that

the safest way of obtaining a residence permit [...] proved to be by demonstrating severe traumatization. Hence, these people have been torn between required (and often exaggerated) remembering of their past war experiences, and the contemporary, real, but unrecognized trauma of feared detainment and deportation. This more contemporary trauma has become a dominant structuring force of their current lives.⁴⁵

IV. A DURABLE SOLUTION TO DISPLACEMENT—RESETTLEMENT IN THE UNITED STATES

Once the plans to repatriate Bosnian refugees were announced by western European countries, the refugees had to begin thinking about a durable solution to their displacement. Their options were limited: they could return to Bosnia, to the area they were from with the specific post-war circumstances it entailed, or elsewhere in the country. Or, they could seek to be resettled in a third country. This latter option held the greatest promise, as it offered predictability and stability. At this time, the United

42 Ulrike Con Lersner, THOMAS ELBERT & FRANK NEUNER, MENTAL HEALTH OF REFUGEES FOLLOWING STATE-SPONSORED REPATRIATION FROM GERMANY, 8 BMC Psychiatry 88, 88 (2008).

43 MAJA KORAC, REMAKING HOME: RECONSTRUCTING LIFE, PLACE AND IDENTITY IN ROME AND AMSTERDAM (2009).

44 Rozita Dimova, *From Strategic Remembrance to Politics of Tolerance: Memories of the Srebrenica Massacre Among the Bosnians in Berlin* (Dec. 20, 2007), <http://migrationonline.cz/en/from-strategic-remembrance-to-politics-of-tolerance-memories-of-the-srebrenica-massacre-among-the-bosnians-in-berlin>.

45 *Id.*

States, Australia and Canada were accepting such applications from those displaced by the conflict in Bosnia.

A. A Brief Overview of the US Refugee System

The US refugee program has three main components: the asylum system, the resettlement program, and overseas assistance.⁴⁶ Though the resettlement program is the most visible and active component, it is important to note the difference between it and the asylum system. Asylum applications are based on a mechanism historically available under the Immigration and Nationality Act of 1952, specifically Section 208.⁴⁷ To receive this status, an applicant must already be in the United States under different status and must provide evidence of persecution based on race, religion, nationality, membership in a social group and/or political opinion. There is a process of adjudication before an asylum officer or an immigration judge. Recipients of this status have the right to work, to apply for permanent residency, and to petition for a spouse or unmarried children to join them in the United States.

The resettlement program is based on the Refugee Act of 1980 and grants refugee status to applicants outside the United States who meet the definition of the 1951 Refugee Convention. To begin the application process, one must first register with the UNHCR in the country to which they have fled from their home country. UNHCR determines whether an applicant qualifies as a refugee, and then works towards “the best possible durable solution for each refugee: safe return to the home country, local integration, or third-country resettlement.”⁴⁸

If UNHCR determines that the best possible durable solution for an applicant is resettlement and refers them to the United States, one of the

⁴⁶ Kathleen Newland, U.S. Refugee policy: Dilemmas and Directions PAGE CITED (editor(s) name(s), edition cited 1995).

⁴⁷ *Id.*

⁴⁸ U.S. DEP'T OF ST., U.S. Refugee Admissions Program (2017), <https://www.state.gov/j/prm/ra/>.

several Resettlement Support Centers (RSCs) located around the world takes over the case. The RSCs are funded and managed by the State Department's Bureau of Population, Refugees and Migration but are generally operated by international non-governmental organizations. It is possible to skip the referral from the UNHCR and begin working directly with the RSC if an applicant is a close relative of an asylee or refugee already in the United States. The RSC collects biographic and other information from the applicant to prepare for an adjudication interview and security screening. The application is then reviewed by the Department of Homeland Security's U.S. Citizenship and Immigration Services (USCIS), which conducts an in-person interview with each applicant to verify the information provided and collect any further information. At this stage, USCIS may approve or reject an application for resettlement.⁴⁹ If the application is approved, the applicant attends a health screening to identify medical needs and rule out contagious diseases. Assuming no issues arise during the health screening, the resettlement process transitions from one of obtaining permission to enter the United States into one of integrating into American society.

B. Bosnians in the US Refugee System

Of the approximately two million Bosnians who claim Bosnia as their country of birth and origin but who live outside of its borders, the 2010 US Census data indicates that the United States became a destination for approximately 125,793 of this total. It is likely, however, that the number of Bosnians who eventually and over time resettled and found a home in the United States is higher - approximately 300,000 to 350,000. This can be explained by the fact that only individuals reporting Bosnia as their country of birth are included in the US Census number, and their

⁴⁹ Since the September 11, 2001 attacks in the United States, some of the administrative structures involved in refugee processing have changed. For example, the Department of Homeland Security was formed after the attacks and given a primary oversight role over matters of immigration, border and customs issues. Despite these changes, the steps involved in applying for resettlement remain largely the same.

American-born children are not counted as having the same place of origin, though many youths born and raised in the United States may identify as Bosnian. Additionally, many Bosnians who arrived in the United States prior to the early 1990s and during the wave of migration following World War Two indicated Yugoslavia as their place of birth, and those who resettled in the late 1990s and early 2000s are consumed by this number.

The multiethnic background of Bosnians resettling in the United States further complicates the exact count. In the early 1900s, some of the first immigrants from Bosnia who were Bosnian Croats were listed as Yugoslavs, and prior to Bosnia's independence, the number of immigrants from Bosnia was not available separately from Yugoslavia.⁵⁰ After several successful efforts by select, particularly European countries, to repatriate Bosnian refugees including in the aforementioned involuntary process, the majority of those who resettled and found a new and permanent homeland in the United States were Bosniaks, and a smaller number of Bosnian Croats and Bosnian Serbs. Estimates indicate that in the late 1990s, refugees from Bosnia represented the third-largest group of refugees entering the United States⁵¹, and were resettled into mostly urban communities. Later, and well into the 2000s, many Bosnians joined their families already settled in the United States via the family reunification aspect of the resettlement program.

Importantly, the statistics indicate that most Bosnians arrived in the late 1990s, after the Dayton Peace Agreement had been signed and western European countries' repatriation schemes had begun. For example, the US Census estimates that 37,000 refugees from Bosnia and asylum seekers obtained legal permanent resident status between 1992 and 2000; and between 1996 and 1999 alone, 30,000 refugees from Bosnia were recorded to have migrated from Germany to the United States.⁵² The numbers

50 Audrey Singer & Jill H. Wilson, *Refugee Resettlement in Metropolitan America* (Dec. 2, 2017), <http://www.migrationpolicy.org/article/refugee-resettlement-metropolitan-america>.

51 Valenta & Strabac, *supra* note 14.

52 Valenta & Ramet, *supra* note 15.

continued to increase; 81,000 Bosnian refugees and asylum seekers obtained legal permanent resident status between 2001 and 2008.⁵³ The Census further estimates a gradual decrease in the number of Bosnian-born individuals from 2010 (125,793 in total) to 2016 (101,638 in 2016)⁵⁴. These statistical trends and gradual decrease suggest that the majority of Bosnians in the United States entered in the late 1990s as refugees, a large number of whom were repatriated from other select nations.

It is important to note that Foreign Intervention Agencies - representatives of foreign countries and non-governmental organizations in Bosnia - put significant political and financial investments into ensuring the safe return of minority populations given the obstructive practices of nationalist authorities. Nevertheless, minority returnee numbers were lower than desired; and clearly based on the above numbers, many refugees chose to resettle in a third country rather than return to Bosnia. A key framing that Jansen⁵⁵ uses to explain this phenomenon in the post-war period is the simple but powerful term 'normal life.' He explains that 'normal life' goes beyond the concern of safety - it also encompasses socio-economic security, infrastructure, healthcare and education. Without these constitutive aspects, one feels like their life is in limbo. The sense of limbo was extreme within post-war Bosnia itself, where the combination of structures imposed by the Dayton Peace Agreement, contradictory rhetoric by nationalist leaders and Foreign Intervention Agencies, among others, created the sense that "'normality' had been suspended until further notice."⁵⁶

53 *Id.*

54 U.S. Census Bureau 2016, 'American Community Survey 1-Year Estimates', Table S0201, https://factfinder.census.gov/bkmk/table/1.0/en/ACS/16_1YR/S0201/popgroup~910, (last accessed 12 December 2017).

55 Jansen, *supra* note 1.

56 *Id.*

V. AN IMMIGRANT SUCCESS STORY: BOSNIAN-AMERICANS

In a study of Kurdish refugees in Finland and England, Wahlbeck⁵⁷ identified differences between the two countries in terms of resettlement policies and social structures, arguing that these policies had a major impact on how refugees were integrated into the host society. In fact, he found these policies to be more important in influencing integration of refugees than the refugees' level of attachment and transnational connection to their homeland, a reason that is commonly used to explain poor integration. As Wahlbeck⁵⁸ argues, "the integration into the wider society seems to be largely dependent on the exclusionary and inclusionary policies of the country of settlement and not on the degree of diasporic feelings amongst the refugees."⁵⁹

In the United States, the context of reception for Bosnian refugees was very positive. This context includes the array of conditions that influence how well a migrant is able to integrate into society. Examples of these conditions are whether the migrant arrives to an existing ethnic support network; his employment prospects in the new society; and the level of tolerance in the locality of settlement. An important component of refugee resettlement programs in the United States for newly incoming refugees is language acquisition and self-sufficiency.⁶⁰ English language classes were provided to Bosnian refugees as part of their resettlement process in the United States⁶¹, in contrast to European countries, whose temporary protection framework for arriving Bosnian refugees did not include language classes.⁶² Literature indicates that the host country language competence is not only important for integration, but is associated with

57 Osten Wahlbeck, *Kurdish Diasporas: A Comparative Study of Kurdish Refugee Communities* (1999).

58 *Id.*

59 *Id.*

60 Ajlina Karamelic-Muratovic, Wai Hsien Cheah & Hisako Matsuo, *Changing Oneself: Communication Factors and Psychological Resources in the Cross-Cultural Adaptation of Bosnian Refugees*, 29 *JCSTAND J. Comm. Speech & Theatre Ass'n N. Dakota* 14-27 (2016)

61 Franz, *supra* note 23.

62 Humanitarian Issues Working Group, *supra* note 27.

better psychological health among newly resettled refugees.⁶³ Most Bosnians who initially resettled were able to learn enough of the English language to acquire and hold jobs, thus, ensuring a level of self-sufficiency required for normal life. As Franz writes, Bosnians in the United States and New York (in her particular study), “rarely found themselves dependent on public welfare systems”⁶⁴ because they quickly found jobs and did not “experience a comparable economic downturn that prohibited their insertion into the labour market (even at a lower level) as was, for example, the case in Finland”.⁶⁵ Encouraging refugees to enter the job market as soon as possible inevitably sped up the integration experience of Bosnians within the United States.

As a result, most first generation Bosnians who call the United States their new homeland are US citizens and have largely integrated. At the same time, they are slowly decreasing in number due to mortality. In contrast, their children who are American-born and mostly identify as “Bosnian-American” or “American-Bosnian”⁶⁶ and are counted as American-born by the US Census, are increasing in number. Resettlement areas for Bosnians initially coming to the United States included mostly large U.S. metropolitan areas, such as St. Louis, Missouri, where many continue to live today, including in suburbs.⁶⁷ Ethnic enclaves and dedicated community areas in various US urban centers that are uniquely Bosnian are frequent, such as the example of “Little Bosnia” in St. Louis. They serve an important role and purpose in the lives of many Bosnians,

63 Ajlina Karamehic-Muratovic, Wai Hsien Cheah, Hisako Matsuo & Alma Poljarevic, Audience Segmentation of Bosnian Refugees Psychological Health, 3(10) Int'l J. Interdisc. Soc. Sci. (2009)

64 Franz, *supra* note 23.

65 *Id.*

66 Florian Sichling and Ajlina Karamehic-Muratovic, Makin' It' in the Heartland: Exploring Perceptions of Success Among Second-Generation Immigrant Youth in St. Louis (2019) (manuscript submitted for publication) (on file with author).

67 Hariz Halilovich, Jasmin Hasić, Dženeta Karabegović, Ajlina Karamehić-Muratović & Nermin Oruč, Mapping the Bosnian-Herzegovinian Diaspora: Utilizing the Socio-Economic Potential of the Diaspora for Development of BiH, IOM/MHRR BiH, (2018) <http://www.mhrr.gov.ba/PDF/MAPPING%20BIH%20DIASPORA%20REPORT.pdf>.

acting as hubs for collective socialization, exchange of information, friendship, and mutual connection. These ethnic enclaves include those born in Bosnia who do not exclusively identify with and/or belong to Bosnian diaspora, but who may identify with Serbian and Croatian diaspora. “Recently arrived Bosnian Croats and Bosnian Serbs will have been absorbed by ethnic enclaves that were formed by their predecessors in earlier times; Bosnian Muslims had to create their own communities from the outset”.⁶⁸ Among other things, the established ethnic enclaves serve to support the newly found Bosnian-American identity among Bosnians in the United States.

As a group, Bosnian refugees in the United States have successfully integrated and assimilated into mainstream US culture—economically, socially, and culturally. In many urban areas with a high concentration of Bosnian refugees, such as Chicago and St. Louis, Bosnians have been described and used as a model of successful refugee integration. The influx of Bosnians into many of the nation’s urban areas has stabilized neighborhoods, led to new businesses, contributed to local culture, and enhanced the U.S. image as a destination for migration.⁶⁹

A select example of an established ethnic enclave individuals who immigrated from Bosnia and resettled in the United States is St. Louis, Missouri. The first refugees from Bosnia came to St. Louis via US resettlement agencies who saw the city losing its population, economic base, and cultural character. Reportedly, the largest Bosnian community outside of Bosnia calls the Greater St. Louis area in Missouri their home.⁷⁰ Since the initial arrivals in mid-1990s, the Bosnian refugee community has consistently and significantly grown due to secondary and tertiary migration, now making up the largest immigrant group in the region. To put in context, Bosnians represent approximately one in six St. Louisans;

68 Reed Coughlan, *Transnationalism in the Bosnian Diaspora in America*, in the Bosnian Diaspora: Integration in Transnational Communities 105-22 (Marko Valenta & Sabrina P. Ramet eds., 2014).

69 ELIZABETH TERRY, JOHN WRIGHT, & PATRICK MCCARTHY, *Ethnic St. Louis* (2015).

70 Karamehic-Muratovic et. al., *supra* note 60, at 15.

among non-English languages spoken in the area, Bosnian ranks second only to Spanish. Moreover, Bosnians have consistently been credited with revitalizing older and declining neighborhoods of the city, such an area now called “Little Bosnia,” populated by ethnic businesses. The Bosnian story is widely considered as a story of “a successful refugee integration,” as is the case in many other communities and urban centers in the United States that have a large number of Bosnians. The Bosnian diaspora in St. Louis has achieved “remarkable success in business, media, education, and the arts”, [but] “despite their numerous accomplishments, Bosnians have not forgotten the circumstances that brought them here,” and “while tragedy and sorrow created the Bosnian community here, new beginnings and opportunities are building a brighter future for the Bosnians and for all those who now call them neighbours and friends”.⁷¹ Today, the majority of Bosnians in the United States are citizens and whether first- or second-generation Bosnian, tend to call themselves Bosnian-American and/or American-Bosnian.⁷²

VI. CONCLUSION

The large-scale displacement of Bosnians, as a consequence of the conflict in the 1990s, created a new worldwide Bosnian diaspora. Bosnian refugees have resettled in many countries of the world, where they are, twenty years since the conflict ended, trying to rebuild their lives. The conflict and displacement that they experienced, as well as living in a state of limbo and uncertainty under temporary protected status in the initial countries of shelter, have shaped their personal calculations about the next stage of their lives. They were forced to reconsider their life needs, concerns and priorities, and face new questions, chief among them being how they can sustain themselves and their family, how they go about reconstituting family and life, and how they build projects for the future,

71 TERRY, WRIGHT, & MCCARTHY, *supra* note 69, at 117.

72 Florian Sichling & Ajlina Karamelic-Muratovic, *Makin' It' in the Heartland: Exploring Perceptions of Success Among Second-Generation Immigrant Youth in St. Louis* (2019) (manuscript submitted for publication) (on file with author).

for themselves and their children.

For Bosnian refugees, resettlement in the United States, with the stability that it offered through various components of the program, generated an answer to these critical questions. The US resettlement program not only offered permanent immigrant status, but also social services such as language acquisition and employment assistance that allowed integration to accelerate quickly. Franz warns that concluding that Bosnian refugees in New York, and therefore other similar US urban centers such as St. Louis for instance, “enjoyed a wider range of acclimatization support, economic opportunities and residence rights, and therefore “integrated more successfully into the American host society than a comparative group of Bosnians in Austria,” is “too simplistic.”⁷³ Instead, she suggests that “the overarching objective of the American resettlement programme” ensured “speedy progress into economic self-sufficiency, with financial and social support often given reluctantly and withdrawn quickly.”⁷⁴ The merits of this approach - when contrasted with the shortfalls in European nations’ policies for support and status to Bosnian refugees (no integration assistance such as language, housing or employment support) - are demonstrated in the large numbers of Bosnian refugees who resettled in the United States, in particular from repatriating secondary countries in Europe. The merits of the US resettlement approach at the time are also demonstrated in the successful integration of Bosnian refugees into their new towns and communities, a primary example being the large, mostly refugee Bosnian diaspora community in St. Louis, Missouri.

⁷³ Franz, *supra* note 23.

⁷⁴ *Id.*