The London School of Economics and Political Science

Acts of Contention: Local Practices and Dynamics of Negotiated Statebuilding in Bosnia and Herzegovina 1995-2010.

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Abstract

The thesis is concerned with local practices that seek to contest international statebuilding measures. This line of inquiry stems from the need to generate knowledge on the ways in which international statebuilding is mediated and re-negotiated in local spaces. Rather than focusing on the much-analyzed hidden/everyday forms of resistance, the objective of the analysis is to understand the parallel, disruptive practices that directly challenge the international statebuilding project. These particular forms of contention are important as they explicitly engage with the coercive power of international statebuilding. Through the case study of post-Dayton Bosnia and Herzegovina, the thesis aims to generate an account of local contention and dynamics between domestic and international actors that is attentive to both material and non-material domains and practices. In doing so, the analysis identifies a range of contentious acts in the institutional, discursive and symbolic domains. While administrative practices slow down and block decision-making at the institutions of governance, local actors frequently deploy discursive strategies to destabilize and de-legitimize, or in some cases to co-opt, international statebuilding. They employ symbols and symbolic practices to contest the internationally-led cultural reconstruction efforts. It is argued that these disruptive techniques and the ensuing interactions translate into conflictual and symbiotic dynamic between internal and external actors. Although the interactions between internal and external actors frequently result in conflict, a closer look at the dynamic reveals a mutual dependency whereby the contentious activities of local actors and coercive statebuilding measures of the international officials maintain one another. The thesis makes a conceptual and empirical contribution to the analysis and understanding of the hybrid nature of post-conflict statebuilding. It begins developing the notion of contention and a set of mechanisms derived from contentious politics scholarship as a way to capture and trace local practices challenging internationally-led statebuilding measures. Empirically the study adds to our knowledge of local agency in societies emerging from conflicts.

For Dad

Acknowledgements

Acronyms

DPA	Dayton Peace Agreement
EU	European Union
EUFOR	European Union Force
EUSR	European Union Special Representative
HDZ BiH	Hrvatska Demokratska Zajednica Bosne i Hercegovine (Croatian Democratic Union BiH)
HDZ 1990	Hrvatska Demokratska Zajednica (Croatian Democratic Union 1990)
HR	High Representative
HVIDRA	Association of Croatian Military Invalids of the Homeland War
IMF	International Monetary Fund
NATO	North Atlantic Treaty Organization
OECD	Organization for Economic Co-Operation and Development
OHR	Office of the High Representative
OSCE	Organization for Security and Co-Operation in Europe
PDP	Partija Demokratskog Progresa (Party of Dem Progress)
PIC	Peace Implementation Council
PLIP	Property Implementation Plan
RS	Republika Srpska
SAA	Stabilization and Association Agreement
SBiH	Stranka za Bosnu i Hercegovinu (Party for Bosnia and Herzegovina
SDA	Stranka Demokratske Akcije (Party for Democratic Action)
SDP	Socijaldemokratska Partija Bosne i Hercegovine (Social Democratic Party of Bosnia and Herzegovina)
SDS	Srpska Demokratska Stranka (Serbian Democratic Party)
SFOR	Stabilization Force
SNSD	Savez Nezavisnih Socijaldemokrata (Alliance of Independent Social Democrats)
SRS	Srpska Radikalna Stranka (Serbian Radical Party)
UN	United Nations
US	United States

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Chapter 1
Introduction

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> *'We are all internationalists now, whether we like it or not...we*
> *cannot turn our backs on conflicts and the violation of human rights*
> *within other countries if we want still to be secure'.*
>
> *'....we may be tempted to think back to the clarity and simplicity of*
> *the Cold War. But now we have to establish a new framework. No*
> *longer is our existence as states under threat. Now our actions are*
> *guided by a more subtle blend of mutual self interest and moral*
> *purpose in defending the values we cherish. In the end values and*
> *interests merge. If we can establish and spread the values of liberty,*
> *the rule of law, human rights and an open society then that is in our*
> *national interests too. The spread of our values makes us safer.*
>
> *Tony Blair* [1]

Blair's famous Chicago speech articulating a doctrine of liberal interventionism may not have been based on novel ideas, but it nonetheless signaled a renewed vigor in the attempts to formulate an international society based on liberal values. At the same time, the ideas expressed in the speech provide a good reflection of the post-Cold War zeitgeist; Western liberal norms and values did not only overcome the authoritarian alternatives but also hold the promise of peace and prosperity for others willing to adopt them. Yet, in many ways the most striking aspect of the above excerpts is the intimate connection Blair constructs between the propagation of such values and international security. Such logic essentially securitizes conflict, disorder and underdevelopment.

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[1] Tony Blair, speech Chicago 22 April 1999, http://www.pbs.org/newshour/bb/international/jan-june99/blair_doctrine4-23.html (accessed 13 June 2011)

Following the ostensibly pacifist potential of democracy and open economy, it is then in the Western interest to democratize and free-marketize troubled parts of the globe. A considerable stumbling block in such processes has, however, been state failure and weakness as well as 'bad governance'; weak states are seen as unable to build and maintain the institutions necessary for political and economic liberalization and tend to become havens for anti-democracy forces. In policy terms this has translated into internationally-led statebuilding missions in states deemed fragile or failing as statebuilding can no longer be left to chance.[2] These internationalized statebuilding projects have become the mainstay of 21st century international politics as international post-conflict or post-regime change operations in countries such as Bosnia, East Timor, Iraq, Afghanistan and most recently Libya continue to top the policy agendas. Even though many of these operations are still on-going, it is clear that the current statebuilding missions are less likely to repeat the success of the post-World War II Marshall Plan than initially thought. Although the context of each statebuilding case is unique, most of them have experienced a set of similar challenges ranging from ad hoc, uncoordinated international engagement to the presence of local actors challenging the externally-driven process. On paper statebuilding was epitomized in limited and short-term operations kick-starting democratization and economic development, but in practice statebuilding operations have turned out to be something quite different: complex long-term projects relying on methods coercive enough to '*make liberals blush*',[3] invoking uncomfortable echoes of colonialism. This has been particularly the case in the post-regime change societies such as Iraq and Afghanistan where military clout has played a formidable role in the international statebuilding venture. Beyond Iraq and Afghanistan, alternative forms of coercion have marked international peace interventions in post-civil war societies. Although military power in the form of keeping and enforcing peace has been a frequent feature, aid conditionality and coercive political power have underwritten international peace interventions from Bosnia to East Timor and Kosovo. For students of International Relations such ventures have provided a fruitful ground for the study of the era coined as '*the end of history*'.[4] Not only has it

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[2] Mark Duffield 'Social Reconstruction and the Radicalization of Development: Aid as a Relation of Global Liberal Governance'. *Development and Change,* 33 no.5 (2002),1049
[3] As noted by Paddy Ashdown, former High Representative in Bosnia and Herzegovina in Julian Glover 'King Paddy' *The Guardian*.11 October 2002.
http://www.guardian.co.uk/politics/2002/oct/11/foreignpolicy.uk. Accessed 25 November 2010.
[4] Francis Fukuyama 'The end of History'. *The National Interest*, no. 16. (1989)

provided ample opportunities for the empirical study of the nexus between democracy, free markets and peace, but also re-invigorated debates on contentious concepts such as sovereignty and legitimacy.

This thesis seeks to contribute to such scholarship by generating knowledge on encounters between internationalized forms of statebuilding and local statebuilding agents, practices and ideas in post-conflict Bosnia and Herzegovina (hereafter Bosnia). It does so through an investigation into local agencies who deploy a set of techniques in an attempt to mediate and re-negotiate the internationally-driven statebuilding process. Rather than focusing on the everyday forms of resistance that have recently elicited attention in the critical post-conflict literature,[5] the objective of the analysis is to understand the parallel, disruptive practices that directly challenge the international statebuilding project. The existing accounts on local agency and resistance have largely overlooked this rich array of local practices. These particular forms of local agency are important as they explicitly engage with the coercive power of international statebuilding. In addressing this limitation in the post-conflict research, the study borrows concepts and mechanisms from the contentious politics research. This Introduction and the Chapter that follows set up the intellectual, analytical and conceptual foundations of the thesis.

Building Peace, Nations or States?

To begin with, some conceptual clarification is in order. While statebuilding and the discourses of good governance and capacity-building have become the *lingua franca* of international security and development discourses, it is fair to say that the statebuilding lexicon has suffered from a considerable confusion over its concepts and terminology. Disagreement over the terms 'nation-building', 'peacebuilding' and 'statebuilding'

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[5] Oliver Richmond 'Becoming Liberal, Unbecoming Liberalism: Liberal-Local Hybridity via the Everyday as a Response to the Paradoxes of Liberal Peacebuilding' *Journal of Intervention and Statebuilding 3* no 3 (2009), Oliver Richmond 'Resistance and the Post-liberal Peace'. *Millennium – Journal of International Studies,* 38 no. 3 (2010), Stephanie Kappler and Oliver Richmond'Peacebuilding and culture in Bosnia and Herzegovina : Resistance or Emancipation?" *Security Dialogue,* 42 no 3 (2011), Audra Mitchell 'Quality/Control: International Peace Interventions and the 'Everyday'. *Review of International Studies* 37 no 4 (2012), David Roberts 'Beyond the metropolis? Popular peace and post conflict peacebuilding'. *Review of International Studies, 37* no 5 (2011)

exists alongside coterminous usage of the terms. However, it is possible, and certainly useful, to distinguish between the terms in question. Nation-building denotes an attempt to overcome obstacles to common nationhood and create loyalty to the nation-state.[6] Some question the usefulness of 'nation-building' as a concept altogether; while Newman suggests that the very notion of nationbuilding is an *'historical aberration'*,[7] Call and Wyeth in turn argue that the term nation-building is somewhat outdated in the context of today's post-conflict peace operations as peoples' identification with the state is no longer a prerequisite for a stable, functioning state and multicultural states have become the generally accepted norm.[8] The prevalent idea of the 1960s nation-building efforts suggesting that identity can be manipulated by external interveners has become implausible. The attempts to forge a common identity in post-conflict space have been replaced by the efforts to transform the norms, values and behaviors of target populations. Although the above authors are correct in arguing that attempts to build a shared sense of unity or common identity may not be at the forefront of international policies in post-conflict states, dismissing nation-building dimension as irrelevant may result in overlooking salient statebuilding dynamics. The Bosnian case is indicative of the locally-driven post-conflict statebuilding processes that entail 'identity-building' dimension. This is interesting from the point of view of capturing statebuilding dynamics as nation-building projects seeking to create or strengthen communal/exclusive identities may be oppositional to the process of creating functioning and homogenous statehood.[9]

Peacebuilding, in turn, refers to international and national efforts to bring about peace in post-war societies. Embodied in the concept is the notion of peacebuilding serving as a solution to violence and its root causes. Out of the three concepts it is the broadest, encompassing a wide range of methods such as civil society-building, economic development, electoral democracy and so forth.[10] Statebuilding, on the other hand,

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[6] In the American jargon nationbuilding is used conterminously with statebuilding
[7] Edward Newman 'Liberal' Peacebuilding Debates' eds. in Edward Newman, Roland Paris and Oliver Richmond *New Perspectives on Liberal Peacebuilding*. (Tokyo: United Nations University Press, 2009), 30.
[8] Charles Call and Vanessa Wyeth *Building States to Build Peace*. (Boulder: Lynne Rienner, 2008), 10
[9] Marina Ottaway 'Nation-building and State Disintegration' in eds. Kidane Mengisteab and Cyril Daddieh, State Building and Democratisation in Africa: Faith, Hope, and Realities (London; Praeger, 1999), 83
[10] Zoe Scott 'Literarature Review on Statebuilding Governance and Social Development Resource Centre 2007, http://www.gsdrc.org/docs/open/hd528.pdf (accessed 26 January 2009)

refers to creating, reforming or consolidating the state and its relation to the society.[11] It is usually understood in terms of institutional capacity building and organizational design. While the former alludes to the ability of the law enforcement or the tax collecting agencies to carry out their duties, organizational or state design refers to how these powers are allocated and arranged.[12] In reflecting a common understanding in the post-conflict scholarship, Manning suggests that peacebuilding and statebuilding are intimately related. For her peacebuilding is dependent on statebuilding.[13] Peacebuilding is an endeavor to consolidate peace, whereas statebuilding strengthens the political system; they formulate a symbiotic relationship where both elements are necessary. While intuitively appealing, such logic is problematic from a critical perspective that sees statebuilding and peacebuilding as projects premised on different objectives. Richmond and Franks differentiate between peacebuilding as a practice guided by Galtungian notions of positive peace and statebuilding as a neo-liberal project prioritizing good governance.[14] They argue that the two concepts co-exist rather uncomfortably. These contradictions in many ways mirror the wider IR debates on order and justice; whereas peacebuilding seeks to create peaceful conditions and reconciliation, statebuilding is solely concerned with institutions and stability.

There is much to be said for this problematization of building peace through building states. Historically state formation processes have entailed considerable contention as social groups have sought to protect their interests and negotiate the state-society relations.[15] Even if the historical state formation and contemporary statebuilding ventures are not entirely analogous, cases such as Bosnia draw our attention to the processes of contention and societal re-negotiation characterizing the current, internationalized projects of statebuilding. By deploying a set of contentious political techniques, local actors seek to alter the scope and form of the emerging state. Crucially, the processes through which the parameters of the state are negotiated may not necessarily be conducive for the aim of building peace and healing the war-time

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[11] Call and Wyeth, Building States, 5

[12] Ibid, 9

[13] Carrie Manning 'Local Level Challenges to Post-conflict Peacebuilding'. *International Peacekeeping* 10 no 3 (2003)

[14] Jason Franks and Oliver Richmond *Liberal Peace Transitions: Between Statebuilding and Peacebuilding* (Edinburgh: Edinburgh University Press, 2009) 3,13

[15] Charles Tilly *Contention and Democracy in Europe 1650-2000* (Cambridge: Cambridge University Press, 2004)

traumas. In the Bosnian case these processes have entailed regular reproduction of 'us' and 'them', thus emphasizing difference rather than creating a sense of unity among Bosnians.

From Peacebuilding to Stabilization

Perhaps the best way to understand the concepts of peacebuilding and statebuilding is to trace the evolution of the two concepts; what began as a peacebuilding project based on social principles has evolved over time into a statebuilding impetus with more technical aims and less concern for issues such reconciliation.[16] While nation-building was extensively discussed in the 1950s and 1960s and again in the 1970s with reference to Vietnam, it was only two decades ago when the mainstream approach to statebuilding – initially conceptualised as peacebuilding - began to take shape. This development took place in the context of the end of the Cold War and the ensuing disorder as civil wars erupted in various regions around the world. The fall of the Iron Curtain enabled the promotion of a specific type of domestic political and economic arrangements which represented a departure from the United Nation's (UN) role during the Cold War, limited to neutral peacekeeping missions.[17] This reflected the widespread optimism and profound belief in Western values. This development occurred in tandem with the 'good governance' agenda and the increase in number of peace operations in the 1990s. Boutros-Ghali's *Agenda for Peace,*[18] the 2000 Brahimi Report[19] and Annan's report *'Prevention of Armed Conflict'* [20] set the scene for some of the most significant

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[16] Meera Sabaratnam 'The Liberal Peace? An Intellectual History of International Conflict Management, 1990-2010' In Susanna Campbell, David Chandler and Meera Sabaratnam, *A Liberal Peace? The Problems and Practices of Peacebuilding.* (London: Zed Books, 2011), 24. What we are currently witnessing is thus best understood and conceptualized as statebuilding which is the term adopted in this thesis.

[17] Roland Paris (2004). *At War's End : Building Peace after Civil Conflict (*Cambridge Cambridge University Press, 2004), 15

[18] United Nations General Assembly, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping, Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992*, (A/47/277-S/2411), 17 June 1992 http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N92/259/61/PDF/N9225961.pdf?OpenElement (accessed 24 May 2012)

[19] United Nations General Assembly, *Report of the Panel on United Nations Peace Operations*, (A/55/305-S/2000/809) 21 August 2000, http://www.un.org/peace/reports/peace_operations/ (accessed 24 May 2012)

[20] United Nations General Assembly, *Prevention of armed conflict: Report of the Secretary-General*, (A/55/985-S/2001/574), 7 June 2001,http://ods-dds

transformations in the nature of peace operations. Particularly the Agenda for Peace represented a significant re-orientation of the UN's role in the world, as Sabaratnam observes: in conceptualizing conflict with tacit references to Galtung's structural violence, the proposed solution of peacebuilding - which was to *'address the deepest causes of conflict: economic despair, social injustice and political oppression'* [21] - represented an attempt to transform the UN into an effective, and indeed progressive, peacemaker.[22] In what De Waal characterizes as '*mandate creep',* the focus of the UN peace missions shifted from keeping peace between warring parties to multi-dimensional peace-building operations aimed at building liberal peace through democratization and marketization.[23] In keeping with such a paradigm shift in the practice of peace interventions, scholars attempted to identify the symptoms that peace operations in general should address, the concepts and tools that peacekeepers have at their disposal and the most effective way and time to utilize them.[24]

The post-9/11 securitization of development that linked the peripheral conflict to the security of the developed world brought to the fore concerns of state failure and weakness both in academic and policy circles. This effectively signaled the end to the progressive peacebuilding framework articulated in the Agenda for Peace in which 'peace' was the defining concept.[25] Such developments saw the transformation of peacebuilding into what became known as statebuilding; the building of efficient institutional infrastructure in which the state could flourish. In adopting the *2005 Paris Principles for Good International Engagement in Fragile States,* the OECD notes that '*the long term vision for international engagement in fragile states is to help national reformers build legitimate, effective and resilient state institutions'.*[26] This, for many critics of statebuilding, has led to various moral problems, most notably the lack of local

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ny.un.org/doc/UNDOC/GEN/N01/404/64/PDF/N0140464.pdf?OpenElement (accessed 24 May 2012

[21] An Agenda for Peace, art.15

[22] Sabaratnam the Liberal Peace?, 14-15

[23] Alex De Waal 'Mission without end? Peacekeeping in the African political marketplace'. *International*

Affairs, 85 no. 1(2009), 100

[24] Alex Bellamy & Paul Williams 'Introduction: Thinking anew about peace operations. *International*

Peacekeeping, 11 no 1 (2004)

[25] Sabaratnam the Liberal Peace?, 24

[26] OECD, 'Principles for Good International Engagement in Fragile States' (2005) http://www.oecd.org/document/46/0,3343,en_2649_33693550_35233262_1_1_1_1,00.html (Accessed 4 May 2011).

ownership and undemocratic methodology of democratization, embodied in Western donor conditionality and coercive measures. Perhaps more troubling has been the shift in focus from conflict resolution prioritized under peacebuilding initiatives to focus on stability and containment of conflict.[27] It has stimulated academic debates over whether statebuilding strives to construct statehood in the Westphalian sense or to create administrative and technical units without any real political substance.[28] Undoubtedly the US regime change operation in Iraq and the use of liberal discourse to justify it served to further strengthen the critiques of statebuilding operations as neo-imperial ventures.[29] While currently the UN forges on with the statebuilding agenda with the support of its member states, it remains under fire from various quarters in the academia due to its questionable track record.[30] A near-universal consensus among statebuilding scholars exists that few cases of post-conflict statebuilding can be declared as missions approximating success.

What the growing body of literature on international post-conflict interventions seems to indicate is that whilst the more abstract ideas of peacebuilding may have been based on liberal principles, the actual practice of post-conflict statebuilding relies on non-liberal and coercive measures.[31] In many ways, it is the stabilization of post-conflict spaces that regularly takes precedence over liberal principles and practices. This is manifested in recent policy-papers on statebuilding that indicate a discursive shift from statebuilding to *'stabilization'* which is telling of the prioritization of maintaining the status quo over any attempts of emancipatory transformation.[32] This contradiction between the liberal rhetoric and frequent non-liberal strategies through which statebuilding reforms are implemented has implications for the actual practice of

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[27] Edward Newman 'A Human Security Peace-Building Agenda'. *Third World Quarterly,* 32 no.10
(2011), 1741, Dominik Zaum 'Beyond the "Liberal Peace". *Global Governance: A Review of Multilateralism and International Organization* 18 no.1 (2012), 126
[28] See for instance, David Chandler Introduction: Peace without Politics? *International Peacekeeping, 12*(3) (2005), David Chandler *International Statebuilding: The Rise of Post-Liberal Governance* (Abingdon; Routledge, 2010)
[29] Roland Paris 'Critiques of Liberal Peace' in Susanna Campbel, David Chandler and Meera Sabaratnam,
Liberal Peace? The Problems and Practices of Peacebuilding (London: Zed Books), 38,39
[30] Ibid., 31
[31] See, among others, Endre Begby and Peter Burgess 'Human Security and Liberal Peace'. *Public Reason* 1 no.1 (2009); Dominik Zaum, Beyond the 'Liberal Peace'; Newman, A Human Security Peace-Building Agenda.
[32] Dominik Zaum, Beyond the "Liberal Peace, 126

statebuilding on the ground. It is evident in the discursive domain where local actors regularly represent international statebuilding as an illegitimate venture by highlighting how international statebuilding fails to live up to its values. At the same time, the key objective of international statebuilding to stabilize the 'problematic' post-conflict spaces generates its own dynamics which are traced throughout this thesis. Conceptualizing international statebuilding as a practice that entails both liberal and non-liberal methods is analytically expedient: it enables a move away from dichotomizing accounts that depict liberal international actors and practices against non-liberal local agencies.

Problem-Solvers and Critics

As noted above, the reorientation away from conflict transformation towards capacity-building has brought into question the liberal credentials of international peace interventions. It is in particular the critical body of peace operations literature that has taken the task of interrogating the motivations and agendas underpinning international statebuilding.[33] This line of analysis emerged as a response to the early studies on international peace interventions that generated policy-oriented and largely atheoretical accounts of peacebuilding,[34] coined as *'problem-solving'* research.[35] While the divisions between problem-solving and critical peace operations research are extensively

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[33] For instance; Oliver Richmond 'The problem of peace: understanding the 'liberal peace'. *Conflict, security & development* 6 no. 3 (2006), Oliver Richmond 'A post-liberal peace: Eirenism and the everyday'. *Review of International Studies,* 35 no. 3 (2009), David Chandler 'The uncritical critique of 'liberal peace'. *Review of international studies* 1 no. 1 (2010), Micheal Pugh 'Peacekeeping and critical theory'. *International Peacekeeping,* 11 no. 1 (2004), Roger Mac Ginty 'Reconstructing post-war Lebanon: A challenge to the liberal peace?' *Conflict, Security & Development* 7 no. 3 (2007), Caroline Hughes and Vanessa Pupavac 'Framing Post-Conflict Societies: International Pathologisation of Cambodia and the Post-Yugoslav States ' *Third World Quarterly* 26 no. 6 (2005), Kristoffer Lidén 'Building Peace between Global and Local Politics: The Cosmopolitical Ethics of Liberal Peacebuilding', *International Peacekeeping*, 16 no. 5 (2009), John Heathershaw 'Unpacking the Liberal Peace: The Dividing and Merging of Peacebuilding Discourses' *Millennium - Journal of International Studies,* 36 no. 3 (2008), Jenny Peterson 'Rule of Law' initiatives and the liberal peace: the impact of politicised reform in post-conflict states' *Disasters* 34 no. 1 (2010), Phillip Darby 'Rolling Back the Frontiers of Empire: Practising the Postcolonial' *International Peacekeeping*, 16 no. 5 (2009), Audra Mitchell *Lost in Transformation: Violent Peace and Peaceful Conflict in Northern Ireland* (New York : Palgrave Macmillan, 2011)
[34] Roland Paris 'International peacebuilding and the 'mission civilisatrice'. *Review of International Studies* 28 no. 4 (2002), 656
[35] Alex Bellamy 'The 'next stage' in peace operations theory?' *International Peacekeeping* 11 no. 1 17-38 (2004)

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rehearsed in a number of volumes on peacebuilding and statebuilding[36] and thus need not to be repeated at length here, the main fault line between the two approaches can be found in the different ontologies on post-conflict peace interventions. Whereas the problem-solving scholarship has produced policy-relevant research focused on establishing the best practices and lessons-learned of peacebuilding activities, the critical research has sought to ask a set of different, more theoretically-oriented, questions pertaining to the norms, ideas, ideologies and motivations underpinning such practices.[37] Whilst a common concern for much of the critical literature has been the liberal ideology that underwrites post-conflict statebuilding, recent critical scholarship has diverged around different assumptions about liberalism. They are best understood as *'critiques of'* and *'from liberalism'*.[38] *'Critiques of liberalism'* entail two different views on the reformability of 'liberal peace'; those who seek to modify it in order to manage the excesses of liberalism[39] and radical critiques that see international statebuilding as more fundamentally problematic than the moderate critics would suggest.[40] An analytical constant underpinning the moderate critiques of liberalism from Paris'[41] work onwards has been to problematize the liberal ethos guiding peacebuilding and statebuilding missions. It is thus the liberalism that drives such operations that is to be critically interrogated. This strand of research essentially endorses the liberal peace but cautions against hasty liberalization which is seen as a potential source for conflict. For such scholars then the problem with liberal peacebuilding is too much liberalization too quickly; possible solutions may for instance be shared forms of sovereignty, as suggested by Krasner.[42] The more radical *'critique of liberalism'* eschews the liberal

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[36] See for instance Bellamy, the 'Next Stage'; Pugh, Peacekeeping and Critical Theory; Shahrbanou Tadjbakhsh (ed.) *Rethinking the Liberal Peace: External Models and Local Alternatives.* (Abingdon; Routledge, 2011)

[37] Bellamy, 'the Next Stage'

[38] Audra Mitchell 'Quality/Control: International Peace Interventions and the 'Everyday'. *Review of International Studies* 37 no 4 (2010), 642

[39] For instance; Paris, At War'sEnd; Fareed Zakaria *The Future of Freedom: Illiberal Democracy at Home and Abroad.* (New York ; W. W. Norton & Co, Krasner, 2003); Stephen Krasner 'Building Democracy After Conflict: The Case for Shared Sovereignty' *Journal of Democracy* 16 no 1 (2005)

[40] For example, Richmond, A Post-Liberal Peace, Michael Pugh 'Local Agency and Political Economies of Peacebuilding'. *Studies in Ethnicity and Nationalism,* 11 no 2 (2011), Darby 'Rolling Back the Frontiers

[41] Paris, International Peacebuilding

[42] Krasner, Building Democracy after Conflict

model of intervention.[43] Bellamy and Williams, for instance, highlight how liberal and neo-liberal intervention have *'helped to create particular type of war economies, political structures, 'warlordism' and 'weak' states'*.[44] Others call for a more emancipatory or welfarist alternative, grounded in the local.[45] The problem for authors such as Pugh and Richmond is more profound than suggested by the critics who see statebuilding as reformable practice; neo-liberalism that informs internationally-led statebuilding is fundamentally unable to meet the needs of the people.[46]

While the above accounts represent a '*critique of liberalism'*, '*critique from liberalism'* takes the rejection of 'liberal peace' as an analytical framework as its starting point. Authors writing from such a perspective argue that liberal statebuilding is liberal only in rhetoric; the actual motivations underpinning post-conflict statebuilding have more to do with stability and status quo than with exporting Western norms and values.[47] Chandler, for one, categorically refutes such analyses by arguing that '*the post-Cold War post-conflict intervention can be better understood as a critique of classical liberal assumptions about the autonomy of the subject'*.[48] He points to the problematization of freedom and self-governance of the subjects by the international statebuilding as the key problematique; the autonomy of the subject populations has been transformed from being the natural starting point of democratization to the very problem it attempts to address. However, failing to identify these assumptions underpinning statebuilding, the 'critiques of liberalism' have erroneously conceptualized liberal peace as a project based on excessive liberalism and rapid Westernization which have not generally been conducive for peacebuilding and democratization.[49] This framework of liberal peace, as Chandler asserts, has identified the subaltern 'Other' as the main obstacle in the process of building liberal peace; the illiberal local subject distorts and hybridizes the process by

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[43] It is notable that some authors leveling such critiques take an issue with neo-liberalism more specifically (rather than with classical liberalism) and could therefore be considered as critiques from *classical* liberalism

[44] Bellamy and Williams, Introduction: Thinking Anew, 8

[45] Richmond, A Post-Liberal Peace; Roberts, Beyond Metropolis; Volker Boege, et al 'Building Peace and Political Community in Hybrid Political Orders'. *International Peacekeeping, 16* no 5 (2009)

[46] Pugh, Local Agency and Political Economies; Richmond, A Post-Liberal Peace

[47] For instance, Chandler, the Uncritical Critique, Shahar Hameiri 'A Reality Check for the Critique of the Liberal Peace' in Susanna Campbell et al' *A Liberal Peace'*?, Begby and Burgess, Human Security and Liberal Peace

[48] Chandler, the Uncritical Critique, 22

[49] Ibid, 23

transfusing traditional forms of governance with those advocated by international statebuilding agencies. For Chandler this amounts to apology rather than critique.[50] The invitation of this critique to reflect upon the very basis of liberal peace and reconsider its conceptual value is undoubtedly useful. The expediency of Chandler's critique lies in its highlighting of post-conflict statebuilding and peacebuilding missions as self-referential projects: it would be naive to perceive them solely as humanitarian practices with no security or material gains to the interveners themselves. It is clear, as noted earlier, that with the prioritization of statebuilding over peacebuilding, stability has become the overriding concern for the external statebuilding, more often than not taking precedence over the liberal principles. Much of international statebuilding has privileged order and stability over the realization of liberal norms. The most accurate way of understanding statebuilding then seems to be to view it as a conservative and order-prioritizing process seeking at first instance to stabilize war-torn states; liberal values play a role in this process but only in so far as they coincide with the aim of stabilization. This casts some doubt on the usefulness of 'liberal peace' as an analytical framework through which to understand post-conflict statebuilding. Indeed, what we see on the ground can more meaningfully be understood as hybrid forms of peace entailing multiplicity of actors and agendas.

The analytical foundations of this analysis borrow from the above 'critique from liberalism' to the extent that it is the practice of international statebuilding that demands interrogation, rather than the presumed excessive liberalism of such interventions. To put it differently, it is not the case that liberalism necessarily has inherent weaknesses but rather that the praxis of international statebuilding fails to systematically abide by its own discourses of good governance.[51] This is not to take the stance whereby all statebuilding efforts are underwritten by attempts to dominate and control; the complexity of the empirical 'reality' of statebuilding brings this perspective into doubt. Not only do the international statebuilders represent a wide range of interests, motivations and methods, but it is also noteworthy that international statebuilding practice has been largely overshadowed by the lack of political will to engage in such missions.[52] Moreover, few agents of international statebuilding see themselves as

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[50] Ibid, 10
[51] Begby and Burgess, Human Security and Liberal Peace, 93
[52] Newman. 'Liberal' Peacebuilding Debates, 46

'*representatives of the community policing arm of an imperial power*'.[53] The international statebuilding paradigm has become so common-sensical, as Stamnes argues, that the international statebuilding agents on the ground are more likely to be acting upon progressive and altruistic grounds rather than as agents of control and order. [54] Moreover, hierarchical understandings of international statebuilding associated with structuralist and neo-imperialist analyses of statebuilding tend to reduce local agency and paint a somewhat simplified picture of reality on the ground. The case study at hand illustrates how the depoliticizing international statebuilding practices are confronted by highly politicized local agencies for whom the post-conflict statebuilding space does not appear to be one of restricted possibilities.[55] Instead, international statebuilding practice in itself seems to contain a range of possibilities for local actors; the contradictions between the discourses and practices of international statebuilding legitimize local contentious practices, while its institutional infrastructure produces opportunities for clientelist economic structures[56] and advancement of separate statebuilding and identity-building agendas. It is these possibilities created by the external statebuilding intervention that this thesis is interested in.

Key Ideas and Concepts of the Thesis

The international post-conflict mission in Bosnia was one of the first large-scale statebuilding operations that aimed at a wholesale transformation of the society, from its economic and political system to the very social fabric of the Bosnian population. Although no recourse to large scale violence has reoccurred and the new state in its institutional form has been constructed, the Bosnian statebuilding experience for many international officials has been one of frustration. The regularly back-tracking process has been attributed to the presence of local nationalist and corrupt actors whose interests

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[53] Heathershaw, Unpacking the Liberal Peace, 603
[54] Eli Stamnes 'Values, Context and Hybridity: How can the insights from the liberal peace critique
literature be brought to bear on the practices of the UN Peacebuilding Architecture?'*Norwegian Institute of International Affairs* Working Paper (2010), 12.
http://dspace.cigilibrary.org/jspui/bitstream/123456789/27758/3/Values%20Context%20and%20Hybridity.pdf (accessed 26 July 2011)
[55] Chandler, Uncritical Critique, 12
[56] Michael Pugh 'Postwar Political Economy in Bosnia and Herzegovina: The Spoils of Peace'. *Global Governance,* 8 no 4 (2002), Boris Divjak and Michael Pugh 'The Political Economy of Corruption in Bosnia and Herzegovina'. *International peacekeeping* 15 no 3 (2008)

are threatened by internationally-led progress towards more transparent and accountable political and economic system.[57] While much progress has been achieved in creating the institutional infrastructure of governance, the functioning of these institutions has been far from smooth as politicians have used consociational veto rights, among other strategies, to block statebuilding measures considered detrimental to their respective communities. For many international officials in Bosnia, it is such local obstructionism that explains the continued need for international presence. Yet, a closer look at this contentious interrelationship between external and local agencies reveals a more complex, and indeed intriguing, picture of the post-conflict process and the dynamics underwriting it. It lends support to the critiques of problem-solving research grounded in the objectivist fallacy that sees international interventions as discrete and neutral acts, ontologically detached and distinct from their local target populations.[58] The interrelations and dynamics uncovered in this study render mono-causal explanations for the slow post-conflict process in Bosnia rather limited. The thesis shows how the international statebuilding mission in Bosnia contains opportunities for contention and contributes to the persistence of local contentious practices.

The central concern of this study is how international policies and practices in post-conflict states aimed at building statehood in institutional and ideational terms are mediated by local agencies. It is an investigation into actors who some have rather simplistically called the 'uncivil society' in societies emerging from conflicts; actors and groups advancing models of statehood different to those promoted by international statebuilding actors, generally conceived as 'civil'. [59] Rather than taking this highly normative assumption as the point of departure, this thesis seeks to shift the attention to the ways in which international policies are challenged, circumvented and altered by local agencies. This is important in terms of formulating an improved understanding of interaction between multiple statebuilding agents and agendas that marks

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[57] See for instance speech given by the Principal Deputy High Representative Raffi Gregorian at the Circle 99 meeting in 2008, http://www.ohr.int/print/?content_id=42445. This was also a re-occurring theme in author's interviews with representatives of international agencies and donor governments in Bosnia (interviews 1, 11, 23, 29, 40, 43, 51 – see Appendix I for the list of interviewees).
[58] Bellamy, the Next Stage, 27
[59] For instance, Maha Abdel Rahman 'The politics of 'uncivil' society in Egypt'. *Review of African Political Economy* 29 no 91 (2002); Thania Paffenholz and Christop Spurk *Civil Society, Civic Engagement, and Peacebuilding*, Development Papers 36, the World Bank (2006), http://siteresources.worldbank.org/INTCPR/Resources/WP36_web.pdf (accessed 23 February 2012); Raffaele Marchetti and Nathalie Tocci 'Conflict society: understanding the role of civil society in conflict'. *Global Change, Peace & Security,* 21 no 2 (2009)

internationalized statebuilding processes. The chapters to come trace the material and non-material forms of contention across institutional, discursive and symbolic domains.[60] They highlight practices such as using institutions of governance to block decision-making, delegitimization of international statebuilding policies and reproduction of communal identities at the expense of an overarching 'state identity' through which local agents have sought to re-negotiate the statebuilding process. Whilst this thesis is anchored in the critical, 'post-liberal peace', scholarship on statebuilding, it also advocates a more relational approach to the study of such missions. This means not only taking local agency more seriously, but also enquiring into the interactions between the internal and external actors. The research principally centers on the following questions:

- *How is international statebuilding contested in post-conflict spaces?*

- *How do the local contentious practices interact with international statebuilding measures?*

Such questions have been largely prompted by the previous analyses of local actors that have been somewhat unsatisfactory. On the one hand the literature on spoilers has deployed normatively charged categories whereby local non-cooperation has been judged against Western 'liberal' statebuilders.[61] On the other, attempts to model interactions between different statebuilding actors, namely Barnett and Zurcher, have been based on simplistic and generalizing assumptions about the motivations of different actors, while failing to account for non-material/ideational aspects of the

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[60] 'Material' is understood here as the tangible activities of contention (such as boycotts, protests, using alternative identity-related symbols) and 'non-material' as ideational contentious practices (namely discourses).Symbolic forms of contention contain both material and non-material practices: concrete actions such as boycotting the Bosnian independence celebrations co-exist with attempts to (re)produce communal identities through symbols and rituals.
[61] Stephen Stedman 'Spoiler Problems in Peace Processes' *International Security,* 22 no 2 (1997); Marie-Joelle Zahar 'SRSG Mediation in Civil Wars: Revisiting the "Spoiler" Debate'. *Global Governance: A Review of Multilateralism and International Organizations,* 16 no 2, (2010); Ken Menkhaus 'Governance without Government in Somalia: Spoilers, State Building, and the Politics of Coping'. *International Security, 31* no 3 (2007); Kelly Greenhill and Solomon Major 'The Perils of Profiling: Civil War Spoilers and the Collapse of Intrastate Peace Accords'. *International Security* 31 no 3 (2007); Wendy Pearlman 'Spoiling Inside and Out: Internal Political Contestation and the Middle East Peace Process'. *International Security* 33 no 3 (2009)

statebuilding dynamics. [62] The alternative approach adopted here rejects the focus on the perceived attributes of specific actors (that is, the 'liberal' international statebuilders and 'illiberal' local actors) and directs the analytical attention to dynamics of interaction between the external and internal agencies. The study makes a contribution to the critical statebuilding scholarship in general and to our understanding of statebuilding as a mediated and negotiated process in particular. Empirically, it generates detailed knowledge on local agency, local statebuilding agendas and dynamics between internal and external actors. This yields hypotheses for further research on the hybrid nature of post-conflict peace. Conceptually, the thesis lays the groundwork for deploying contentious politics concepts and mechanisms for the study of agency and statebuilding processes in local post-conflict spaces.

International and Local

It is necessary to say a few words with respect to 'international' and 'local' as used in this study; both terms pose some difficulties for the analysis as they tend to reduce the complexity of actors and agendas. The distinction between local and international is deployed here as a methodological tool rather than an ontological statement; it is an analytical lens that sharpens the distinctions between local and international, but one that is necessary in order to produce an analysis accessible to those unfamiliar with the case study in question. The term 'international' refers to the external signatories of the Dayton Peace Agreement (DPA), the United States, Russia and various European governments.[63] 'International' is a wide concept and disagreements among international actors have, in fact, weakened the power international actors would otherwise hold in Bosnia. These issues are discussed at length in Chapter 3. The term 'local' is used, in turn, to denote actors or groups comprising of Bosnian actors. For the sake of brevity it is used as shorthand to denote the local actors that are of interest to this thesis: those

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[62] Discussed more extensively in chapter 2: Michael Barnett and Christoph Zurcher 'The peacebuilder's contract: how external state-building reinforces weak statehood' in Roland Paris and Timothy Sisk *The dilemmas of statebuilding. Confronting the contradictions of post war peace operations.* (London:Routledge, 2009)
[63] The 'international' in post-Dayton Bosnia is not limited to governmental actors, but a number of non-governmental organizations are also present. However, for the purposes of investigating local attempts to mediate international statebuilding policy and practice, this study mainly focuses on those international actors that are part of the official decision-making processes through the Peace Implementation Council (PIC).

who engage in contentious actions vis-à-vis the international statebuilding agencies. These actors have generally included, but are not limited to, politicians, interest groups, journalists, academics, representatives of religious communities and the military. Not all Bosnian actors contest the internationally-led process; much of earlier research indicates the presence of local actors who fully embrace and promote the externally-led process. [64] While we know a great deal about these local partners, particularly in relation to civil society organizations,[65] there is less research on how the actors that contest international statebuilding operate. Much of the earlier scholarship on local contention has focused on how to manage local 'spoilers' of peace rather than how they might interact with the international actors.

Local Statebuilding Agendas

The research indicates that parallel to the international post-conflict enterprise local statebuilding agendas exist. Albeit an intuitive point to make, it is one that has received limited attention in the literature. The multiplicity of statebuilding trajectories points to the fact that international statebuilding does not occur in a political or economic power vacuum, but in the context of pre-existing social structures and processes. Local statebuilding agendas thus refer to groups or networks of actors who share an understanding of Bosnia's statehood with respect to its territorial/institutional organization. They are by no means primordial or fixed categories of local identities but rather products of historical forces more generally and the recent conflict, more specifically.

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[64]For instance; Paula Pickering *Peacebuilding in the Balkans: The View from the Ground Floor*. (Ithaca: Cornell University Press, 2007); Roberto Belloni 'Civil Society and Peacebuilding in Bosnia and Herzegovina' *Journal of Peace Research, 38* no 2 (2001); Elissa Helms 'Women as agents of ethnic reconciliation? Women's NGOs and international intervention in postwar Bosnia-Herzegovina'. *Women's studies international forum, 26* no 1 (2003); Dana Burde 'Weak state, strong community? Promoting community participation in post-conflict countries". *Current Issues in Comparative Education 6* no 2 (2004)

[65] See for instance, Belloni, Civil Society Building; Martina Fischer *Civil Society in Conflict Transformation: Ambivalence, Potentials and Challenges*. (Berlin; Lit Verlag, 2006); Adam Fagan 'Civil society in Bosnia ten years after Dayton' *International Peacekeeping* 12 no 3 (2005)

With the above caveats in mind, what can be understood as the Bosniak[66] statebuilding agenda generally entails the promotion of strong central state organs that would not only ensure the efficient functioning of the state but one that the Bosniaks as the numerically largest group could in effect control. The aim of creating a functioning state is in tune with the aims of some of the international statebuilding actors, such as the United States and Turkey. The details of how to achieve this vary between political parties, religious actors and civil society organizations; while many advocate a negotiatory stance with respect to the other local groups, others have called for the revision of the peace agreement that created the country's current structure. What most Bosniaks agree upon, however, is that the international actors have not lived up to their principles of promoting democracy and Bosnian statehood. They lack the political will to force through necessary changes and make concessions to the primary perpetrators of the Bosnian conflict, the Serbs. Episodes of Bosniak contention emerge then as a response to half-hearted international statebuilding and Bosniak critics generally call for intensified international involvement.[67]

The Bosniak statebuilding agenda stands in a stark contrast to the views held by many in the Serb and Croat communities in Bosnia. Although there is some variation in the Serb views of the international statebuilding mission, the broad contours of the Serb statebuilding agenda entail the emphasis on the sanctity of the peace agreement that gave the Bosnian Serbs an entity, Republika Srpska (RS), where they form the majority. This has sent many Serbs onto a collision course with those international statebuilding actors who advocate reforming the highly decentralized system of governance created in Dayton. Serb contention vis-à-vis international statebuilding has then been premised on the perceived attempts to alter the peace agreement as well as on the alleged pro-Bosniak bias of many international actors. In addition, the coercive and non-consultative nature of international statebuilding features in the Serb critiques of the external actors. While Croats are perhaps the most divided community, they nevertheless share the objective of re-organization of the country's governance. Bosnian Croats, as the smallest of the three constituent nations, regard themselves as the main victims of the DPA which forced them into sharing the Federation with the numerically

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[66] Denotes Bosnian Muslims
[67] Interviewees 43 and 32.

larger Bosniak community. [68]   The reoccurring Croat grievance has centered on the territorial arrangement of the country that has left Croats without an entity of their own. Croats have challenged the international statebuilding agenda as a breach of the Croat right for greater self-governance.

What is then at stake in local acts of contention are different ideas about the Bosnian state, both in institutional/organizational and ideational terms. The competing and contradicting visions of the institutional and organizational aspects of the state vary between the centralized and decentralized models of statehood, while the idea of Bosnianess is debated through the lens of competing national identities. The considerable power held by the international actors in the country has meant that the international community has become the central reference point in terms of making contentious claims and spelling out alternative visions of Bosnian statehood.

Contention

In order to trace and capture these parallel, local statebuilding agendas and agencies, this study draws on contentious politics. The framework is deployed as it captures the negotiatory nature of post-conflict statebuilding. Contentious politics studies the use of disruptive measures directed against authorities in an attempt to bring about a change. In the standard contentious politics research contention refers to the '*collective political struggle*' entailing '*episodic, public, collective interaction among makers of claims*'.[69] At the heart of contentious politics is the notion of societal negotiation; groups – whether social movements, associations, interest groups - making claims on the authorities. Contention for the purposes of the present study is defined as the use of disruptive, episodic, public and collective political strategies that seek to counter aspects of international statebuilding.

The value-added of approaching local agency via the notion of contentious politics is best illustrated by discussing the main alternative conceptual lenses that have gained much purchase in the critical statebuilding scholarship; the notion of everyday

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[68] On the basis of the 1994 Washington Agreement
[69] Doug McAdam et al *Dynamics of contention*. (New York: Cambridge University Press, 2001), 5

resistance foregrounding the hidden and mundane forms of local agency and hybridity premised on the co-existence of local and international practices and modalities of governance.[70] While the aim of the thesis is not to eschew everyday resistance and hybridity as concepts, contentious politics provides an alternative approach to local agency that contributes to our understanding of local agency as a whole. Contention as a conceptual lens enables us to capture forms of agency that cannot be adequately understood as 'resistance' and that engage with international statebuilders directly rather than through using hidden, everyday practices. In terms of the former point, this thesis argues that the concept of resistance is of limited value in conceptualizing the practices traced throughout the thesis. Alongside practices of 'resistance', forms of local agency exist that do not engage in across-the-board rejection of the internationally-led statebuilding process but seek to mediate and re-negotiate aspects of it through contentious practices. In terms of the latter caveat, everyday resistance informed by de Certeau and Scott[71] focuses on the mundane and indirect forms of agency. This approach overlooks the public and explicit modalities of agency that directly engage with international statebuilders.

Drawing on the contentious politics not only enables capturing the explicit forms of agency operating in post-conflict spaces, but it also provides a starting point for tracing statebuilding dynamics and interrelations between internal and external actors. While the accounts of local agency foregrounding the 'everyday' center on hidden forms of resistance that often go unnoticed by international actors, acts of contention are recognized as such by international statebuilders. They often counter local contentious practices through a repertoire of measures. Tracing these dynamics enables us to make some observations with respect to interactions that underpin international statebuilding. The analytical purchase of contention, vis-à-vis the everyday resistance, resides then in providing an additional and more subtle notion of contention to capture local practices and generating knowledge on explicit forms of local agency that have elicited less attention. Moreover, given that contentious politics operates in the realm of direct and visible practices, it offers a useful starting point for investigating international attempts

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[70] See Chapter 2 for a more detailed discussion

[71] Michel de Certeau *The Practice of Everyday Life* (Berkeley: University of California Press, 1984), James D. Scott *Weapons of the Weak : Everyday Forms of Peasant Resistance*. (New Haven: Yale University Press, 1985)

counter such local practices. This is necessary in terms of developing a more nuanced and complete account of local agency and statebuilding dynamics in post-conflict states.

As with the scholarship on the everyday resistance, the research carried out here speaks to the notion of hybridity; the co-existence and interaction between internal and external agencies, agendas and practices. In many ways the hybrid nature of post-conflict spaces serves as the starting point for the research. The contentious politics framework developed here provides specific concepts and mechanisms through which to trace the emergence of hybridity. Opting for the language of mediation and re-negotiation rather than 'hybridization' in the pages to come not only reflects the emphasis of the thesis on post-conflict statebuilding as negotiated process, but it also entails making a more specific claim about how post-conflict is 'hybridized'. This thesis argues that the process of hybridization can more specifically be understood as one of negotiation and mediation between statebuilding agencies. The contentious politics framework can, therefore, be utilized to as a lens through which to trace the process of hybridization.

As noted earlier, contention in this thesis refers to claim-making activity through use of disruptive, public, episodic and collective techniques directed at the international authorities that have *de facto* governed Bosnia since the end of the war. Although the distinctions between standard and contentious politics are arguably harder to make when it comes to states emerging from civil wars, it is nonetheless the case that not all Bosnian politics is contentious. Following the above definition, regularly scheduled events like elections, parliamentary debates or multi-party talks are part of what might be considered as 'routine' politics, even if they may at times prompt contentious activities. What is interesting in cases such as Bosnia is that practices that would be considered elsewhere as routine politics – such as blocking decision-making – have become harnessed for the purpose of making claims on the international authorities. In a textbook contentious politics scenario groups in a society stage protests or demonstrations to make their voices heard by their government. They have limited access to the official institutional channels and thus use extra-institutional contentious techniques to demand a change. The picture is somewhat different when it comes to a society governed from without; the claim-making relationship is not one between domestic actors (social group vs domestic government) but between domestic claim-makers and international objects of claim-making. In this context the domestic

institutional domain and mechanisms such as veto rights become essential instruments in the contentious repertoire and crucial practice through which internationally-initiated statebuilding measures are re-negotiated on the ground. The point here is that given that the level of analysis in this thesis differs from the traditional contentious politics research, it is necessary to relax the assumption that contentious politics operates solely in the extra-institutional sphere. This does not render the concept of contention analytically meaningless as it refers to clearly defined practices (public, episodic and collective forms of claim-making directed at the international authorities), but rather reflects the power relations and claim-making dynamics in states governed by international actors.

The thesis suggests that contention is in many ways an essential part of statebuilding; it serves a negotiatory function in that the shape and the parameters of the state are negotiated at least partly through contentious episodes. In the short-run the use of contentious claim-making techniques has generated a degree of instability as contention has fuelled inter-group tensions, but it has also represented active local participation in the process of defining Bosnian statehood. Although by no means the kind of local participation envisioned by international statebuilding actors, contention has entailed putting forth different visions of Bosnian statehood through primarily non-violent means. In the long-run contention can be conducive to gradual emergence of political system based on compromise and debate. This is so as contention, as noted earlier, is a form of societal negotiation whereby different groups in a society negotiate and bargain over representation, resources and other crucial questions pertaining to statehood. It is notable that in certain post-conflict societies, such as Bosnia, the presence of interventionist outside actors has distorted this process of societal negotiation in that the claim-making nexus has developed between local and international actors rather than between domestic groups. Nonetheless, with the departure of international agencies, the claim-making dynamics are likely to alter as domestic compromise becomes necessary and claim-making shifts from the local-international axis to the domestic realm.

Findings of the Research

The central findings of the research indicate that local agency is exercised through a range of practices that essentially seek to affect or alter the course or the shape of the internationally-led statebuilding trajectory. These practices range from boycotts and blocking of decision-making at the parliament to verbal assaults on the legitimacy of the international statebuilding practices in public debates. They also contain symbolic practices that directly challenge the cultural reconstruction efforts and seek to maintain the communal identities consolidated during the war. The following section discusses the domains and practices of contention crucial to the understanding of local agency in post-conflict Bosnia.

Domains of Contention

Where and *how* do the different contentious strategies operate? Systematic tracing of contentious actions – as defined above - carried out by this research suggests that they operate in three different, yet interrelated, domains; institutional, discursive and symbolic. These domains are what Mitchell and Richmond call *'interfaces'* where local practices, interests and experiences encounter the aims, practices and norms of international statebuilders.[72] An array of methods, responses and actors occupy these domains and hybridize the externally-imposed statebuilding process. In the institutional domain, disruptive bureaucratic and administrative actions are used re-negotiate the statebuilding policies and reforms. This has often meant slowing down the process or bringing it to a halt. In the discursive domain, local actors seek to either delegitimize and destabilize aspects of international statebuilding or co-opt it through other discursive strategies. Finally, in the symbolic domain, alternative symbolic systems are used to contest the cultural dimensions of international statebuilding. These rather different contentious strategies constitute an overall contentious repertoire, consisting of physical, verbal and cognitive action. The three domains are overlapping and interrelated. Actions taken in the institutional domain are, for instance, regularly

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[72] Audra Mitchell and Oliver Richmond *Hybrid forms of peace : from everyday agency to post-liberalism (*Basingstoke Palgrave Macmillan, 2012), 1

rationalized and legitimized with discursive practices drawing on democracy, human rights and other international norms. Other practices in the institutional domain are closely linked to identity-related questions as for instance the practice of bureaucratically undermining refugee returns in order to maintain the ethnic homogeneity of towns and municipalities. Thinking contention in these terms provides an analytical and heuristic map that helps us to navigate the complex terrain of local contentious practices and make sense of them in a meaningful way. It also enables an analysis attentive to both material and non-material aspects of contention and interactions between the internal and external statebuilding actors.

Institutional Domain

Institutions are understood here in the organizational sense of the concept as organizations, bodies and procedures. While building and consolidating the institutional infrastructure of the Bosnian state has been the primary strategy of international involvement in Bosnia, local agencies have frequently used these institutions to re-negotiate the shape and form of Bosnian statehood. In doing so local actors have deployed a range of techniques such as boycotts, walk-outs, refusals to cooperate, protests and blocking of decision-making. These acts of contention have operated in the state-level powersharing institutions. At the municipal level, contentious actions have entailed the maintenance of parallel structures of governance and the use of mono-ethnic municipal administrations to delay and obstruct the cornerstone of international post-conflict strategy, re-establishing the multiethnic demography of the country through minority refugee returns. The investigation into the institutional domain underscores the complexity of statebuilding dynamics: while much of local contention stems from local attempts to protect and promote their respective statebuilding agendas, the coercive and non-consultative nature of international statebuilding practice contributes to the persistence of contentious activities. Even if not always resulting in outright success, these practices have decelerated aspects of the statebuilding process (the Constitutional Reform, for instance) as well as altering the scope of others (such as the police reform).

Discursive Domain

The discursive domain is understood here as the realm in which public statements are made. Local contention in the discursive domain entails communicative forms of challenging international statebuilding, or '*talking back*' to authority as Steinberg puts it.[73] These practices draw on the existing international narratives and utilize them to level critique against international statebuilding methods or to seek directly to change its course. The most frequent form of contention in the discursive domain is that of de-legitimization and destabilization of international statebuilding practice through recourse to the international normative framework. This means drawing on the very concepts – democracy, human rights, the rule of law, local ownership – that necessitated and justified international intervention in post-Dayton Bosnia and highlighting the contradictions between international rhetoric and practice. The basic tenet of local contentious discourses have been to emphasize how international statebuilding violates the human rights of the group in question and compromises democracy, the rule of law and local ownership in Bosnia. This translates into de-legitimization of international statebuilding as profoundly undemocratic and coercive practice that violates human rights, the rule of law and sovereignty rather than protecting them. These de-legitimizing narratives function, at the same time, to legitimize local statebuilding agendas. This entails self-representations by local actors as the defenders of democracy and human rights of their respective communities. Alongside the de-legitimizing discourses, local narratives that seek to appeal to international statebuilders also exist. As with the delegitimizing discourses, these narratives draw on the already existing international discourses. In the case of the Bosniaks, this has meant framing the post-conflict process in Bosnia as a dangerous project that requires extensive and prolonged international presence. Bosniaks have also regularly engaged in moral framing by suggesting that the international community has the responsibility to remain in Bosnia and transform it into a functioning state. This is predicated on the fact that the international community failed to act in the face of Serb aggression against the

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[73] Mark Steinberg 'The Talk and Back Talk of Collective Action: A Dialogic Analysis of Repertoires of Discourse among Nineteenth‑Century English Cotton Spinners'. *The American journal of sociology* *105*(3) (1999)

Bosniaks. Another local discourse appealing to the international community deployed by Croats and Serbs, has been to appropriate the war on terror-discourse by framing the actors in question as valuable partners for the international actors in Bosnia.

Symbolic Domain

While the investigation into institutional and discursive domains tells us how the institutional structures, administrative processes and international discourses are deployed to contest the post-conflict process, focus on the symbolic domain tells us how symbols and other signifiers of identity are utilized to contest aspects of international statebuilding. Symbolic domain thus refers to the cultural realm of society where claims about the distinctiveness of cultures and nations are made. These practices are often directed towards international attempts to reconstruct the cultural space of pre-war Bosnia and they entail the rejection of the symbols of Bosnianess stipulated by the Office of the High Representative (OHR), renaming towns and streets in accordance with exclusive (rather than shared) histories and identities, refusals to restore the architectural signifiers of multi-culturalism and multi-confessionalism, the promotion of separate languages, the separate (rather than shared) practices of commemoration and national holidays. These acts not only represent the rejection of externally-driven attempts to build a 'state identity' and at least some sense of Bosnianess but they also provide an alternative cultural agenda promoted through exclusive symbolic systems. These practices are of interest to this study as questions of culture and identity - whether expressed through emblems, language or architecture - have acquired distinctly political meaning and become features in the collective political struggle in post-war Bosnia. Moreover, these cultural components of contention have elicited little attention in the study of local agency in post-conflict spaces which further adds to the salience of such line of enquiry.

Dynamics of Statebuilding

In addition to exploring the domains and practices of contention, the thesis makes some claims with respect to interactions between the internal and external statebuilding

agencies. It finds that while local actors use various administrative practices, deploy international discourses and local symbols in order to contest aspects of international statebuilding, international officials counter these actions with measures relying on coercion, capital and discursive decertification. Coercion has been embodied in the extensive military presence of NATO (North Atlantic Treaty Organization) troops in the immediate aftermath of the war, but perhaps more importantly in the use of political coercion enabled by the executive authority granted to the OHR. The use of capital by international actors has in turn meant refusing donor funds from local actors considered obstructionist. Decertification, on the other hand, refers to the international practice of discursively marginalizing non-compliant local agencies.[74] Interactions between the internal and external actors have resulted in two contradictory dynamics that have marked the post-Dayton statebuilding process. On the one hand, as the empirical chapters demonstrate, this dynamic has been one of conflict and contention created by the encounters of different statebuilding agencies and agendas. At the same time, however, these interactions and encounters have distinctly symbiotic logic. International statebuilding agencies continue to hold executive power over Bosnian affairs as long as the local actors they consider as threats to the statebuilding process exist. Yet, it is often (if not always) the case that the nature of the international presence in the country perpetuates local opposition. Indeed, acts of local contention are often prompted by the use of coercive international measures or international entanglement in the domestic political affairs. The continued extensions of international agencies' mandates have created opportunities for local statebuilding actors to continue representing themselves as the defenders of their community against external domination rather than focusing their attention on urgent social and economic issues. In this way then the ostensibly conflictual relationship between external and internal statebuilding agencies is underpinned by mutual dependency.

The Bosnian case and a Note on Research Methods

Although it can be argued that all individual cases of post-conflict international interventions are to a certain degree *sui generis* in that the causes of conflicts, histories

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[74] McAdam et al, Dynamics of Contention, 121

of states and other contextual factors vary a great deal, it is possible to develop a framework that enables us to systematically trace and analyse modalities of contention across cases. In order to begin doing so, the Bosnian post-conflict experience provides a rich case for investigation. Not only has it been one of the first cases of extensive and heavy-handed international intervention with billions of dollars in its disposal (over $14 billion according to MacMahon and Western),[75] but it has also been relatively long in duration and is, indeed, still on-going seventeen years after the end of the war. This provides a comparatively long time span within which to investigate local practices of contention and interactions between actors. Bosnian political landscape consists of a number of different and competing statebuilding and identity-building agendas which adds to the richness of the case. At the same time, the conflictual nature of the interrelations between international and local actors renders Bosnia a fertile ground for studying statebuilding dynamics; for many commentators it is the presence of 'obstructionist' local agency that largely explains the slow progress and continued need for international engagement.[76] The difficulties of statebuilding in Bosnia have become a cautionary example for international engagement in Iraq and Afghanistan.

It is useful here to briefly recount the key events of the Bosnian War in order to contextualise the post-conflict process thereafter. The war that tore Bosnia apart was set in motion by the unravelling of the Yugoslav Republic which Bosnia-Herzegovina had been a part of since the end of the Second World War. While the collapse of the Yugoslav state was an outcome of a number of factors, the growing economic hardship and austerity measures that saw a dramatic fall in living standards, coupled with the death of the country's strong man-leader Josip Broz Tito plunged the country into political turmoil.[77] The end of Yugoslavia began to materialise with the secession of Slovenia and Croatia in 1991. Whereas the issue of Slovenian independence was relatively bloodless affair due to the absence of significant non-Slovenian populations in the territory, the presence of sizeable Serb minority in Croatia meant that Croatian independence became fiercely contested. This resulted in an armed conflict fought

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[75] Patrice McMahon and Jon Western 'The Death of Dayton: How to Stop Bosnia from Falling Apart'. *Foreign Affairs 88* no 69 (2009), 69
[76] See for instance,' Bosnia's Lesson' *The Washington Post*. 20 September 2009. Accessed through Nexis UK 3 July 2010; 'Bosnia's Gridlock: Two Visions for Bosnia. *The Economist*. 13 April 2011, http://www.economist.com/blogs/easternapproaches/2011/04/bosnias_gridlock (accessed 2 August 2012)
[77] Susan Woodward *Balkan Tragedy: Chaos and Dissolution After the Cold War*. (Washington D.C: The Brookings Institute, 1995)

between Croatia and Croatian Serbs backed by Serbian troops. Following the secession of Slovenia and Croatia, Bosnian Muslim and Croats began to call for Bosnian independence. Bosnians voted overwhelmingly for independence in the 1992 referendum. Crucially, the referendum was boycotted by Bosnian Serbs who regarded Bosnia as a republic of Serb-dominated Yugoslav state rather than an independent entity. As the war in Croatia had demonstrated, independence of republics with multi-national populations was likely to be a violent process. This was particularly true when it came to Bosnia that was a microcosm of Yugoslav multi-confessionalism and multi-nationalism: it consisted of three constituent national groups, the largest of which were the Muslims (44% of the population). Approximately 31% of the population regarded themselves as Serbs and 17% as Croats.[78] When Bosnia declared independence in April 1992, Bosnian Serbs initiated armed violence which signalled the beginning of the Bosnian War.

The war was marked by changing alliances between the three groups, brutality against civilians and ethnic cleansing. What was initially a joint Muslim-Croat effort to fight against the Bosnian Serb Army turned into infighting between the Muslims and Croats as the latter established Croatian republic '*Herceg-Bosna'* in Western parts of Bosnia. At the same time the Bosnian War became synonymous with rape and genocide perpetrated against civilians as paramilitaries and regular soldiers sought to ethnically cleanse areas under their control. The UN sought to alleviate the suffering of civilians by delivering humanitarian aid as well as establishing the now-infamous safe areas in order to protect non-combatants. The latter policy brought the UN mission into disrepute as safe areas were overrun by the Serb forces and in the case of Srebrenica, civilians under the UN protection became victims of a genocide. Given the mandate of UN peacekeepers that prohibited the use of force to protect the civilians, the Dutch troops tasked with keeping peace became bystanders in the genocide. Alongside the failure of the UN safe areas-policy, the organisation was subjected to extensive criticism for attempting to maintain its impartiality in the face of a highly asymmetrical conflict where Serbs were regularly attacking civilians and breaking ceasefire agreements. Parallel to the UN's humanitarian efforts, the international community sought to bring an end to the fighting through several rounds of diplomacy prior to and throughout the

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[78] Ibid, 33

war. International diplomacy (and to a degree, military coercion) finally came into fruition in November 1995 when the DPA was signed at the US-military base in Dayton, Ohio.

The DPA not only ended the armed conflict but Annex 4 also set out the core of the Bosnian Constitution. The agreement divided the country into two entities, the Bosniak-Croat controlled Federation[79] (51% of the territory) and Serb-dominated Republika Srpska (RS) (49% of the territory). In the spirit of consociationalism, the Dayton agreement created highly decentralised governance structures. The relatively weak central state entails the tripartite Presidency, the Council of Ministers, the Parliamentary Assembly and Constitutional Court. The Assembly consists of two chambers (the House of Peoples and the House of Representatives) and all legislation requires the acceptance from both Houses. The joint, state-level institutions are responsible for foreign policy, foreign trade, customs, monetary policy, international and inter-entity law enforcement and transportation.[80] Entities, consisting of their respective elected officials, are in charge of all other policy areas. The decentralised nature of the Bosnian state is seen as a mechanism that protects the rights of all the national groups through the high degree of self-governance: the devolution of power can prevent legislation that might be seen as favouring one group over another.[81] At the state level majority domination is curbed through the ethnic key principle that enables the protection of 'vital interests' and guarantees equal representation of all the three groups. In terms of the latter, seats in the joint, state level institutions are allocated along the lines of group membership. The three-member Presidency, for instance, consists of a Bosniak, Croat and Serb representative, the chair of the organ rotating among the representatives. In terms of protecting 'vital interests', full consensus is required for decision-making. This provides a veto-right that can be used to prevent decisions deemed harmful for the interest of a given group.[82] In many ways the complex governance structures represent an attempt to establish the sovereignty of the Bosnian state while managing inter-ethnic tensions. The DPA also envisaged a significant (albeit short-lived) role for external actors in the

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[79] Established in 1994 by the signing of the Washington Agreement between Bosniaks and Croats

[80] Annex 4, article 3. Available at: http://www.ohr.int/dpa/default.asp?content_id=372. Accessed 12 May 2011.

[81] David Chandler, *Bosnia : Faking Democracy after Dayton.* London: Pluto Press, 2000, 67.

[82] For detailed discussion of the governance structures, see Bose, Bosnia after Dayton and Chandler, Bosnia: Faking Democracy

monitoring and implementation of the agreement. The International Force under NATO command was tasked to monitor the implementation of the military aspects of the DPA, while the OHR was to oversee the civilian aspects of the post-conflict process. The UN undertook the role of training police forces across the country, while the Organization for Stability and Co-Operation in Europe (OSCE) was tasked with holding elections and monitoring the human rights situation in the country. What was seen as a short-term international engagement turned into long-term presence in the country in the face of slow progress towards self-sustaining peace.

Research Methods

Having established the context for the case study, a few words are in order on the methods deployed to study the Bosnian case. The analysis represents an interpretative study of agency, contention and interrelations between international statebuilders and local statebuilding agendas in post-Dayton Bosnia deploying qualitative research methods. The study is concerned with the start of the 'post-conflict' operations in 1995 up until the October elections in 2010. The single-case study design is chosen with the aims of the research in mind. One of these objectives is theory-building through in-depth research: the aim in this regard is to contribute to our understanding of negotiated forms of statebuilding that mark post-conflict spaces. Another, connected, objective is to provide empirical and detailed tracking of contentious dynamics of statebuilding in Bosnia and to investigate the complexity of post-conflict space. In many ways single case is the most useful way of capturing at least partly the nuances of 'reality' (and the different variations of it) on the ground as well as to provide some answers to the 'how' questions this thesis explores (that is, how local contention operates).[83]

The research is based on extensive primary material. Information on local practices of contention has been gathered from news items and reports authored by international non-governmental organizations and think tanks.[84] The majority of news items were accessed through the Nexis UK database which entails news from the major

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[83] Bent Flyvbjerg 'Five Misunderstandings About Case-Study Research' *Qualitative Inquiry 12* no 2 (2006)
[84] Namely the International Crisis Group due to the frequency and detail of its reports

international news agencies. Bosnia-related news items published between 1995 and 2010 were systematically examined for contentious episodes.[85] This provided information particularly on the contentious practices in the institutional and symbolic domains. Another major source of information with respect to day to day events in Bosnia has been the press monitoring service of the OHR which has provided translations of the main news as reported by media outlets in Bosnia during the period 2000-2005.[86] Further material such as speeches and media interviews (given by representatives of the OHR, the EU, the OSCE, local politicians, representatives of religious organisations and civil society activists) have been used in the course of the research in order to identify and trace policies, discourses and perceptions. The research also draws on approximately 50 semi-structured interviews of local actors (politicians, journalists, civil society activists) and representatives of the international community in Bosnia carried out by the author in Sarajevo, Banja Luka and Mostar in 2009 and 2010.[87] These discussions have mainly been used as a way to build background knowledge and to ascertain the general interpretations of the post-conflict process of the different actors involved.

The Structure of the Thesis

As noted earlier, the objective of the thesis is to explore how local contention operates and interacts with international statebuilding practices. The main aim of the empirical chapters is to establish how local actors exert agency in the internationally-led process of statebuilding. This introductory discussion is followed by Chapter 2 that sets out the analytical and conceptual foundations of the thesis. It provides a detailed critique of the existing accounts of local agency and makes a case for approaching local actors and practices via the concept of contention. Chapter 2 also discusses previous analyzing on interactions between actors in post-conflict societies and argues that these accounts offer a limited view on interrelations and dynamics. Finally, it sets out the conceptual

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[85] Understood, as noted earlier, as the disruptive, episodic, collective and public techniques directed against international statebuilding measures

[86] Whilst enabling a systematic tracking of contentious practices, the OHR press service is controlled by international actors which may have implications for the selection of news items translated. With this in mind, every attempt has been made to cross check events from alternative sources.

[87] See Appendix I for the list of interviews

tools borrowed from the contentious politics scholarship that allow us to capture the above dynamics. Chapter 3 continues to set the scene: it provides a detailed tracing of policies of the key international actors during and after the conflict in Bosnia. The Chapter foregrounds the multiple statebuilding projects within 'the international community'. The key contention here is that there is no single, unified international statebuilding trajectory, but rather a range of contradicting and dynamic projects based on different agendas and statebuilding methods of the external governments involved. This has opened opportunities for local actors to exploit the tensions amongst the international statebuilding actors. Moving onto the case study, post-Dayton Bosnia, Chapter 4 provides an account of contentious local practices in Bosnia by engaging in detailed tracing of contention at the institutional domain. It shows how aspects of international statebuilding are contested through a repertoire of actions ranging from boycotts, protests and withdrawals from institutions to administrative delays and refusals to co-operate. The Chapter demonstrates how international attempts to counter local practices of contention have further fuelled contention. While Chapter 4 focuses on tangible practices of contention, Chapter 5 engages with its discursive aspects and investigates how aspects of international statebuilding are contested through discursive strategies. The focus on the discursive realm stems from the assumption that statebuilding is not merely a process of rebuilding state institutions, but it is also a verbal process in which certain ideas, agendas and actors are legitimized. The analysis argues that the verbal acts of contention have primarily centered on two practices: one that de-legitimizes international statebuilding by re-framing its narratives and concepts and another that taps into international discourses in order to appeal to international actors and thus affect the process. The chapter is indicative of how the contradictions between international statebuilding rhetoric and practice enable the formulation of contentious discourses by local actors that essentially delegitimize the external actors.

Chapter 6 turns the attention to the symbolic domain and traces acts of contention that deploy symbols or symbolic actions pertaining to identities. Symbolic activities are important to our understanding of local agency in post-conflict spaces as they make highly visual claims pertaining to statehood, nationhood and identity in societies undergoing state formation process. The chapter identifies a repertoire of local activities – such as the use of alternative state symbols, renaming of public spaces,

commemorative practices and language politics – that seek to challenge and undermine aspects of international statebuilding. These practices are political techniques that directly challenge the international identity-building measures aiming to consolidate Bosnian statehood. The final discussion in Chapter 7 brings the different strands of the analysis together. With the aim of highlighting the dynamics and interrelations underpinning post-conflict statebuilding in Bosnia, it argues that the conflictual relations between the internal and external actors have paradoxically resulted in a symbiotic relationship. The presence of non-conforming local actors justifies the extension of international mandates while the continued international presence generates further contestation. In reflecting upon the findings of the study it reiterates the case for understanding local contentious practices as a way of re-negotiating the shape and the course of the post-conflict process. The chapter raises the question of whether dismissing such acts of contention as obstruction of the peace process overlooks the negotiatory functions contention might play in post-conflict societies. Contention is essentially a part of the societal negotiation process of state formation whereby the different interests and points of view present in a society are put forth. This process might have taken ethno-nationalist form following the end of the war, but the eventual departure of the international officials may pave the way for the start of politics on social and economic, rather than on ethnic, grounds.

Chapter 2
Local Agency and Statebuilding Dynamics: Analytical and Conceptual Foundations

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This thesis as a whole sets out to argue that international peace operations do not operate in a void; multiple and alternative local statebuilding and identity building agendas encounter the exigencies of internationally-driven statebuilding in post-conflict spaces. Although some of the local agendas and practices coincide with those of the international statebuilders, others represent and advance different configurations of statehood and nationhood. It is in the latter practices that the interest of this study resides. The thesis aims to contribute to our understanding of post-conflict statebuilding as a mediated process. It does so through investigating local agency and dynamics and interactions between internal and external actors. The research draws on contentious politics concepts and mechanisms in order to explain and understand modalities of local agency. 'Contention' refers to the use of explicit and disruptive political techniques vis-à-vis the authorities to bring about a change. Mechanisms of contention – political opportunity structures, mobilizing structures and framing – on the other hand turn our attention to the way in which contentious practices operate and persist. The research also accounts for the ways in which international statebuilding actors counter local acts of contention; most common strategies are those of coercion, capital and discursive decertification. The aim of this chapter is to set out the above framework. In doing so it engages in dialogue with some of the earlier research on local agency and local-international interactions. The central argument advanced in this chapter is that the existing formulations of local agency seeking to contest international statebuilding have overlooked the rich repertoire of practices that directly challenge the internationally-led statebuilding processes. It is this lacuna that the present study addresses. By investigating the variety of such practices the thesis is also able to provide an account of

interactions and dynamics between internal and external agencies that is attentive to the processes through which statebuilding is mediated.

While aiming to make an empirical and conceptual contribution to our understanding of statebuilding as a negotiated process, the analysis in many ways intersects with, and indeed speaks to the rapidly growing body of literature on hybrid forms peace in post-conflict societies. The knowledge generated by the thesis - the empirically-rich understanding of local agency and statebuilding dynamics - enables more refined hypothesizing on a range of practices and interfaces where multiple actors and agendas encounter one another. The chapter begins by discussing different ways of approaching local agency and suggests that the existing accounts have overlooked a range of practices representing local agency. It then moves on to discussing how the literature has approached interactions and dynamics between internal and external statebuilding actors with focus on the notion of hybridity. Finally, the discussion sets out the conceptual framework of the study and makes some claims with respect to the international responses to local contentious practices.

Local Agency in Post-Conflict Spaces: Partners and Spoilers

The introductory chapter reflected upon some of the core debates in recent peacebuilding and statebuilding research. It took the view that understanding international statebuilding as liberal peace is problematic; it uncritically assumes that international statebuilding is exclusively based on liberal norms and practices and thus tends to render all local actions that question it non-liberal. As Zurcher puts it, concepts such as 'liberal' are *'normatively charged'* labels rather than *'ready to use analytical categories'*. [88] These intellectual points of departure conceptualised statebuilding as an interactive process between international statebuilders driven by the need to create stability in post-conflict spaces and local statebuilding projects based on a range of ideas and agendas. If internationally-led post-conflict interventions are essentially more complex practices than implied by the view of statebuilding as a hierarchical project, it is then necessary to touch upon the issue of local agency. While the initial problem-

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[88] Christoph Zurcher 'The Liberal Peace? A Tough Sell', 72, in Susanna Campbell et al, A Liberal Peace?

solving scholarship had the tendency to epistemologically privilege the international community, its peacebuilding strategies and their effectiveness, critical theorizing has often devoted itself to macro-level structural analysis and top-down conceptualisations of power in statebuilding spaces. [89] Scholars have gradually begun to address the local populations and their responses to international peacebuilding and statebuilding. This is a welcome turn in theorizing – both problem-solving and critical - that had not taken local agency seriously. The existing formulations of local agency have to a large degree converged around three central themes: categorisations of locals as partners, as spoilers and as the embodiment of 'everyday' forms of resistance directed towards the statebuilding agencies. It is worth discussing these earlier conceptualizations of local agency further in order to highlight the analytical mileage gained from approaching local agency through the contentious politics lens. Studies centering on local partners of internationally-led statebuilding have, for instance, explored the variety of local advocacy organizations that act as outposts of 'liberal peace' and counteract the 'uncivil' tendencies of warlords and criminal networks. These local partners are seen to reside almost exclusively in the realm of the civil society; as Reich argues, *'peace constituencies are not institutionalised elites'*.[90] Caparini suggests in similar vein that civil society is the *'primary source of local ownership and legitimacy'* in post-conflict states and the key to the sustainable development of political and economic structures. [91] Actors unaffiliated with political interests or state structures are seen to share the norms and values – democracy, pluralism, non-violence - of the international statebuilders. Civil society is then divorced from the explicitly political realm: it is the civil society where the liberal potential of the local space is assumed to lie.[92]

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[89] See for instance, David Chandler *Empire In Denial: The Politics of Statebuilding*.(London: Pluto Press, 2006) and *International Statebuilding: The Rise of Post Liberal Governance*

[90] Hanna Reich 'Local Ownership in Conflict Transformation Projects Partnership, Participation or Patronage?' *Berghof Research Centre for Constructive Conflict Management, Occasional Paper 27*, (2006), 11

[91] Marina Caparini 'Enabling Civil Society in Security Sector Reconstruction' in Alan Bryden et al. (eds.) *Security Governance in Post-Conflict Peacebuilding*. (Geneva: Geneva Centre for the Democratic Control of Armed Forces 2005), 69

[92] Belloni, Civil Society and Peacebuilding,168. Empirical research has cast some doubt on such assumptions. Civil society organizations may not always be independent from the political sphere as Fischer (Civil Society in Conflict) demonstrates. Belloni (ibid, 77), in turn, argues that in Bosnia a group of local civil society actors speaking *'literally and symbolically'* the same language as the international officials has emerged: while such actors are important in the post-conflict process, they have remained disconnected from the people and their everyday lives. For further discussion and critique of civil society-building see Thania Paffenholz and Christoph Spurk, Civil Society (2006) and Adam Fagan Civil Society in Bosnia Ten Years after Dayton." *International Peacekeeping* 12, no. 3 (2005).

While research on local actors has become increasingly centered on the notions of empowerment and participation of local civil society actors, another strand of research has focused on local actors resisting peace – and post-conflict processes. The scholarship on 'spoilers of peace' is concerned with those local groups and individuals who seek to obstruct peace processes and post-peace treaty implementation phases. The notion of spoilers was pioneered by Stedman's seminal article in *International Security*.[93] He defines spoilers as leaders whose interests are threatened by peace process and constructs a typology of spoilers based on their position in the peace process, the number of spoilers, the intent of spoiling and whether the spoiling is carried out by leaders or followers. Stedman sees spoilers as one of the central reasons why peace processes fail and thus the main objective of generating knowledge on spoilers is to formulate more effective techniques of countering spoiler-activity.[94] Key to successful spoiler-management by international 'custodians' of peace, according to Stedman, is to correctly identify the type of spoiler and to deploy an appropriate counter-strategy.

Stedman's work has provided the foundations for a number of studies on obstructionist actors in peace processes. Menkhaus, for instance, suggests on the basis of his case study of Somalia that spoilers might tacitly support statebuilding and reconciliation in general, but oppose specific mechanisms that consolidate the state due to the fears of that the newly formed government may become repressive. [95] Greenhill and Major, in turn, propose the reversal of Stedman's model. [96] They suggest that the existing opportunities and the relative power of the parties involved determines the course of peacemaking; spoilers do not, therefore, determine what kind of outcomes are possible, but the possible outcomes of the negotiations determine what kind of spoilers might emerge. Zahar also suggests a revision to Stedman's typologies. She argues that no fixed categories of spoilers exist in practice: the strategies spoilers choose are dependent upon opportunities and capacities of the actors in question. [97] Zahar makes a case for shifting the analytical attention away from actors to the conditions in which spoiling becomes possible.

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[93] Stedman, Spoiler Problems
[94] Ibid, 6
[95] Menkhaus, Governance without Government in Somalia
[96] Greenhill and Major, the Perils of Profiling
[97] Zahar, SRSG Mediation in Civil Wars

The notion of spoilers has been subjected to a considerable critique.[98] The most relevant of those critiques for the purposes of this study is the highly normative nature of the concept. It is grounded in an assumption of international statebuilding as the sole legitimate process for societies emerging from conflicts.[99] The terminology of 'spoiling' is highly subjective in that it conveys a moral judgment framing 'them' against 'us'. Newman and Richmond argue that anyone opposing Western models of governance or the free market becomes a spoiler in the liberal statebuilding register. [100] It is thus a concept that gains meaning only in relation to the liberal rhetoric of international statebuilding.[101] This implies that the act of labelling a group or an individual a spoiler cannot be divorced from the normative context of 'the liberal peace'. Another limitation of the spoiler framework is that it is geared towards material forms of challenging peace processes. What this research finds in relation to the Bosnian case is that a range of discursive and symbolic practices are frequently deployed in an attempt to shape the course of the internationally-led post-conflict process. This suggests that it is necessary to develop an account of local agency that is attentive to wider range of practices through which international statebuilding measures are contested. It is also noteworthy that the object of interest of this thesis is somewhat different from the aims of many spoiler studies. While much of spoiler research is concerned with local actions that aim for and result in violent reversal of peace processes, this research centres on acts of contention that seek to affect, alter and mediate the post-peace treaty process by challenging international policies. Although some contentious practices in Bosnia may have the potential to reignite armed confrontation, it does generally not appear to be the aim of contentious acts.

In reflecting upon the above accounts of local agency as 'partners' and 'spoilers', the common theme is that they are both premised on the attributes of local actors, as defined with reference to the liberal peace. These categories of local agency are seen as static and pre-determined entities existing independently of international

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[98] For an overview of the literature on spoilers and the critiques of it, see Desiree Nilsson and Mimmi Soderberg Kovacs ' Revisiting an Elusive Concept: A Review of the Debate on Spoilers in Peace Processes'. *International Studies Review* 13 no 4, (2011)

[99] Nilsson and Soderberg Kovacs, Revisiting an Elusive Concept, 610

[100] Edward Newman and Oliver Richmond 'Peace building and spoilers'. *Conflict, Security & Development,* 6 no 1 (2006), 108

[101] Ibid

statebuilding/peacebuilding practices. Whilst the Bosnian case shows that the international statebuilders' categorizations of locals as 'moderates' and 'radicals' are less fixed than often assumed, little consideration is granted to the aspects of international involvement that generate or sustain local contention.[102] Although we should be weary of making sweeping statements and generalizations in the face of a highly complex relationship between external and internal statebuilding agents, the Chapters ahead suggest that elements of the international intervention in Bosnia enable and facilitate local contention. The Dayton Peace Agreement, based on consociationalism, created a highly decentralized system of governance that now functions as an infrastructure through which the internationally-led statebuilding is effectively contested. At the same time, contradictions between the international rhetoric and practice have enabled local actors to tap into the 'liberal peace' narrative framework in order to portray international statebuilding actors as oppressive and illegitimate. The point here is that in order to generate a more nuanced understanding of local contention, it is necessary to investigate the extent to which international practices and measure maintain local contentious practices.

Local Agency and the 'Everyday'

An alternative way to grant agency to local actors has been the notion of 'everyday', foregrounding the grassroots as an emancipatory alternative to the current international statebuilding operations that tend to prioritize the needs of the elites. [103] This line of enquiry takes a cue from Scott and de Certeau.[104] Scott's central idea is that peasants lack the resources and opportunities to engage in direct and open resistance vis-à-vis the authorities; for this reason everyday, mundane activities become signifiers of defiance. For Scott, '*foot dragging, dissimulation, false compliance, pilfering, feigned ignorance,*

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[102] The example of Milorad Dodik, the Prime Minister of the Serb-entity, is instructive of this point. Dodik who is seen as the main obstacle of progress in the country was once lauded as a poster boy of moderation and alternative to the nationalist politicians by international actors.

[103] See Richmond 'Becoming Liberal, Unbecoming Liberalism and 'Resistance and the Post-liberal Peace'. *Millennium - Journal of International Studies, 38* no 3 (2010); Audra Mitchell, 'Quality/Control: International Peace Interventions and the 'Everyday'. *Review of International Studies* 37 (2010); David Roberts *Liberal Peacebuilding and Global Governance: Beyond the Metropolis.* Abingdon; Routledge, 2011. David Roberts ' Post-Conflict Peacebuilding, Liberal Irrelevance and the Locus of Legitimacy', *International Peacekeeping*, 18 no.4 (2011).

[104] Scott, Weapons of the Weak, de Certeau, The Practice of Everyday Life

slander, arson and sabotage' among other practices become *'weapons of the weak'* against the authority.[105] Scottian forms of resistance are thus indirect, hidden and unorganized, embodied in random acts of resistance. De Certeau, in turn, is interested in how people are creating their lives through everyday practices, rather than focusing directly on resistance. In such accounts individuals adjust and adapt institutions of power in accordance with their everyday lives. A number of commentators have formulated their critiques of statebuilding through recourse to the 'everyday'. Richmond, most notably, has approached international post-conflict interventions through the notion of 'everyday' and discovered a range of grassroots practices that challenge elite-led statebuilding measures. [106] He sees the everyday as a distinct space from the Western-designed civil society, as a realm in which the 'local-local' is more authentically represented. It is in these everyday spaces where local actors and communities formulate political strategies - grounded in the traditions, needs and rights of respective communities – that aim to resist the statebuilding strategies formulated by the international statebuilding bodies.[107] Mundane, everyday practices grant meaning to life in post-conflict societies and should therefore be the foundation upon which post-war peace is built.[108] Richmond's work is in many ways motivated by a call for a more ethical peacebuilding which he argues can be achieved through recognizing the needs and customs of the everyday spaces. As noted above, this search for emancipatory alternative to the current peacebuilding and statebuilding practices foregrounds the hidden transcripts as the elite-dominated *'public transcripts'* are seen as unrepresentative of the people.[109] This line of argumentation thus partly intersects with the accounts of statebuilding articulated by many international statebuilding actors that identify the unrepresentative elites as the key problem post-conflict states face. [110]

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[105] Scott, 29
[106] 'Becoming Liberal, Unbecoming Liberalism' and 'Resistance and the Post-liberal Peace'
[107] Richmond, Resistance and the Post-Liberal Peace, 670
[108] Ibid, 682.
[109] Oliver Richmond 'A Pedagogy of Peacebuilding: Infrapolitics, Resistance, and Liberation' *International Political Sociology* 6 no 2 (2012), 6
[110] 'International mediator in Bosnia slams irresponsible local politicians' *BBC Monitoring Europe* 29 September 2000; 'Bosnia: International administrator explains reasons for dismissing officials' *BBC Monitoring Europe*, 30 November 1999. Both accessed via Nexis UK 4 May 2010; Wolfgang Petritsch 'Speech by the High Representative for Bosnia and Herzegovina, Ambassador Wolfgang Petritsch at the Steering Board Ministerial Meeting' New York, 22 September 1999. Available at: http://www.ohr.int/print/?content_id=3339 (accessed 3 June 2010).

While the research on the everyday has contributed to our understanding of grassroots processes in post-conflict states, it has provided a rather narrow account of local agency and attempts to mediate international statebuilding measures. This thesis argues that focusing solely on the hidden, *'off-stage'* transcripts[111] overlooks a set of important dynamics operating 'on-stage'. This study therefore foregrounds the array of direct and open forms of action, ranging from protests and boycotts in the institutions of governance to discursive de-legitimation and rejection of internationally-imposed signifiers of identity and belonging. These explicit expressions of opposition have been mainly understood as obstructionism or spoiler behavior that requires improved international spoiler-management techniques. Much of such theorizing has centered on the reactionary agendas of local elites, while less has been said about the acts of contention themselves. The central contention here is that rather than focusing solely on attributes or motivations of actors – which are highly debatable at best – it is more useful to generate knowledge on how local contention operates and interacts with international statebuilding practices. This is important as direct forms of opposition explicitly challenge the coercive power of the international statebuilding enterprise.

In order to begin tracing such activities from an alternative angle, the analysis deploys the concept of 'contention', as noted in the introductory Chapter. Contention refers to the use of disruptive, episodic, public and collective political strategies that seek to counter aspects of international statebuilding. It serves as a conceptual lens through which to track the forms of action the research seeks to capture. Whereas everyday resistance, in the Scottian sense, focuses on the individual, hidden and random acts, contention shifts attention to collective and direct practices. Although contention in the case study in question does not always amount to officially-organized or structured activity, it nevertheless exhibits some sense of coherence embodied in the presence of political, economic, social and religious groups that organize and engage in acts of contention. It is not across-the-board 'resistance' to the external power, but rather episodic, selective critique and challenge to statebuilding practices that are deemed harmful. Given the interest of this thesis on dynamics and relations between local and international statebuilding actors, the issue of recognition becomes crucial: hidden, everyday modalities of resistance '*make no headlines*' and often go unnoticed by the

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[111] Scott, Domination and the Arts of Resistance, 4

object/s of the action.[112] Contention, in contrast, is mutually recognized as such and often results in counter-measures taken by international actors. This is important in terms of identifying and tracing international attempts to deal with local contention. This alternative way to approach local agency should not be taken as a rejection of the everyday accounts of resistance but should be seen as complementary to the analyses of local agency informed by the notion of 'everyday'. Understanding the direct methods of contention is a necessary piece in the jigsaw of local agency and one that opens avenues for future research on the dynamics between hidden and open techniques of negotiating international statebuilding measures. Moreover, while the quest for more contextually-aware and 'empathetic' peacebuilding focuses on the everyday, the potential for societal negotiation and compromise at the formal level ought not to be dismissed as a form of negative peace. The formal political processes and forms of statehood they result in can play role in creating positive peace if institutions are designed to serve the populations in a meaningful way. [113]

Local-International Interactions

The conceptualization of local agency sketched above suggests that agency matters; international statebuilding operations do not operate in ground zero of statebuilding but encounter and interact with local actors, agendas and practices. This prompts us to ask questions about interactions and interrelations between internal and external actors. In this regard, the notion of hybridity provides a useful corrective to studies conceptualizing international statebuilding as a hierarchical project and shifts attention to statebuilding dynamics and interactions.[114] Hybridity in the context of post-conflict development alludes to the multiplicity and co-existence of actors, agendas and practices. From this point of view, post-conflict statebuilding is a process that is not exclusively dominated by the international statebuilding actors but where various agencies and agendas (internal and external) co-exist. Hybridity is generally understood as the interaction of different institutions and actors in post-conflict spaces. Belloni, for

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[112] Scott, Weapons of the Weak, xvii
[113] Roberto Belloni. 'Hybrid Peace Governance: Its Emergence and Significance'. *Global Governance: A Review of Multilateralism and International Organizations:, 18* no 1 (2012), 32
[114] Roger Mac Ginty *International Peacebuilding and Local Resistance: Hybrid Forms of Peace* (Basingstoke: Palgrave Macmillan, 2011), 2

instance, refers to hybridity as '*institutional multiplicity wherein different sets of rules of the game often at odds with one another, coexist in the same territory*' and '*coexistence and interaction of the international and the local*'. [115] He adds that hybridity is more of a '*condition of tension and even antagonism*' and less of a fixed system of adaptation between liberal and illiberal elements.[116] For Höglund and Orjuela hybridity denotes the amalgamation of actors, institutions and norms in post-war societies and is embodied, in the Sri Lankan case study, in the mixture of traditional and modern forms of governance. [117] Krause, in turn, discusses hybridity in terms of local disruption and fusion of external actors' goals which results in '*new forms of governance*'. [118] He notes that a simplified version of the concept refers to a bargaining process; in a more complex, and undoubtedly useful, conceptualization hybridity he argues that

> '*hybrid peace reflects the way peacebuilding efforts construct and reconstruct new networks of power and governance in post-conflict settings, in which the border between external and internal is unclear and intertwined and in which top-down institution-building projects intersect with the micropolitics of local and bottom-up actors*'. [119]

It is easy to concur with above the conceptualizations of hybridity as a highly complex set of interactions and dynamics between different statebuilding actors; particularly salient here is the difficulty in demarcating between 'international' and 'local' as international statebuilding bodies, such as the OHR in Bosnia, have become intimately intertwined in the local political interactions. It is also worth noting the point made by Strazzari and Kamphuis who argue that hybridity not only emerges with the arrival of international statebuilders; in most instances local actors have been connected to

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[115] Belloni, Hybrid Peace Governance, 22,23

[116] Ibid, 24

[117] Kristine Höglund and Camilla Orjuela 'Hybrid Peace Governance and Illiberal Peacebuilding in Sri Lanka'. *Global Governance: A Review of Multilateralism and International Organizations, 18* no 1 (2012), 90, 93

[118] Keith Krause 'Hybrid Violence: Locating the Use of Force in Postconflict Settings'. *Global Governance: A Review of Multilateralism and International Organizations, 18* no 1 (2012), 40.

[119] Ibid

international regulatory frameworks prior to the conflict. [120] This is true for Bosnia, particularly when it comes to economy; as a condition for receiving IMF loans countries like the former Yugoslavia were forced to deregulate and privatize which significantly contributed to the emergence of informal shadow economy providing alternative social protection for the population.[121]

Hybridity has also been conceptualized as a 'political order' on the one hand and a modality of 'peace' in post-war states on the other. Boege et al discuss *'hybrid political orders'* which stand for the blending of formal and informal/indigenous logics of authority; their findings indicate that what is often perceived by Western statebuilders as a fragile state is in fact better understood as hybrid political order between Weberian and informal forms of governance.[122] In their analysis the central problematique of peacebuilding is then its universalizing logic that pays little attention to indigenous modalities of order. Mac Ginty, in turn, conceptualizes hybridity as a process in which different actors '*coalesce and conflict'* to generate '*a fusion peace'*.[123] Following similar line of analysis, Blisemann de Guevara captures these dynamics by arguing that societies emerging from conflicts host both statebuilding and state formation processes.[124] The former denotes the conscious effort to build institutions and procedures of governance while the latter refers to the societal process of '*conflict, negotiation and compromise'* between multiple groups.[125] It is the dynamics between statebuilding and state formation that are important for understanding hybridity. Blisemann de Guevara suggests that statebuilding endeavors are always distorted by complex state formation processes: for this reason statebuilding is an unpredictable and contradictory venture. Although it is premised on policies with specific aims, it often generates unintended outcomes, as Bliesemann de Guevara suggests.[126] External statebuilding strategies frequently alter relations of power in the local space by granting

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[120] Francesco Strazzari and Bertine Kamphuis 'Hybrid Economies and Statebuilding: On the Resilience of the Extralegal'. *Global Governance: A Review of Multilateralism and International Organizations, 18* no 1 (2012), 61

[121] Ibid.

[122] Boege et al, Building Peace and Political Community, 603

[123] Roger Mac Ginty 'Hybrid Peace: The Interaction Between Top-Down and Bottom-Up Peace'. *Security Dialogue 41* no 4 (2010), 397

[124] Berit Bliesemann de Guevara 'Introduction: The Limits of Statebuilding and the Analysis of State-Formation'. *Journal of intervention and statebuilding 4* no 2 (2010)

[125] Berman and Lonsdale, 1992, as cited in Bliseman de Guevara, Introduction: the Limits of Statebuilding, 116

[126] Blieseman de Guevara, Introduction: the Limits of Statebuilding, 116

resources to specific groups in post-conflict spaces. As a result, local actors may co-operate, resist or attempt to co-opt the international statebuilding mission. She points out that such responses to international statebuilding should not be normatively labeled as *'spoiling'* or *'compliance'* but ought rather to be understood as *'the result of actors' navigations in social fields whose established rules are endangered or 'liquefied' by statebuilders trying to modify the rules according to their ideas'*.[127]   As the brief overview implies, the analytical purchase of hybridity rests on its attention to the complex relations of power in post-conflict spaces and highlights how international statebuilding processes are negotiated by local agents.[128] In investigating the different modalities of local agency and how local agendas and practices interact with international statebuilding practices and ideas, this thesis generates empirically-grounded knowledge on the attempts to re-negotiate the scope and the shape of post-conflict statebuilding in Bosnia. This can provide hypotheses pertaining to the processes of hybridization in post-conflict statebuilding processes.

Existing Studies on Hybridity and Interactions between International and Local Agencies

It is useful to map the terrain of the existing scholarship by exploring some of the earlier studies that have developed frameworks for capturing interactions between internal and external actors. To begin with, Barnett and Zurcher's *'the Peacebuilders' Contract'* is concerned with strategic transactions rather than hybridity as such, but it is nonetheless relevant to our understanding of interactions between actors.[129] The study, one of the first systematic attempts to interrogate the relations and interactions that mediate international statebuilding in local spaces, suggests that the most frequent outcome of the interplay between actors is compromised peacebuilding. In conceptualizing peacebuilding as a strategic game, Barnett and Zurcher's model entails international peacebuilders, state elites and sub-state elites who make strategic calculations on how to preserve their respective interests; for peacebuilders these interests are liberalization and stabilization while the state and local level elites seek to preserve and consolidate

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[127] Ibid

[128] Mac Ginty 'Hybrid Peace: The Interaction Between Top-Down and Bottom-Up Peace', 391

[129] Barnett and Zurcher, the Peacebuilders' Contract

political and economic power. The central problematique for Barnett and Zurcher is the fact that peacebuilding needs the cooperation of the national elites in order to be successful; thus the most frequent outcome of the strategic interactions is compromised peacebuilding whereby the process is jointly driven by the interests of local and external peacebuilders. With the similar objective of assessing outcomes of interactions, Reisinger provides an alternative reading on international statebuilding efforts in Liberia and Mozambique through a focus on dynamics between different actors involved. [130] Reaching conclusions similar to those of Barnett and Zurcher, he argues that interactions are best conceptualized through the following categories: cooperation, contention, toleration and infiltration.[131] The above studies have substantially added to our understanding of interactions between the different peacebuilding actors and how such games consolidate weak statehood. Yet, important caveats merit attention, particularly those to do with epistemology. Whereas studies based on game theory allow us to account for a range of actors in addition to the international statebuilders, they tell us little about how the compromised peace – or indeed the process of compromising - might look like as it primarily aims to identify outcomes of interactions. The above studies also make specific, and indeed static, assumptions about the motivations of actors which may in reality be more diverse than suggested. Moreover, agency understood solely in terms of rational choice offers an overtly narrow view that overlooks values, identities, culture and discourses, which play an integral role in the statebuilding as the subsequent chapters will show. [132] The above studies then fail to capture local acts of contention, such as discursive de-legitimation or the use of alternative symbols of identity. These practices are important not only in terms of interrogating local responses to international statebuilding but can also potentially tell us a great deal about the nature of international statebuilding.

Other studies seeking to formulate frameworks for capturing interactions and dynamics between local and international actors have taken a more processual approach. The most relevant to this research is Hagmann and Peclard's investigation on how a range of

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[130] Christian Reisinger 'A Framework for the Analysis of Post-conflict Situations: Liberia and Mozambique Reconsidered'. *International Peacekeeping* 16 no 4 (2009)
[131] Ibid, 485
[132] Graham Harrison 'Practices of Intervention: Repertoires, Habits, and Conduct in Neoliberal' Africa *Journal of Intervention and Statebuilding 4* no 4 (2010), 437

actors engage in statebuilding activities through negotiation in Africa. [133] They develop a heuristic framework for capturing the key elements in the process: actors, negotiation 'tables' and objects of negotiation. The first category identifies the actors engaged in the statebuilding process and the resources they have at their disposal. These resources refer not only to the physical assets and organizational capabilities but also to what the authors call '*symbolic repertoires*'.[134] This means the deployment of specific narratives and concepts that enable local actors to legitimize their authority vis-à-vis their rivals. The second category alludes to sites where statehood is negotiated. The authors suggest that this is an important feature in the process as locales of negotiation condition actors' inclusion or exclusion from the process. Locales range from formal negotiation tables such as diplomatic meetings to informal sites such as meetings between village elders. In addition to negotiation tables, Hagmann and Peclard also identify more abstract 'negotiation arenas', such as political structures based on single party-dominance, that essentially refer to social relations between groups. The final category focuses on the issues at stake, from the point of view of different actors involved. A frequent subject of negotiation between actors pertains to the provision of services such as security in the absence of effective state institutions. Moreover, the configuration of statehood is a further object of negotiation commonly observed in statebuilding processes. According to Hagmann and Peclard this generally means struggle between centralized and decentralized forms of state, but also contains debates about what counts as nation.[135] This is a powerful insight that resonates with the experience of post-conflict statebuilding. Hagmann and Peclard's framework is important for the research carried out here as it provides the foundations for interrogating different dimensions of societal negotiation that occur in post-conflict spaces. While the above study is largely premised on the investigation of the '*institutionalization of power relations*' in post-colonial African states and is focused primarily on the dynamics between domestic actors, [136] this thesis seeks to extend similar line of analysis to statebuilding contexts where

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[133] Tobias Hagmann and Didier Peclard 'Negotiating Statehood: Dynamics of Power and Domination in Africa'. *Development and Change 41* no 4 (2010)

[134] It is noteworthy that the framework sketched in this thesis approaches the '*symbolic repertoire*' in somewhat different way. Following Bourdieu's notion of symbolic capital, Hagmann and Peclard understand verbal interactions as the key component of the symbolic repertoire. This research finds in relation to Bosnia that the symbolic capital local actors have at their disposal is in fact composed of '*linguistic capital*' (Moore as cited in Michael Grenfell *Pierre Bourdieu: key concepts* (London; Acumen Publishing Ltd, 2008), 103) as well as the capital embodied in the abstract representations of the nation, such as flags and commemorative practices.

[135] Ibid, 553-554

[136] Ibid, 539

external actors play the agenda-setting role. In this regard the study carried out here can provide hypotheses on how international statebuilding agencies counter local contention.

Beyond the above studies, a compelling analysis of interactions between international and local agencies is provided by Divjak and Pugh.[137] Pugh argues (in his later work) that liberal peace – primarily concerned with turning post-conflict spaces into modes of the global capitalist markets – is fundamentally unable to deal with the 'everyday' life of post-conflict societies and impose its ideals on the grassroots.[138] International statebuilding is hence unable to overpower local traditions and customs. In tracing this empirical reality of statebuilding, Divjak and Pugh unpack the economic structures of statebuilding in post-Dayton Bosnia. They contend that the institutional design of the country laid out in Dayton, coupled with the international neo-liberal statebuilding policies, have created opportunities for corruption. Clientelism, dating back to pre-conflict era, has been institutionalized by the DPA; the highly decentralized structure of the state has enabled local elites to maintain control over the lives of the citizens living in their respective cantons/municipalities, resulting in a system reminiscent of feudal order.[139] The effect of the international presence has been to create opportunities for war entrepreneurs who have often simultaneously co-opted and opposed strategies of liberal peace. Rather than prioritizing measures promoting transparency and rule of law, international officials have backed the moderate and non-nationalist political forces whose corruption has been covered up. Corrupt, yet moderate, elites have been supported financially by the international statebuilders which has further added to the problem of corruption, as Divjak and Pugh argue. In the hybrid economic system, shadow economies have provided Bosnians with goods and services as well as income, as the neo-liberal economic policies have been unable to replace the Yugoslav system based on welfare. The authors suggest that these informal economic practices – reproduced by the constitutional arrangements of the country as well as the neo-liberal economic policies of liberal peace – have enabled an effective local resistance vis-à-vis the international agents of statebuilding. Divjak and Pugh thus demonstrate how the economic elements of statebuilding have reproduced and maintained local resistance. In

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[137] Divjak and Pugh, the Political Economy of Corruption
[138] Pugh, Local Agency and Political Economies
[139] Divjak and Pugh, The Political Economy of Corruption, 376

many ways this thesis builds upon these findings and seeks to understand similar processes taking place in other – connected, yet under-researched - realms of statebuilding. These realms entail the political institutions created in Dayton as well as the discursive and symbolic dimensions of local contestation of international statebuilding in Bosnia.

While Divjak and Pugh's findings are telling of the hybridity arising from the (primarily economic) interactions between local and external statebuilding agendas, one of the most sophisticated attempts to unpack the political processes that translate into hybrid forms of peace is Mac Ginty's model that expounds on the encounters between 'top-down' and 'bottom-up' forms of peace.[140] His framework is grounded in the compliance and incentivizing powers of international statebuilders as well as the capabilities of local actors to engage in resistance and reproduce alternative forms of peace. Compliance power refers to the array of compliance mechanisms that generate local acquiescence; this range of instruments entails military force, sanctions and donor agency conditionalities. Moreover, the idea that no feasible alternative to 'liberal peace' exists grants *'moral authority'* to the interveners and leaves the local recipients with little choice but to obey.[141] The second feature of the model is linked to the first; direct forms of power are coupled with softer modalities of coercion. As the international statebuilding narratives assert, the potential gains from such interventions are considerable. Whereas the most obvious moral incentive of 'liberal peace' is peace itself and the promise to become – or to reclaim the status of - a respectable member of the international society, material incentives in the form of loans and grants are an important mechanism in getting locals to embrace liberal peace. Capitalism, too, is important here in terms of the potential of the free market system to generate growth and lift populations out of poverty.

The third factor in Mac Ginty's model of hybridization pertains to the degree to which local actors are able to challenge and subvert internationally-driven statebuilding. This is important in foregrounding the active agency of local actors. The extent to which

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[140] Mac Ginty, Hybrid Peace: The Interaction Between Top-Down and Bottom-Up Peace' and International Peacebuilding and Local Resistance
[141] Mac Ginty, International Peacebuilding and Local Resistance, 79

such actors can exert change or undermine the externally-led process hinges upon a range of variables: the degree to which local actors retain power during the post-conflict peacebuilding and statebuilding project, the existence of pre-war political institutions, the extent to which local actors can garner resources and finally, the degree to which the international statebuilding agencies are dependent on local actors. Mac Ginty notes that also the degree to which the international peacebuilding and statebuilding agencies are willing to impose their statebuilding strategies has implications on the room for maneuver that the local actors are represented with.

The fourth factor in the hybridization model is the degree to which local actors are able to maintain alternative forms of peace in the face of the 'hegemonic' liberal peace that seeks to marginalize alternatives.[142] Mac Ginty suggests that the self-identification of 'liberal peace' as the only model of post-conflict political and economic reconstruction leaves little room for differing conceptualizations of peace and socio-political organization.[143] Echoing the idea of 'everyday' in peacebuilding settings, Mac Ginty diverts attention to a micro-level analysis that reveals spaces left unaffected by liberal peace; it is in this spaces that *'people may be able fashion alternatives to the liberal peace…'*, whether due to distance and disconnect from the centers of liberal peace or as a deliberate challenge to the internationally-led project. [144] While Mac Ginty's model is undoubtedly useful in making general observations on variables across cases that affect the relations between local and international statebuilding actors, the analysis developed here aims to offer more specific mechanisms for capturing local practices and discourses of contention. In contrast to the cross-case research design employed by Mac Ginty, an in-depth case study, as carried out here, benefits from the detailed and empirically-grounded tracing of relations between international statebuilders and local actors. Using the above mechanisms allows us to provide some more specific answers to the 'how' question of local contention and understand in an empirically-grounded way the dynamics between internal and external actors.

The above accounts represent an important addition to our understanding of interactions between actors, whilst reinforcing many findings of this thesis. It is useful, however, to

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[142] Mac Ginty, Hybrid Peace: The Interaction Between Top-Down and Bottom-Up Peace', 398
[143] Mac Ginty, International Peacebuilding and Local Resistance, 86
[144] Ibid, 87

briefly recapitulate how the account provided by this study can add to the above analyzing. Firstly, this thesis takes local agency and local statebuilding agendas as its starting point rather than approaching post-conflict statebuilding dynamics from above. In doing so, it provides an alternative reading of internal-external interactions that is more attentive to local processes of statebuilding and identity-building that are products of both historical forces and contemporary events. Secondly, this research argues that rather than merely exploring material capabilities and modalities of contention, discourses and symbols of identity ought to be given analytical currency. Post-conflict statebuilding is a process of (re)constructing the institutional infrastructure of the state, but it is also a verbal and ideational process. The Bosnian case is indicative of discourses that frame the post-conflict reality in a specific way and alternative symbolic systems deployed by local agents to directly contest the internationally-led process. Whilst Hagmann and Peclard briefly address this issue, they offer little insight into the way in which these aspects of contention operate.

This leads to another, related caveat in the existing research; while earlier studies have identified the range of different outcomes that often result from the interactions and dynamics between internal and external actors, the interactions themselves have elicited less attention.[145] Research carried out here focuses on the practices and processes through which statebuilding policies are mediated by local actors. This thesis begins developing a set of mechanisms that allows us to trace how contention (that is, the attempt to re-negotiate the parameters of the statebuilding process) operates and is sustained. In other words, in addition to asking '*who'*, '*where'* and '*why*',[146] this research inquires into what contention is and '*how'* it operates. In addition, the analysis makes some claims as to how international statebuilders counter local contentious practices. Although Mac Ginty accounts for the compliance and incentivizing powers of international statebuilders in a more general way, the conceptual framework deployed by this study enables a more specific operationalizing of these aspects. In this regard the processes of coercion, capital and discursive decertification are employed to capture how international statebuilding actors deal with local contention and how the use of these methods mobilizes and legitimates further practices of contention.

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[145] Barnett and Zurcher, the Peacebuilders' Contract
[146] Hagmann and Peclard, Negotiating Statehood

Concepts and mechanisms of Contention

As suggested above, existing studies on interactions between local and international agencies have focused on the outcomes of interactions between internal and external actors, establishing the actors, negotiation 'tables' and issues at stake and identifying the factors that determine how successful local agencies are in hybridizing the process. The objective of this thesis is to add to such scholarship by approaching local agency and statebuilding dynamics through the conceptual framework of contentious politics. Contentious politics tells us about how actors use disruptive measures and techniques, vis-à-vis the authorities, to make their voices heard. As such it can provide analytical tools that enable us to study local agencies and their interrelations with international actors in a more systematic way.[147] Perhaps more importantly, contentious politics research directs us to factors that are important in explaining how local contention operates and is sustained. Mechanisms of contentious politics draw our attention to how aspects of the political environment enable or constrain contention ('political opportunity structures'), how contention is organized and information disseminated ('mobilizing structures') and how the objects of contention are represented, problems defined and solutions proposed in public discourses ('framing'). The remainder of the chapter focuses on the above aspects in setting the conceptual framework of the thesis.

Contentious politics scholars study disruptive, extra-institutional, political behavior, ranging from protests to revolutions. At the heart of contentious episodes are demands for social change put forth by a group in a given society. For McAdam, Tarrow and Tilly, contentious politics begins when people make collective claims on others outside the agreed institutional channels of decision-making. [148] The *'collective struggle'* entailing *'episodic, public, collective interaction among makers of claims and their*

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[147] This research takes its cue from the cultural strand of contentious politics that has emerged to challenge the traditional contentious politics research premised on causal reasoning and rational choice. The cultural strand is oriented towards ideational factors in interpreting phenomena and is therefore attentive to values, norms, identities, ideas and emotions. See for instance, Robert Benford and David Snow. 'Framing Processes and Social Movement: An Overview and Assessment' *Annual Review of Sociology,* 26 (2000); Doug McAdam and Ron Aminzade, 'Emotions and Contentious Politics' *Mobilization: An International Quarterly.* 7 no.2 (2002); Ron Aminzade et al *Silence and Voice in the Study of Contentious Politics* (Cambridge; Cambridge University Press , 2001)
[148] Doug McAdam 'To Map Contentious Politics'. *Mobilization: an International Journal, 1* no.1 (1996), 17

objects' labeled as contentious politics also involves at least one government[149] as a claimant, object of claims or a party to the claims.[150] As noted earlier, contention is understood here as the use of disruptive,[151] episodic, public and collective political strategies that seek to counter aspects of international statebuilding. Contentious practices are an essential part of the continuous state formation process in that they represent the on-going negotiations between different groups in society seeking to protect and advance their visions of statehood. While in the historic sense of state formation contentious politics has mainly entailed national actors, in the current global order - where weak statehood is securitized - the process of statebuilding is internationalized. Yet, this does not mean that mechanisms for societal negotiation (or, contentious politics) have been significantly altered, even if the process now has a distinctly international dimension. Groups of actors continue to operate within structures of political opportunities that are contingent on the international authorities' unity and ability to deal with contentious practices, among other determinants. Moreover, those actors continue to frame international policies and actions considered detrimental in ways that resonate with their audiences and mobilize support. In the quest to understand the contemporary internationalized statebuilding processes, these mechanisms can tell us a great deal about not only political opportunities, mobilization and frames but also of how the narratives and practices of international statebuilding contain and create opportunities for contestation. The key point here is that these mechanisms are not dependent upon the context of each post-conflict case but relate to the nature of international involvement and to aspects of verbal communication and organization of contention. While they cannot provide a prediction of outcomes of interactions, they can tell us where to look in order to understand how contention operates and are sustained.

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[149] Government in the context of this study refers to the international authority (exercised via the OHR).

[150] Doug McAdam et al *Dynamics of Contention* (New York: Cambridge University Press, 2001), 5

[151] Activities considered disruptive are those that block or slow down the legislative process or the implementation of legislation. At the same time, non-material forms of contention (such as certain verbal acts of contention) are considered disruptive in the sense that they seek to undermine the very legitimacy of the international statebuilding practice.

Mechanisms of Contention

The deployment of mechanisms developed by contentious politics scholars is premised on the objective of understanding how local agency operates and interacts with external statebuilding agencies. These mechanisms are political opportunity structures, mobilizing structures and framing, as noted earlier. Although further development and testing of this conceptual framework in the context of international statebuilding is undoubtedly necessary, the aim here is to lay the groundwork for more systematic study and understanding of how international statebuilding is negotiated in local spaces.

Political Opportunity Structures

Political opportunity structures refer to the '*consistent – but not necessarily formal or permanent – dimensions of the political environment that provide incentives for people to undertake collective action by affecting their expectations for success or failure*'.[152] This context for action entails the formal structures and institutions of the government, authorities' responses to contentious claim-making and the presence of potential allies or rivals.[153] In terms of operationalizing political opportunity structures for the purposes of this research, it is germane to view them as international political opportunity structures given that Bosnia is *de facto* run by international officials. With reference to Tarrow's[154] and Eisinger's[155] work on the mechanism, international opportunity structures in the Bosnian case consist of the following factors: the institutional structures of governance,[156] unity/division among the international statebuilding actors, allies within the international community and the strength and the nature of repression of local contention by the international officials. These factors are vital in understanding how the structures of governance and international presence in the country enable or dis-incentivize acts of contention.

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[152] Sidney Tarrow *Power in Movement: Social Movements, Collective Action and Politics.* Cambridge: Cambridge University Press, 1994, 189
[153] McAdam et al, To Map Contentious Politics
[154] Tarrow, Power in Movement, 85-86
[155] Peter Eisinger 'The Conditions of protest behaviour in American cities'. *American Political Science Review,* 67 no.1
[156] Refers to the degree to which claim-makers *'are likely to be able to gain access to power and to manipulate the political system'* (Eisinger, 25)

It is useful to briefly outline how these different dimensions of international political opportunity structures have played out in the case study at hand. With respect to the governance structures of Bosnia, the political system created by international officials in Dayton has created opportunities for contentious actions. As noted in the previous chapter, the peace agreement that ended the armed conflict put in place a political system based on consociationalism. Each constituent group holds veto rights that enable the blocking of any decisions that threaten the interest of the group and a system of quotas ensures that constituent groups are equally represented across political bodies. These mechanisms designed to protect the interests of the three constituent groups have rendered internationally-imposed statebuilding measures subject to frequent blocking. The unity or division among the authorities determines, in turn, the degree to which the international actors can take coherent and concerted action against local contention. While the relations between international statebuilding actors have varied over years, disagreement over statebuilding policies and practices within the 'international community' has rendered it difficult for international actors to operate as a coherent force. This has particularly been the case with Russia that publicly critiques the OHR and the heavy-handed interventionism of other external statebuilding actors. Divisions between the international statebuilding actors have also allowed local agencies to seek tacit alliances with international actors advocating policies similar to their own. These issues are discussed in detail in Chapter 3.

The strength and the nature of international repression of local contention refer to the degree to which international responses to contention deter further similar acts. In this regard the use of Bonn powers is particularly instructive. The Bonn powers allude to the extension of the OHR's mandate to dismiss elected Bosnian officials and to impose legislation rejected by Bosnian politicians. Bonn powers have been frequently deployed to deal with local acts of contention, as illustrated in the core chapters. This has made participation in contentious activities potentially costly and, thus, limited opportunities for contention. Crucially, however, the coercive and repressive nature of such measures has served as a formidable mobilization and framing tool for local actors, as shown in Chapter 5. It is also notable that beyond these factors shifts in both the quantity and quality of international statebuilding instruments have been mirrored in the statebuilding dynamic. These changes are the reduction of international military presence, reduction

in the political credibility of the international community's main peace implementation agency the OHR and shift in the international attention to other crisis areas.

Given that the intention of the research is to account for non-material and ideational aspects of contention, it is expedient to incorporate discursive dimensions of political environment that may help or hinder contention and pay attention to the broader discursive environment in which contention takes place. Discursive opportunity structures have less to do with directly incentivizing or dis-incentivizing contention, but rather pertain to the way in which hegemonic discourses enable or limit contention.[157] With regards to the Bosnian case, this discursive environment consists predominantly of the 'liberal peace' discourse that the internationally-led statebuilding draws on. As Chapters 5 and 6 in particular demonstrate, this has created opportunities for local statebuilding actors as the international statebuilding mission has failed to live up to the norms it propagates, regularly demonstrated in the undemocratic and coercive statebuilding methods.

Mobilizing Structures

If the international political opportunity structures are crucial in understanding the complex relationship between external and internal statebuilding agendas, mobilizing structures and framing are equally important in terms of understanding how contentious practices are organized, legitimated and sustained. Mobilizing structures refer to the formal organizational means as well as informal social networks available to actors engaged in contention.[158] It alludes to the process of creating structures that can effectively mobilize action and carry out claim-making activities, whether protests, boycotts or demonstrations. Mobilizing structures also disseminate information, in addition to stimulating coordination, communication and commitment of actors.[159] In the case of Bosnia the party political structures as well as ethnic and religious networks are crucial in mobilizing support and carrying out contention. Given the political

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[157] Mark Steinberg 'The Road of the Crowd: Repertoires of Discourses and Collective Action among the Spitalfields Silk Weavers in Nineteenth-Century London' in Mark Traugott (Ed.), *Repertoires and cycles of collective action* (Durham; Duke University Press ,1995) and Ruud Koopmans and Paul Statham 'Political Claims Analysis: Integrating Protest Event and Political Discourse Approaches.'*Mobilization: an International Journal, 4* no.2 (1999)

[158] McAdam et al, Dynamics of Contention, 13

[159] Ibid, 116

opportunity structures created at the Dayton peace conference, which gave the country a complex power-sharing system of governance combined with the considerable political and economic power held by the political elites, it is hardly surprising that political parties (particularly SDA, HDZ BiH, SDS, SRS, SNSD[160]) are at the forefront of the contentious politics. They have efficient organizational structures which can be deployed to organize protests, demonstrations, press conferences as well as spokespersons and press offices to communicate and circulate their interpretations of events. Perhaps more crucially, political parties control large parts of the media.[161] This has not only allowed them extensive access to their respective supporters but also enabled them to maintain the media segregation whereby each national group has its own media with few independent or critical alternatives. This is particularly the case in the rural areas where nationalist-controlled TV provides the main source of information to people.

Alongside the party political structures, interest groups, advocacy organizations and religious bodies have played a role in the disseminating information and organizing protests and rallies. Member of the Catholic clergy have, for instance, taken an active role in propagating the narrative that highlights victimization of Bosnian Croats by the external statebuilding actors and demanding more adequate recognition of Croat rights. Interest groups, particularly those representing former soldiers or victims of war crimes, have also played a part in mobilizing contention through protests, events and declarations. At the same time, cross-border mobilizing structures are important when it comes to understanding particularly the early forms of contesting international statebuilding. Both Zagreb and Belgrade were known to support the secessionist ambitions of their ethnic kin in Bosnia. This generally translated into financial and political support. When both Tuđman and Milošević no longer occupied their respective offices in the early 2000s, support for Bosnian Croat and Serb cause has been

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[160] Stranka Demokratske Akcije (Party for Democratic Action), Hrvatska Demokratska Zajednica Bosne i Hercegovine (Croatian Democratic Union), Srpska Demokratska Stranka (Serbian Democratic Party), Srpska Radikalna Stranka (Serbian Radical Party), Savez Nezavisnih Socijaldemokrata (Alliance of Independent Social Democrats)

[161] Laurent Pech 'Is Dayton Falling? Reforming Media in Bosnia and Herzegovina'. *International Journal of Communications Law and Policy* 4, no. 1 (1999/2000), .3-7. See also Maureen Taylor and Michael Kent (2000) 'Media Transitions in Bosnia: From Propagandistic Past to Uncertain future'. *Gazette* 62, no. 5 (2000), 355-378. Interviews with local stakeholders indicate that the trends identified by Pech and Taylor and Kent have continued to today (interviews 34, 41, 42)

considerably reduced. This has weakened in particular the Bosnian Croat project of creating a third entity in the country.[162]

Framing

In order to broaden the explanatory scope, the analysis also draws on the mechanism of framing. The act of framing, as understood here, denotes the

> '*selecting of some aspects of a perceived reality and making them more salient...in such a way as to promote a particular problem definition, causal interpretation, moral evaluation and/or treatment recommendation for the item described*'.[163]

Benford and Snow define framing similarly as

> '*an interpretive schemata that signifies and condenses the 'world out there' by selectively punctuating and encoding objects, situations, events, experiences and sequences of action*'. [164]

Actors engaged in contention are thus viewed as '*signifying agents*' actively involved in production of meaning for their supporters, the objects of contention and bystanders.[165] Framing entails then the creation of interpretations and constructions of reality that differ from the existing frames and often challenge them. The process of framing draws on the existing ideas, beliefs, practices, values, myths and narratives specific to the given context of contentious politics. Culturally resonant frames have credibility in the sense that the actions and rhetoric coincide and are further reinforced by events in the real world.[166] Collective action frames, shared understandings of the situation and proposed solutions, have diagnostic and prognostic elements.[167] Diagnostic frames identify problems and attribute blame or responsibility. The most common diagnostic

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[162] International Crisis Group Report 106 2001,5,
http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/106-turning-strife-to advantage-a-blueprint-to-integrate-the-croats-in-bosnia-and-herzegovina.aspx (accessed 3 August 2010)
[163] Robert Entman 'Framing: Toward Clarification of a Fractured Paradigm'. *Journal of Communication, 43* no 4 (1993), 52
[164] Benford and Snow' Master Frames and Cycles of Protest' in Aldon Morris and Carol McClurg Mueller Frontiers in Social Movement Theory New Haven, Conn : Yale University Press, 1992, 137
[165] Benford and Snow, Framing Processes and Social Movements, 613
[166] Ibid, 619
[167] Ibid.

frame is the injustice frame which is also frequently used by local actors in the case of Bosnia; it entails the identification of victims of a given situation and intensifying their victimization. Prognostic framing, on the hand, entails the assertion of a solution to the injustice at hand. Collective action frames are generated through the processes of frame articulation and frame amplification.[168] Frame articulation involves connecting events and experiences and fashioning them into a coherent package, while amplification denotes emphasizing certain issues, events or beliefs as being more important than others. Frame creation within groups is itself often contested; as Benford and Snow put it *'all actors...who engage in this reality construction work are embroiled in the politics of signification'*.[169] In other words, actors cannot simply impose their interpretations of events and situations on the populations. Actors seeking to frame specific issues are faced with various challenges not only from different factions within their own group, but also from the objects of contention. Counter-framings seek to debunk, undermine or decertify the claims or actors behind them. These frame contests are a common place in Bosnia where international officials are particularly inclined to use decertification strategies,[170] aimed at invalidating local critical frames by labeling the claim-makers as 'irresponsible', and 'backward'. Moreover, frame contests within local groups are a regular feature of the local statebuilding agendas, generally entailing internal power struggles between 'moderates' and 'hardliners'. What the thesis finds with respect to the Bosnian case is that the local *re-framing* of 'liberal peace' concepts and norms has been a frequent practice; this has meant delegitimizing international statebuilding by highlighting the contradictions between international statebuilding rhetoric and practice.

The above mechanisms of political opportunity structures, mobilizing structures and framing are intimately interlinked and intersecting. As noted earlier in relation to political opportunity structures and framing, the extent to which political opportunity structures limit or facilitate contention depends at least in part on how actors frame their environment. While framing processes also encourage mobilization by interpreting the current system as illegitimate, the lack of any mobilizing structures, whether formal or informal, would in all probability limit the number of people to which the critical frames would be disseminated to. It is also worth pointing out that some mechanisms

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[168] Ibid, 623

[169] Ibid, 625

[170] McAdam et al, Dynamics of Contention, 121

are more pertinent than others when it comes to interrogating different contentious practices; whilst political opportunities and mobilizing structures are helpful in interpreting institutional repertoires of contention, framing is best suited to tracing the discursive and symbolic repertoires.

Coercion, Capital and Decertification: International Responses to Local Contention

Given that the aim of the analysis is to engage in an analysis of interactions, it is necessary to make some claims as to how the international agents statebuilding might counter contestation. The thesis suggests that international statebuilders generally respond with practical or discursive means. The toolkit of practical measures entails coercion and capital. Coercion, in the form of using NATO troops or more commonly, threatening with prosecution has featured often in the international responses to local contention. This was particularly true in the early years of the international intervention when approximately 60,000 international troops were stationed in Bosnia. The substantial international military presence provided unfavourable opportunity structures for contentious claim-making, particularly with violent means. In so far as engagement in violent contentious practices was out of question, the utilisation of institutional means of challenging the international intervention flourished in the first few years after the war. To counteract institutional repertoires of contention, the Peace Implementation Council (PIC) in charge of monitoring the peace process granted the OHR in 1997 the authority to dismiss local officials and impose legislation. The so-called Bonn powers have in effect functioned as a form of political coercion; in numerous instances actors engaged in contentious practices have been sacked and legislation opposed by locals has been imposed. According to Szewczyk, the Bonn powers have been used nearly 900 times for legislative and disciplinary purposes from 1997 to 2010. [171] Statebuilding measures enabled by the Bonn powers have been crucial in consolidating the central state structures by creating a host of new state bodies, while making it more costly to local actors to challenge or undermine international statebuilding. Yet, at the same time,

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[171] Bart Szewczyk 'The EU in Bosnia and Herzegovina: Powers, Decisions and Legitimacy' *EUISS Occasional Paper No. 83* (2010), 7, http://ftp.infoeuropa.eurocid.pt/database/000043001-000044000/000043768.pdf (accessed 11 January 2012)

the widespread use of coercion has provided local actors narratives through which to critique and portray international statebuilding as a form of external domination.

Capital as a means to deal with contentious local actors has also been frequently utilized to counter local contention; in practice it has meant *'paying off performances of'* the *'opponents'*.[172] In Bosnia this has translated into using loan and aid conditionality. The US administration, for instance, refused to donate post-conflict reconstruction funds to the RS due to Bosnian Serb refusals to hand Karadžić over to the Hague, while international officials have on several occasions threatened the suspension of aid to Bosnia if local actors do not support and implement international statebuilding reforms.[173] When Bosniaks refused to use the new state insignia chosen by the High Representative in 1998, the US administration cut off funds through which the Bosniak-dominated Bosnian Army was equipped and trained.[174] Local compliance, on the other hand, has been rewarded with aid packages. This was, for instance, the case when Milorad Dodik came to power in the RS and pledged to co-operate with international actors.[175] The international administrators have also employed the mechanism of decertification; that is, invalidation of actors, their performances and their claims.[176] Decertification of local actors in response to acts of contestation has generally featured narratives framing the local actors as *'irresponsible'* and their actions amounting to *'betrayal of the electorates' trust'*.[177] Decertification has entailed the creation of

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[172] Charles Tilly *Regimes and Repertoires* (Chicago: Chicago University Press, 2006), 74. In a personal interview with the author an OHR official highlighted how the relationship between the international actors and local agents has *'at all times been based on power'*; he stressed that this power has been manifested in particular in financial terms (interviewee 23)

[173] NATO asks for full compliance in Bosnia'. *United Press International*. 13 January 1997; 'Bosnia must yet meet two conditions to get deal with IMF'. *Agence France Presse*. 4 July 1997; 'Canada pledges $30m more for Bosnia'. *United Press International*. 24 July 1997. All sources accessed through Nexis UK 3 February 2010.

[174] US suspends military training in Bosnia over flag dispute'. *Agence France Presse*. 4 June 1998. Accessed through Nexis UK.

[175] 'Donors Approve $1.25 Billion for Bosnia'. *The Washington Post*. 9 May 1998. Accessed through Nexis UK 1 March 2010.

[176] McAdam et al, Dynamics of Contention, 121

[177] OHR Media Round-Up 8 March 2001, http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=453. See also OHR Media Round Up 16 February 200, http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=439; OHR Media Round-Up 19 February 2001, http://www.ohr.int/ohr-dept/presso/bh-media-rep/roundups/default.asp?content_id=440. (all accessed 12 April 2010); OHR 'Reason Trumps Passion Every Time' 16 December 2009, http://www.ohr.int/ohrdept/presso/pressr/default.asp?content_id=44296 (accessed 14 April 2010); 'Bosnia High Representative warns of serious political crisis'. *FENA/BBC Monitoring Europe*. 13 June 2007. Accessed through Nexis UK. 12 June 2010.

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discursive binaries between self-interested elites and suffering non-elites. In this way international actors have sought to delegitimize local actors engaged in contention. It is through the above framework – the mechanisms of contestation and the international attempts to counter these practices - that the statebuilding dynamic in Bosnia is analyzed. As with analytical frameworks in general, it does not claim to represent a rigid model of reality but rather an attempt to simplify complexity so that it can be studied in a meaningful manner.

Conclusion

In moving away from a conceptualization of post-conflict statebuilding as a hierarchical project, this research builds upon the emerging notion of statebuilding as a contested process. Liberal peace is more accurately understood as a Weberian ideal type rather than a useful framework for understanding the actual practices on the ground. Statebuilding processes in post-conflict states do not start with the arrival of international agencies but rather take place in the context of local statebuilding and nationbuilding projects. With the aim of contributing to our understanding of local agency and the dynamics between internal and external actors, this study appropriates concepts from the contentious politics scholarship. These concepts allow us to better understand how local agency operates and interacts with the external actors. The notion of contention directs our attention to the direct and explicit forms of agency that exist in parallel to the hidden, everyday practices. Through the deployment of political opportunity structures, mobilizing structures and framing a more nuanced picture of local agency can be constructed. These practices do not go unnoticed by the international statebuilders who use coercion, capital and discursive decertification to counter local contention. Yet, in many instances the use of coercion in particular enables local actors to mobilize for further contention on the grounds of repressive international presence. Prior to engaging in a more detailed analysis of such aspects of contention, the following Chapter takes stock of the international presence in Bosnia. This is necessary not only to contextualize the study but more importantly to highlight the existence of multiple, and at times competing, statebuilding projects among the international statebuilding enterprise. The Chapter to come reveals an array of different

international understandings of the Bosnian war and its aftermath, as well as the new state and the role of the international actors in building it.

Chapter 3

Thinking the International in Post-Conflict Bosnia: External Statebuilding Methods, Agendas and Ideas.

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The dissolution of Yugoslavia provided a litmus test for the new, post-Cold War, order. It was a test that the chief actors involved failed: it revealed a weak and divided Europe and hesitant United States. [178] The war in Bosnia also cast serious doubt on the credibility of the UN as a result of the failure of its peacekeeping mission to protect civilians in safe havens, most notably in Srebrenica. Following the DPA, international actors took the leading role in the high-profile post-conflict reconstruction process: 17 donor governments, 27 international organizations, 18 UN agencies, approximately 200 non-governmental organizations [179] and 60,000 NATO troops were to help Bosnia to get back on its feet. In financial terms the international donor funds to Bosnia far outstripped the US assistance to Europe after the end of the Second World War.[180] Following the immediate post-war years, the international presence both in military and humanitarian terms has been reduced. Yet, almost two decades after the end of the armed hostilities, external governments - primarily those of the EU states, the United States and Russia – continue their engagement in Bosnia. The primary tasks of providing of security and humanitarian assistance in the early years of the post-conflict mission have now been replaced by efforts to strengthen the Bosnian state in order to meet the conditions of the Euro-Atlantic integration process.

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[178] Ivo Daalder, *Getting to Dayton: The Making of America's Bosnia Policy* Washington, D.C.: Brookings Institution Press, 2000, 1

[179] Patrice McMahon and Jon Western ' The Death of Dayton: How to Stop Bosnia from Falling Apart' *Foreign Affairs* 88 no.69 (2009), 69

[180] Ibid, 70, 72. McMahon and Western note that international assistance to Bosnia in per capita terms has been £300 per citizen, while Afghanistan has received £65 per resident since 2002

The aim of this Chapter is to focus on the 'international' in Bosnia and outline the practices and ideas it entails. This is expedient not only as a context for the study but also in moving away from reductionist analyzing of international statebuilding as a single, coherent force. The predominant theme in the international statebuilding enterprise in Bosnia is the absence of a commonly agreed international statebuilding policy. Although international actors share the overall objective of stabilizing Bosnia, little agreement on how it can – and should – be achieved exists. By appropriating Richmond's notion of graduations of liberal peace,[181] the Chapter highlights the demarcations between conservative and orthodox statebuilding methodologies. It also touches upon the different perceptions and representations of the conflict and its victims and perpetrators held by external actors that inform post-conflict policies. The multiplicity of international statebuilding policies and methods opens opportunities for local agencies to align themselves with international actors pursuing similar policies. The discussion is organized along the following lines. The first half of the Chapter provides a brief overview of the international engagement in post-Dayton Bosnia more generally, before outlining the interventions of the United States (the US), European governments and Russia. The second half of the Chapter discusses the fault lines between international statebuilding actors and practices; it does so by touching upon the diverging notions pertaining to the role of international actors in the statebuilding process and on the different accounts of the Bosnian War.

International Community?

Pertinent to our discussion of the multiplicity of statebuilding practices among the international actors is the notion of international community, an umbrella term for external actors that undertake post-conflict reconstruction activities. Various definitions of 'international community' range, by and large, from conceptualisations of the international community as a shared vision for better world for all to a Western-dominated group of the wealthiest states.[182] While this reflects some of the debates discussed in the Introductory Chapter, what is crucial for the purposes of the present

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[181] Oliver Richmond 'The Problem of Peace: Understanding the 'Liberal Peace'." *Conflict, security & development* 6, no. 3 (2006)

[182] Barry Buzan and Ana Gonzalez Peleaz 'International community' after Iraq.' *International Affairs,* 81 no. 1 (2005)

discussion is the terminology depicting international actors as a community. The key contention of this Chapter is that while international actors involved in post-Dayton Bosnia share the objective of stabilizing the country, their engagement in Bosnia is premised on different judgements about the conflict, the warring parties and on the desired policies and methods of statebuilding in the aftermath of the war. Rather than thinking of international actors as a community in the Bosnian case, they are better understood as nexus of states engaged in the post-conflict process. This point is important in terms of thinking the dynamics between internal and external agencies. Tensions between different international statebuilding policies and strategies make it difficult for international actors to act as a unitary force and facilitates tacit alliances between local and international actors. The presence of various international statebuilding agendas and methods is also relevant to our understanding of the condition of hybridity that marks post-conflict states: international statebuilding is hybridized from within in that no single and coherent 'liberal peace' project exist. [183]

This study focuses primarily on states, governments and inter-governmental bodies. Even though non-state actors are important in implementing some of the statebuilding policies on the ground, the international signatories of the DPA – the United States, Russia and the EU – are central in determining the strategies of statebuilding in Bosnia. This is done through the Peace Implementation Council (PIC). The PIC was formed in 1995 to provide financial and material assistance to the reconstruction project and to implement the DPA, while also supervising the OHR. Although the PIC consists of 55 countries, in practice the agenda-setting and decision-making is carried out in the PIC Steering Board. Tasked to provide the OHR political guidance, it consists of Canada, Italy, France, Germany, Japan, United States, Russia, Turkey and representatives of the EU. It is largely the European governments, the US and Russia that have taken the leading role in the process.

From the Push of Dayton to the Pull of Brussels

The track record of almost two decades of statebuilding in Bosnia has been mixed: much has been achieved in terms of building the institutional infrastructure and ending

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[183] Mitchell and Richmond, Hybrid Forms of Peace

large scale violence, but less in building sustainable peace and reconciliation. The international involvement following the Dayton peace conference began as a short-term reconstruction mission; the goal was to build self-sustaining peace within the first year or so and exit following the first democratic elections.[184] NATO was tasked to monitor the implementation of the military aspects of the DPA; this meant monitoring the cessation of hostilities and the withdrawal of foreign military forces, in addition to de-mobilizing and de-arming the warring factions. The civilian aspects, coordinated by the OHR and carried out by international organizations (most notably the UN, the OSCE and the IMF), focused on refugee returns, freedom of movement in the country, organising elections, establishing the fate of missing persons, amongst a wide range of tasks.

It became quickly apparent that the initial timeframes were overly optimistic and international presence was to be extended in order to prevent recourse to violence. The electoral victory of nationalist parties in the first post-war elections in 1996 added urgency to the demands for prolonged international presence.[185] International efforts in the immediate aftermath of the war focused on urgent physical reconstruction tasks and confidence-building measures. It was the Bonn powers awarded to the OHR in 1997 that enabled a fully-fledged statebuilding mission to commence. The controversial Bonn powers gave the High Representative the right to dismiss elected officials deemed to obstruct the implementation of the DPA as well as impose legislation.[186] Internationally-led statebuilding began with the endeavour to construct Bosnian 'state identity': common currency, passport, flag, anthem as well as other emblems of statehood were decreed by the OHR following the failure of local actors to agree upon them. From then on, the heavy-handed interventionism of the two consecutive High Representatives, Petritsch (1999-2002) and Ashdown (2002-2006), was crucial in building the state capacity. Petritsch and Ashdown imposed a series of decisions that created additional state-level institutions, ranging from the joint defence and intelligence structures to the state-wide value-added tax. The rationale was not merely to build a state, but to build an

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[184] Interviewee 1

[185] Peace Implementation Council, Paris Conclusions 14 November 1996. Available at: http://www.ohr.int/pic/default.asp?content_id=5173. Accessed 13 January 2010.

[186] OHR mandate, http://www.ohr.int/ohr-info/gen-info/default.asp?content_id=38612. Accessed 16 January 2010

EU memberstate.[187] Becoming European was framed as the only way to become peaceful, prosperous and modern state. This represented a gradual shift towards EU-driven statebuilding: the pull of Brussels was envisaged to replace the push of Dayton.[188]

A watershed moment in the international involvement came during the period of 2005-2006 which marked the end of the statebuilding impetus from without. Not only was the growing international Bosnia-fatigue evident, but the OHR lost both of its international and local credibility in the police reform debacle. The OHR sought to unify Bosnia's separate police forces under centralized command. It represented the reform as a precondition for the signing of the Stabilisation and Association Agreement and, in effect, for Bosnia's EU membership. This was despite the fact no agreed EU framework for policing exists; different policing models across the current EU member states are the norm.[189] Thus, the OHR framed the police reform as a technical requirement, while in reality it was an attempt to curtail the competencies of the entities, particularly aimed at the RS.[190] The RS called the OHR's bluff by categorically rejecting the idea of unified police. The OHR was eventually forced to negotiate a watered-down agreement on police reform. Prior to the police reform process, the use of Bonn powers had relied on the political credibility of the OHR and on the local co-operation. It became apparent following the police reform that the OHR had run out of its political capital.[191] This gave local agents seeking to contest the internationally-led statebuilding ample opportunities: as the use of Bonn powers became contentious even among the international statebuilders (as discussed elsewhere in this Chapter), consequences of local contentious activities became less certain. Schwartz-Schilling, who followed Ashdown as High Representative, took a non-interventionist approach by declaring his intention of not resorting to the Bonn powers. His policy was essentially to bring about

[187] Ana Juncos 'The EU's post-Conflict Intervention in Bosnia and Herzegovina: (re)Integrating the Balkans and/or (re)Inventing the EU?' *Southeast European Politics* 6 no.2 (2005)

[188] Kurt Bassuener and Bodo Weber 'Balkan Tango The EU's disjointed policies compound Bosnia's paralysis'. *Internationale Politik Global Edition, 2* (2010), 20, https://ip-journal.dgap.org/en/ip-journal/regions/balkan-tango (accessed 16 October 2011)

[189] Matthew Parish 'The Demise of the Dayton Protectorate'. *Journal of intervention and statebuilding* 1, Special Supplement (2007), 19

[190] David Chandler 'Normative Power and the Liberal Peace: A Rejoinder to John O'Brennan', *Global Society*, 22 no.4 (2008), 527

[191] International Crisis Group report no.180 2007 February, 21, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/180-ensuring-bosnias-future-a-new-international-engagement-strategy.aspx (accessed 25 November 2009).

the closure of the OHR. His tenure, however, was short-lived as the US disapproved his non-interventionist approach.[192] The subsequent High Representatives, Miroslav Lajcak and Valentin Inzko, reverted back to a more interventionist policy that has entailed the use of Bonn powers.

Beyond the diminished political capital of the OHR, the post-2006 international engagement in Bosnia has centred on various internationally-led attempts to reform the country's Constitution which has become to be regarded as the key obstacle in the Euro-Atlantic integration. This has been largely driven by the idea that the only way to foster progress and non-nationalist forces is to alter the country's governance in a way that does not incentivize ethnicization of the political life. Moreover, a stronger central state is seen as conducive for more efficient decision-making and functioning of the country.[193] The first attempt to revise the Constitution was the 2006 April Package (named after the month it was voted on in the Parliament). It aimed to reform the election of the Presidency and reduce its powers, create two new ministries (agriculture and technology), add new competencies to the central state, increase the number of MPs in the Parliament and consolidate the Council of Ministers. The process was largely driven by Washington, with an unclear EU stance. The Package did not pass the vote in the House of Representatives. Many Bosniaks were particularly dissatisfied with the scope of the reforms which were seen as being more cosmetic than anything else and voted against the Package. In 2008, a locally-driven initiative, the so-called Prud process, sought to find a compromise on the Constitutional reforms and resolve a number of outstanding reforms relating to state property and fiscal matters among other stipulations set by the OHR. Although some success was achieved in that constitutional amendment on the status of the Brčko district and state budget were signed, no agreement on fully-fledged Constitutional reform was found. A year later the US and the EU took the lead in an attempt to reinvigorate the reform process. Named after the military base where the negotiations took place, the Butmir talks were based on stipulations of the April Package. According to Bassuener and Weber the talks were

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[192] Mateja Peter 'The Shifting Contours of International Statebuilding Practice in Bosnia and Herzegovina' in *'State or Nation the Challenges of Political Transition in Bosnia and Herzegovina'* edited by Eldar Sarajlic and Davor Marko, 39-66. Sarajevo: Center for Interdisciplinary Postgraduate Studies University of Sarajevo, 2011, 57

[193] The European Court of Human Rights also decreed in 2009 that the Bosnian Constitution is in contravention to the European Convention on Human Rights as Bosnian citizens not considered as constituent people (that is, Bosniaks, Croats and Serbs) cannot run for certain political posts.

underpinned by different imperatives of the US and Europeans; while the US sought to get Europe's backing on Constitutional reform, Europeans were primarily interested in brokering a deal that would fulfil conditions necessary for the closure of the OHR. [194] 'While projecting a common front', Bassuener and Weber observe, 'each sought to bind the other into backing its agenda'. [195] Perhaps unsurprisingly, the talks finished without agreement on Constitutional reforms. Some Bosnia observers have called for renewed international engagement in Bosnia; the lack of consensus and reform of the Constitution is seen to jeopardize the EU accession process and the political climate is poisoned by the continuing inter-ethnic tensions.[196]

Key International Statebuilding Actors

The United States

The US interventions in Bosnia during and after the war have been the result of perceived European inability to find effective solutions to Bosnia's troubles. Following the failed European attempts to halt the violent unravelling of Yugoslavia in the early 1990s, the US stepped in and took the leading role in negotiating the peace treaty. From the beginning of the post-conflict process until the early 2000 the US took part in the post-conflict process. Its policy on Bosnia was largely predicated on military considerations and aid conditionality. As the 9/11 attacks turned the US attention elsewhere, the EU shouldered a greater role in the Bosnian statebuilding process. It integrated the EU Special Representative (EUSR) with the OHR and replaced the NATO troops with EUFOR forces. The central incentive underwriting EU statebuilding in Bosnia was that of EU accession. However, the prospect of EU membership as the engine of statebuilding has proven less attractive than envisaged by Brussels and the process has largely stalled. [197] This, in turn, has meant renewed US engagement in Bosnia in the late 2000s. In practice, the American approach to statebuilding in Bosnia

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[194] Bassuener and Weber, Balkan Tango, 20
[195] Ibid.
[196] See for instance, McMahon and Western, The Death of Dayton, Bassuner and Weber, Balkan Tango, Paddy Ashdown and Richard Holbrooke ' A Bosnian Powder Keg' *The Guardian*, 22 October 2008, http://www.guardian.co.uk/commentisfree/2008/oct/22/ashdown-holbrooke-bosnia-balkan-dayton (accessed 12 January 2012)
[197] Bassuener and Weber, Balkan Tango, 20

has been guided by interventionism and hard-hitting diplomatic pressure. The US vision of Bosnian statehood has largely coincided with the Bosniak statebuilding agenda, even if more tacitly than in the case of Moscow's patronage of the RS. [198] This has meant advocating the strengthening of the central state structures.[199] While this Chapter highlights how perceptions of the conflict and victimhood are important to understanding some of the post-conflict policies, it is also crucial to think how policies of external actors in post-conflict states may relate to the wider global issues. Some have suggested that the US support for Bosniaks is at least partly connected to the wider, global war on terror.[200] Not only does it allow the US to retain friendly relations – and influence - with a country that had, and according to some reports still has, a sizeable number of Mujaheddin fighters in its territory. Moreover, Bosnia represents an opportunity for the US to support a Muslim cause which may allow it to undo some of the damage done to its image in the Arab countries by the US foreign policy in the Middle East and beyond.

European States

Kissinger famously asked who to call if one wanted to talk to Europe; decades later his point remains valid with regards to the EU's foreign policy. While the EU has been heavily involved in Bosnia for more than two decades, it is difficult to discern a unified EU policy on the country. Not only does the EU lack a unified diplomatic representation in Sarajevo (where many individual member states have their own ambassadors, who make their own statements and at times, policies), Bosnia is no longer the priority in Brussels and consequently, majority of the EU member states have shown little interest in the country.[201] As Allin and Jones note in relation to the EU's role in the recent

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[198] Interviews 21, 29, 31, 32. In a telling remark on the faith of Bosniak officials in the US, SBiH MP noted that *'whenever America isn't there, there is a problem'* (interviewee 9).

[199] United States Department of State 'Foreign Operations Assistance: Bosnia and Herzegovina, 1 April 2012. Available at: http://www.state.gov/p/eur/rls/fs/193907.htm (accessed 20 June 2012); Philip Gordon, 'The State of Affairs in the Balkans' (Statement Before the House Foreign Affairs Subcommittee on Europe and Eurasia, Washington, DC 15 November 2011), http://www.state.gov/p/eur/rls/rm/2011/177267.htm (accessed 13 January 2012); 'US envoy Burns says Bosnia needs one president, strong premier' *BBC*. 13 October 2005. Accessed through Nexis UK. Accessed 13 January 2010; 'Bosnia's ethnic groups agree on financial reintegration package' *Associated Press Worldstream* 29 May 1997. Accessed through Nexis UK 19 March 2010.

[200] As for instance, McMahon and Western, The Death of Dayton, 71. Also suggested by interviewee 19.

[201] Interview 37. Ashdown also expressed his frustration with the lack of EU policy by noting that *'Bosnia is dysfunctional, but not as dysfunctional as Brussels'* ('For Bosnia, Future May Hinge on Irish Vote' *the New York Times*. 2 October 2009. Accessed through Nexis UK. 30 November 2010)

intervention in Libya, it is more meaningful to discuss of Europe rather than the EU as a set of actors in peace operations. [202] While the stabilization of Bosnia and political and economic liberalisation are publicly endorsed by all European countries, there are differences in policy when it comes to the methods of post-conflict intervention. On the interventionist end of the policy spectrum, the UK and the Netherlands have aligned themselves with Washington in calling for a hands-on approach in forcing the statebuilding process ahead, namely the use of the disputed Bonn powers. [203] Particularly the Conservative government that came into power in the UK in 2010 has taken a strong stance against local obstructionism to the DPA.[204] At the other end of the continuum, France, Germany, the Nordic countries, Spain and Italy reject interventionism and demand the immediate closure of the OHR.[205] This has translated into calls for hands-off, light-touch approach to Bosnia. The notion of Brussels-led imposition of reforms required for the EU accession process sits uneasily with the voluntary nature of the EU membership. It is largely the latter approach that has gained ground in the European attempts to formulate common positions on Bosnia.

Russia

Even though the key international agents in Bosnia comprise of Western governments, omitting Russia from the analysis would mean overlooking how wider international dynamics are often intertwined in the politics of statebuilding. Although Russia is one of the signatories to the DPA, some see it as the 'spoiler' within.[206] The mainstay of Russia's post-Dayton Bosnia policy has been to act as a counter-weight to the Western-led statebuilding efforts. This has been manifested in public expressions of dissatisfaction over the role of NATO and the OHR in Bosnia. When the conflict in the

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[202] Dana Allin and Erik Jones' As Good as it Gets?' *Survival: Global Politics and Strategy 53* no.3 (2011), 212.

[203] Bassuener and Weber, Balkan Tango, 20

[204] ' New UK government to "strongly insist" on Bosnia as centralized state'. *BBC*. 24 May 2010. Accessed through Nexis UK**,** 22 February 2009; United Kingdom Foreign and Commonwealth Office, **'**Promoting stability throughout the Western Balkans' 12 December 2012. Available at: https://www.gov.uk/government/policies/promoting-stability-throughout-the-western-balkans--2 (accessed 15 December 2012); 'UK for admission of new EU members' B92, 19 May 2010. Available at http://www.b92.net/eng/news/region-article.php?yyyy=2010&mm=05&dd=19&nav_id=67223 (accessed 15 December 2012)

[205] Bassuner and Weber, Balkan Tango, 20

[206] Kurt Bassuener and James Lyon "Unfinished Business in Bosnia and Herzegovina: What Is to Be Done." *Usipeace Briefing* 2009, http://www.usip.org/node/3887/ (accessed 15 November 2011)

former Yugoslavia began in earnest, Russia was in the processes of reinventing itself as a credible successor to the USSR in the global arena.[207] Moscow's Bosnia policy during the war was largely in sync with the Western countries: Russia, for instance, voted for sanctions on Belgrade at the UN Security Council and dispatched peacekeepers to Bosnia. However, support for the Western policy on Bosnia was short-lived. Opposition at home accused Yeltsin of conducting unbalanced Balkans policy and by doing so, betraying Russia's traditional ally, Serbia.[208] Opposition parties in Kremlin highlighted the similarities between the Russians and the Serbs who were not only fellow Slavs, but were both dealing with secessionist ambitions following the collapse of their respective multinational states.[209]

The shift in Russia's policy was hastened by the mounting anger over the treatment of Russia by the Western countries involved in Bosnia. Particularly offending in this regard was the fact that the NATO carried out operations against Serb targets without prior notification of Moscow.[210] Russia has protested against the NATO-led arrests of war crime indictees which are seen as '*thoughtless actions that undermine stability in Bosnia*' as the arrests are a '*clear violation of legal norms and the powers of peacekeepers*'.[211] According to Moscow, such actions decrease the trust that the Bosnian population has in the international military presence.[212] Beyond Bosnia, the process of NATO enlargement has threatened Russia's sphere of influence and identity as a major player in international politics.[213] Moreover, complicating the relations between the Western statebuilding agents and Russia further are Russia's own conflicts with the former Soviet republics. The EU involvement in these hotspots, such as Georgia, has considerably strained relations.[214] It is clear that Bosnia has become one of

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[207] Eric Shiraev and Deone Terrio 'Russian Decision-Making Regarding Bosnia: Indifferent Public and Feuding Elites' in Sobel et al. (ed.), *International Public Opinion and the Bosnia Crisis*.(Lanham; Lexington Books, 2003).

[208] Paul Kubicek ' Russian Foreign Policy and the West' *Political Science Quarterly 114 no.4 (1999-2000),* 551

[209] Ibid

[210] Shiraev and Terrio, Russian Decision-Making Regarding Bosnia, 141

[211] 'Russia says NATO undermining stability in Bosnia by arresting Serb leader'. *BBC*. 6 April 2000. Accessed through Nexis UK 23 February 2010.

[212] 'Separatism and arrests cause tension in Bosnia – Russian defence minister' . *BBC*. 9 June 2000. Accessed through Nexis UK 23 February 2010.

[213] Shiraeve and Terrio, Russian Decision-Making Regarding Bosnia, 161

[214] It has been alleged that Russia accepted the extension of the EUFOR troops in Bosnia on the basis that the EU would reduce its pressure on Moscow in its confrontation with Georgia (interviewee 20).

the arenas where wider disagreements between the West and Russia have been acted out.

Fault Lines within the International Statebuilding Mission: the Role of International Actors

These different policies and practices of statebuilding that the 'international' entails echo what Richmond calls graduations of peace. [215] He identifies three main versions of post-conflict operations: the conservative, orthodox and emancipatory versions of international engagement. The conservative graduation denotes top to bottom strategies on coercive power, conditionality and 'dependency creation'.[216] Peace is regarded a byproduct of diplomacy and use of force. The orthodox graduation, in turn, stands for peacebuilding predicated on a mix of top-down and bottom up strategies. It relies on negotiation and demonstrates a greater consideration for local ownership while still using conditionality. Finally, the emancipatory approach prioritizes grassroots strategies of peace and social justice and welfare, thus coinciding with Galtung's positive peace. [217] Whilst it is difficult to make a case for Bosnia (or any statebuilding mission for that matter, as Richmond points out) as an exemplar of emancipatory practice, the conservative and orthodox graduations hold explanatory power. In relation to Bosnia, Richmond suggests that the approach taken by the international actors has shifted from the early hyper-conservative practice towards conservative graduation.[218] Yet, the above continuum of statebuilding practices does not only capture the shift in the overall international engagement in Bosnia, but it also represents the fault lines within. Statebuilding actors such as the US and Turkey have often operated closer to the conservative end of the spectrum, whereas many (if not all) European governments have taken a more orthodox position on the statebuilding project in Bosnia. It is noteworthy that these categories are better understood as a continuum rather than static policies, as implied above. Washington has, for instance, shifted over time from conservative understanding of peace towards a more orthodox position. Europeans too have

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[215] Richmond, The Problem of Peace
[216] Ibid, 297
[217] Ibid, 300,301
[218] Ibid, 305

vacillated along the analytical spectrum and often no unified European policy has existed.

In reflecting the conservative and orthodox graduations of international intervention, some governments have advocated heavy-handed interventionism while others have called for light-touch approach. This was particularly pronounced in the early post-peace treaty years. Whereas the Americans saw the international engagement in post-war Bosnia mainly as military engagement, Europeans sought to prioritise political and economic reforms.[219] These differences were clearly manifested in the U.S–initiated *'Train and Equip'* program. Born out of the notion of building peace through strength, the U.S provided military training and supplied equipment to the Bosniak-dominated Bosnian army. This created considerable tensions between Europeans and Washington. Washington perceived the program as deterrence strategy integral to its plan to exit Bosnia as soon as possible. It was also crucial for incentivizing the Bosniaks to deport the foreign Mujaheddin fighters who had arrived in the country to fight the Serbs.[220] Member of the European negotiating team at Dayton and the first High Representative Carl Bildt noted that Train and Equip was '*a strange concept when it comes to uniting a nation'*.[221] The opposition of the Europeans to the program did not remain merely at the rhetorical level; Europeans, reportedly refused to give permission for the Bosniak army to train on NATO training grounds, while the Belgian government refused to sell material for NATO-style helmets that were to be made for the Bosnian army.[222] As Bildt notes, 'there *was a deep gulf between European and US perceptions on what peace implementation really meant'*.[223]

Beyond the disagreement over '*Train and Equip'*, tensions soon emerged between American/NATO-led military-dimension of the reconstruction mission and the European/OHR-led process of implementing the civilian aspects of the peace treaty. In the early post-war years the military strand of the mission was successful in carrying out the tasks it was assigned to. At the same time, the civilian implementation, led by the OHR, achieved little due to lack resources. This led to publicly voiced critique by

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[219] Carl Bildt *Peace Journey: the struggle for peace in Bosnia.* (London: Weidenfeld, 1998), 109, 131
[220] Ibid, 117
[221] Ibid.
[222] 'Denial in Bosnia' *The Oregonian.* 28 November 1997. Accessed through Nexis UK, 4 February 2010.
[223] Peace Journey, 118

NATO officials of the OHR. A NATO commander, for instance, lamented in 1997 that the OHR had failed to create real peace, despite the fact that *'we gave'* them *'the time and space to carry out the Dayton agreement...nothing has been accomplished'*.[224] Such comments were bitterly resented by the European civilian reconstruction team whose efforts were seen to be undermined by US officials. According to Bildt, the US took over fully equipped UN facilities while barring the Europeans from such convenience: the OHR was forced to beg for properties and telephone connections when setting up its offices.[225] The work of the OHR was also undermined by substantial gap in funding. Although these tensions gradually gave away to increased cooperation between the military and civilian reconstruction efforts, they are nevertheless telling of the continuing disagreements on whether Bosnia could be solved by force, pressure and intervention or by mediation and 'soft-touch' policy.[226]

If the beginning of peacebuilding and statebuilding processes in Bosnia were underpinned by the tensions between the conservative and orthodox conceptualisations of post-conflict engagement, such differences have resurfaced in relation to specific statebuilding reforms. In this regard it is useful to return to the aforementioned Constitutional reform as it provides a compelling example of different statebuilding strategies adopted by Americans and Europeans. Bosnia's constitution is based on the DPA: it divided the country into two, self-governing entities, with joint institutions possessing limited powers at the state level. While the Serb-run entity, the RS is relatively centralised, the Muslim-Croat-dominated Federation is composed of ten cantons with complex power-sharing provisions ensuring the representation of the minority Croats. Similar rules apply to the joint, state level institutions occupied by the three constituent groups. The absolute sanctity of the DPA underwrote the international policies until the end of 1990s; the consociational guarantees of equal representation were seen to provide the framework that held the fragile peace together. Peace, indeed, was feeble at the time; not only were the Croats and Bosniaks unable to agree upon many issues the Federation, the RS regarded the DPA with deep hostility. It was due to the significant international military presence that large scale acts of collective violence

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[224] 'For Bosnia, peace is coming up empty-handed' *The New York Times*. 18 May 1997. Accessed through Nexis UK., 3 February 2010.

[225] Peace Journey, 173-174, 'Bildt accuses US of undermining Bosnia reconstruction' *The Independent* 10 January 1996. Accessed through Nexis UK, 7 February 2010.

[226] Interviewees 20, 22, 29, 37.

were avoided. However, following a power struggle in the RS, where the Western-backed Biljana Plavsić defeated Radovan Karadžić as the prime minister of the RS, the Bosnian Serb perceptions of the DPA began to change. As a result, Bosnian Serbs became the primary supporters of the DPA: it had, after all, given them an entity of their own.[227]

While still in the late 1990s most international statebuilders' statements and policy documents repeated the mantra of implementing rather than changing the DPA, from early 2000s the notion that the DPA can be amended through local negotiation has gained ground. Arguing that *'Dayton is the floor, not the ceiling',* many international actors involved in Bosnia began to regard the Constitution as a problem that needed fixing.[228] This is reflected in the often-repeated caveat that the DPA is a successful peace agreement as it brought an end to large scale violence, but is unworkable as Constitution.[229] Holbrooke, one of the key architects of the DPA, noted in 2003 that Dayton should be taken as a framework; *'it is not a perfect document and there are many ways it can be improved. I fully support this and I believe that we should go on'.*[230] Not only is the DPA seen as a structure that enables the blocking of decision-making but the decentralisation of governance has meant that there is no single interlocutor at the state level that could deal with the EU.[231] The Dayton Constitution is thus seen as a major stumbling block in Bosnia's route to Brussels. However, the idea of

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[227] Although the Bosnian Constitutional Court decreed in 2000 that both entities were to be multi-ethnic and the RS has formally ceased to a Serb entity, it continues to be Serb-dominated entity in practice.
[228] 'UN envoy for Bosnia urges changes to Dayton peace accords'. *Agence France Presse*. 27 February 2002. Accessed through Nexis UK, 2 March 2010; Wolgang Petritsch 'Speech by the High Representative, Wolfgang Petritsch at International Conference "Developing New Policies of International Support-Lessons (not) Learned in BiH" - Peace and Security - institutional development and the rule of law' 9 February 2002. Available at: http://www.ohr.int/ohr-dept/presso/presssp/default.asp?content_id=6881.(accessed 4 March 2010); Paddy Ashdown, ' Remarks by the High Representative, Paddy Ashdown at a Roundtable on the 10th Anniversary of Dayton: "Small Steps or Giant Leaps"' 7 November 2005. Available at: http://www.ohr.int/print/?content_id=35862 (accessed 3 March 2010); Traynor, I (2005)'Revealed: US plans for Bosnian constitution' The Guardian 10 November. Available at: http://www.guardian.co.uk/world/2005/nov/10/warcrimes.iantraynor (accessed 3 March 2010).
[229] See for instance, Sofía Sebastián 'Leaving Dayton Behind: Constitutional Reform in Bosnia and Herzegovina' FRIDE Working paper 46 2007 http://www.fride.org/descarga/WP46_Dayton_Bosnia_Herzegovina_EN_nov07.pdf (accessed 12 January 2012), Timothy Donais 'The political economy of stalemate: organised crime, corruption and economic deformation in post-Dayton Bosnia' *Conflict, Security and Development*. 3 no.3 (2003), Gearoid O Tuathail et al 'Bosnia-Herzegovina Ten Years after Dayton: Constitutional Change and Public Opinion' *Eurasian Geography and Economics*. 47 no.1 (2006)
[230] 'Bosnia's peace broker Holbrooke says Dayton Agreement only framework for future'. *BBC*. 1 October 2003. Accessed through Nexis UK 6 March 2010.
[231] Interviewee 24

amending the Constitution has resulted in considerable disagreement and conflicting messages from the international actors. Although there is a general consensus among the international statebuilders that any amendments to the DPA should not be imposed externally, considerable pressure has been exerted on local political actors to negotiate the reform. This has been the modus operandi of US officials in particular. While Washington is by no means the only government using pressure and imposition as statebuilding strategy, it has taken an interventionist approach in an attempt to force through a reform. In the case of the 2006 Constitutional Reform negotiations, for instance, American officials tended to impose solutions and set the agendas rather than relying on negotiation.[232] The EU position in the talks was unclear; while it gave some support to US-led initiative, the Europeans expressed concern over the heavy-handed US approach.[233] Despite considerable arm-twisting the 2006 constitutional reform package failed; other similar processes have followed with equal results. Brussels has since announced that constitutional reform may be necessary but *not* a precondition for Bosnia's EU membership.[234]

The Euro-American differences over the question of revising Dayton reflect the wider trans-Atlantic dynamics evident in the reconstruction of Bosnia: namely, that of differences over methodology (interventionism vs light touch) rather than the overall agenda itself. The European approach is premised on the EU accession process as the driver of statebuilding in Bosnia which is a voluntary, rather than imposed, process and follows the template of transitions carried out in the Eastern Europe.[235] In Washington such an approach is seen as profoundly unproductive. This was illustrated in 2009 when following a joint visit to Bosnia the US Vice President Joe Biden and the EU's foreign policy chief Javier Solana gave contradictory estimates of the political situation in the country. Whereas Solana saw the country moving to the right direction in that less direct international intervention was needed, Biden told Bosnian MPs that the current situation

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[232] Sebastian, Leaving Dayton Behind, 7
[233] Ibid, 5
[234] Florian Bieber 'Constitutional reform in Bosnia and Herzegovina: preparing for EU accession' European Policy Center, Policy Brief April 2010. http://konigbaudouinstiftung.org/uploadedFiles/KBS-FRB/Files/Verslag/EPC-POLICY%20BRIEF-04-2010.pdf . (accessed 14 February 2011). It is notable that Russia has defended the inviolability of the DPA and argued that changes would be legitimate only if negotiated by the local actors without external pressures ('Russian envoy urges dialogue in Bosnia, slams use of Bonn Powers' *BBC*. 27 January 2010. Accessed through Nexis UK 3 February 2010)
[235] Bassuener and Weber, Balkan Tango, 20

in the country was dire as little progress had been achieved.[236] Not only have such differences in outlook and policy made it coordinating international efforts difficult but it has also provided opportunities for local agents of statebuilding to draw on one of the various international approaches in order to justify their own statebuilding agendas.[237] They have also added to local perception of international policy as incoherent and contradictory.[238]

The role of the OHR

Another divisive issue has been the role of the OHR. What began as a body with little American support, evolved via the 1997 Bonn meeting into an organisation with considerable authority as it could force through statebuilding measures. [239] During the peace negotiations European negotiators demanded the establishment of a civilian peace implementation body; while the US diplomats rejected outright calls for the UN leadership,[240] they agreed to a body that would coordinate the civilian post-conflict efforts.[241] Annex 10 of the peace agreement stipulated that the High Representative was to '*facilitate the Parties' own efforts and to mobilize and, as appropriate, coordinate the activities of the organizations and agencies involved in the civilian aspects of the peace settlement'*.[242] Crucially, it also gave the High Representative '*the final authority to interpret'* the civilian aspects of the agreement.[243] As noted earlier, the mandate of the OHR was extended in 1997 by granting it executive powers. However, as the use of Bonn powers became increasingly contested among the key international actors following the police reform, the PIC set a deadline for closing the OHR in July 2007. [244] Yet, meeting in June 2007, the PIC Steering Board expressed '*grave concern'* over the '*deteriorating political atmosphere'* resulting from inflammatory exchanges between Serb and Bosniak politicians and lack of progress in carrying out statebuilding

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[236] Kurt Bassuener 'Biden's Visit to Bosnia' *Dnevni Avaz* 23 May 2009. Translated by the article's author.
[237] Sebastian, Leaving Dayton Behind?, 13
[238] Interviewees 8, 9,17, 25
[239] Bildt, Peace Journey, 108-109
[240] This reflected the profound unpopularity of the UN in the US Congress.
[241] Bildt, Peace Journey, 109
[242] Annex 10, available at: http://www.ohr.int/dpa/default.asp?content_id=366
[243] Ibid, art.5
[244] International Crisis Group report no.180 February 2007

reforms.[245] It decided to postpone the closure of the OHR until 2009. A year later, the PIC abandoned the 2009 deadline altogether and set a number of conditions that the needed to be fulfilled for the OHR to close. [246] This was due to continued local attempts '*to progressively weaken the institutions and the legitimacy of the state*'. [247]

The role of the OHR has become a bone of contention among the international actors. Russia has emerged as the harshest critic of the organization. Moscow has regularly voiced concerns over the interventionism of the OHR and sided publicly with the RS in times of confrontation between Banja Luka and the OHR. For example, during the police reform process the Russian Ambassador to Bosnia publicly supported the RS by releasing a statement that highlighted the Serb concerns over the police reform and declared that the High Representative had no powers to impose changes to the policing structure.[248] Russia also refused to sign a joint PIC communiqué on the issue. During the police reform process anti-international community protesters in Banja Luka brandished pictures of Putin as the defender of Serb rights.[249] More recently, Russia has called for the closure of the OHR. In 2007 when the OHR's mandate was extended, Russia argued that the activities regarded as nationalism represent legitimate protection of Serb interests. The Russian Ambassador to Bosnia noted that the situation in the country has become stable enough for the OHR to terminate its presence. Clear evidence of this, according to Russians, was the establishment of new governmental bodies at the state level.[250] Couched in the language of orthodox peace, Russia has frequently argued that local stakeholders should '*take the country's destiny into their own hands*'.[251] The continued and heavy-handed intervention by the OHR, according to Moscow, has became an impediment rather than the engine for progress as the OHR has regularly interfered in the work of democratically elected bodies and enabled the

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[245] Peace Implementation Council, 'Declaration by the Steering Board of the Peace Implementation Council' 19 June 2007. Available at: http://www.ohr.int/pic/default.asp?content_id=39997. Accessed 20 June 2010.

[246] The so-called 5+2 conditions are discussed further in Chapter 7.

[247] Peace Implementation Council, 'Declaration by the Steering Board of the Peace Implementation Council' 27 February 2008. Available at: http://www.ohr.int/pic/default.asp?content_id=41352 Accessed 20 June 2010.

[248] OHR BiH Media Round-Up, 24 December 2004. Available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=33851 (accessed 23 January 2009)

[249] 'Ethnic divisions threaten Bosnia again as Prime Minister quits over 'interference' *The Independent*. 2 November 2007. Accessed through Nexis UK 23 January 2009 2 February 2010.

[250] 'Bosnia: Ambassador says Russia against extending OHR's mandate' *BBC*. 25 January 2007. Accessed through Nexis UK 2 February 2010.

[251] Ibid.

situation where local negotiations have become unnecessary.[252] This line of critique has continued through to the late 2000s. In 2009 Bosnian politicians refused to renew the mandates of foreign judges and prosecutors involved in war crimes prosecutions; the OHR used the Bonn powers to force through the decision to keep international judges in the Bosnian judicial system. Russia reacted by accusing the OHR of creating new crises in Bosnia. In echoing the legalist stance taken by the RS to contest the use of Bonn powers, Moscow declared the OHRs actions illegal.[253]

While less hostile to the OHR than Moscow, many European governments have also advocated the closure of the OHR.[254] The OHR has performed a dual-role as both the High Representative of the international community and the EU Special Representative (EUSR) since 2002. The initial plan was to gradually replace the OHR with the EUSR, but the continued local contention and blocking of statebuilding reforms has halted the handing-over process. With respect to the closure of the OHR, the Council of Europe's 2005 Venice Commission[255] report on the powers of the High Representative represented a European attempt to speak with one voice. The report acknowledged the progress the OHR had achieved by using its executive authority, but crucially concluded that the Bonn powers could only be used as emergency powers and thus, not as a permanent statebuilding instrument.[256] The Venice Commission noted that while the High Representative's decisions to dismiss elected officials have been predicated on legitimate aims and serious grounds, the High Representative does not represent independent judiciary nor grant right to appeal his decisions. Instead, the report notes,

> '*he pursues a political agenda...it seems unacceptable that decisions directly affecting the rights of individuals taken by a political body*

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[252] 'Russian Ambassador criticizes the role of peace envoy in Bosnia' *BBC*. 31 December 2009. Accessed through Nexis UK 2 March 2010. In personal interviews (24, 31, 32) with the author European diplomats agreed with the Russian assessment of the OHR

[253] Thomas Valasek ' Is Russia a partner to the EU in Bosnia' *Centre for European Reform Policy Brief* March 2009, http://www.cer.org.uk/sites/default/files/publications/attachments/pdf/2011/pb_tv_bosnia_19march09-765.pdf (accessed 13 January 2012)

[254] Exceptions are the UK and the Netherlands have aligned their policies with the US and Turkey and do not advocate the immediate closure of the OHR.

[255] European Commission for Democracy Through the Rule of Law (Venice Commission). The report is available at: http://www.venice.coe.int/docs/2005/CDL-AD(2005)004-e.pdf (accessed 35 October 2011)

[256] Ibid, 21, 24

are not subject to fear hearing or at least the minimum of due process and scrutiny by an independent court'.[257]

The report concludes that although the High Representatives have clearly acted in the best interest of the Bosnian people, the Bonn powers are *'fundamentally incompatible with the democratic character of the state and the sovereignty of BiH'.*[258] Similar sentiments were echoed by an EU delegation representative in Bosnia who noted that whereas '*in the beginning Bosnia was an unborn state, now it needs a different doctor'.*[259] Washington, in turn, regards the closure of the OHR as too risky. American officials fear that closing the OHR might lead into renewal of armed conflict; this is a narrative that is regularly echoed by Bosniaks in order to maintain international engagement in the country (discussed in Chapter 5). Similar view is taken by Turkey. Ankara sees itself as the protector of Muslims in the Balkans: this has translated in the growing Turkish involvement in the region. In an attempt to promote the interests of the Bosniak population, Turkey has demanded the continued involvement of the OHR in Bosnia's affairs. Both the US and Turkey see the EU as weak actor in Bosnia and thus prefer to extend the OHR's mandate.[260]

Fault Lines within the International Statebuilding Mission: Understanding the Conflict and Its Aftermath

As noted above, it is possible to discern the conservative and orthodox graduations among the key international actors when it comes to methods of statebuilding. Another, related fault line lies in the diverging perceptions of the Bosnian War, local victimhood and guilt. The central idea here is that the key international actors, with specific focus on the US and the Europeans, held diverging understandings of the nature of the war in Bosnia and the local warring parties. This led to different views on what was possible, and indeed desirable, course of action during the conflict. These different accounts have at least partly carried over to the post-war phase. Although post-conflict statebuilding is

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[257] Ibid, p.23, section 96
[258] Ibid, p.22, section 90
[259] Interviewee 24
[260] 'Turkey, US take on EU for Bosnia'. *Hurriyet* (English edition). 6 July 2009. Available at http://www.hurriyet.com.tr/english/domestic/12009542.asp?scr=1 (accessed 12 November 2011)

essentially a stability-prioritizing practice and the role of perceptions and moral considerations should not be exaggerated, it is nonetheless an element that ought to be considered in thinking fault lines within the 'international'.

While the violent unravelling of Yugoslavia gained momentum in Croatia in 1991, growing calls for Bosnian independence translated into an independence referendum in Bosnia. For Bosnian Serbs, opposing independence from Serb-dominated Yugoslavia, this was tantamount to a declaration of war. When Muslims and Croats in Bosnia voted for independence, Serbian nationalists launched a military campaign against non-Serbs in Bosnia that quickly escalated into a full-blown war. The seemingly wanton nature of the violence that followed in the periphery of Europe – often depicted as the worst of its kind since the horrors perpetrated by the Nazis – necessitated simple explanations. This became what Hansen calls the 'Balkan' narrative of the conflict. [261] The Balkan discourse was grounded in the notion ancient, ethnic hatred, thus essentialising identities and ethnifying the conflict.[262] This discourse depicted the Balkans as an inherently violent place where century-long feuds between different ethnic and religious groups regularly boiled over into armed conflicts. Not only did it render international intervention futile in that there was little outsiders could do to alter the deep-seated, conflictual identities, but it also entailed an understanding of the conflict as a civil war with equally guilty parties. This understanding of Bosnia stood in marked contrast to what Hansen labels the 'genocide' discourse.[263] It represented Bosnia as a tolerant, multi-cultural society that fell prey to virulent Serb nationalism and the genocidal policies of Bosnian Serb extremists supported by Belgrade. This implied that international aggression against Bosnia, rather than civil war, was a more accurate description of the conflict. Although policy-makers were careful not to utter the word 'genocide' due to the obligations associated with it, those espousing the narrative called for international action on moral grounds. [264]

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[261] Lene Hansen *Security as Practice:Discourse Analysis and the Bosnian War.* (New York: Routledge, 2006), 85

[262] David Campbell *National deconstruction : violence, identity, and justice in Bosnia.* (Minneapolis: University of Minneapolis Press, 1998)

[263] Hansen, Security as Practice, 98

[264] Ibid, Gearoid O Tuathail 'Theorizing Practical Geopolitical Reasoning: the Case of the United States' Response to the War in Bosnia' *Political Geography* 21 no.5 (2002)

How did the primary agents of the post-conflict reconstruction project interpret the conflict? [265] The US policy on Bosnia at the outset of the war was largely dictated by the logic of interests; given that it had no direct interests in the country, Washington was keen to 'Europeanise' the problem.[266] The nascent European Community would take the responsibility for resolving the Balkan problem. However, as the Europeans proved unable to bring an end to the conflict despite a number of negotiation rounds and as the war became a '*global media event*', Washington was compelled to take more active part in the international response to the conflict. [267] In the course of the war – and as a result of highly polarised debates in the US political establishment - the US understanding of the conflict shifted from the Balkan discourse to the genocide narrative.[268] This change in the US interpretation of the conflict coincided with the Democrats taking over the White House, but also stemmed from televised massacres of Bosnian civilians by Serb forces.[269] In a shift towards the genocide discourse, the events unfolding in Bosnia were reconceptualised as Serb aggression. This understanding of the conflict had implications on the ground. The British commander of the UN peacekeeping forces during the war, General Michael Rose, saw the US engagement as heavily biased. He notes that when debates were conducted between international diplomats over using military force to bring an end to the conflict, Washington was seeking to use any opportunity to bomb the Serb positions and felt reluctant to engage in any military action against the Bosnian Muslim Army even if it was breaching UN-brokered ceasefires.[270] The genocide discourse continued to inform the US stance at the peace negotiations. In a telling remark on the perceptions of victims and perpetrators, the US negotiator at Dayton, Richard Holbrooke noted that '*the key voice'* in the negotiations had to be given to *'the primary victims of the war',* the Bosnian Muslims.[271]

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[265] It is important to highlight here again that categories, such as the US, the EU or Russia, are not monoliths and rival policies and perceptions are present in each. Given the space restrictions, the analysis here focuses on the perceptions reflected in the actual policies.

[266] O Tuathail, Theorizing Practical Geopolitical Reasoning, 603

[267] Ibid, 616

[268] Ibid, 615. See Tuathail for a more detailed discussion on how this shift occurred.

[269] Ibid.

[270] Michael Rose *Fighting for Peace: Lessons from Bosnia* (London: Warner, 1999), 82

[271] Richard Holbrooke *To end a war*. (New York: Modern Library, 1999), 96-97. Relatedly, a member of the European negotiation team in Dayton noted that the US focused on the pursuit of justice at the expense of reconciliation; '*the message was that there was no reconciliation without justice and of course the Bosniaks who were in the sense theirclients were very keen on the justice bit..'* (Interviewee 21)

While different understandings of the conflict were evident in Europe,[272] Western European countries (that the European Community was comprised of) by and large grounded their response in the Balkan interpretation which framed the war in terms of ancient hatreds.[273] Although Serbs became to be seen as the main perpetrators of violence in Bosnia, blame was assigned to the other two parties, Bosnian Muslims and Croats, too. Corollary to this view was the notion that the international community could not remain in Bosnia indefinitely and thus the warring parties had the responsibility to stop the fighting. While this meant that European troops would not intervene in order to put an end to the violence or interfere any way other way, peacekeeping troops would be deployed in order to alleviate the humanitarian crisis and suffering of the victims. [274]

These Euro-American differences in understanding the war were reflected in policy. The most prominent example was the American opposition to the European-drafted Vance-Owen peace plan. The plan that envisioned the *de facto* partitioning the country was dismissed by Clinton as overtly pro-Serb blueprint that effectively legitimised the ethnic cleansing. Clinton suggested, in turn, a 'lift and strike' strategy that would lift the arms embargo thus allowing the Bosnian Muslims to arm and using NATO air strikes against Serb positions.[275] The Europeans objected as 'lift and strike' would have been tantamount to escalating the war which was diametrically opposed to the efforts of the Europeans.[276] Further tensions were created by the US encouragement of the Bosnian forces to fight for more land as the rest of the international community regarded the cessation of hostilities the most urgent policy objective.[277] Given that Washington was unwilling to provide ground troops, Clinton's strategy of maximizing Bosnian Muslim negotiation positions through successes in the battlefield was eventually triumphed by the European quest for an immediate cease fire. While the Europeans realised that settlement might be unfavourable to Muslims in Bosnia, the realities of the situation

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[272] This is particularly when it comes to political decision-makers and media. Shiraev and Terrio show that for instance in the UK, much of the media adopted the genocide discourse while both the Labour opposition and the Conservative government relied on the Balkans narrative.
[273] Hansen, Security as Practice, 124
[274] Ibid, 125
[275] Warren Bass 'The Triage of Dayton' *Foreign Affairs* 77 no.5 (1998)
[276] Mike Bowker 'The Wars in Yugoslavia: Russia and the International Community'. *Europe-Asia Studies 50* no.7 (1998),1250
[277] Ibid.

were seen to take priority over notions of justice.[278] In many ways then the main differences between the US and European approaches to the conflict centred on whether the conflict should – and could – be resolved by foreign military action or whether the international community should remain impartial interlocutor and mediator between the parties.

Euro-American differences in the interpretations of the conflict have partially carried over to the post-conflict phase and given rise to different policy prescriptions. Many officials representing European governments appear to continue interpreting the post-conflict process through a narrative similar to the Balkans discourse.[279] A European diplomat for instance argued that '*nobody has all the guilt on his side, there is always two to tango. We have to see it from the outside and not interfere.*'[280] As during the conflict, European states contributing to the reconstruction of Bosnia tend to use ambiguous language when referring to the conflict, thus avoiding the allocation of blame directly to a national group. Although the primordial 'ancient hatreds' narratives are now rarely articulated in public, ideas such '*the Yugoslav mentality*'[281] or '*Bosnians' inability to let go of the past*'[282] have emerged to account for the pathologies of the statebuilding process.[283] Historical continuities, rather than the international intervention itself, account for the stalling process. In the words of the High Representative Inzko, the '*dependency syndrome*' of Bosnians - that is, the reliance on external authority to govern - dates back to the Ottoman days.[284] Such statements serve to naturalise the troublesome post-war process and frame it in the context of the country's past. As Carlos Westendorp, the second High Representative noted, the tendencies to live separately in Bosnia are '*natural*'.[285] The American policy in post-conflict Bosnia reflects the genocide narrative in that it has taken a strong stance against the RS, seen as

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[278] Ibid,1250-1251
[279] Exceptions do, of course, occur (for instance the British High Representative Paddy Ashdown who stressed the multicultural and tolerant past of Bosnia)
[280] Interviewee 32
[281] Interviewees 11 and 22
[282] Schwartz, S 'Biden in the Balkans'. 2 June 2009. The article appeared in The Weekly Standard *(Washington, DC) 29 May 2009.* Accessed through: http://www.bosnia.org.uk/news/news_body.cfm?newsid=2596 (accessed 6 November 2011)
[283] In another example an EU official suggested that '*culture of compromise is alien to Bosnia*' (interview 10).
[284] 'Old Troubles Threaten Again in Bosnia' *The Washington Post*. 23 August 2009. Accessed through Nexis UK 3 February 2010.
[285] 'New Bosnia mediator gives himself two years for "irreversible" peace' *Agence France Presse*.' 2June 1997. Accessed through Nexis UK 4 May 2010.

the perpetrators. Although the US approach to post-conflict Bosnia immediately after the war was premised on ensuring security by dividing the key antagonists of the war into separate entities, it has tacitly supported the political prerogatives of the Bosniaks. Particularly the early years witnessed a hard-line US policy on the RS. While nationalist parties from all different constituent groups were part of the political system, Washington singled out those from the RS (who did not cooperate with the Hague Tribunal) and refused to establish contact with them or RS governments that contained nationalist parties. Although the initial US stance has become gradually less dogmatic, it still regards the RS as the primary obstacle to peace in Bosnia.[286]

Although these diverging understandings of the conflict, its victims and perpetrators are unlikely to be the sole determinants of different governments' policies on post-conflict Bosnia, it is likely that moral considerations have informed the statebuilding measures and policies promoted by different states. A reoccurring example in this regard has been the international efforts to alter the scope of the Bosnian state. As noted elsewhere, the DPA created a decentralized system of governance with weak central state: this was done in order to alleviate fears of majority domination. Yet, by far the most contentious international statebuilding policy has been to strengthen the central level state. Both the US and European officials see it as crucial for the post-conflict process. What is interesting is that in many ways this shared objective appears to be underwritten by different rationales. Support for centralized Bosnian state by the US reflects the particular understanding of the war, the victims, the perpetrators and consequently, of post-war justice. Bosniaks as the primary victims of the conflict are entitled to strong central state that they could in effect govern. In making a case for extended US presence in the country and for more intensive capacity-building measures, President Clinton[287] noted that '*we will never be able to forget the mass graves, the women and young girls victimized by systematic campaign of rape, skeletal prisoners locked behind barbed-wire fences'.*[288] '*The political agenda against the RS'*, as a Western official explained, is based on a moral stance; '*many people have felt ever since the conflict that the existence of the RS was only a necessity for Dayton and something that had to be still addressed*

[286] 'US vice-president's visit seen as start of US "political offensive" in Bosnia' *BBC*. 8 May 2009. Accessed through Nexis UK 6 February 2010.

[287] 'Clinton Says Troops to Stay in Bosnia – Wrong Earlier Deadline'. *Associated Press*. 18 December 1997. Accessed through Nexis UK 3 March 2010.

[288] He was referring to Bosniak prisoners in Serb-run camps filmed by a British TV crew in 1992

and that seems to be more than anything else driving the agenda'.[289] Centralisation is, thus, at least partly seen as an end in itself; a compensation for suffering during the war.

For the majority of the European states, on the other hand, the support for centralization is more pragmatic. Consolidation of the state-level institutions is seen as a step in the process of EU-memberstate-building. Brussels is less concerned with the degree of centralisation, or indeed the actual form of governance, than with efficiency.[290] Centralisation then is regarded as a means to an end, rather than the end itself. While it would be simplistic to see moral judgements of the conflict as the key driver of states' involvement in post-conflict Bosnia, these different perceptions are nonetheless important in explaining some of the tensions and disagreements between international statebuilding actors. They also divert attention to fact that international actors engaged in post-conflict states may not be impartial interlocutors but hold specific ideas about victims, perpetrators and post-conflict justice.

Conclusion

The order of the post-Cold War world was defined through the Bosnian war.[291] Germany for the first time took part in a NATO operation and the UN engaged in an unprecedented humanitarian operation. Furthermore, Russia participated in the efforts to find a resolution to the violent dismemberment of Yugoslavia and also took part in the post-1995 reconstruction of Bosnia based on Western assumptions of statehood and politico-economic organisation. Yet, tensions between the international actors in the post-bipolar world became quickly evident. As this Chapter has demonstrated, the NATO enlargement process and its presence in Bosnia, coupled with the interventionism of the OHR, have alienated Russia. In terms of the Western governments, different conceptualisations of the statebuilding project – less in terms of its fundamental tenets then its actual practices on the ground – have been apparent from the outset. While the war-time US policy advocated the ending of the war through military solutions, the robust and interventionist approach has continued to the post-war

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[289] Interviewee 22. Similar theme emerged in interviews 31 and 32.
[290] Interviewee 24
[291] Woodward, Balkan Tragedy, 2; Chandler, Bosnia: Faking Democracy, 193.

phase, albeit using primarily political rather than military clout. Europeans on the other hand, as during the conflict, largely favour negotiation over imposition, but remain divided. These differences in the methodology of peacemaking in the Balkans have rendered international policy in Bosnia disjointed.[292] The account of multiple international statebuilding projects and practices developed in this Chapter has problematized notions of international statebuilding as a single, coherent project. Crucially, it has implied that post-conflict statebuilding is not hybridized solely by local agents but also by the co-existence of different statebuilding agendas and practices among the international actors.

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[292] For further discussion see International Crisis Group Briefing 59 2011
(http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/B059-bosnia-europes time-to-act.aspx)
 and (slightly older, but insightful) Report 180 15 February 2007.

Chapter 4
The Institutional Domain

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Following the prioritization of statebuilding over peacebuilding, institution-building has become the key concept in the lexicon of international post-conflict interventions. It is through institutional infrastructure that states can more effectively fulfill their Weberian functions of collecting taxes and establishing a monopoly on violence. Some suggest that institutions are also crucial for the management of the destabilizing effects of political and economic liberalization of post-conflict states.[293] Bosnia is no exception to the prioritization of institution-building in the post-conflict process. With the help of the Bonn powers, the OHR has strengthened the institutional capacity of the Bosnian state by constructing a host of new institutions not sanctioned by the DPA.[294] While building the institutional domain has been the primary objective of the international statebuilding actors, this Chapter shows how the institutions and processes of governance are deployed by local agencies to contest the process. Local actors seeking to challenge or shape international statebuilding measures have used the joint institutions and the municipal level administrative structures. The repertoire of bureaucratic contention has entailed practices ranging from boycotts and refusals to cooperate to blocking of decision-making and administrative measures to impede international statebuilding policies. The central aim of these practices is to mediate the statebuilding process through disrupting, destabilizing or slowing down aspects of international statebuilding. What might be called 'routine' politics have in many ways then become harnessed for the purposes of contesting the statebuilding process. An investigation into the institutional domain does not only enable us to understand how local agency operates via structures of governance and administration, but it also tells us a great deal about what is understood by international agents to be appropriate and legitimate local political activity in post-conflict spaces.

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[293] Paris, At War's End

[294] To name a few; joint defense and intelligence structures, State Investigation and Protection Agency (SIPA) , State-level court and joint VAT structures.

The chapter is organized as follows. It begins with a brief overview of the local state formation processes and agendas. This highlights the variety of motivations behind local contentious practices. While many Bosniaks challenge the international statebuilding as half-hearted and ineffective, Serbs see it as oppressive and biased. The analysis then moves onto discussing different modalities of contention in state level institutions, touching upon some of the main contentious practices such as boycotts and walk-outs and key events such as the defense and police reforms. The final part of the chapter focuses on contentious practices in the entity and cantonal level institutions.

Local Statebuilding Agendas

The previous chapter argued that international statebuilding actors in Bosnia advance and promote different statebuilding trajectories, rather than formulating their policies on the basis of a single and coherent blueprint for the country's post-conflict development. Less surprising is the existence of competing and contradictory statebuilding agendas in the local realm. It was, in fact, the fundamentally different understandings of Bosnian statehood that led to the conflict. It is no exaggeration to say that such disputes have continued to today as the DPA did little to resolve these underlying root causes of conflict. Local acts of contention are intimately linked to local state formation processes and agendas. The inhabitants of Bosnia have been linked to three *'potential nations'*, Bosniaks, Serbs and Croats.[295] The first two nations have sought to associate themselves with their respective kin states Croatia and Serbia, while the identity of the Muslim community has developed through *'religious affiliation and territorial dimension'* pertaining to Bosnia and Herzegovina.[296]

Prior to the emergence of competing statebuilding and nationbuilding agendas, Bosnian society under the Ottoman Empire was ordered around communal identities rather than

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[295] Guy Robinson and Alma Pobric 'Nationalism and Identity in Post-Dayton Accords: Bosnia-Hercegovina'. *Tijdschrift voor Economische en Sociale Geografie, 97* no.3 (2006), 238. In addition to the three constituent groups a number of minorities exist in Bosnia such as Jews and Roma. The fact that the DPA is premised explicitly on the three national groups represents a serious breach of other minorities' political rights.
[296] Ibdi.

overarching citizenship. The *Millet* system of governance through which the Ottomans ruled conquered territories was based on the classification of subjects on the basis of their religious affiliation and on extensive autonomy of each religious group rather than coerced assimilation. This gave religious leaders considerable authority as they became the political representatives of their respective groups. Crucially, it also granted religion the central role in the process of identity-creation.[297] It is from the late nineteenth century onwards that the different and at times contradictory statebuilding and nationbuilding projects have sought to foreground their views on Bosnian statehood. Before discussing the local visions of Bosnian statehood further, some caveats are in order. The intention is not to suggest that the three statebuilding projects examined in the course of this study represent their respective communities as a whole; some Bosniaks, Croats and Serbs reject the agendas promoted by certain elected leaders, journalists or intellectuals. Nonetheless, the fact that many local actors engaging in contentious activities are elected officials grants the local statebuilding practices at least some sense of representation and legitimacy. These statebuilding agendas are promoted through informal networks of actors – politicians, journalists, academics, activists, representatives of the military and religious organisations – who converge around an understanding of Bosnia's past, present and future. The statebuilding agendas in question are neither static nor free from internal disagreements. Contests between 'moderate' and 'radical' forces within the statebuilding projects take frequently place and therefore their respective statebuilding agendas shift in accordance with the internal balance of power.

Building Centralised Bosnia: the Bosniak Statebuilding Agenda

While the Serb and Croat statebuilding projects have historical continuity, the concept 'Bosniak' (*Bosnjak)* is a recent construct. It was only during the dissolution of the Yugoslav state that the term became to denote Bosnian Muslims. Within the Yugoslav federal system, the Bosnian Muslims were recognised as a national group as late as 1961; however, by 1980s they had become the largest national group in the republic. [298]

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[297] Roland Kostic *Ambivalent Peace: External Nation-building, Threatened Identity and Reconciliation in Bosnia-Herzegovina.*, PhD dissertation, Uppsala University, 2007, 138
[298] Robinson and Pobric, Nationalism and Identity in post-Dayton Accords, 241

Many in the Muslim community began increasingly to regard Bosnia as their national territory, given that both Bosnian Croats and Serbs had their external homelands beyond the borders of Bosnia.[299] Following the war fought over the different visions of Bosnian statehood, the Bosniaks have called for strong, central authority and unitary state of Bosnia that they could, as the numerically largest group, govern. As the first High Representative Carl Bildt suggested, the Bosniak-Croat Federation created in Dayton was regarded – and to some degree still is - by the Bosniaks as an entity of their own.[300] This has been further reinforced by the dominant position of Bosniaks in the institutions of the Federation. Despite the lip service paid to the DPA and the vision of multi-ethnic Bosnia, voices calling for Bosniak-led national state became more vocal soon after the war. While many Bosniaks continued to support multi-ethnic state, the SDA[301] declared in 1997 that it had abandoned the DPA as it was merely reinforcing the division of the country.[302] Mouthpiece of the SDA, Sarajevan newspaper *Dnevni Avaz,* even wrote about tripartite division of the country and establishing a Bosniak state of Muselmania.[303] The SDA engaged in what Brubaker calls '*nationalising*' policies aimed at creating a Bosniak-dominated state. [304] This was particularly evident in the symbolic domain, as will be discussed in Chapter 6; Bosniaks actively fostered Bosniak identity through language politics and re-naming spaces. In the institutional domain the SDA regularly called for far-reaching reforms that would centralize the state. Despite the common goal of strenthening the central state, significant internal disagreement within the Bosniak community has emerged. This is primarily between SDA, on the one hand, prioritizing building Bosnianess on the back of Islamic identity[305] and the statebuilding model of the SBiH-party on the other that foregrounds patriotic identity.[306]

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[299] Friedman 1996 as cited in Kostic, Ambivalent Peace, 66

[300] Bildt, Peace Journey, 249

[301] *Stranka Demokratske Akcije* (Party of Democratic Action). The main Bosniak war-time party.

[302] 'Bosnia-Herzegovina: Muslim Leaders Are Giving Up on Dayton'. *Inter Press Service.* June 9 1997. Accessed via Nexus UK 19 January 2010.

[303] As cited in Bildt, Peace Journey, 338

[304] Rogers Brubaker *Nationalism reframed : nationhood and the national question in the New Europe*. (Cambridge: Cambridge University Press, 1996)

[305] As an official of international organization noted, Bosniaks have began *'to ponder about the Islamic vision of state'* as a result of the international inability to meet the Bosniak demands of further centralization (interview 18).

[306] International Crisis Group Report no.209 2010,9, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/209-federation-of-bosnia-and-herzegovina-a-parallel-crisis.aspx (accessed 3 March 2011)

Notion of victimhood underwrites the political goals of the Bosniaks. Bosniaks view themselves as the primary victims of the previous war and the genocidal politics of Serbia and the Bosnian Serbs. Based on this understanding the Bosniaks regard the existence of the RS as grave injustice: accordingly, the Serb entity *'…cannot survive in its present form because it would represent a monument to the greatest criminals of the last part of the 20th century'*.[307] Many Bosniaks share the view that international actors bear responsibility towards Bosniaks as a result of the international failure to act in the face of genocide. This had led to the perception of the international community as the protector of Bosniak interests and translated into attempts to co-opt the OHR and other international statebuilding agencies by Bosniak actors. The central rationale for contesting the international statebuilding practice has been the perceived international failure to acknowledge the victimisation of Bosniaks during and after the war. For many Bosniaks the perceived international inaction against the Bosnian Serb and Croat flouting of the peace agreement adds an insult to injury. The international community failed Bosniaks during the war by watching by as the state collapsed violently and following the war the international statebuilding officials have shown little political will to build efficient and functioning statehood, the Bosniak statebuilding narrative asserts. It is then the international failure to build a strong, centralised statehood that gives rise to Bosniak contention.

From Critics to Defenders of Dayton: Bosnian Serb Statebuilding Agenda

The Bosnian Serb statebuilding agenda, in turn, is premised on the existence of three different ethnic groups and three religions; for the Serbs the logical conclusion is that a centralized state is simply not feasible.[308] Akin to the Bosniak narrative of victimhood, the Bosnian Serb self-understanding is also based on the notion of suffering and persecution. For the Serbs the only acceptable way to ensure non-violation of Serb rights in Bosnia is to have an autonomous Serb territory. The main feature in this narrative is the genocide perpetrated against the Serbs during the Second World War.

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[307] OHR Media Round-Up 27 November 2001 Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=6437
[308] Interviewee 3

Such discourse continues to play an immensely important role and provides the basis for the Bosnian Serb identity and consequently, for the Bosnian Serb statebuilding agenda. The Bosnian Serb statebuilding agenda is also underwritten by a specific understanding of the country's past: the pre-war Bosnia was marked by mono-ethnic communities where each group lived in relative separation from the other communities. While in cities such as Sarajevo mixed marriages were common, the same was not true in the rural areas.[309] The international vision of multi-ethnic Bosnia is therefore seen as a mere romanticization of the country's past. Any attempts to recreate the alleged heterogeneity of pre-war Bosnia are based on false assumptions, according to many Serbs.[310]

In practice the Bosnian Serb statebuilding vision in the immediate years after the war was to a large degree determined by Belgrade and Karadžić's SDS (Serb Democratic Party). Internal divisions within the Bosnian Serb leadership resulted in split between hard-line nationalist positions in Pale and moderate Bosnian Serbs in Banja Luka. Although the Bosnian Serb community did not accept the DPA in the immediate aftermath of the war, they soon realized the benefits of the agreement, namely the creation of the Serb entity. The creation of the RS represented the first step in the realisation of the Bosnian Serb objective of self-governance. Following the ousting of many of the war-time leaders from power in the late 1990s, the RS began increasingly to co-operate with the OHR. The RS also acknowledged the war-time crimes committed by Bosnian Serbs; this represented a marked departure from the early post-war years when the RS denied any wrong-doing during the conflict. The recent years have, however, witnessed growing tensions between international statebuilders and the RS as Banja Luka has begun claiming back some of the entity-level competencies that have been transferred to the state level through the OHR's fiat. From the Serb perspective the gradual strengthening of the central state is threatening the very existence of the RS and the peace treaty signed in Dayton. The contentious practices deployed by Serb actors have then been mainly guided by the desire to preserve the status quo and the federal structure of the state. The Serb community has remained divided over whether the RS should secede from Bosnia or to merely ensure its autonomous position within the country. The perceived international pro-Bosniak bias and the attempts to consolidate

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[309] Interviewee 18 . See also Tone Bringa *Being Muslim the Bosnian way : identity and community in a central Bosnian village* (Princeton, N.J : Princeton University Press, 1995)
[310] As expressed for instance in interviews 3, 25, 27, 36

the state institutions at the expense of the power held by the entities have contributed to the popular support for the former policy; in 2010 81% of Bosnian Serbs expressed support for joining the RS with Serbia.[311]

Quest for Third Entity: Croat Statebuilding Agenda

The Bosnian Croat views on Bosnian statehood vary geographically between Croats living in multi-ethnic Central Bosnian areas and their counterparts living in more ethnically homogeneous western Herzegovina. While the former has been conditioned by the experience and necessity of living amidst other nationalities, the latter has a more narrow experience of multi-ethnicity.[312] During the war these different Bosnian Croat perspectives were united behind the Croat war-effort, but after the conflict daily political issues such as unemployment, the economy and social conditions have divided the Bosnian Croats. The Croat political scene in Bosnia was controlled by the HDZ BiH until 2006 when a splinter party HDZ 1990 was formed following personal disagreements between leading figures in the party.[313] Although the Bosnian Croat politics continue to be internally divided, Croat parties are united in their call for re-organization of the country in a way that would grant Croats an entity or region to govern.

In this regard a number of different views have emerged from the Croat community. The debate after the war ranged from demands of establishing a third entity to the calls for cantonisation of Bosnia.[314] The Croat statebuilding rhetoric has gradually shifted towards more ambiguous calls for some type of territorial Croat autonomy in Bosnia. This has been mainly articulated in terms of federalization of Bosnia or establishment of

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[311] International Crisis Group Report no.214 2011, 11, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/214-bosnia-what-does-republika-srpska-want.aspx (accessed 12 February 2012)

[312] International Crisis Group Report no.39 1998, 2, http://www.crisisgroup.org/~/media/Files/europe/balkans/bosnia-herzegovina/Bosnia%2018.pdf (accessed 19 January 2010)

[313] International Crisis Group Report no.209, 10

[314] ' Main Bosnian Croat Party Hints at Separate Croat Republic in Bosnia' *HINA/BBC Monitoring Europe*. 30 July 2001, ' Croat Party Proposes Three National Republics in Bosnia'. *ONASA/BBC Monitoring Europe*. 27 September 1999. Both accessed via Nexus UK 2 March 2010.
 'Croat Council Urges Cantonisation of Bosnia'. *FENA/BBC Monitoring Europe*. February 6 2004. Accessed via Nexus UK 17 June 2010

four entities as opposed to the current dual-entity structure. Within such structure the Bosnian Croats envision a Croat-dominated area. Despite the diminishing 'homeland support' from Croatia following Tuđman's death, the quest for a Croat entity has not been entirely buried. Yet, direct confrontation with the international statebuilding efforts, as manifested in the establishment of Croat Inter-Cantonal Council in 2001, has transformed into contention through entity and cantonal level institutions.[315] The locale of Croat contention has thus shifted from the central state to the entity-level. This has been particularly evident in Mostar where Croats have directly challenged international statebuilding efforts through maintaining parallel administrative structures. Alongside the calls for re-organization of the country, the Croat community has also been active in consolidating Croat culture in Bosnia. This has been particularly evident in media and education. The establishment of radio and TV stations broadcasting in Croatian is linked to the very existence of Croats in Bosnia.[316] Providing education in Croatian has played similarly important role in the Croat statebuilding agenda; shared syllabus across the education system and multi-confessional classrooms have been represented as a direct threat to the diminishing post-war Croat community in Bosnia. [317] While Croat political parties have actively promoted such statebuilding agenda, also representatives of the Catholic Church in Bosnia, interests groups and journalists - as the empirical Chapters demonstrate - have lent public support for the Croat statebuilding agenda.

Contention in the State Level Institutions

Having outlined the local statebuilding agendas, the analysis now turns to empirical material in order to discuss the key episodes of contention in the institutional domain. As noted earlier, the institutional domain provides a salient site in which externally-driven statebuilding measures are re-negotiated through disruptive techniques. This reflects one of the many paradoxes of international statebuilding as the very institutions

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[315] International Crisis Group Report no.198 2009, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/198-bosnias-incomplete-transition-between-dayton-and-europe.aspx (accessed 2 March 2010)

[316] 'Croat Party Announces Plan to Improve Position of Croats in Bosnia' *HINA/BBC Monitoring Europe* 26 February 1999 Accessed via Nexus UK 23 March 2010.

[317] According to Bosnian Croat sources, the pre-war Croatian population of 800,000 was reduced to approximately 400,000 after the war. 'New Croat party leader says division of Bosnia must not be allowed' *Onasa/BBC Summary of World Broadcasts* 13 August 1998. Accessed through Nexus UK 13 March 2010.

and processes created by international actors to consolidate Bosnian statehood are systematically used to challenge and alter the process of statebuilding. It is noteworthy that although agents from all three constituent nations engage in contentious practices in an attempt to affect the statebuilding process, Serb and Croat contention is more pronounced and frequent. This is because many Serbs and Croats perceive aspects of the internationally-led statebuilding process as detrimental while the international statebuilding efforts have coincided more closely with the Bosniak aims in that they have sought to strengthen the state. This is particularly true when it comes to the institutional domain. Given that many Bosniaks share the objective of creating a centralised Bosnian state, acts of institutional contention disrupting the functioning of the state have been few and far between. When such actions have occurred, they have mainly served as a protest against the perceived international failure to protect the sanctity of the DPA. In 1999, for instance, Bosniaks suspended cooperation with the OHR Mostar as a protest against the perceived OHR inaction against the Croat violation of the DPA, while in 2002 one of the main Bosniak parties, the SDA, boycotted internationally-led constitutional reform talks as the changes were not far reaching enough and merely served the Serb interests.[318] Institutional modalities of contention have primarily featured in the Serb repertoire and to some degree that of Croat actors.

Boycotts, Walkouts and Non-Cooperation

The governance structures of Bosnia consist of the joint, central level institutions, the entity-level bodies as well as the lower, municipal level administration.[319] The first part of the following discussion focuses on the institutions of the central state. The most common, and certainly the most headline-grapping, contentious practices in post-war Bosnia have entailed boycotts, walk-outs and protests at the joint, central state institutions. Such practices have regularly featured in the Serb contentious repertoire.

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[318] The talks were held in relation to extending the national interest veto-right of the three national groups to both entities. 'Bosnian Muslim officials continue boycott of international body in Mostar'. *BBC*. 30 November 1999. 'Bosnia: Main Muslim party reiterates opposition to constitutional changes' *SRNA/BBC*. 15 April 2002. 'Main Bosniak party sees Serbs gaining most from constitutional accord' *BBC*. 28 March 2002. All accessed through Nexis UK 3 June 2010.

[319] While much of political contestation between the constituent groups takes place at different levels of governance, this study is interested in acts of contention directed towards international statebuilding measures and practices. Majority of such acts occur at the joint and municipal level institutions which are the main focus of the chapter.

Indeed, the deployment of boycotts and other similar methods by Serb actors have a history as long as the international post-conflict intervention itself. While being more symbolic than actually obstructing governance, the Serb boycott of the inaugural session of the Bosnia's new parliament in 1996 entailing swearing allegiance to the state was a profound embarrassment to the international statebuilding actors and showed the local actors opposing the international presence an effective way to undermine and challenge the externally-led statebuilding trajectory. [320] Framed by the Serbs as a boycott based on security concerns and moral principles that would not allow the Serbs to adhere to the declaration read out in the inaugural session, it is also likely that a change in the political opportunity structures played a role in the Serb decision not to take part in the opening ceremony of the parliament. This change in the political environment was the lifting of the economic sanctions against Belgrade that was sponsoring its ethnic kin in the Republika Srpska, the Serb-dominated entity in Bosnia. This meant that the international statebuilders lost much of their leverage over the Serbs in Bosnia. As the then High Representative Carl Bildt acknowledged, there was little that the international actors could do to persuade the reluctant Serbs to attend the symbolically important opening session of the parliament.[321]

In 1997 Bosnian Serb boycotts continued. The Bosnian Serb member of the joint Presidency, Momčilo Krajišnik withdrew from the institution as a protest against an arrest of a Bosnian Serb war crimes indictee and death of another by Western soldiers. More importantly, the explicit Western support for the Serb moderates in Banja Luka against the official Pale-based RS government loyal to Karadžić prompted threats by the Serbs in Pale to boycott elections in September 1997. The Western attempts to marginalise the Serbs in Pale were seen to have led to a '*crisis of the Peace Agreement*' as the international actors were bent on '*wiping out the Republika Srpska*', as the Deputy Prime Minister of the RS noted.[322] The RS concerns were echoed in Moscow; Russia expressed anger over Western interference in the power struggles between Serbs

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[320] 'Boycott blows peace Serbs refuse to sign loyalty oath'. *BBC*. 7 October 1996. Accessed through Nexis UK 5 February 2010.

[321] 'Kornblum hits out at Serb parliament boycott' *Agence France Presse*. 5 October 1996 Accessed through Nexis UK 4 February 2010.

[322] 'Bosnian Serb ruling party to boycott elections' *BBC*, 11 September 1997, 'Bosnian Serb hardliners to call for vote postponement'. *Agence France Presse* 9 September 1997. Both accessed through Nexis UK 4 Feburary 2010.

and distanced itself from what it branded as aggressive Western peacekeeping.[323] At the same time, the main Croat party in Bosnia, HDZ BiH,[324] issued a threat of boycotting local elections. It argued that the election law was flawed and would not guarantee the equal representation of Croats.[325] However, all the above boycotts were called off as the OHR and the OSCE applied considerable pressure on the political patrons of Serbs and Croats in Belgrade and Zagreb respectively.[326] Again, the transnational dynamics of contention in Bosnia were crucial; it is likely that the lack of political support from the external homelands made contentious action against the international statebuilders less appealing. Forms of political coercion in the form of threats of sanctions and isolation deployed by the OHR in the neighbouring capitals had the effect of reducing support for Bosnian Croat and Bosnian Serb contentious practices. The political opportunity structures were thus transforming again, but this time to a more unfavourable direction, which signalled the return to cooperation with the OHR. This is indicative of the importance of the 'transnational' opportunity structures in the early years of the international intervention preceding the introduction of Bonn-powers in December 1997. The early statebuilding dynamics were thus not limited to the local-international axis, but were also conditioned by mobilising structures and support networks in the external kin states. It is largely as a response to the intransigent local contention that the Bonn powers were introduced. It is clear then that interactions between the internal and external statebuilding agendas dramatically altered the roadmap of Bosnia's post-war development.

One of the most serious confrontations between the OHR and Banja Luka came in 1999 when Bosnian Serbs staged a boycott of the joint institutions in response to the dismissal of the RS President by the OHR and the decision on the Brčko district. Nikola Poplašen, regarded as a Serb hard-liner bent on non-cooperation with the international statebuilders, was dismissed from the office after attempting to sideline his moderate

[323] 'Moscow Warns NATO On Bosnia; Pressure on Serbs Termed Excessive'. *The Washington Post*. 12 Septermber 1997. Accessed through Nexis UK 2 April 2010. Another bone of contention between the Western governments and Russia at the time was the use of NATO troops to arrest war criminals. Russia saw this as a breach of the peacekeeping mandate.
[324] Croatian Democratic Union BiH (Hrvatska Demokratska Zajednica Bosne i Herzegovina)
[325] 'Croat enclave boycotting elections' *BBC* 15 September 1997. Accessed through Nexis UK 7 April 2010.
[326] 'Agreement reached on Croat participation in Bosnian elections' *BBC* 13 September 1997, 'Bosnian Serbs end boycott of joint presidency' *Associated Press* 12 September 1997. Both accessed through Nexis UK 7 February 2010.

political rivals in the RS, supported by the OHR. Countering such political games again meant resorting to political coercion administered by the OHR. The RS National Assembly passed a decision declaring categorical refusal to abide by the OHR' decision as Poplašen's dismissal was regarded as unconstitutional.[327] Poplašen himself framed the dismissal as an affront to international legal and democratic norms, to the DPA and to the Constitution of the country. In a letter to the OHR, Poplašen compared himself to the High Representative as a guarantor of peace and stability in the region, committed to the democratic development and prosperity of his people. He noted that *'if peace, stability and economic prosperity in this region are our common goal, then there should be agreements, cooperation and mutual respect and not boycotts, ultimatums and threats'*.[328] Coinciding with the Poplašen crisis, the question of Brčko became topical almost exactly at the same time. The status of the strategically important Brčko was left undecided in the 1995 peace negotiations, as the parties were unable to agree whether the district would lie under the Federation or the RS jurisdiction. In 1999 the Brčko Arbitral Tribunal awarded the district special status which meant that neither the Federation nor the RS has exclusive jurisdiction over the area. The Serbs in particular were disillusioned by the decision as they had cooperated with the OHR in introducing multi-ethnic policing and local administration with the expectation that Brčko would become part of the RS to ensure the territorial contiguity of the entity.[329] Again, the Bosnian Serb lawmakers rejected the Brčko decision and adopted a resolution calling for Serb officials to interrupt their participation in the joint institutions. The Brčko decision was framed as a verdict that in effect '*annulled'* the DPA; the Serb member of the Presidency suggested that the Brčko decision would result '*not only to a division of RS into two separate parts but real danger for the fate of the DPA'*.[330]

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[327] 'Bosnian Serb lawmakers reject international rulings' Associated Press Worldstream 8 March 1999. Accessed through Nexis UK 16 February 2010.

[328] 'President criticizes envoy's 'boundless passion for destruction of Serb Republic'. SRNA/BBC. 8 March 1999. Accessed through Nexis UK. 13 February 2010.

[329] International Crisis Group Report no.62 1999, 4, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/062-republika-srpska-poplasen-brcko-and-kosovo-three-crises-and-out.aspx (accessed 12 January 2011)

[330] 'Foreigners Ruling's Challenged in Bosnia' *The New York Times*. 8 March 1999. Available online at: http://www.nytimes.com/1999/03/08/world/foreigner-s-rulings-challenged-in-Bosnia.html?ref=nikolapoplasen. (accessed 20 April 2010). International Crisis Group Report 62 1999, 6, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/062-republika-srpska poplasen-brcko-and-kosovo-three-crises-and-out.aspx (accessed 20 April 2010)

The Poplašen issue, combined with the decision on the Brčko district, resulted in extensive protests. While officials of the Serb Radical Party, SRS, engaged in a seven-month long boycott of the joint institutions and Poplašen refused to be sacked, anti-international community protests were organised in the Eastern RS. With little public debate in the media (controlled by the political elites) on the two issues, Serb hardliners found it easy to mobilise the people.[331] Factions of the Serb political party machinery – particularly that of the SRS – provided structures for mobilising people to protest against the OHR's measures. In an attempt to cash in on the view shared by many in the Serb community according to which international actors favour Bosniaks, the SRS took advantage of its organisational readiness to organise public meetings and protest rallies, demonstrated by the dominant presence of the SRS flags in such events.[332] Moreover, media controlled by Serb parties was also used to mobilise and organise protests against the international community; for instance in Brčko the Serb-controlled radio urged all Serbs to take part in demonstrations against the Poplašen and Brčko decisions.[333] Protesters in the RS threw stones at international officials and attacked US troops, resulting in the death of a local SRS party activist. Hardliners in the Serb community also planted bombs in the OHR Banja Luka office and at US military office in Bijeljina. Protesters distributed leaflets in Banja Luka urging Serbs to rise against the OHR, and attack *'the occupiers with clubs, stones and petrol bombs'* and ' *to be ready to use automatic weapons'*.[334] The OHR responded by dismissing the authority of the RS National Assembly and Poplašen and by declaring non-cooperation with any RS government containing Poplašen's SRS party. According to the OHR, Poplašen ignored the will of the RS electorate and acted to destabilise the country.

Yet, the OHR needed to tread carefully as international military intervention in Kosovo – where the status of another Serb population was at stake – became likely. Indeed, shortly after the contentious episode in Bosnia, the NATO-led bombing of Kosovo complicated the relationship between the RS and the international statebuilders further. While the bombing created a serious strife between the international statebuilding actors

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[331] International Crisis Group Report no.62, 6-9

[332] Ibid, 6

[333] 'Bosnia: radio urges Serbs to join protest against Brcko arbitration'. *BBC*. 16 March 1999. Accessed through Nexis UK 16 February 2010

[334] Bosnia Serbs call for anti-NATO violence' *Agence France Presse*, 16 March 1999. Accessed through Nexis UK 2 February 2010.

as Moscow condemned the action, it also gave Serb secessionists in the RS basis for demanding redrawing of borders and autonomy from Bosnia. However, the RS remained largely peaceful during the NATO air raids on Kosovo chiefly due to the presence of moderate Prime Minister and ally of the international officials, Milorad Dodik, who secured substantial international aid in exchange for restraint during the Kosovo campaign.[335] Capital, as an international tool to counter contention, thus played an important role in preventing further disquiet in the RS. Alongside the use of capital, coercion also played a role. International SFOR troops held control over the bridges over Drina that linked the RS to the Federal Republic of Yugoslavia; taking control over these through-fares crucial to the RS economy gave the international statebuilders a powerful negotiating tool during the Kosovo intervention.[336]

Blocking Decision-Making Processes: International Judges,
Defence and Police Reforms

If boycotts and protests represent highly visible and vocal expressions of local disquiet, blocking decision-making has proven to be a contentious technique that often compels the OHR into *'cutting deals'* with local agents, as an OHR official put it.[337] The practice of blocking decision-making is enabled by the power-sharing system of governance which grants each national group a veto right over decisions perceived inimical to their respective interests. These routine political processes in Bosnia are essentially used to disrupt the decision-making process and re-negotiate the shape and form of the Bosnian state. A recent example of this was the blocking of the extension of the mandates of foreign judges by Bosnian Serb politicians. International judges were introduced to the Bosnian judicial system with the view of ensuring impartiality and independence of courts. The intention was to gradually displace the foreign members of the judiciary with national staff. The PIC declared in 2009 that the Bosnian authorities had failed to provide the Court and Prosecutor's Office the financial means to recruit national judges and prosecutors to replace their international counterparts and thus international

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[335] International Crisis Group Report no.71 1999, 9
http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/071-republika-srpska-in-the-post-kosovo-era-collateral-damage-and-transformation.aspx (accessed 23 April 2010)
[336] Ibid, 8.
[337] Interviewee 51

members of the judiciary should remain pass their initial deadline.[338] Bosnian Serbs challenged the call for extension of the mandate as unconstitutional and reiterated that all international judges should withdraw from Bosnia.[339] RS officials consequently used the Bosnian Parliament and the entity voting mechanism to block the adoption of the legislation pertaining to the international judiciary. The OHR resorted to the use of Bonn powers and mandates of international judges were extended by three years. Yet, the on-going Constitutional reform negotiations as well as Russian opposition to the extension of the mandate enabled the RS to get concessions. [340] Rather than imposing a fully-fledged extension of the international judges' mandate entailing all judicial aspects, the authority of the international judges was limited only to war crimes.[341] This meant that issues relating to corruption – seen by many as the key obstacle to statebuilding - were beyond the jurisdiction of the international judges. In essence, this deal meant prioritising stability over concerns of corruption and misuse of political office.

One of the most prolonged episodes of blocking decision-making, and as such meriting closer attention, is contention prompted by defence reform. In the two year process, the Serbs blocked the defence reform initiated by the OHR and NATO, a purpose of which was to unite the three separate armies that had existed since the beginning of the war. The rationale behind the reform was articulated by the international statebuilders less in terms of building unified statehood but more in terms of rational, financial calculations. Having three armies in one state was argued to be financially disastrous.[342] NATO membership, framed as impossible with the war-time defence structures, provided an additional carrot. Many Serbs opposed the reform; it was seen as an act of further transferral of competencies to the central, state level, allegedly controlled by Bosniaks. In an act of collaborative contention brokered by the SDS-party, five Serb parties agreed

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[338] OHR, 'Decision Enacting the Law on Amendments to the Law on Prosecutor's Office of Bosnia and Herzegovina. 14 December 2009, http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=479 (accessed 1 July 2010)

[339] 'Bosnian Serb PM Threatens Referendum Over Foreign Judges'. *SRNA/BBC Monitoring Europe*. 14 December 2009. Accessed via Nexis UK 12 June 2011.

[340] 'Russian ambassador criticizes role of peace envoy in Bosnia' *BBC*. 31 December 2009. Accessed through Nexis UK 30 April 2010.

[341] Bassuener and Weber, Balkan Tango, 22

[342] 'Bosnia cannot afford three defence ministries, high representative warns' *BBC*. 31 January 2005. Accessed through Nexis UK 23 October 2010.

to harmonise parliamentary activities in order to block the internationally-led talks.[343] The American Deputy Chairman of the talks, Raffi Gregorian, lamented that since the beginning of the defence reform talks in 2003, the Serbs refused to send a serious delegation to attend the talks, but have instead sent '*observers*' who obstruct any meaningful reforms.[344]

Despite the harmonisation of activities, the Serbs were divided over the issue; while moderate non-nationalist parties were willing to agree on the unification of the three armies, the radical faction led by nationalist parties declared any such action as anti-constitutional. Moderates framed the issue in terms of the changed security situation of the country; the absence of the war-time security threats meant that there was no longer a need for the Bosnian Serb Army. It followed then that the unification of the armies did not represent a threat to the Serb interests.[345] The radical camp was to a large degree mobilised by the SRS and the SDS parties and associations representing former camp inmates and prisoners of war. The discourses deployed to garner support against the defence reform represented the issue through the lens of survival of the RS and the Serb identity; '*…the army of Bosnia-Herzegovina is still partly Serb. However, it will very soon cease to be Serb and Christian; it will become a Bosniak and a Muslim army*', while a member of the Serb Radical Party called defence reform '*the final stage of the annihilation of the Serb Republic*'.[346] As contentious politics scholars have found, the presence of a radical faction within one claim-making group is often beneficial to the group as a whole.[347] In what is coined as a radical flank effect, radical demands often result in the object's support for the moderate demands in an attempt to marginalise the radicals. The presence of radical factions can, therefore, provide legitimacy and strengthen the claims made by the moderates. While the lack of meeting transcripts

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[343] 'Bosnia's NATO path, defence reforms obstructed by Serb entity – official'. *SRNA/BBC*. 12 March 2005. Accessed through Nexis UK 13 July 2010.

[344] 'Gregorian says RS obstructing progress of BiH towards NATO'. *Onasa*. 12 March 2005. Accessed through Nexis UK 12 July 2010.

[345] 'The RS President Cavic's statement in 'Ex-Bosnian Serb prisoners say army merger decision is a classic betrayal' BBC. 31 August 2005. Accessed through Nexis UK 12 July 2010.

[346] 'Bosnian Serb Radical Party, PDP criticize latest defence reform bill'. *BBC*. 19 July 2005. 'Bosnian Serb Radical Party says joint army, command unacceptable to Serbs' *BBC*. 23 July 2005. Accessed through Nexis UK 12 July 2010.

[347] See for instance, McAdam et al, Dynamics of Contention, 185, Devashree Gupta *Radical Flank Effects: The Effect of Radical-Moderate Splits in Regional Nationalist Movements (*paper prepared for the Conference of Europeanists, Chicago, March 2002).
http://falcon.arts.cornell.edu/sgt2/PSCP/documents/RFEgupta.pdf (accessed 23 August 2011),

prevents making definitive claims, it is likely that the presence of radical factions enabled the moderate camp to negotiate concessions. The bill was ultimately forced through by the OHR in 2005 and single defence body was created; yet, crucially the Serbs managed to win major concessions as the NATO dropped the requirement of full co-operation with the Hague war crimes tribunal, which had been the cornerstone of international policy on Bosnia.[348] This signalled a partial relief to the Serb politicians for whom the issue of sending Serb war crime indictees to the Hague had been a matter of extreme political sensitivity.

However, what is interesting here is that the political opportunity structures for preventing the defence reform were not favourable for those engaged in contesting the process; the international statebuilding agents acted as a relatively coherent actor which meant that no room for exploiting tensions within the international community existed. At the same time, the financial and political backing from Zagreb and Belgrade for nationalist politicians had significantly diminished following the end of the respective Tuđman and Milošević regimes. Moreover, constellations of capital and coercion used by the OHR and NATO collectively – aid conditionality and eventually the Partnership for Peace membership - proved effective in countering Serb contention. Given the crippling effect the existence of three armies had on the Bosnian economy, the OHR not only tied aid to the reform but also offered to train military forces in exchange for restructuring the military. NATO in turn made the unification of the country's defence structures a precondition for NATO membership. The OHR also deployed coercive methods in abolishing the RS' Supreme Defence Council so as to neutralise opposition and hasten the process. At the same time local actors contesting the process were politically weakened by the Orao affair in which weapons were sold by an RS manufacturer to Iraq in a breach of the UN sanctions. The defence reform has generally been hailed as one of the successes of the statebuilding process in Bosnia and it is clear from the above why it succeeded.

If the political opportunity and mobilizing structures were unfavourable for effective contention, the internationally-driven attempt to reform the police represents a rather different example. Seen as the main source of protection for war criminals and

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[348] International Crisis Group Report 180 2007, 15

resistance to minority returnees, the OHR sought to centralise the local police forces. A watershed moment in the process that was systematically rejected by the RS through the country's institutions came in 2005 when the OHR decided to link the police reform to the EU integration process. Police reform, in other words, became a precondition for the signing of the Stabilization and Association Agreement (SAA), a first step on the EU accession path. As Ashdown notes in his memoirs, '*I rang Chris Patten in late October and asked if he could weigh in as Commissioner and say that these reforms were required if BiH wanted to join Europe'.* [349] This illustrates the arbitrary nature of the reform; while centralised police forces are rarity elsewhere in Europe, it became a precondition for Bosnia's accession in order to force through the reform that was subjected to resilient local contestation.[350] This linking of police reform to the signing of the SAA became highly problematic from the point of view of the OHR; the EU maintained that the accession process was a voluntary one and thus the OHR could not use its Bonn powers to impose the reform.[351] Given that the designs to centralise the police were threatening the autonomy of the Serb entity, the RS yet again opposed the process. The OHR finally set a deadline for agreeing on the police reform. When the deadline passed and no agreement was reached, the OHR imposed a set of reforms in order to discipline the obstructing Serbs. With no local consultation the High Representative altered the way in which the state level executive and legislative bodies functioned, with the aim of making it more difficult for national groups to use the veto powers to protect their national interests. These measures were designed as *'a shock and awe'* display of the OHR's authority and its ability to deal with local contention. [352]

This plunged the RS and the OHR into further cycle of contention. Sensing a divide in the international community, Banja Luka mobilised Moscow's support and Russia duly condemned the OHR's actions.[353] Framed as an unconstitutional and illegal decree, Serbs organised mass anti-OHR demonstrations in the RS, while the President of the Republic resigned as protest. In the face of the pressure, the OHR had little choice but to

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[349] Paddy Ashdown *Swords and Ploughshares: Bringing Peace to the 21st Century.* (London Weidenfeld and Nicolson, 2007), 249
[350] Parish, The Demise of Dayton Protectorate, 19
[351] Ibid
[352] International Crisis Group Report no.198 2009, 12
[353] Parish (2007:20) also notes that Russia was allied with Serbia in opposing the looming independence of Kosovo. Any actions on behalf of the OHR that gave the Bosnian Serbs incentives for asking independence following the example of Kosovo were seen as detrimental. Russia was of course struggling with its own insurgency problem in the Caucasus and thus wished not to set any precedents.

negotiate with Banja Luka. Eventually, the OHR was forced to accept a watered down agreement bearing little resemblance to the original police reform as a face saving compromise. The attempt to reform the police was not only unnecessary and too far-reaching, but also came at the time when the status of Kosovo was a potentially destabilising issue.[354] As many commentators have pointed out, this marked the beginning of the decline in the OHR's credibility.[355] It is also notable that the divisions among the international actors created opportunities for local contestation: particularly the opposition of Moscow to the OHR's police reform venture and the ensuing alignment with Banja Luka meant that the Serbs could confidently challenge the process. Moreover, the blatant over-stretching of the OHR's authority and mandate and the arbitrary punishment for questioning the process served to further mobilise Serb contestation. This was the case as the police reform process appeared to vindicate the Serb framing of the OHR as biased actor aiming to get rid of the RS through centralisation of the state.

Contention in Lower Level Institutions

It is not only the joint, central level institutions where local contentious techniques are discernible; lower level cantonal and entity institutions feature frequently as sites of contention. As noted earlier in relation to the Poplašen/Brčko crisis, entity level bodies such as the RS National Assembly have played an important role in challenging decisions taken by the OHR. What is striking here is that while such practices – challenging in representative bodies decisions taken by the executive – would generally be regarded as a part of the standard democratic process, in Bosnia they are seen as an impediment to progress by the OHR in particular. In terms of investigating the contentious practices operating in the lower level institutional domains, the RS has used the legislative process to propagate its own statebuilding agenda as well as to enhance its negotiation position in the externally-led statebuilding process. Most notably, the RS

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[354]International Crisis Group Report no.198 2009, 14

[355] See for instance McMahon and Western, The Death of Dayton and Parish, The Demise of Dayton Protectorate

legislated a law on referendum, regarded a direct violation of the DPA by the OHR.[356] Although the law does not allude to specific questions a referendum might pose, the notion of RS referendum is generally understood to be synonymous with secession from the Bosnian state. Initially decreed in 1993 and amended in 2010, the law makes results of referenda legally binding for institutions of the RS. It has become, particularly in the recent years, the contentious practice of choice for Serb actors contesting international statebuilding practices and frequent negotiation leverage used by the Serbs. This legislative process is mirrored in the discursive domain where the RS have increasingly taken a legalist ground, representing particularly the OHR's interventionism as a breach of Bosnian and international law. The fact that no referendum has so far been organized seems to indicate that it serves primarily as a negotiation tool.[357] In terms of lower level institutions, the case of Mostar is instructive of how institutions are deployed in order to contest international statebuilding measures. In 2004 the OHR used its Bonn powers to impose a directive, 'Mostar City Statute', to unify the Herzegovinian town that had seen some of the most brutal fighting during the war and had remained divided ever since. In demographic terms Mostar is populated by Croats and Bosniaks; the town holds special meaning to Croats as the only Croat-dominated town in Bosnia and as such is seen as the unofficial capital of Bosnian Croats. The Mostar Statute sought to eradicate the war-time parallel structures by creating a unified administrative system. This unified administration of the town has been subjected to considerable contention, particularly by the Croats.[358] This has entailed boycotts and refusals to co-operate in the Mostari institutions, but also the maintenance of unofficial parallel structures, discussed later in this chapter.

Politics of Demography and Contesting Refugee Returns

If the entity level institutions have been used to challenge international statebuilding measures, somewhat different methods have been used in the municipal level

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[356] It is notable that the referendum discourse emerged as a response to perceived threats to the existence of the RS (that is, the attempts to reform the Constitution). (interview 22)

[357] It is also noteworthy that the moderate Serbian President Tadić engaged in EU accession negotiations signaled clearly that Belgrade does not support RS independence.

[358] The electoral rules created by the Mostar Statute are based on powersharing which prevents the Croats, as the majority, controlling the administration. Croats see this as profoundly unfair limitation of Croat political power as Mostar is the only city in Bosnia where powersharing is extended to lower level administrative structures.

bureaucracy. Municipal level institutions, generally controlled by a single national group, have been primarily used to disrupt refugee returns. The reversal of the effects of ethnic cleansing during the war through refugee returns has been one of the key pillars in the international mission in Bosnia. As declared in the Annex VII of the DPA, '*The early return of refugees and displaced persons is an important objective of the settlement of the conflict in Bosnia and Herzegovina.*[359] This was seen as a way to compensate the human rights violations that occurred during the war as well as to undo the effects of ethnic cleansing. Refugee repatriation was thus regarded as '*essential to effective peacebuilding'.*[360] Coupled with the policy goal of turning Bosnia into democratic and prosperous nation, repatriation of refugees has been a constant in the international policy throughout the statebuilding venture.[361] Yet, the effect of the internationally-sponsored refugee returns was initially to further institutionalise the segregation of the communities rather than challenging the divisions, as envisaged by international statebuilders.[362] This was mainly due to the fact that many refugees opted to settle in areas where their own group constituted majority rather than automatically returning to their pre-war residences. At the same time, the returns process has become crucial both as an object of contention and as a means through which the international vision of Bosnian statehood is challenged.

Given that the war was fought in the name of territory and identity, refugee returns following the war became a highly politicized issue and both an object and an instrument of local contention. The attitudes of local actors towards refugee returns vary. It is crucial here to distinguish between majority and minority returns: majority returns refers to a process whereby refugees and displaced persons settle in areas controlled by their own group, while minority returns denote returns to areas controlled by another group. For Bosniaks refugee return to their pre-war homes has represented a welcome reversal of the war gains of its enemies through peaceful means. Many Croats

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[359] DPA, available at http://www.ohr.int/dpa/default.asp?content_id=375.

[360] United Nations High Commissioner for Refugees, 'Representation in Bosnia and Herzegovina, Statistics Package 31 December 2010'
http://www.internaldisplacement.org/8025708F004CE90B/(httpCountries)/C8DEEFACFF6821A
802570A7004C6A42?OpenDocument

[361] Refugee returns has been relatively uncontentious objective among the international actors. Russia for instance has pledged support for the policy (as for instance indicated in 'Foreign Minister Ivanov says peace process in Bosnia not yet irreversible' *BBC* 17 December 1998. Accessed through Nexis UK 21 April 2010.)

[362] Daniela Heimerl 'The return of refugees and internally displaced persons: From coercion to sustainability?' *International Peacekeeping, 12* no 3 (2005), 381

and Serbs have, on other hand, favoured majority returns and resettlement which in effect meant maintaining the communities, often ethnically homogenous, formed during the war. Therefore, while from the Bosniak point of view re-mixing of the populations is essentially desirable as it could undo the effects of the war-time ethnic cleansing, for many Serb and Croat statebuilders minority returns threatened the formation of homogenous Serb and Croat municipalities. Although Bosniaks generally agreed with the policy of returns, they actively challenged the feature of property restitution which meant that returnees were given the choice of selling their properties; they feared that minority returnees would opt for selling rather than permanently returning to areas controlled by other groups.[363] This resulted in administrative delays in Bosniak-dominated areas in implementing the laws decreed by the OHR.

Even if the rationales for contesting refugee returns are different, the contentious practices have followed similar patterns. Local municipalities controlled by Serbs and Croats have challenged the international statebuilding policy of encouraging minority refugee returns by engaging in '*large scale and orchestrated*' practices such as issuing looting and burning permits concerning houses owned by returnees, encouraging occupation of returnees' properties and returns by members of their own nationality, refusing to evict illegal occupants of properties or provide information to returnees, attacking international officials present in contested regions, illegal reallocations of land to representatives of the majority nationality and delays and outright refusals to implement laws devised by the OHR in order to protect returnees, not to mention peaceful as well as violent demonstrations against returnees.[364] The Serb and Croat contention of such international policy is predicated on the need to ensure the concurrence between territory and identity. In Croat-dominated areas the control over the economy has provided an efficient tool to block minority returns and encourage

[363]Rhodri Williams'Post-Conflict Property Restitution and Refugee Return in Bosnia and Herzegovina: Implications for International Standard-Setting and Practice.' *New York University Journal of International Law and Politics* 37 (2004/5), 464

[364] OHR ' Fifteen Officials Removed for Obstructing Property Law Implementation'. OHR Press Office. 8 September 2000, http://www.ohr.int/print/?content_id=4030.(accessed 2 June 2010); 'Bosnia and Herzegovina: Peace without Justice'. *ONASA*. 17 November 2000. Accessed through Nexis UK 2 June 2010; 'OHR Media Round-Up. 22 February 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=443. (accessed 16 May 2010); 'US administrator says refugee return blocked in Sarajevo'. *BBC/HINA*. 5 May 1999. Accessed through Nexis UK 2 June 2010; International Crisis Group Report no. 40 1998, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/040-impunity-in-drvar.aspx (accessed 12 May 2010)

Croat majority returns. According to the International Crisis Group, Croatian companies linked to the nationalist political structures in Zagreb invested heavily in Croat-controlled Cantons in Bosnia thus incentivising majority returns by offering employment to Bosnian Croats.[365] One of Croatia's leading wood-processing companies, Finvest, became overwhelmingly dominant economic player in the Croat-controlled Canton 10 by gradually taking over the economic functions performed previously by other companies, as for instance a saw mill that used to employ over 2,000 workers before the war. Particularly in the northern parts of the Canton the whole economy became dependent on the company, which had close links with the main Croat party, the HDZ.[366] Similar cases of economic and employment discrimination have been reported in relation to other companies in Bosnia, such as the Croat-controlled Aluminij in Mostar and the Serb-owned Ljubija iron mine.[367] Political parties are at the core of the mobilising structures through which the international efforts of repatriating refugees are undermined.[368] At the same time, media has played an important role in creating an atmosphere of hostility through inflammatory reporting and programming that reinforces the sense of victimhood of the majority national group.[369]

The above acts of contention were met with grave concern in the diplomatic circles of Sarajevo in the immediate years following the DPA.[370] Local contention of refugee returns was not only seen a threat to the overall peacebuilding venture but it was also regarded as a factor jeopardizing quick international disengagement from the post-conflict process in the country. Successful repatriation of refugees was an essential part of the exit strategy. At the same time, the host countries of Bosnian refugees were anxious to see the refugees returning home.[371] In an attempt to deal with local disruption of refugee returns, measures of coercion and capital were adopted by the OHR. Combined with the frequent use of Bonn powers to dismiss local officials engaged in

[365] Report no.29 1998, 4, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/029-a-hollow-promise-return-of-bosnian-serb-displaced-persons-to-drvar.aspx (accessed 23 April 2011)
[366] Ibid, 8
[367] Amnesty Intenational 'Bosnia and Herzegovina: widespread discrimination blocking refugee return' http:www.amnesty.org.uk/news_details.asp?NewsID=16779
[368] Namely, the Croat party HDZ BiH and the Serb-party SDS (International Crisis Group Report 23 1997, 34 and Report 29, 1998, 4)
[369] International Crisis Group Report no.23 1997, 2, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/023-going-nowhere-fast-refugees-and-internally-displaced-persons-in-bosnia-and-herzegovina.aspx (accessed 1 March 2011)
[370] Heimerl, The Return of Refugees, 381
[371] Ibid.

administrative forms of contesting minority returns, Reconstruction and Return Task Force (designed to support refugee returns) launched the Property Law Implementation Programme which established extensive monitoring regime tasked to supervise the process and discipline officials deemed obstructionist. The OHR imposed legislation that surpassed all municipal, entity and state-level property laws with a regular monitoring mechanism that allowed it to identify and punish local officials obstructing returns.[372] A shift from supporting returns more generally to promoting minority returns more specifically also occurred.[373] This came as a direct response to the use of majority returns by local actors to consolidate their control of their respective localities. As Heimerl argues, what initially began as a humanitarian and voluntary process of repatriating refugees, turned into a coercive process of assertively promoting minority returns. [374]

Alongside the use of political coercion, capital was deployed to disincentivize disruptions of returns. Substantial donor funds were deployed to stimulating minority returns and circumvent the administrative opposition. The US government, for instance, launched a $70 million reintegration and stabilisation program of local communities, aimed at facilitating the return of 100,000 individuals belonging to minority groups.[375] In 2002, €23.5million out of the €71.9million EU funding package was directed to the returns process.[376] The key component of these programmes was the withdrawal of aid where local officials did not collaborate with the donor government's policy on returns; the aforementioned US government initiative left three local administrations (Prijedor, Pale and Foča) out of the financial aid package. The correlation between local implementation of refugee returns and financial aid was also contracted into the Stabilisation and Association Process; in order to progress towards EU membership and the associated financial gains, the Bosnian authorities were expected to '*ensure that the*

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[372] PLIP Inter-Agency Framework Document Available at: http://www.ohr.int/plip/key-doc/default.asp?content_id=5510 (accessed 1 March 2011)

[373] Heimerl, The Return of Refugees

[374] Ibid, 381

[375] Human Rights Watch World Report 2001, Bosnia-Herzegovina. Available at: http://www.unhcr.org/refworld/category,COI,HRW,,BIH,3ae6a8de1f,0.html.(accessed 3 March 2011)'US government donates 70m dollards for minority return, infrastructure'. BBC. 6 July 2000. Accessed through Nexis UK 27 February 2011.

[376] Reliefweb 'European Commission adopts Euro 71.9 million programme to support Bosnia and Herzegovina' Available at: http://www.reliefweb.int/node/101775/pdf (accessed 27 February 2011)

refugee return is properly funded and fully operational' as well as to *'complete the process of refugee return and achieve significant progress towards their economic and social integration'.*[377]

Although the international measures based largely on coercion and capital were relatively successful in countering local contestation of the internationally-led returns process particularly in the early 2000s, it can be argued that they have not reversed the demographic effects of the war. Whilst considerable numbers of refugees and displaced persons have returned to their pre-war towns and villages, the ethnic makeup of the country has not been reversed to match that of the pre-war years. From the estimated 2 million Bosnians who were internally displaced or became refugees due to the conflict, by 2010 approximately 500,000 have returned to their places of origin.[378] Many of those returns, particularly to areas currently occupied by other national groups, have been of temporary nature in order to sell or exchange properties.[379] The narrowly-focused prioritisation of minority returns with no parallel development of official socio-economic safety networks and opportunities has rendered the international policy largely unsuccessful.[380] This has enabled the local statebuilding actors to continue to encourage strategic returns whereby refugees and displaced persons have resettled in areas dominated by their own national group where they are less likely to face discrimination and more likely to find employment. It is apparent then that while coercion as a method of countering contention has been efficient to an extent, the misuse of capital in promoting returns – focusing on conditionality rather than creating socio-economic opportunities – has meant that relatively little sustained minority return has taken place. It is also noteworthy that even though the international statebuilders were largely united in their intention of altering the tangible effects of ethnic cleansing, they were less so in terms of reaching such aims. The policies of different international

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[377] Council of the European Union, 'Council Decision of 18 February 2008 on the principles, priorities and conditions contained in the European Partnership with Bosnia and Herzegovina and repealing Decision 2006/55/EC'. *Official Journal of the European Union* 80/18 (2008), available at http http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:080:0018:0031:EN:PDF (accessed 28 January 2011)

[378] The United Nations Refugee Agency in Bosnia, available at: www.unhcr.ba , United Nations High Commissioner for Refugees, Representation in Bosnia and Herzegovina, Statistics Package 31 December 2010 accessed through Internal Displacement Monitoring Centre (IDMC), available at: http://www.internaldisplacement.org/8025708F004CE90B/(httpCountries)/C8DEEFACFF6821AD802570A7004C6A42?OpenDocument. (Accessed 11 January 2010).

[379] Ibid.

[380] Heimerl, The Return of Refugees, 385

donor agencies – primarily international organizations and non-governmental bodies - have been un-coordinated [381] and frequent disagreements over returns-related issues have made the harmonization of the international practice difficult. [382]

Contention through Parallel Structures

So far the analysis has explored contentious practices operating in the power-sharing institutions as well as in the municipal administrations. Contentious practices have also operated through a combination of existing, formal institutions and new, informal structures. Informal, parallel institutions have been particularly prevalent in Herzegovina and have featured in the Croat attempts to mediate international statebuilding. Parallelism, arguably a predictable by-product of civil war, marked every aspect of the Bosnian society following the conflict. Not only were there three armies and police forces, but even three international dialling codes existed in the post-conflict Bosnia. In effect, parallel administrative structures were formalized in Dayton which divided the country into separate entities where the political power resided. While the DPA formalized the Serb governance structures in the RS, parallel administrative structures not sanctioned by the agreement have persisted particularly in Western Herzegovina. A case in point here are the Croat parallel structures that date back to the Bosnian Croat statebuilding ambitions during the conflict; *Herceg Bosna*, a mini state, served as the political entity of the Bosnian Croats. Envisioned as an integral part of the solution for Bosnia's post-war design, the statelet was premised on its own political, military, economic, educational and cultural structures.[383] The parallel structures of *Herceg Bosna* have shown considerable resilience in the face of international efforts to do away with them.[384] In practice such parallelism has meant the existence of separate,

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[381] See Carl Dahlman and Gearoid O Tuathail 'The legacy of ethnic cleansing: The international community and the returns process in post-Dayton Bosnia–Herzegovina'. *Political Geography, 24* no.5 (2005), 585

[382] See Charles Philpot 'Though the Dog is Dead, the Pig must be Killed: Finishing with Property Restitution to Bosnia-Herzegovina's IDPs and Refugees'. *Journal of Refugee Studies 18* no.1 (2005)

[383] Attila Hoare 'The Croatian project to partition Bosnia-Hercegovina, 1990-1994' *East European Quarterly* 31 no. 1 (1997)

[384] Vesna Bojicic-Dzelilovic 'Peace on whose Terms? War Veterans' Associations in Bosnia and Hercegovina' Article prepared for the UNU project Spoilers of Peace Processes: Conflict Settlement and Devious Objectives, 2004, http://www.bradford.ac.uk/acad/twe/papers/BojicicDzelilovic,_Vesna__War_Veteran_Associations_i _Bosnia.pdf (accessed 20 June 2009)

Croat-dominated, structures for military and police, public utilities, health service, pension funds, education and even currencies.[385] Reportedly the Croats even had their own intelligence unit, gathering information on the Federal government and representatives of the international community.[386] Banks too have been part of the parallel structures; an example is the *Hercegovacka Banka* which had close ties with the HDZ and was suspected of money laundering for HDZ politicians.[387] It is suspected that the creation of parallel financial system controlled by the HDZ was to fund the functioning of the future Croat entity.[388]

Yet, not all parallel institutions carry out illegal tasks, but much of the parallelism focuses on day to day administrative tasks. The most explicit manifestation has been the town of Mostar which continues in effect to be divided between the Croats and the Bosniaks with few functioning common institutions. The OHR's attempt to abolish the parallel structures in Mostar, the 2004 'Mostar statute', proved to be a temporary remedy. As the International Crisis Group notes, the creation of unified public services in Mostar was limited to the formal level; the old parallel structures continued to operate separately under a common name.[389] In the case of the Mostari water utility company, '*only the water itself is common*' while the administration of the company has been carried out through two separate systems.[390] The Bosniak administration of the company is located in the Eastern side of town – controlled by the Bosniaks – providing services for Bosniak clientele and controlling the Bosniak employees, while the Croat structures in the Western part of the town perform the same task but in relation to Croat staff and consumers.[391]

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[385] 'Muslim official says Croat parastate still exists in Bosnia' *SRNA/BBC Monitoring Europe* 25 August 1999. Accessed through Nexis UK. See also European Commission, External Relations Directorate General 'Bosnia and Herzegovina: Country Strategy Paper 2002-2006', http://ec.europa.eu/enlargement/pdf/financial_assistance/cards/publications/bosnia_country_strategy_en.pdf (accessed 30 November 2011)

[386] 'Federal government says Croat intelligence body operating illegally'. *BBC*. 8 April 2001. Accessed through Nexis UK.

[387] Michael Pugh 'Postwar Political Economy in Bosnia and Herzegovina: The Spoils of Peace'. *Global Governance, 8* no.4 (2002), 471

[388] OHR BiH Media round-up. 1 March 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=448.

[389]International Crisis Group Report no.57 2009, 7, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/b057-bosnias-dual-crisis.aspx (accessed 12 April 2011). In the case of Mostar, the Bosnian Croats are not the only group using parallel state structures; also the Bosniak community engages such activities.

[390] International Crisis Group 57, 12

[391] It is notable that these structures are largely maintained by networks based on patrimonialism and

While the persistence of parallelism in towns such as Mostar is a reflection of the local statebuilding agendas, Croats have also created new parallel institutions. These parallel structures played an important role in the cycle of contention between the OHR and the main Croat party, HDZ BiH, in the early 2000s. The starting point was the November 2000 elections which were accompanied by referendum on Croat rights, deemed illegal by the OSCE. The referendum was organized as a response to the perceived threat to the Croat statebuilding agenda following an OSCE-imposed change to the electoral rules regarded as detrimental to Croat interests.[392] The referendum, supported by organisations such as the Association of Croatian Military Invalids of the Homeland War (HVIDRA),[393] centred on the question of whether the Croats in Bosnian should have their own political, educational, cultural and scientific institutions on the Bosnian territory and reportedly the overwhelming majority of the voters answered favourably.[394] In addition to organising the referendum HDZ BiH representatives initiated a boycott of the joint institutions as a protest against the change in the electoral law. The OHR responded by coercion and removed Croat-held seats from Cantonal Assemblies. The OHR and the OSCE also continued to discursively decertify the Croat National Congress by asserting that 'everybody *has the right to meet but whatever they come up with has no legal weight and is not legally binding…'*.[395] Bosnian Croat political activists interviewed for this thesis maintained that such international responses reinforced the confrontational dynamic as international decertification of the Croat protests merely added to Croat sense of undemocratic imposition of international will.[396]

The turbulent relations continued. In 2001 Croats attempted to establish self-rule in Hercegovina by relying on the parallel state structures in the Croat-controlled territories.

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ethnic entrepreneurship, as Pugh notes. This is in many ways a hangover from the political system of the Socialist Yugoslavia. Traditional forms of local governance have thus been sustained in order to promote alternative statebuilding agendas. See Pugh, Post-War Political Economy

[392] According to the electoral rule change Croats were no longer solely responsible for electing their own representatives to the House of Peoples; the other constituent peoples could now also vote for Croat candidates. Croats feared that the Bosniak majority would vote for Croat candidates that may not represent the Croat interests.

[393] Bojicic-Dzelilovic, Peace on Whose Terms?

[394] Florian Bieber 'Croat Self-Government in Bosnia – A Challenge for Dayton?' European Centre for Minority Issues, Brief 5, May 2001,
http://www.policy.hu/bieber/Publications/Brief%2305_DruckOriginal_.PDF (accessed 14 March 2010)

[395] 'OSCE and OHR about Croat National Congress' *ONASA*. 14 December 2000. Accessed through Nexis UK 2 March 2010.

[396] Interviewees 44 and 45

This was seen as necessary due to the detrimental status of Croats in Bosnia. Legitimized by the assertion that *'the OSCE and the international community turned the Federation into a Bosniak entity,'* an alliance of Croat parties, the Croat National Congress, voted for the creation of Inter-Cantonal Council and the establishment of parallel Croat institutions which were envisaged to have the final authority on all Croat matters in Bosnia.[397] The body was to protect the Croat national interest in Bosnia *"until the full constitutional and real equality of Croat people in BiH can be ensured".*[398] The Croat members of the Federal Army also walked out as a demonstration of loyalty to the Croat National Congress.[399] The Croat self-rule was premised on the establishment of presidency, legislative council and entity and cantonal parliaments as well as on its own taxation system. In addition, Croat national insignia and coat of arms were deployed in an act of contesting the Bosnian state symbols.[400] The creation of formal mobilising structures, such as the Croat National Congress and the Croat Peoples' Assembly, enabled dissemination of information by issuing declarations as well as framing the issue at hand, the Croat status in Bosnia, and the actors involved.[401] Other points of mobilization, such as HVIDRA as well as Croat-controlled banks also played a role in terms of support and financial resources. The Croat elite-controlled *Hercegovačka Banka* provided financial means for the self-rule attempt.[402] According to an international investigation, the bank had previously operated as a funding source for high ranking Bosnian Croat war crime indictees as well as campaigns to change the Bosnian Constitution to suit the Croat interests. During the self-rule attempt, army officials withdrawn from the Federal Army were paid from the funds held by the bank.[403] When SFOR troops raided the bank in April 2001, large scale demonstrations and riots erupted, resulting in international investigators being taken

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[397] OHR BiH Media Round-Up 28 February 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=467 (accessed 19 November 2010)
As shown above, parallel Croat institutions had existed since the creation of the Federation (ICG Report No. 106 2001, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/106-turning-strife-to-advantage-a-blueprint-to-integrate-the-croats-in-bosnia-and-herzegovina.aspx (accessed 2 March 2011).

[398] OHR Media Round-Up 5 March 2001 Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=450 (accessed 19 November 2010)

[399] OHR Media Round-Up 30 March 2001 Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=469 (accessed 19 November 2010)

[400] OHR Media Round-Up 5 March 2001 Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=450 (accessed 19 November 2010)

[401] Initiated by the nationalist HDZ party together with smaller Croat parties

[402] Bieber, Croat Self-Government in Bosnia

[403] OHR: 'Provisional Administrator Announces Conclusions of Her Investigation' 16 December 2002, http://www.ohr.int/other-doc/hb-padmin/default.asp?content_id=28730 (accessed 16 March 2010).

hostage. HVIDRA is thought to be behind the organisation of the violent demonstrations.[404] HVIDRA also arranged the withdrawal of the Croat faction from the Federal army, in addition to organising anti-OHR rallies and protests. It even warned Bosnian Croat politicians for not yielding to the international demands of halting the self-rule campaign.[405] Alongside HVIDRA, the Headquarters for the Protection of Identity and Interests of Croat People, founded in Vitez in March 2001, issued regular statements during the self-rule attempt. The organisation offered its support for the Inter-Cantonal Council. In reinforcing the Croat self-image based on victimhood, the organisation appealed to the Croat public by noting that '*we also call the Croat people to not allow the tearing of the Croat being, and to stand by us and all others who strive towards the equality of the Croat people in BiH'*.[406] Bosnian Croat priests from the Catholic Church took part in meetings of organisations involved in the self-rule attempt and publicly condemned the international policy on Bosnian Croats as one that '*takes equality away from Croats'*.[407] In addition to lending support for the contentious actions and seeking to discursively mobilise Croats for the cause, some Catholic priests used religious services to reinforce the injustice frames which constructed the Croats as the victims and blamed the international community.[408]

The OHR again responded to the Croat contention both by coercive and discursive means. In terms of the former, dismissals of the self-rule leadership as well as travel bans were initiated. It is likely, however, that the actors initiating the self-rule campaign were conscious of the likelihood of dismissals of politicians but calculated that the use of Bonn powers to crack down on Croats would in effect serve as a further evidence of the OHR anti-Croat bias.[409] In terms of the discursive responses, the decertification of

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[404] Bojicic-Dzelilovic, Whose Peace?, 13

[405] Ibid., OHR Media Round-Up, 13 April 2001, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=479 (accessed 2 March 2010)

[406] BiH Media Round-Up, 28 March 2001, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=467

[407] It is important to note that the Bosnian Catholic Church was split between moderates and radicals and it was mainly the more radical factions that supported the self-rule campaign.See BiH Media Round-Up, 14 December 2000, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=395. Media Round-Up, 1 March 2001, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=448. Media Round-Up, 9 March 2001, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=454. (all accessed 16 March 2010)

[408] BiH Media Round-Up, 28 March 2001, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=467

[409] International Crisis Group Report no.106 2001, 1, 9

the HDZ and other politicians involved in the action was constructed by the OHR again around the demarcation between the betrayed Croat population and the dangerous political elites. The elites, according to the OHR, were distinctly unconcerned with the well-being of their constituents; on the contrary, they were engaged in criminal and corrupt activities that were to benefit a few at the expense of the wider Croat community. Hence, no basis for negotiation between the HDZ and the OHR existed.[410] In this framing of the Croat contention, the OHR presented itself as the true friend of the Croat people and as such, tasked itself to save the population from the predatory elites. While on the one hand plunging the statebuilding project into a crisis, the self-rule campaign initiated by the Bosnian Croat statebuilder served to widen the opportunities for the international statebuilders to deal forcefully with HDZ BiH. Given the defiance of the DPA, the OHR had a well-justified reason to implement severe sanctions, including dismissing the leadership of the self-rule project. The failure of the self-rule attempt, the waning financial and political support from Croatia and tensions within the HDZ altered the Bosnian Croat statebuilding aims toward more moderate claims, namely reorganisation of the country into smaller units. Yet, as Robinson and Pobrić write in an ethnographic account of nationalism in Bosnia a decade after the Dayton peace conference, strong support amongst the people for greater Croat autonomy and closer affiliation with the motherland continued to exist. [411]

Conclusion

This chapter has provided an empirically-grounded investigation of local contentious practices and interactions between internal and external statebuilding agencies in the central and municipal level institutions. It suggested that rather than conceiving post-conflict spaces as power vacuums various local statebuilding projects exist in local spaces. It is largely in the context of what Bose calls *'minority syndromes'* of the

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[410] OHR 'High Representative's Press Conference on the Dismissal of HDZ Officials' 7 March 2001. http://www.ohr.int/ohr-dept/presso/pressb/default.asp?content_id=3199, OHR ' Article by the High Representative Wolfgang Petritsch: comment and analysis, why Jelavic had to go'. 8 March 2001, available at http://www.ohr.int/ohr-dept/presso/pressb/default.asp?content_id=3146. (both accessed 10 March 2010). OHR Media Round-Up, 8 May 2001, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=494 (accessed 4 June 2010), OHR Media Round-Up, 13 April 2001, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=479 (accessed 6 June 2010)
[411] Robinson and Pobric, Nationalism and Identity in Post- Dayton Accords, 244

Bosnian constituent nations and conflicting interests that the international statebuilding intervention in Bosnia should be understood.[412] The Chapter established a set of practices through which aspects of international statebuilding are sought to re-negotiate, ranging from boycotts and administrative measures to blocking of decision-making and using parallel local level structures. The central argument of the Chapter is that these modalities of contention represent an active local agency and are in essence techniques through which local actors seek to re-negotiate the process. In many ways the reoccurring theme in the discussion is the complexity of the statebuilding processes. While there is no unified or coherent international statebuilding project, local agendas out of which contention emerges are also different. There is, therefore, no across-the-board or generalizable opposition to international statebuilding but it is rather specific statebuilding policies and strategies that prompt contention. While contentious practices are intimately linked to the local state formation projects, the discussion also implies that in certain instances the coercive nature of international statebuilding generates further contention. This was for instance the case with the police reform. Although the use of Bonn powers may dis-incentivize contention it has been unable to stifle local acts of contention altogether. In fact, the use of Bonn powers as a response to contention has in certain instances served as a mobilizing tool for further contention. The analysis moves on from investigating concrete acts of contention in the institutional domain to interrogating non-material practices at the discursive and symbolic realms. In these more abstract realms rather different but equally salient modalities of contention exist that seek to undermine and shape international statebuilding efforts.

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[412] Bose, Bosnia after Dayton, 259

Chapter 5
The Discursive Domain

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The overall theme of the thesis is that local actors engage in a range of bureaucratic, verbal and cognitive practices in an attempt to mediate aspects of international statebuilding. The previous Chapter traced contentious actions in the institutional domain and demonstrated how concrete and physical contentious practices are regularly used to re-negotiate aspects of the internationally-led statebuilding process. It is through these local practices that the statebuilding venture is mediated as local agencies actively engage in the process. Rather than constituting an externally-imposed blueprint for statehood, statebuilding appears to be an interactive process where internal and external agencies and agendas co-exist. This Chapter focuses on the discursive domain and interrogates the way in which international statebuilding is contested through verbal practices. The story told by this Chapter is essentially how the discursive power of the international statebuilding enterprise is mediated and transformed into narratives that challenge or seek to alter the statebuilding process. The Chapter suggests that local actors, possessing less material clout vis-à-vis the international statebuilding mission, rely on non-material methods of contention; they take advantage of the hegemonic discourses and through methods of re-framing and adaptation turn them into contentious practices that seek to undermine or alter the course of the statebuilding process.[413] While an investigation into the discursive domain tells us about non-material modalities of contention, it also allows us to further interrogate the relations between local and international actors. The discursive power of the international statebuilding enterprise is exercised through the verbal exclusion and inclusion of local actors and through defining of what counts as legitimate forms of, and topics for, public debate in Bosnia. At the same time, the authority of international statebuilding actors is communicated

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[413] See Holztscheiter on discourses as non-material capabilities: 'Discourse as Capability: Non-State Actors' Capital in Global Governance' *Millennium Journal of International Studies 33* no.3 (2005)

and reinforced in the discursive domain. This has meant legitimizing the international presence and its activities in the country with recourse to the hegemonic 'liberal peace' narrative, representing the external intervention as a force for democracy, human rights, good governance and economic development. Local actors regularly contest and problematize these meanings produced by international statebuilding actors through alternative narratives. Discourses thus play a pivotal role in the production of meaning. It is through discourses that actors, events and processes gain meaning and through categorizations that the world is ordered in a specific way.

The Chapter argues that the discursive acts of contention in Bosnia have primarily centered on two strategies: one that de-legitimizes international statebuilding through re-framing the 'liberal peace' narratives and another that taps into other international discourses and seeks to appeal to international statebuilding actors in order to alter the process. Particularly the former strategy is telling of discursive hybridity; while the 'liberal peace' remains the hegemonic framework, its concepts and norms are adapted to produce alternative understandings of the process and the actors involved. International actors have countered these local practices through the strategy of decertification and marginalization which has been embodied in the representation of the local actors in question as self-interested and criminal. With the view of tracing these contentious practices and interactions, the Chapter begins by touching upon the salience of discursive repertoires of contention and then moves onto investigating the delegitimization strategy used by local actors. The analysis then proceeds to the discursive strategy of appealing to international actors through appropriation of certain discourses found in the international policy-making circles. The final part of the Chapter looks at the international attempts to counter the local discourses.

Discourses and Contention

The salience of discursive aspects of post-conflict operations stems from the assumption that statebuilding is not only contested practice, but it is also a verbal process. Discourses operate to give meaning to actions, events and actors. How the post-conflict process is interpreted and understood is consequential in that these representations and

discourses impact agencies' understanding of what actions might be legitimate and appropriate.[414] The continuous and contentious public narratives serve to construct identities ('spoiler', 'partner', 'international') as well as to legitimize, or alternatively delegitimize, actors, actions or agendas. There is no single 'reality' of statebuilding but rather competing attempts to attach specific meanings and moral judgments to actors and their practices. Indeed, a closer look at the discursive domain of post-Dayton Bosnia reveals how competing and contradictory meanings of events, actors, agendas and the post-conflict process as a whole are constantly reproduced in public discourses. Discursive aspects of contention have also caught the interest of contentious politics research that has largely been concerned with physical forms of contention. Steinberg, for one, notes that rather than focusing only on concrete acts of contention *'we must pay closer attention to the voices of the actors'*.[415] Koopmans and Statham go even further by arguing that *'it is necessary to go beyond the image of protestors physically standing at the gates of institutions with their objections, protest has become more sophisticated...'*.[416] They show that discursive actions might entail rather pedestrian practices such as releasing public statements, but stress that claims made in this way gain often immediate visibility. As a part of a wider array of contentious actions discursive forms may then be important in communicating the demands of the group.

It is necessary to say a few words with respect to the mechanisms of contention at the discursive domain. A theme underpinning the Chapter relates to opportunity structures created by the international statebuilding venture. As noted in Chapter 2, opportunity structures refer to the *'consistent – but not necessarily formal or permanent – dimensions of the political environment'* that also entail discursive dimensions pertaining to the way in which hegemonic discourses enable or limit contention.[417] A salient feature of the discursive political environment in post-Dayton Bosnia has been the 'liberal peace' discourse suggesting that peace and prosperity in Bosnia can be achieved through democracy and the respect for human rights and the rule of law. It is the liberal peace paradigm that has then acted as the overarching hegemonic discourse that has enabled and/or limited contention. The Chapter argues that the liberal peace

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[414] Peer Fiss and Paul Hirsch 'The Discourse of Globalization: Framing and Sensemaking of an Emerging Concept' *American Sociological Review* 70 no.1 (2005), 30
[415] Mark Steinberg, The Road of the Crowd, 59
[416] Koopmans and Statham, Political Claims Analysis, 4
[417] Tarrow, Power in Movement, 189

narrative has created opportunities for local contention as the actual international practices on the ground have contradicted the liberal rhetoric. This has enabled the formulation of credible and resonant discourses portraying international statebuilding as an oppressive practice. In addition to the discursive opportunity structures, framing is pivotal mechanism when it comes to tracing contention at the discursive domain. As noted in Chapter 2, framing denotes an act of interpreting reality. Following Entman, framing entails the highlighting of certain aspects of the perceived reality in way that promotes '*a particular problem, definition, causal interpretation, moral evaluation and/or treatment, recommendation for the item described*'.[418] Diagnostic frames identify problems and assign blame and responsibility. Prognostic frames, in turn, propose solutions to the problem in question. In Bosnia the prevailing frame has been one emphasizing injustice and the victimization as well as suffering of the group in question. According to Benford and Snow, frames are created by connecting issues, events or experiences into a coherent whole ('*frame articulation*') and emphasizing certain issues over others ('*frame amplification*').[419] Framing then, as a mechanism of contention, is essentially a device of argumentation that emphasizes certain aspects of the situation at the expense of others. It is through framing that the discursive modalities of contention are formulated; in fact, as noted earlier, it is often through a process of *re-framing* the discourses of those in power that discursive repertoires emerge. In the Bosnian case, as the detail below will demonstrate, local contentious actors tap into the existing international narratives, concepts and debates in an attempt to either destabilize or alternatively, alter the course of the statebuilding process.

Frame Contests

The chapter traces the contentious, verbal processes that exist in tandem with the more tangible statebuilding activities. While not undermining the hegemonic position of the 'liberal peace' narrative, the multiplicity of competing representations of the process and the actors articulated through the language of liberal peace results in discursive forms of hybridity. Competing representations of reality have not been limited to the international-local nexus; '*frame contests*' also take place within the different groups

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[418] Entman, Framing: Toward Clarification, 52
[419] Benford and Snow, Framing Processes and Social Movements, 615

engaged in discursive interactions.[420] A case in point is the aforementioned fault line between Moscow and the Western donor governments; Russian discourses pertaining to the post-conflict process in Bosnia have regularly challenged the representations of local actors (Serbs in particular) as criminal and irresponsible as noted elsewhere in this chapter. Moreover, the 'EU or isolation' narrative favored by many Western officials in an attempt to counter local contention is challenged by the Russian discourse emphasizing peace rather than Euro-Atlantic integration as the primary objective of the international intervention in Bosnia. According to this view the process of fulfilling the membership requirements of the EU or NATO – which generally entail further centralization of the country's governance - may ultimately lead to further division and conflict and pose a threat to peace in Bosnia.[421] Frame contests also occur between local actors. They are noteworthy here as they represent attempts to shape the international officials' interpretation of the process. The main example here is the different frames pertaining to the nature of peace in Bosnia. Bosniaks regularly frame the statebuilding process as one of instability and danger which necessitates the international presence. The Serb statebuilding actors, who have called for the localisation of the process, have sought to debunk the perpetual crisis narrative and the subsequent demand for extended international presence. Responding to the Bosniak narrative, the prime minister of the Serb entity, Milorad Dodik, argued in *the New York Times* that

> *'Although it has become unfashionable to say so, ours is a country at peace…although we continue working on the institutional shape of Bosnia and Herzegovina, there is absolute no threat of a return to violence'.*

> *' It should be neither surprising nor a cause for alarm that people of good will differ about the structure most appropriate for this new state. Many of us believe that a decentralized architecture is both more faithful to the Dayton Accords and more suitable for the country. We do not support the centralized model that some in the international community have sought to impose on Bosnia and Herzegovina.'[422]*

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[420] Ibid, 626

[421] OHR Media Round Up, 23 December 2004. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=33839 (accessed 15 April 2010)

[422] Dodik 'A Bosnia at Peace'. *The New York Times*. 21 September, http://www.nytimes.com/2009/09/22/opinion/lweb22bosnia.html.(accessed on 21 January 2010).

Contra to the Bosniak discourses, many in the Serb community have argued that international statebuilding has in fact been successful; so much so that it is time for the international statebuilding officials to give up their executive powers. These brief examples demonstrate how different actors involved constantly engage in the reproduction of meaning in the discursive domain and how these understandings of the statebuilding process might make certain actions legitimate while ruling out other course of action.

De-Legitimizing International Statebuilding

Actors seeking to contest the authority through discursive means rarely opt for different narrative frameworks but they adapt and appropriate authorities' discourses as they discover aspects susceptible for critique.[423] This has been evident in the Bosnian case: whereas local contentious practices in the institutional domain have often tangible and concrete outcomes, contentious actions in the discursive domain seek to destabilize and subvert international statebuilding through highlighting the contradictions between international statebuilding rhetoric and practice. In what Steinberg calls '*dialogic process',* the local discursive strategies are derived from the liberal peace and other international discourses.[424] Yet, the adaptation of international discourses is not only a pragmatic or instrumental strategy, but the actual practice of statebuilding as implemented by international actors has enabled the formulation of credible discourse. This is so as the international practice of statebuilding has often fallen short of the rhetoric that underwrites it. To put it differently, the disconnect between international statebuilding rhetoric and practice has enabled the formulation of empirically-credible contentious discourses by local actors. In many ways the contentious discourses that are articulated through counter-hegemony re-politicize the statebuilding process by subjecting the practice of international statebuilding for public debate. It is also noteworthy that discursive strategies of contention are intimately linked to the more concrete practices, such as protests and demonstrations, in that they provide legitimization for engaging in such activities. While delegitimizing international statebuilding practices, they also legitimize the respective local statebuilding agendas.

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[423] Steinberg, The Talk and Back Talk, 747, 751,
[424] Ibid, 737

The following section focuses on the first of the main discursive strategies, delegitimization. The international discourses that are most commonly re-framed and deployed to contest international statebuilding practice are those that pertain to human rights, democracy and local ownership.[425]

International Statebuilding as Denial of Local
Human Rights

To begin tracing contentious local practices in the discursive domain, the attention is first turned to the human rights discourses. The universalist narrative of 'rights' has been one of the defining features of international politics in the past decades. As Mutua suggests, the post-World War II can be coined as the '*Age of Rights*'.[426] Unsurprisingly such thinking has also informed post-conflict statebuilding agendas; Boutros-Ghali's 1992 *Agenda for Peace*, representing one of the first formulations of post-conflict peacebuilding, referred to the protection of human rights as one of the key aspects of peacebuilding. In the context of post-war Bosnia, the international architects of the DPA enshrined the respect for fundamental freedoms and human rights in the Bosnian Constitution. This was based on the notion that ensuring the basic rights of Bosnians was one of the most essential factors in ensuring the success of the peace process.[427] Human rights have featured prominently not only in the international statebuilding

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[425] The discussion refers to 'international' discourses and norms in order to convey their transnational (rather than explicitly Western) nature. Neat categorizations of external and internal norms and discourses run the risk of downplaying the complexity. Indeed, one of the striking features of the Western states' involvement in statebuilding has been the profoundly illiberal practice through which they have sought to build war-torn states. At the same time, the view of Bosnians as lacking experience in democracy and capitalism is simplistic. Yugoslavia was a member of the World Bank and the IMF since the 1940s and its economy was better characterised as open rather than centrally-planned. Property in the former Yugoslavia was socially rather than state-owned which represents some of most radical forms of direct democracy and participation in the decision-making process. Woodward suggests that the presence of local neighbourhood associations allowed efficient and high quality delivery of public services through '*democratic participation and volunteerism*'. See Susan Woodward 'Varieties of State-Building in the Balkans: A Case for Shifting Focus' in *Advancing Conflict Transformation*: *the Berghof Handbook II*' edited by Austin, Beatrix, Fischer, Martina, Giessmann, Hans (eds.),315-336, 2011, http://www.berghof handbook.net/documents/publications/HandbookII_cover_and_contents.pdf (accessed 3 June 2012)
[426] Makua Mutua 'Hope and Despair for a New South Africa: The Limits of Rights Discourse'. *Harvard Human Rights Journal, 10* no.63 (1997), 63
[427] See for instance the following speeches by the High Representative Carl Bildt: 'Opening Remarks by the High Representative, Carl Bildt at the meeting of the Human Rights Task Force' 29 January 1996. Available at: http://www.ohr.int/ohr-dept/presso/presssp/default.asp?content_id=3280 and 'Introductory Remarks by the High Representative, Carl Bildt at the International Round Table on Human Rights in BiH' . 4 March 1996. Available at http://www.ohr.int/print/?content_id=3282 (both accessed 3 July 2010)

narratives but also in the discourses of local statebuilding agencies (particularly Serb and Croat) who seek to contest the international presence. The universalism underpinning the notion of human rights has enabled the formulation of resonant discourses for challenging international statebuilding. This has generally meant foregrounding contradictions between the empirical reality and rhetoric of international statebuilding.

The local 'rights' discourses, deployed primarily by Serb and Croat actors, contest the international statebuilding on the basis of its failure to guarantee human rights for their respective groups.[428] For many in the Serb community, the OHR-initiated imposition of laws and statebuilding measures regularly violate the rights of Serbs as enshrined in Dayton. The frame articulation process has meant discursively connecting the internationally-led centralization efforts to the political rights of Serbs. Serb rights are nowhere more threatened, as is often pointed out, than in the attempts to gradually centralize the state and thus reverse the Dayton-structure of the country.[429] Interest groups have taken a prominent role in mobilizing and disseminating these representations of the international statebuilding project. The RS-based *'Together to the Truth'* association, for instance, called for a Serb boycott of the country's powersharing institutions as a protest against the continued violation of Serbs' rights resulting from the changes to the DPA that aim to centralize the country further.[430] Other Bosnian Serb-run associations representing victims of the conflict, war veterans, displaced people and refugees have similarly assumed an active role by issuing statements, drafting petitions and sending open letters to the High Representative calling for an end to internationally-imposed statebuilding measures that violate the rights of Serbs in Bosnia. Political autonomy, they argue, is the primary Serb right that is constantly threatened by the actions of international statebuilders. Alongside the gradual centralization, the use of Bonn powers to dismiss elected officials is seen by many Serbs as encroachment of Serb rights. This was particularly the case during Paddy Ashdown's (2002-2006) tenure as the High Representative when the use of Bonn powers was at its

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[428] Human rights-related issues have also appeared in Bosniak contention: this has generally taken place in the context of the idea that international community is responsible for creating a centralised Bosnian state, discussed later in this chapter.

[429] OHR BiH Media Round-Up, 1 November 2004. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=33435 (accessed 12 July 2010)

[430] OHR BiH Media Round-Up, 1 November 2004. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=33435 (accessed 12 July 2010)

height. The RS Veterans' Association called for the removal of the HR Ashdown in 2004 as he was seen to '*act towards RS and Serb people in BiH in a discriminatory way*'.[431] The Serb Radical Party, in turn, chose poignantly the international day of human rights to issue a statement on the international community's breach of human rights. The statement asserted that

> '*representatives of the international community in BiH advocate a sophisticated version of the occupying regime banning political parties, politicians and by infringing upon the freedom of the press*'.[432]

The claim articulated by Serbs that the international actors in general and the OHR in particular systematically undermine Serb rights in Bosnia has been given resonance by the commonly-held perception in the RS that majority of the dismissals of local officials sanctioned by the OHR have targeted the Serb community.[433] Serb contention through the rights-narrative has demanded the closure of the OHR and localization of the statebuilding process, as will be discussed later.

For the Croat community, in turn, the issue of Croat rights lies at the very heart of the Croat statebuilding agenda. Much of Croat contention in the discursive domain has centred on the current Constitutional arrangements, which left Croats without an entity of their own, as the principal issue. The frame articulation process has connected the dual-entity structure to the infringement of Croat rights in Bosnia; the lack of a Croat run-entity has turned Croats from a constituent nation into a minority, as the discourse highlights. Croat actors have consistently demanded a more extensive Croat representation in Bosnia, positing that '*the basic postulates of democracy and rights of the Croat people in BiH have been violated*'.[434] More radical critics have called the infringement of Croat rights a political genocide. For many in the Croat community it is the unjust peace agreement that sustains Croat nationalist sentiment following the end of

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[431] OHR BiH Media Round-Up, 16 December 2004 Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=33740 (accessed 12 July 2010)

[432] OHR BiH Media Round-Up 12 December 2000. Available at: : http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=393 (accessed 12 July 2010)

[433] As articulated in interviews 6 and 20

[434] OHR BiH Media Round-Up. 10 April 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=469 (accessed 12 July 2010)

the war.[435] Interpreted and understood through the injustice frame, the Croat statebuilders argue that the international community's policy in Bosnia is mistakenly guided by the *'number of Croats'* while disregarding *'the fact that equality is not measured in percentages'*.[436] The infringement of Bosnian Croat rights have serious repercussions for democracy in Bosnia as *'the state of Bosnia-Herzegovina could only be democratic if the Croat Republic was established which would guarantee institutionalised freedom for Croats'*.[437] Dragan Čović, a prominent figure in the political life of Bosnian Croats, warned in similar vein that *'if Croats are not an equal people in Bosnia, the country will be doomed to failure'*.[438] In the contentious Croat discourses the violation of Croat rights is frequently connected to the undemocratic nature of the High Representative's actions. In an open letter to the High Representative Wolfgang Petritsch, the Croat leader Ante Jelavić - removed from the Bosnian Presidency by the OHR for establishing Croat self-rule – argued that the OHR's powers to remove officials without a due process were not in accordance with the ideals of democracy for which Bosnia was striving. Neither did the OHR's actions show respect for human rights of the removed individuals.[439]

While much of the discursive contention carried out by Croat actors has been mobilised through political party structures (mainly the HDZ), also part of the clergy in the Bosnian Catholic Church has played an active role in amplifying the Croat plight and making demands on the international community to remedy the situation.[440] While condemning the continued *'silencing, marginalising and ignoring' of Croats* by the international statebuilding actors, they have sought to garner external support for Croat rights, primarily from the Vatican.[441] Representative of the Catholic Church argued that it is the only institution actively promoting Croat rights in Bosnia as politicians are

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[435] OHR BiH Media Round-Up 8 February 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=433 (accessed 12 July 2010)

[436] 'Bosnia: Croat nationalists say Petritsch "last Communist dictator' *HINA/BBC Monitoring Europe*. 21 April 2002. Accessed via Nexis UK 30 June 2010

[437] 'Party Demands Croat Republic in Bosnia-Herzegovina'. *SRNA/BBC Monitoring Europe*. 24 August 2001. Accessed via Nexis UK. 30 June 2010.

[438] 'Croat leader against plans to divide Bosnia into three republics' *SRNA/BBC Monitoring Europe*. 29 September 2004. Accessed through Nexis UK. 28 June 2010

[439] OHR Media Round-Up 13 March 2001 Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=456 (accessed June 26 2010)

[440] Not all ministers in the Church engage in such activities. It has largely been the Franciscan clergy in Herzegovina that has supported the Croat statebuilding agenda.

[441] 'Bosnian cardinal complains to the Pope that Catholics are silenced, marginalised after Dayton'. *Associated Press Worldstream*. 24 February 2009. Accessed through Nexis UK.

constrained by the fear of dismissals by the OHR.[442] Others have critiqued the DPA as an institution that has legalized injustice against Bosnian Croats and demanded the international community to protect the Croats as the smallest community.[443] The process of frame articulation in the Croat statebuilding project has thus meant connecting the territorial and Constitutional arrangements created in Dayton to the institutionalized breach of Croat rights; discursive contention has demanded territorial rearrangement of the country as the only solution to the plight of Bosnian Croats. As an HDZ official noted in 2001, *'we do not want third entity, but we are asking for all the rights of Croats to be…ensured by the Constitution and laws… and for the majority-principle to be eliminated'.*[444]

Undemocratic Democratization

Intimately linked to the question of rights is democracy. Needless to say, democracy has formed the corner stone of the post-war international involvement, boldly stated in the peace accord itself and repeated thereafter in various policy documents.[445] Initially seen as tantamount to holding free elections, the international community's approach to democratisation in Bosnia went through a sea change following the 1997 Bonn meeting. As a result of the realisation that elections in Bosnia were unlikely to translate into a variant of liberal democracy, the Bonn powers gave the OHR executive powers to overrule local decision-making and dismiss officials which were extensive enough to make *'a liberal blush'* as the former HR Ashdown acknowledged.[446]

Local contentious discourses highlighting the undemocratic practice of democratisation in Bosnia have become a common place in the Serb and Croat discursive contention.

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[442] OHR Media Round-Up 2 September 2002. Available at: : http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=30676 (accessed June 26 2010)

[443] OHR Media Round-Up 27 January 2003. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=29085 (accessed June 26 2010)

[444] OHR Media Round-Up 15 February 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=438 (accessed June 26 2010)

[445] Peace Implementation Council Paris Conclusions 14 November 1996 Available at: http://www.ohr.int/dwnld/dwnld.html?content_id=5173, paragraph 4 (accessed June 26 2010)

[446] 'In postwar Bosnia, overruling voters to save democracy' *Wall Street Journal* 1 October 2004. Accessed through Nexis UK 15 June 2010.

Highlighting these contradictions between the means and the ends of international statebuilding, the RS, for instance, argue that

> '*democracy, good governance and the rule of law cannot continue to develop within BiH, if the fundamental principles of democracy, good governance and the rule of law are repeatedly violated by the very international representatives who claim to seek their establishment*'.[447]

Whilst the use of Bonn powers is singled out by many Serb and Croat actors as the main threat to democracy, also the interference of international officials in the daily politics of Bosnia is frequently highlighted as overstepping the mandate. Examples are for instance refusals by international officials to work with certain parties regardless of their electoral mandate. A representative of the Croat party HDZ argued in this regard that pre-election statements made by US State Department officials pertaining to the desirability of a government without the HDZ constituted a danger to '*democratic process in the country*'.[448] The Serb party SDS, regarded similarly by many in the international officials as a threat to the peace process, has likewise foregrounded international attempts to marginalise it as a caricature of democracy. As a party member noted, '*the same people who are talking about the rule of law and democracy have violated it and placed themselves above it*'.[449] In 2000 the SDS urged its supporters to use the democratic process to defy the international attempts to disrupt Bosnian democracy; '*our best response will be a massive turnout at elections*', SDS statement declared.[450] The deployment of the 'undemocratic democratisation'-narrative is not limited to actors who might be considered as 'hard liners'. Politicians and other activists known for their moderate positions have also engaged in contesting international statebuilding as an illiberal practice. Mladen Ivanić, from the moderate Serb PDP party argued that by taking over the functions of the domestic political institutions, the OHR has in effect invalidated democracy in Bosnia.[451] Representatives of the Bosniak-

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[447] Republika Srpska ' Report on the Situation in Bosnia and Herzegovina: How the International Community Can Best Support Continued Progress. February 2009, p.iv

[448] OHR BiH Media Round Up 15 December 2000. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=39 (accessed 30 June 2010)

[449] 'Blacklisted Serb leader says US ambassador rules Bosnia' *BBC Monitoring Europe* 10 February 2004. Accessed through Nexis UK 2 November 2010.

[450] Krajisnik's party says his arrest represents "brutal showdown". *BBC Monitoring Europe*. 4 April 2000. Accessed through Nexis UK 2 June 2010.

[451] 'Leader criticizes role of high representative' *BBC Monitoring Europe*. 25 November 2000. Accessed through Nexis UK 3 June 2010.

dominated SDP party similarly deploy the contentious discourse by declaring that the continued role of the OHR in overriding the authority of Bosnia's domestic institutions is '*not in accordance with the established partnership relations*'.[452] A radical variant of this contentious discourse utilized by all the groups in Bosnia represents the internationally-led statebuilding as oppression. As public intellectual, Mohamed Filipović noted '*the biggest illusion of our politicians is their belief that they represent and mean something and that they can influence the situation*', adding that Bosnia has become '*an occupied country*'.[453] A leading Bosniak politician from the SDP party also noted that partnership between local actors and the OHR has gradually turned into one of domination by the latter, turning the country into an '*unofficial protectorate*'.[454]

Local Ownership: International Statebuilding as
Loss of Autonomy

The analysis so far has explored how ideas of human rights and democracy have been deployed to challenge the international statebuilding practice. Unpacking the local discourses further, it is necessary to explore the idea of ownership of the statebuilding process and the shift that occurred in the statebuilding practice in Bosnia in the late 1990s. In reflecting the general consensus among scholars and practitioners alike that peace and democracy cannot be imported from without,[455] the High Representative Wolfgang Petritsch noted in 1999 that

> '*our new approach is ownership. This implies local ownership of not just assets, but of the problems inherited from communism and the war. Indeed, it implies the entire process of Dayton implementation and the very future of Bosnia itself*' [456]

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[452] OHR Media Round Up , 22 November 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=6417 (accessed 30 June 2010)
[453] OHR Media Round Up, 17 October 2003. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=31029 (accessed 30 June 2010)
[454] Zlatko Lagumdžija as cited in OHR Media Round Up, 13 December 2002. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=28713 (accessed 4 July 2010)
[455] Timothy Donais 'Empowerment or Imposition? Dilemmas of Local Ownership in Post-Conflict Peacebuilding Processes'. *Peace & Change, 34* no.1 (2009), 3
[456] Wolfgang Petritsch 'The Future of Bosnia Lies with Its People'. *Wall Street Journal Europe*, 17 September 1999, published on the OHR website, http://www.ohr.int/ohr-dept/presso/pressa/default.asp?content_id=3188 (accessed 4 July 2010)

The logic underpinning the drastic policy change, as explained by Petrisch, was to overcome the culture of dependency; while the OHR actively assists locals by *'occasionally intervening to accelerate implementation of peace and democracy'*, the post-war development must be firmly in the Bosnian hands as '*this is the only way in which Bosnia and Herzegovina can become a democratic, self-sustaining and self-confident state'* which is *'the essence of Europeanisation'*.[457] In the subsequent years the notions of local ownership and responsibility for the statebuilding process gained considerable purchase by becoming a precondition for international exit from Bosnia and for EU membership.[458] The lack of national responsibility has, in fact, become one of the key issues slowing down Bosnia on its path to EU.[459] This is hardly surprising given that the international inability to reconcile between the ideas of local ownership and the interventionism of the OHR has rendered local ownership somewhat a hollow concept.[460] The statebuilding process in Bosnia has therefore seen little translation of the theory into practice when it comes to local ownership. Particularly the pre-2006 international statebuilding policies were forced through with the aid of the Bonn powers but with little local policy input. Rather than handing over the actual the agenda-setting role to the locals, it appears that the responsibility for the process - and its eventual outcome - is transferred to the local sphere.[461]

This contradiction has enabled the formulation of credible discourse that casts doubt on the legality of the international statebuilding practice. Particularly Serb actors have formulated their challenges to the international statebuilding practice with recourse to international law. In this regard the evolution of these discourses is noteworthy. Initially the DPA, signed by Milošević, represented a bitter disappointment to the Serbs who sought full autonomy from Bosnia. The RS under Karadžić preferred the strategy of isolation when it came to dealing with the international statebuilding officials, while

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[457] OHR 'The High Representative discusses protectorate in Dani' Press release. 3 March 2000. Available at: http://www.ohr.int/dwnld/dwnld/html?content_id=3764 (accessed 4 July 2010)

[458] Council of the European Union, 'Council Decision of 18 February 2008 on the principles, priorities and conditions contained in the European Partnership with Bosnia and Herzegovina and repealing Decision 2006/55/EC'. *Official Journal of the European Union* 80/18 (2008), available at http http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:080:0018:0031:EN:PDF (accessed 28 January 2011)

[459] Interviewee 24

[460] Donais, Empowerment or Imposition?, 4

[461] Ibid, 7

using an emotionally-charged framing that depicted the international presence as an impediment to the unification of the Serb nation.[462] Following the departure of Karadžić from the RS political scene and the emergence of moderate political forces, an increasingly legalist stand and engagement with the international statebuilding practice has emerged. To this end, the RS began to engage in argumentation that relied on the stipulations of the international law and hired a US law firm to provide an expert interpretation of the OHR's use of Bonn powers. The Serb practices of contestation have to a large degree been represented as a defence of the peace agreement signed in Dayton in the face of international and Bosniak pressure to change aspects of it. In many ways then the Serb contestation of the international statebuilding practice has transformed from isolationist strategy relying on representations of the international community as an enemy to an active engagement based on legal argumentation.

Mobilized predominantly by political parties, media again plays a role in disseminating the contentious narrative of illegal international statebuilding practice; newspaper op-eds are frequently utilized by editors and academics challenging the lack of local control over the statebuilding process.[463] The local ownership-discourse calling for localization of the process appears regularly in Serb discourses. The RS Prime Minister, for instance, argued that *'Bosnia and Herzegovina has been for years a prisoner of the Office of the High Representative...the situation can be described as occupation'*.[464] While Serb discourses welcome the EU as a mediator and an advisory body, the OHR's efforts are critiqued as focusing on *'finding culprits rather than solutions'*.[465] Serbs claim that the OHR is a part of the problem rather than the solution; the closure of the agency is therefore the only way to ensure post-war development in Bosnia. This contentious narrative is not limited to calling for more local ownership but it also

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[462] Bildt, Peace Journey, 207

[463] See for instance excerpts from an interview of the head Department of Philosophy of Banja Luka university in Belgrade-based Vecernje Novosti (OHR BiH Media Round-Up 14 April 2003 Available at: http://www.ohr.int/ohr-dept/presso/pressa/default.asp?content_id=29703), and a member of the Law Faculty, Banja Luka (OHR BiH media Round-Up 25 July 2003 available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=30380) as well as editorial in Oslobodjenje on the protectorate-like role of the OHR (OHR BiH Media Round-Up, 17 October 2002, available at: http://www.ohr.int/ohr-dept/presso/pressa/default.asp?content_id=28154) (all accessed 7 August 2010)

[464] 'Bosnian Serb leader says Bosnia under occupation' *Associated Press Worldstream*. 23 April 2009. Accessed via Nexus UK 13 November 2010.

[465] UN Security Council Meeting Records S/PV.6222 23 November 2009, 7 http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/BiH%20SPV%206222.pdf, (accessed 1 October 2010)

problematizes Bosnian post-Dayton sovereignty. The Serb statebuilding discourse argues that while '*the Security Council has repeatedly declared, the primary responsibility for implementation of the Dayton Accords lies with the authorities in BiH themselves*',[466] international statebuilders continue to '*routinely intrude into the details of the domestic affairs of a sovereign state*'.[467] Couched increasingly in legalist terms, the Serb discourse frames the interventionist international presence as an affront to the international law. Banja Luka states that

> '*As a matter of international law, the PIC has no legal authority over BiH, including its Entities…The PIC, including its Steering Board, exists as a self-organised council of states and organisations. It derives no powers of direct into BiH's domestic affairs from Dayton Accords or from any other international legal instrument. No resolution of the Security Council has granted such powers to the PIC*'.

> '*It is imperative that the international community now reflect current circumstances and respect the sovereignty of BiH, international legal arrangements and other principles of international law*'.[468]

Crucially, similar views have emerged from Russia. Moscow has repeatedly stated that it does not support the use of Bonn powers as it is not conducive for peaceful solution of conflicts but rather reinforces them.[469] From the Russian point of view the OHR also operates on the basis of an anti-RS bias; commenting on the High Representative's speech in the UN Security Council in 2010, the Russian Ambassador to Bosnia asserts that

> '*the speech was unobjective, biased and favoured only one side in BiH. What is worse, it has become practice of the Office of the High Representative to accuse the Bosnian Serb Republic for everything that is not good in BiH*'.[470]

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[466] Republika Srpska 'Report on the Situation in Bosnia and Herzegovina: How the International Community Can Best Support Continued Progress'. February 2009, p.iii

[467] Ibid

[468] Ibid.pp.i,iii

[469] 'Russia disputes powers of international peace envoy in Bosnia' *BBC Monitoring Europe*. 10 January 2010, 'Russian envoy urges dialogue in Bosnia, slams use of Bonn Powers' *BBC Monitoring Europe*. 27 January 2010. Both accessed through Nexis UK 10 December 2011.

[470] 'Russia ambassador accuses Bosnia peace envoy of anti-Serb bias' *BBC Monitoring Europe*. 28 May 2010 Accessed via Nexus UK 8 June 2010.

This has clearly added weight to the Serb contention and reinforced the status of Russia as an ally of Bosnian Serbs amongst the international statebuilding actors.

The above practices of re-framing 'liberal peace' to highlight the contradictions in the international statebuilding practice of both the power and the limitations of international statebuilding. As noted earlier, it is telling of the fact that the concepts and norms associated with liberal peace remain the only language spoken by statebuilding actors, whether internal or external. At the same time, however, the failure to live up to norms and values propagated has rendered international statebuilding agencies susceptible to local critique based on those very same norms. Another point worth highlighting is the reoccurring theme of the above practices: legitimacy. What is at stake in these representations of the international statebuilding practices as non-democratic and coercive are competing bids for legitimacy. While these local actors engaged in contention seek to represent the international practices as illegitimate, they endeavor simultaneously to frame themselves as legitimate actors promoting legitimate agendas.

Discursive Appeals to International Statebuilders

If discursive de-legitimization of international statebuilding has entailed the representation of international statebuilding as an oppressive practice, another set of local discourses seeks to shape international statebuilding through a more subtle strategy. Local agencies have appealed to international statebuilding actors by situating themselves in or adopting international discourses. A particularly dominant practice in this regard has been the Bosniak endeavor to frame the post-conflict process as one of perpetual danger and risk of conflict so as to extend the presence of international statebuilding actors which is seen as coinciding with the Bosniak interests. This narrative has aligned itself with those international actors arguing for more robust international interventionism in Bosnia. Another discursive attempt to co-opt international statebuilding has sought to represent Bosnia as a theatre in the war on terror and Islamic extremism. This has enabled Serb and Croat actors to represent themselves as partners for the international community.

Dangerous Statebuilding

Perhaps the most common discursive co-optation practice has been the Bosniak attempt to represent the international presence as necessary from the point of view of security but also due to moral considerations. To elaborate on this argument, it is useful first to say a few words about the wider debates pertaining to the international presence in the country. The internationally-led statebuilding venture in Bosnia has been premised both on military and politico-economic prerogatives. NATO, and later EUFOR, troops provided the security structures required for peacebuilding and statebuilding efforts. International agencies and organizations focusing on the political and economic aspects of rebuilding of the country offered, in turn, a comprehensive set of reforms aimed at transforming the institutions and processes inherited from socialism. Particularly in the immediate aftermath of the war, the international presence was regarded necessary not only in terms of rebuilding the country, but also as a safeguard against return to inter-ethnic violence. In an attempt to convince the Congress that long-term American involvement was needed, Clinton argued that pulling out too soon would almost certainly cause Bosnia to fall back into war.[471] Clinton's national security adviser argued in similar vein that without the continued international intervention the DPA would be in danger of collapsing which might result in conflict not only in Bosnia but also in the wider region. Crucially, this would not only have tragic human consequences but would also undermine the credibility of NATO.[472]

While immediately after the war the continued military involvement was seen as crucial, later on calls for continued political engagement emerged. In an appeal for a more interventionist approach, the former High Representative Paddy Ashdown and American diplomat Richard Holbrooke argued that Western interventionism is vital as *'the country is in real danger of collapsing…it is time to pay attention to Bosnia again,*

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[471] John F Harris 'Clinton will keep troops in Bosnia'. *Washington Post*. 19 December 1997 Online Available at: http://www.washingtonpost.com/wp-srv/inatl/longterm/balkans/stories/clinton1219.htm. Accessed 8 April 2011.
[472] 'Security aide sees presence in Bosnia beyond deadline'. *The New York Times*. 24 September 1997. Accessed through Nexis UK 20 June 2010.

if we do not want things to get very nasty quickly'.[473] A year later, Ashdown and the UK shadow Foreign Secretary William Hague warned in a letter to *the Financial Times* that the break-up of Bosnia was a probable without intensified Western intervention.[474] Calls for interventionism, framed as highly urgent and necessary are informed by the assumption that violence will follow if the international community fails to act. For some international actors then conflict rather than peace is understood to be the *'natural default'* of Bosnia which renders the statebuilding process dangerous.[475] These assumptions, coupled with the collective memory of the international failure to act in the face of brutal conflict and genocide in the early 1990s, have meant that the narratives of perpetual conflict have resonated well amongst the international statebuilders, as the continued international presence seventeen years after the end of the war demonstrates.

In the context where the interests of the Bosniak statebuilding project coincide with those of some of the key international actors (namely the United States and Turkey), certain Bosniak actors frequently tap into the 'dangerous statebuilding' narrative.[476] For many in the Bosniak community extensive international involvement is desirable not only due to the convergence of Bosniak and (some) international actors' desire to strengthen the central institutions of the country, but also as the presence of the OHR is seen by many Bosniaks as a factor that reduces opportunities for contestation by the other national groups.[477] The discourse of dangerous statebuilding is used to reproduce the idea of Bosnia under a constant threat of relapse to armed conflict; this is well illustrated by the war-time Bosniak President Izetbegovic who suggested three years after the war that *'…Bosnia is neither in war nor peace…I would say that an absence of war is by no means peace'.*[478] In 2008 when the international community made public its plans to wind down its military presence in Bosnia, the leader of the Bosniak-dominated SBiH-party Haris Silajdžić noted that Bosnia was facing the most dangerous

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[473] Paddy Ashdown and Richard Holbrooke ' A Bosnian powder keg'. *The Guardian.* 22 October 2008. Online. Available at: http://www.guardian.co.uk/commentisfree/2008/oct/22/ashdown-holbrooke-bosnia-balkan-dayton. Accessed on 8 April 2011.

[474] 'Bosnia's break-up would cause "disaster", British politicians warn'. *BBC Monitoring Europe*. 31 December 2009. Accessed through Nexis UK 23 June 2010.

[475] Augustine Park 'Peacebuilding, the Rule of Law and the Problem of Culture: Assimilation, Multiculturalism, Deployment'. *Journal of Intervention and Statebuilding 4* no. 4 (2010), 423

[476] This discourse has been primarily used by the SDA and SBiH.

[477] Interviews 9 and 43

[478] 'Risk of conflict in Bosnia remains: Izetbegovic' *Agence Presse France* .7 April 1998. Accessed via Nexus UK 1 May 2010.

phase of its post-war development due to insufficient centralization of the state.[479] In espousing the predominant panacea for conflict in the thinking of the international statebuilding community - that is, the state as the ultimate conflict resolution mechanism - the Bosniak critique has pointed to the international failure to construct a strong central state. Local statebuilding agents such as Silajdžić have formulated discourses that de-legitimize international statebuilding on the basis of the international community's abandonment of its own ideals.[480] The Bosniak discourse reproduces the direct causal links between international withdrawal and conflict, as articulated by Ashdown, Holbrooke and other international commentators. Silajdžić, for instance, called for extension of international involvement as *'it is better and cheaper than risking aggression'*.[481] Tihić, of the Bosniak-SDA party, asserted similarly that *'we warn the international community about possible consequences following withdrawal…the progress achieved so far could be endangered, divisions and God forbid conflict may occur'*.[482]

International Responsibility

It is not only the risk of crisis that necessitates the international presence for many Bosniaks, but also *'international responsibility'* to the Bosniak community.[483] In this contentious narrative, moral considerations provide the lens through which the international responsibility to the Bosniaks is understood. Silajdžić notes, quoting the 2000 UN Secretary General's report on Srebrenica, that *'Srebrenica crystallised a truth understood only too late by the United Nations and the world at large: that Bosnia was as much a moral cause as a military conflict'*. He goes on to argue that *'now is the time to right these wrongs'*.[484] Another Bosniak leader demanded similarly that *'the time has*

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[479] 'Bosnia entering most dangerous phase after the war – Presidency's Silajdžić' *BBC*. 18 November 2008. Accessed through Nexis UK 5 November 2010.
[480] Ibid.
[481] 'EU/US/Bosnia: leaders differ on type of international engagement needed'. *European Report*. 23 May 2008. Accessed through Nexis UK 3 November 2010.
[482] Muslim leader expresses Bosnia fear if Dayton envoy departs' *Agence France Presse*. 9 October 2008. Accessed through Nexis UK 28 October 2010.
[483] ' Muslim Party Continues Boycott of Constitutional Talks'. *FENA/BBC Monitoring Europe*. 25 March 2002. Accessed via Nexus UK 4 November 2010. This was also a reoccurring theme in interviews conducted by the author (interviews 42,5,40, 47, 48, 50)
[484] Haris Silajdžić statement at the UN General Assembly 23 September 2008, http://www.un.org/News/Press/docs/2008/ga10749.doc.htm (accessed 1 June 2010)

come for the international community to take over its part of the responsibility'.[485] According to this narrative, moral responsibility provides the basis for extensive international involvement and the promotion of centralised state. Reflecting the growing disillusionment in the Bosniak statebuilding project with the international statebuilding officials, Bosniaks assert that the international statebuilders have not succeeded in fulfilling their moral obligations to the Bosniaks. As Silajdžić noted; *'...a part of the responsibility rests with the international community which simply took an easy road. While its officials talked about multi-ethnic and democratic Bosnia, it was preserving the status quo'.*[486] *'Keeping the status quo',* according to Silajdžić, amounts to *'holocaust victims being controlled by Gestapo'.*[487] This has resulted in calls for more intensive international intervention in general and the use of Bonn powers in particular. It is notable that whereas the Serb and Croat statebuilders have drawn on the international normative narratives to legitimize acts of contestation, some Bosniak actors have engaged in practices that have reinforced the empirical credibility of the perpetual conflict discourse. Evidence of this is, for instance, the inflammatory rhetoric, challenging the very basis of the peace agreement. The Bosniak calls for Bosnia without entities have led to frequent confrontations with the RS which in turn has necessitated continued international presence.

Islamic Extremism

Although much of local contention has operated within the traditional liberal peace framework pertaining to democracy and other core norms, an interesting aspect of local discursive appropriation has been the deployment of the war on terror narrative. It has been deployed by Serb and Croat actors. While generally the Serb and Croat-initiated contention in the discursive domain has centered on the de-legitimization of the international statebuilding practice, they have also attempted to appeal to the international actors by representing themselves as partners in the international effort to

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[485] OHR BiH Media Round-up, 24 February 2003, http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=29317. (accessed 23 November 2010)

[486] OHR BiH Media Round-Up 25 October 2002. Available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=28284 (accessed 16 October 2010)

[487] 'EU/Bosnia : Bosnia's president slams 'inconsistent' EU support for reform' *European Report*. 28 May 2007. Accessed through Nexis UK 1 December 2010.

tackle Islamic extremism. This strategy is best understood in the context of the debates surrounding Islamic fighters and the Bosnian War. During the war fighters from Islamic countries joined the war effort of their fellow Muslims; estimates of the numbers of Mujaheddin arriving at Bosnia since the beginning of the war in 1992 range from a few hundred to several thousand. Following the signing of the DPA, one of the key conditionality for foreign (particularly American) aid to the Bosniak-Croat dominated Federation was the deportation of all foreign fighters. International attention to the continued presence of naturalised Mujaheddin[488] and Islamic extremism in Bosnia was reinvigorated by the 9/11 attacks on the United States; Bosnia as terrorist breeding ground and transit hub became a regular feature in the American policy discourse in particular.[489] While other international actors involved in Bosnia such as the EU Police Monitoring Mission and the OHR have noted that little evidence of Islamic extremism exists, regular statements from Washington portraying Bosnia as an actor in global terrorism have undoubtedly created discursive opportunities for Serb and Croat actors in Bosnia.[490]

Serb and Croat representations of Islam in Bosnia as a threat are by no means recent. They were common already during and immediately after the war. Karadžić, the first President of the RS, argued that the RS and the Federation are *'Europe's first line of defence against Islamic terrorism'*.[491] The framings of Sarajevo as the *'European Tehran'* sought to counter the narratives of Bosnia as a bridge between Europe and Islam popular amongst many in the international community.[492] Such discourses gained new momentum following the 9/11 terrorist attacks and the subsequent shift in the international policy from peacebuilding to statebuilding. Bosnia found itself on a list of countries suspected of having Al-Qaeda cells on their territory after the September 2001

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[488] Some mujaheddin obtained Bosnian citizenship during the conflict and as Bosnian citizens were allowed to stay after the end of the war.

[489] 'US warns Bosnia could become staging ground for terror operations" *BBC*. 2 May 2008. Accessed through Nexis UK 2 December 2010; 'Al-Qaida still poses a threat in Bosnia, Expert says U.S. let terrorists gain foothold' *BBC*. 6 April 2002. Accessed through Nexis UK 1 November 2010; The United States State Department (2008), Country Reports on Terrorism 2007 Available at: http://www.state.gov/documents/organization/105904.pdf. Accessed 10 May 2011.

[490] 'EU police reject Serb police chief's claims regarding terrorism in Bosnia' *BBC*. 25 May 2005. Accessed through Nexis UK 19 November 2010.

[491] ' Relations with Rest of Bosnia' *SRNA/BBC Summary of World Broadcasts*. 17 March 1996. Accessed via Nexis UK 12 November 2010.

[492] Ibid; Excerpts from the HR Ashdown's speech. OHR BiH Media Round-Up 18 November 2004 Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=33538 (accessed 8 December 2010)

terrorist attacks. RS officials took the opportunity immediately after 9/11 to demand investigation into the war crimes committed by Muslim fighters during the Bosnian war, while emphasizing the links between global Islamic terrorism and Bosnia.[493] In doing so they drew parallels between the 9/11 attacks and acts committed by Bosniaks during the war.[494] It also meant associating Bosniak politicians with al Qaeda and Osama Bin Laden; Serb and Croat actors have often emphasized the personal connections prominent Bosniak politicians had with al Qaeda.[495]

An integral part of the Islamization of Bosnia discourse has thus been the attempt to place the narrators within the framework of international security discourses and demonstrate their commitment to the international norms and values.[496] In this way Bosnian Serb and Croat actors have sought to situate themselves in the *'discursive community created by the war on terrorism'*.[497] Media have played a central role in disseminating such discourses. Serb newspapers such as *Glas Srpske* and their Croat counterparts *Dnevni List* and *Vecernji List* have regularly given access and visibility to such narratives. Bosnian Serb leader Dragan Cavic argued that Islamic extremism was spreading through the Federation; while the RS *'was ready to settle score with the dark side of its past in a democratic and civilized way'*, certain actors in Federation were envisioning *'unitary'* Bosnia governed by Sharia law, according to Cavic.[498] The continued presence of Mujaheddins is frequently represented as dangerous in terms of Bosnian peace as well as the regional stability.[499] Bosnian Croat politician Dragan Čović, for instance, appealed to the Bush administration to act more aggressively in dealing with the terrorist problem in Bosnia as inaction could result in wider

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[493] OHR Media Round-Up 10 October 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=6033 (accessed 12 June 2010)

[494] Karmen Erjavec and Zala Volcic ' War on Terrorism as a Discursive Battleground: Serbian Recontextualisation of G.W. Bush's Discourse'. *Discourse and Society, 18* no.2 (2007), 133

[495] OHR Media Round-Up, 10 October 2001, Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=6033; OHR Media Round-Up, 30 June 2004, Available at: Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=32746

[496] See Erjavec and Volčič (2007) for how the war on terror discourse was recontextualised by Serbian intellectuals

[497] Erjavec and Volcic, War on Terrorism, 124

[498] OHR Media Round-Up, 28 June 2004. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=32730 (accessed 12 June 2010)

[499] 'Presidency chairman says Bosnia "international oasis for terrorists" *BBC Monitoring Europe* 16 December 1999. Accessed through Nexis UK 3 March 2010.

destabilization.[500] Čović also suggested that *'the fight against terrorism and organized crime...represents a threat to the entire civilized world',* while his Serb counterpart Milorad Dodik emphasized the RS' commitment to the US-led war on terror.[501] Another Serb official noted that *'Bosnia is part of the world front committed to combating terrorism and the best way to demonstrate this fight lies within our country's borders'.*[502]

Countering Discursive Contention: International Strategy of Decertification

Through the process of re-framing the narratives of 'liberal peace' local discursive repertoires have sought delegitimize and destabilize aspects of the international statebuilding practice. At the same time, the discursive repertoire has entailed the alternative strategy of discursive co-optation of the international presence. This section of the analysis argues that these discursive modalities of contention have not gone unnoticed by the international statebuilding actors. The ensuing discursive interactions rarely result in tit-for-tat type cycles of contention as discussed in the previous chapter; international actors respond in a less direct, but no less subtle, manner. International statebuilders engage in these frame contests through generating meaning and interpretations of the post-conflict process, the local actors and themselves via public reports, statements and media interviews. Public discourses, as the OHR acknowledged, are an indispensable tool for the international statebuilders in terms of sending messages to non-conforming local actors. It is a common practice, albeit one that evokes much resentment amongst the locals, for the international officials to make strongly-worded statements or express opinions publicly pertaining to the activities of local actors.[503]

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[500] OHR BiH Media Round-Up 25 March 2003. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=29523 (accessed 19 June 2010)

[501] 'Bosnia's Political Priority is Fight Against Terrorism – Presidency Member' *SRNA/BBC Monitoring Europe.* 29 September 2003. Accessed via Nexis UK 18 April 2010. Dodik's interview: OHR BiH Media Round-UP 10 October 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=6033. (accessed 17 June 2010)

[502] OHR Media Round-Up 12 January 2004. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=31524 (accessed 26 June 2010)

[503] As reported in 'Bosnian media fair game to manipulation'.*United Press International.* 30 March 1999. Accessed through Nexis UK 30 March 2010. This was corroborated by an OHR official in a personal interview with the author (interview 51).

International statebuilders regularly engage in '*decertification*'; '*certification*', following McAdam, Tarrow and Tilly refers to the validation of actors, their agendas and practices by external authorities, while '*decertification*' denotes delegitimization of actors and agendas.[504] This international strategy of countering local critical discourses is highly indicative of the power that comes with the authority to define and label actors. Decertification is a reflection of the tendency by some international statebuilding actors to equate local critique of the post-conflict process with anti-Dayton behavior. As the US Assistant Secretary of State for Europe and Eurasian Affairs Philip Gordon noted in relation to international statebuilding measures,

> '*…these decisions cannot be appealed or challenged…questioning that, challenging it and criticizing is really afront to the notion of Bosnia and to Dayton and that's not acceptable to us*'.[505]

Decertification of local agencies has by and large converged around representations of the local agencies as criminal and irresponsible. Richard Holbrooke, US diplomat, for instance, noted in response to Bosnian Serb non-compliance with international statebuilding measures that

> '*…there are people who are separatists, racists and war criminals and crooks who are trying not only to destroy the Dayton agreement, but take the Serb people…back into the dark ages of six years ago*'.[506]

A representative of the International Crisis Group maintained, in turn, that the distinction between local criminals and politicians is virtually impossible to make.[507] In tandem with the above, international officials have discursively constructed binaries between the honest citizens and the predatory elites. '*Lying and irresponsible politicians*', as the High Representative Petritsch put it, '*have not fulfilled promises*

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[504] Dynamics of Contention, 121
[505] Bosnia Press Review, Dnevni Avaz, 17 December 2009. http://www.balkaninsight.com/en/page/press-reviews/22334. (accessed 18 December 2009).
[506] 'Racism and separatism still present in Bosnia, Holbrooke says' *Associated Press Worldstream* 2 September 1999. Accessed via Nexis UK 5 March 2010
[507] OHR Media Round-Up, 8 July 2003. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=30258 (accessed 10 October 2010)

given to you and Bosnia-Herzegovina and they have been blocking your way towards a better future'.[508] When introducing local ownership as the key international policy in Bosnia, he noted the new strategy ought to reach to the people, rather than being focused on politicians who are *'more often than not the problem'*.[509] Other international officials have similarly pitted *'vulnerable people'* against *'extreme nationalists'* in explaining the post-conflict environment, suggesting that the people of Bosnia remain prisoners of their self-aggrandizing elites.[510] Extensive international involvement becomes then necessary, paradoxically, to protect the people from their elected leaders. These discursive binaries between the predatory elites and the people not only legitimize international intervention, but are in many ways necessary for the maintenance of the international legitimacy in Bosnia. Alternative representations of local contestation as grassroots-led and people-backed challenge to the internationally-guided statebuilding would undermine the international self-perception as the protector of the people. Intimately linked to the narratives of local criminality and irresponsibility is the discursive construction of 'local partners' and 'anti-Dayton forces'. This has generally meant publicly supporting certain political parties, such as the multi-ethnic SDP and decertifying others, namely parties considered nationalist. While the US Secretary of State, Madeleine Albright, represented the election victory of non-nationalist party SNSD in the RS in 2000 as significant step in establishing a *'partner'* for the international community in the RS,[511] Washington has generally refused to cooperate or provide aid to Bosnian governments comprised of nationalists regarded as anti-Dayton actors.[512]

The strategy of decertification has also entailed what Bain calls a *'discourse of ability'*; representing the local as incapable of transcending its communist past and the

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[508] 'International mediator in Bosnia slams irresponsible local politicians' *BBC Monitoring Europe* 29 September 2000; 'Bosnia: International administrator explains reasons for dismissing officials' *BBC Monitoring Europe*, 30 November 1999. Both accessed via Nexis UK 7 March 2010.

[509] Wolfgang Petritsch 'Speech by the High Representative for Bosnia and Herzegovina, Ambassador Wolfgang Petritsch at the Steering Board Ministerial Meeting' New York, 22 September 1999. Available at: http://www.ohr.int/print/?content_id=3339 (accessed 1 December 2010)

[510] Klein, Jacques, 'Speech by Ambassador Klein, Principal Deputy High Representative at the Royal Institute of International Affairs' (21 April 1999 London).http://www.ohr.int/print/?content_id=3330; Wolfgang Petritsch, 'Speech by the High Representative, Wolfgang Petritsch, to "Circle 99"' 2 November 2000, Sarajevo. (both accessed 3 December 2010)

[511] 'US secretary of state pledges support for economic reforms in Bosnia' *BBC*. 10 March 2000. Accessed through Nexis UK 6 December 2010.

[512] 'USA to reduce aid to Bosnia if nationalist parties form government' *BBC*. 2 November 2002. Accessed through Nexis UK 1 January 2011.

associated mentalities.[513] Local actors are framed as being unable to establish courts, parliaments, organize free elections or to develop economically.[514] International officials, for instance, argued that the local dependency on the OHR has resulted from the local inability to operate in a political system based on consensus and negotiation, given the one-man rule of Tito the country was subjected to.[515] At the same time, it is the patrimonialism inherited from the communist system that undermines true local ownership rather than the interventionism of certain international actors, as the argument goes.[516] The High Representative Lajcak, in turn, assessed in 2008 that Bosnia is essentially *'not ready for self-government'* due to the lack of responsibility shown by the local leaders and the failed Europeanization of the institutions.[517] It is then the local lack of experience that necessitates and legitimizes international intervention.[518]

Conclusion

This Chapter has centered on the discursive domain of the statebuilding process in post-Dayton Bosnia. Alongside the local engagement in the statebuilding process through bureaucratic means, discursive practices have provided further method through which local statebuilding agencies actively engage with the externally-led statebuilding process. In an attempt to interrogate the discursive repertoire of contention, the analysis has identified two discursive strategies of contention: the delegitimization/destabilization and co-optation/making of appeals to international statebuilding actors. The former practice has re-framed the 'liberal peace' discourse by underlining its contradictions. The latter strategy has, in turn, entailed the framing of the process and the actors involved in a way beneficial for the actors in question. Discursive modalities of contention have thus consisted of both challenging and undermining international statebuilding practice, while deploying other discourses in an attempt to

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[513] William Bain 'For Love of Order and Abstract Nouns: International Administration and the Discourse of Ability' *Journal of Intervention and Statebuilding* 3 no.3 (2009)

[514] Ibid, 156

[515] Wolfgang Petritsch 'Chatham House Speech by the High Representative Wolfgang Petritsch' 18 February 2000, London. Available at: http://www.ohr.int/print/?content_id=3227 (accessed 17 January 2011)

[516] 'Deputy peace envoy calls Bosnia 'kleptocracy'. *BBC*. 10 September 2009. Accessed through Nexis UK 20 November 2010.

[517] ' International envoy says Bosnia not ready for self-government' *Agence France Presse*. 12 August 2008. Accessed through Nexis UK 18 November 2010.

[518] Bain, For Love of Order

affect the course of the process. International statebuilding actors have responded by decertifying and marginalizing local actors. These discursive interactions, or frame contests, reflect the discursive hybridity that exists alongside institutional hybridity. Although 'liberal peace' discourse may be hegemonic in the sense that it remains the sole discursive framework within which both internal and external actors operate, its key concepts are adapted and re-framed in a range of contrasting and competing manners. In many ways the existence of parallel discourses is telling both of the prominence and limitations of the 'liberal peace' paradigm. It is testament to the dominance of the liberal framework in that it represents the only context within which all actors – whether internal or external - articulate their claims and representations of the post-conflict process. In order to make credible and legitimate claims on other actors or agendas, liberal concepts, norms and values remain the sole ideological framework. The existence of discursive parallels is also indicative of the limitations to the power of the international statebuilding. The universal discourses and liberal concepts are easily harnessed to challenge non-liberal statebuilding practices that are often part of externally-led statebuilding processes.

Chapter 6
The Symbolic Domain

This thesis has so far discussed local practices of contention in the institutional and discursive domains. It has shown how the institutions of governance put in place by international actors have served as a vehicle through which local actors have slowed down and negotiated the process. The discursive domain, on the other hand, entails a range of different representations of the post-conflict process and the actors involved. Some undermine international statebuilding practice by foregrounding its undemocratic and unaccountable nature, while other discourses seek to appeal to international statebuilding actors. The central concern of this Chapter is how international statebuilding is contested in the symbolic domain. The analysis identifies a set of local practices that deploy symbols or symbolic practices pertaining to identity and culture in an attempt to contest the externally-led statebuilding process. These practices have entailed the use of tangible signifiers and rituals that highlight the exclusive identities, but also the act of creating facts on the ground through *'appropriating geographic spaces'* by inscribing them as Bosniak, Croat or Serb.[519] More specifically, the empirical material suggests that these practices consist of the rejection of the symbols of Bosnianess decreed by the OHR, renaming towns and streets in accordance with exclusive (rather than shared) histories, refusals to restore the architectural signifiers of multi-culturalism and multi-confessionalism, the promotion of separate languages, the separate (rather than shared) practices of commemoration and national holidays. Contentious symbolic practices overlap with bureaucratic and administrative modalities of contention in that they often deploy local-level institutions to pass decisions that facilitate symbolic actions. Yet, this symbolic domain is distinct from the institutional domain in that its main method of contention is not so much to block or delay decision-

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[519] Nicole Watts 'Activists in Office: Pro-Kurdish Contentious Politics in Turkey'. *Ethnopolitics,* 5 no.2 (2006), 137

making but rather to produce alternative meanings of Bosnianess and sustain narrow community-based identities. The deployment of symbols (such as alternative flags) and symbolic acts (such as refusing to celebrate the Bosnian Independence Day) are essentially '*political techniques*'[520] that make claims about local identities that directly challenge the international identity-building measures designed to consolidate Bosnian statehood. In doing so local symbolic practices provide an alternative cultural project that foregrounds the existence of distinct and separate local national groups.

The chapter is organized as follows. The first part briefly looks at the notion of Bosnian identity from a historical perspective. This is expedient in not only providing background on the local identities that underpin the symbols and symbolic practices, but also in contextualizing the internationally-led identity-building measures in the aftermath of the conflict. The analysis then moves onto mapping out the official, internationally-propagated, cultural narrative of the post-conflict process. The rest of chapter focuses on the local practices of contention through symbols.

The Ontology of Symbols

Positivist research in International Relations and beyond tends to regard symbols of statehood, identity and belonging as the opposite of 'real' politics, an illusionary and abstract realm bearing little importance to actual politics. Yet, much of global and local politics entail symbolic dimension. The blue helmets of the UN peacekeepers, for instance, have come to symbolize the impartiality and consensual nature of the peacekeeping missions.[521] At the level of domestic politics, largely symbolic practices such as Presidential inauguration or an opening of Parliament are used by politicians seeking to legitimize their authority, or as Kertzer puts it, to use rites and rituals to create political reality for the people.[522] Symbolic practices are particularly salient in times of conflict and in contested spaces where different actors seek to authorise their versions of the past, the present and the future. Although the above point may seem

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[520] Roger Mac Ginty 'The political use of symbols of accord and discord: Northern Ireland and South Africa, *Civil Wars*, 4 no.1 (2001), 2
[521] Robert Rubinstein Cultural Aspects of Peacekeeping: Notes on the Substance of Symbols *Millennium: Journal of International Studies* 22 no.3 (1993)
[522] David Kertzer *Ritual, Politics and Power* (New Haven: Yale University Press, 1988), 1

somewhat self-evident, the post-conflict scholarship on the symbolic domain where identity-politics operate has remained relatively limited. Whereas burgeoning literature on the symbolic aspects of conflicts exists, there has been relatively little empirically-grounded engagement with identity-building in general or its symbolic dimensions in particular. Some notable exceptions are Brown and Mac Ginty's [523] analysis of public attitudes to neutral and partisan symbols in Northern Ireland, Mac Ginty's [524] investigation into symbols of accord and disaccord in Northern Ireland and South Africa and Jeffrey's [525] study on symbols in the Brčko District. Notwithstanding these studies, concrete and abstract manifestations of identity and belonging in post-conflict spaces remain an under-researched aspect of post-conflict statebuilding. Investigating such questions is not only important because the symbolic domain constitutes a feature in post-conflict statebuilding processes as this Chapter seeks to demonstrate, but also because these issues touch upon wider theoretical debates pertaining to self-determination, democracy and nationalism, largely conducted through the conceptual prism of *ethnos* vs *demos* as the basis of statehood.

If symbolic politics have elicited little attention in theorizing grounded in positivist line of enquiry, other disciplines, in particular the scholarship on nationalism has paid a great deal of attention to symbols in explaining the emergence and persistence of national identities. Smith, for instance, foregrounds the importance of symbolic aspects*, 'myths, memories, traditions, values, rituals and symbols',* in the development and persistence of nations.[526] In the ethno-symbolist approach to understanding nations and nationalism developed by Smith symbols are seen as '*cultural resources'* that can transform group's responses to changes in socio-economic and political circumstances (albeit symbols are not regarded as products of such circumstances, as suggested by modernist nationalism scholars).[527] While identities are socially constructed, according to the ethno-symbolist approach, a constellation of myths, values, memories and symbols that constitute identity lie at the core of the constructed identities. Applying

[523] Kris Brown and Roger Mac Ginty 'Public Attitudes toward Partisan and Neutral Symbols in Post-Agreement Northern Ireland'. *Identities, 10* no.1 (2003)
[524] Mac Ginty, the Political Use of Symbols
[525] Alex Jeffrey 'Building state capacity in post-conflict Bosnia and Herzegovina: The case of Brčko District'. *Political geography, 25* no. 2 (2006)
[526] Athena Leoussi and Steven Grosby (eds) *Nationalism and Ethnosymbolism: History, Culture and Ethnicity in the Formation of Nations* (Edinburgh: Edinburgh University Press, 2007), 5
[527] Ibid, 6

similar logic to ethnic conflicts, commentators such as Kaufman have argued that rather than conceiving conflicting interests per se as the primary causes of war, it is the emotionally-charged symbolic politics through which the interests of the different actors are defined and acted upon that are result in violent conflicts.[528] He notes that ethnic elites use symbols to manipulate and mobilize the masses, but this is only possible when a real or perceived conflict of interests and 'mythically' based antagonistic sentiments exists.[529] It follows then that in order for the post-conflict interventions to be successful, it is necessary to understand why group member mobilize for war or alternatively, for peace.

For others notions of 'nations' and their symbolic aspects function merely instrumentally, as tools of elite manipulation of the masses.[530] While the modernist view of nations and nationalism entails a range of different interpretations, they share the view that the emergence of nations is intimately linked to modernity and symbols of identity and belonging are invented for the 'imagined community' in the process. Similar, instrumentalist approach to symbols has by and large been adopted by contentious politics scholars; groups seeking to make contentious claims on authorities frame meanings and symbols in a particular way so as to highlight the grievances and the injustice they claim to have suffered. [531] This has often entailed the mobilization of emotions through the use of symbols.[532] In the field of conflict studies many critiques of ethnic conflict research have foregrounded the rational and opportunistic nature of violence that often has little to do with 'ethnicity' or other questions of identity. As Mueller notes, ethnicity is often better understood as an *'ordering device'* rather than a cause of warfare in so-called ethnic conflicts.[533] Much of empirical research indicates indeed that symbols in Bosnia have been susceptible for manipulation by the elites before, during and after the war. At the same time, it would be inaccurate to regard all

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[528] Stuart Kauffman 'Escaping the Symbolic Politics Trap: Reconciliation Initiatives and Conflict Resolution in Ethnic Wars' *Journal of Peace Research* 43 no. 2 (2006) , 202
[529] Ibid, 212
[530] See for instance Eric Hobsbawm and Terence Ranger (eds.) *The Invention of Tradition.*(Cambridge: Cambridge University Press, 1983), Benedict Anderson '*Imagined communities : reflections on the origin and spread of nationalism' (*London: Verso, 1983)
[531] See for instance John McCarthy and Mayer Zald 'Resource Mobilization and Social Movements: A Partial Theory." *American Journal of Sociology* 82 no. 6 (1977), Doug McAdam *Political Process and the Development of Black Insurgency*. (Chicago: University of Chicago Press, 1982), William Gamson *The Strategy of Social Protes*t.(Homewood, Ill.: Dorsey Press, 1975)
[532] Aminzade and McAdam, Emotions and Contentious Politics
[533] John Mueller, 'The Banality of "Ethnic War"' *International Security* 25 no.1 (2000), 62

symbols found in the Bosnian political landscape as recently 'invented' or novel; much of the Serb and Croat symbolic framework that Bosnian Serb and Croats respectively draw on represent considerable historical continuity and are thus likely to be emotionally-charged, even if not primordial or unchanging. It is also noteworthy that identity-related appeals have also been facilitated to a great deal by the political system created by the international actors. In a system prioritizing ethnic quotas the need to attract voters from other national groups does not exist which dis-incentivizes political programmes based on multi-culturalism. In this way the institutional design created by international actors has created opportunities for engaging in exclusive ethnic appeals. Moreover, the fact that the group-specific symbols have considerable purchase to some of the group members is an outcome of the recent conflict and lack of meaningful reconciliation thereafter rather than a fixed attribute of local groups.

Symbols and Symbolic Practices

The symbolic domain is of interest to an investigation of contention in environments where questions of culture and identity - whether expressed through emblems, language or architecture - have acquired distinctly political meaning. In the Bosnian case symbols and symbolic practices reflecting purportedly essentialist identities have become a medium through which local statebuilding actors produce and maintain alternative cultural narratives. Symbol is taken here to denote a cognitive sign or an act that is used to represent something else, most often abstract concepts. The importance of examining the symbolic aspects of the statebuilding processes derives from the fact that symbols are not merely an opposite of 'real life'; they not only play an important role in ordering thoughts and feelings and transforming them into action, but they are real in the sense that they often become tangible features in social processes.[534] Symbols make moral claims about right and wrong and communicate the values and worldviews of the community in question. They draw on the*' folk memory bank…of cultural references'*.[535] Following Harrison's work on the political use of symbols in situations

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[534] Zdzisaw Mach *Symbols, Conflict, and Identity : Essays in Political Anthropology*. (Albany State University of New York Press, 1993), 36
[535] Mac Ginty, The Political Use of Symbols, 4

of conflict, a number of strategies are available to actors wishing to deploy symbols.[536] Some of those strategies are discernible in the symbolic domain of post-Dayton Bosnia. One of them relates to innovation; this is manifested in the invention of tradition and '*competitive differentiation*' through which peoples and cultures are labeled as distinct.[537] Mach argues in similar vein that the key function of symbols is to '*objectify relationships*' between groups.[538] As it is impossible to observe relationships between groups in concrete reality, they are given meaning by discourses and symbols. Relationships, as Mach notes, are thus '*abstractions*' that gain meaning and can be '*seen*' through symbols.[539] Symbols function to produce tangible demarcations between 'us' and 'them', while creating a sense of unity in the 'we' group. Harrison notes that it is not only the differentiation that innovation is salient for; it is also a sign of equality with rival groups and their symbols.[540] Another symbolic strategy is what might be called expansion; this is evident when group replaces the symbols of a rival group with those pertaining to its own culture and identity. Innovation in the Bosnian case, as the Chapter demonstrates, has meant for instance the development of the Bosnian language as distinct from Serbian and Croatian. Another example is the deployment of alternative rituals of nationhood at the expense of the official celebrations of Bosnianess and Bosnian statehood. Expansionist strategy has, in turn, been used to replace names of public spaces referring to rival groups with those symbolizing the current power-holders. It has also been evident in the attempts to maintain the mono-cultural architectural landscape, in certain parts of the country, forged through war. Although symbols often justify order and authority, they can also represent a challenge to it.[541] These symbols are what Turner coined '*anti-structural*' symbols in that they pose alternative visions to the existing social arrangements in times of transition or social upheaval.[542] Symbolic modalities of contention are particularly palpable in ceremonies, rituals and symbols that highlight specific aspects of the group in defiance of the official symbolic practices sanctioned by the authorities.[543]

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[536] Simon Harrison 'Four Types of Symbolic Conflict' *The Journal of the Royal Anthropological Institute* 1 *no. 2 (1995)*
[537] Ibid, 261
[538] Mach, Symbols, Conflict and Identity, 39
[539] Ibid.
[540] Harrison, Four Types of Symbolic Conflict, 262
[541] Mach, Symbols, Conflict and Identity, 9
[542] Victor Turner *Dramas, Fields, and Metaphors : Symbolic Action in Human Society*. (Ithaca, N.Y; Cornell University Press, 1974), 272
[543] Watts, Activists in Office, 136-137

From Yugoslavism to Internationally-Driven Identity-Building

Symbols and symbolic practices pertain, in the case study at hand, specifically to identities. This suggests that in order to begin analyzing local contentious practices that seek to provide alternative cultural narratives, it is necessary to shift the attention of the analysis from statebuilding in general to a specific dimension of the process, that of identity-/nation-building. Even though the focus of this Chapter is on a specific dimension of international statebuilding, in many ways it tells a story similar to that unveiled in the previous Chapter. In the discursive realm the different representations of international statebuilding and the actors involved resulted in frame contests where statebuilding actors formulate competing representations of the post-conflict process and the actors involved. In the symbolic domain similar competing claims pertaining to identity and culture, '*symbolic conflicts',* underpin the interactions between internal and external agencies.[544]

Perhaps the best way to start the investigation is to place the struggles over identity in Bosnia into historical context: this provides an insight into the local identity-building projects prior to the arrival of the international statebuilders. According to Magaš a notion of Bosnianess as a common identity existed in the thirteenth and fourteenth centuries, but the subjugation of Bosnia under the Ottoman Empire meant that the idea of Bosnian nation did not become institutionalised in its own state.[545] Bosnia was absorbed into the Ottoman Empire '*before its elite had codified its history'* in way that could be meaningfully used by their successors in forging Bosnian nationalism.[546] Later, in the 19th century when nationalism and modern forms of statehood and nationhood began to emerge in Europe, the Bosnian Muslim elites failed to foster sense of Bosnianess. Hastings argues that the sense of being Bosnian was also significantly undermined by Serb and Croat nationalisms that deployed their respective religions in turning Orthodox and Catholic Bosnians into Serbs and Croats.[547] The Serb and Croat nationalisms were not evoked in Bosnia, however, with the aim of national unification,

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[544] Harrison, Four Types of Symbolic Conflict
[545] Branka Magaš 'On Bosnianess'. *Nations and Nationalism* 9 no.1 (2003)
[546] Ibid, 20
[547] Adrian Hastings *The Construction of Nationhood: Ethnicity, Religion and Nationalism.* (Cambridge Cambridge University Press, 1997), 140

but as a tool used by Croat and Serb elites in an attempt gain control over the strategically important Bosnian territory.[548] In this sense the emergence of Serb and Croat nationalisms was closely linked to the statebuilding projects of the Croats and Serbs in the Balkan peninsula. Another noteworthy point is that whereas the national identities of Croats and Serbs had institutional history embodied in the existence of institutions and autonomy, the Bosnian state had no such historical tradition of statehood based on which national identity could be forged.[549]

The end of the 400-year long Ottoman rule in Bosnia came with the annexation of the country by another empire in the late 19th century. The Austro-Hungarian Empire, that Bosnia found itself to be a part of, sought to tame the growing Serb and Croat nationalism through creating a Bosnian national identity. This entailed the promotion of Bosnian language, newspapers and education as well as a ban on using communal prefixes such as 'Serb' or 'Croat' in names of cultural associations. The Austro-Hungarians also utilized programmes of economic development in an attempt to reduce the inter-ethnic tensions in the country.[550] Whilst the Bosnian Muslims embraced the notion of Bosnianess, both Serbs and Croats rejected the Austro-Hungarian attempt to construct an overarching identity. This was evident for instance in the realm of education where particularly Serbs were active in demanding the right for religious institutions to provide education.[551] Ultimately the Austro-Hungarian attempt to create a sense of common nationhood was short-lived and unsuccessful; Vienna eventually gave Serbs and Muslims cultural autonomy in Bosnia in 1906 and 1909 and recognized Croats and Serbs as nations in 1907.[552] The end of the First World War saw the creation of the first Yugoslav state: in many ways it was dominated by similar interplay between forces of centralization and decentralization witnessed in today's Bosnia. It was the Serbs, however, who sought to centralize the state and Croats who strived for federal model, while the Muslims balanced between the two forces.[553] Another attempt to create an overarching identity was launched by the state: predicated on the notion of Yugoslavism the Serbs, Croats and Slovenes were regarded as tribes of a single,

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[548] Magas, 21
[549] Ibid, 20
[550] Misha Glenny *The Balkans: 1804-1999* (London; Granta Books, 1999), 275
[551] Kostic, Ambivalent Peace, 58
[552] Ibid, 58-59
[553] Noel Malcolm *Bosnia: a Short History.* (London : Macmillan, 1994), 165

Yugoslav nation. Although the state territory was organized on the basis of non-ethnic principles, thus reflecting the shared nationhood of its peoples, in practice the state apparatus was largely controlled by the Serbs.[554] Following the relatively brief existence of the first Yugoslav state, the creation of *Nezavisna Država Hrvatska*, a Croat-led fascist regime during the Second World War foregrounded the sense of Croatness, at the expense of Yugoslavism, that encompassed Croats and Bosnian Muslims. Forced deportations and genocide against Serbs in Bosnia were conducted by the administration as Serbs were not seen as being part of the pure Croat nation.

Fighting against the fascist regime and riding on an inter-group solidarity slogan, Tito's Partisans provided an alternative that emphasized the equality of all the peoples in Yugoslavia. It was this alternative that formed the basis of Tito's Yugoslavia, a federal state with Bosnia as one of the six republics, that lasted from 1945 until 1990. Under Tito's rule the common Yugoslav identity was forged through socialism and suppression of all particular or confessional identities.[555] This meant again state-control over religious organizations, bans on cultural associations and education systems premised exclusively on socialism.[556] *'Brotherhood and unity'*, the political slogan of Tito's Yugoslavia, was grounded in emphasizing the brotherhood between the different South-Slav nations and the shared interests that unify them. Most of Bosnia's inhabitants came to see themselves as concurrently Yugoslavs and Serbs, Croats or Muslims. 'Yugoslav' primarily indicated the citizenship while ethnicity was defined in relation to the latter categories.[557] The centralized system of rule that Tito constructed for the second Yugoslav Republic came under severe pressure from the republics; Tito was eventually compelled to decentralize the political system which saw the republics gaining considerable power. In the context of this power shift, the Yugoslav identity came to be regarded as a threat by the federal-level Communist Party officials who were

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[554] Xavier Bougarel 'Bosnia and Herzegovia: 'State and communitarianism' in David Dyker and Ivan Vejvoda *Yugoslavia and After: a Study in Fragmentation, Despair and Rebirth'* (New York: Addison-Wesley Longman, 1996), 90
[555] Natasha Boskovic 'Happy Holidays for Whom: Ethnic Diversity and Politics of Regulation of Public Holidays in BiH' in Eldar Sarajlic and Davor Marko eds '*State or Nation The Challenges of Political Transition in Bosnia and Herzegovina'* (Sarajevo, Center for Interdisciplinary Postgraduate Studies University of Sarajevo, 2011), 128
[556] Kostic, Ambivalent Peace, 64
[557] Robinson and Pobric, Nationalism and Identity in Post-Dayton Accords, 242

increasingly preparing themselves for a break-up of the Yugoslav state.[558] It was thus the particular, national identities that became the rallying points in each republic. The conflicts that followed the collapse of Yugoslavia served to harden communal identities by providing a new set of memories and myths around which old and new symbols could be mobilized.

Depoliticizing Identities: International Statebuilding Through Identity-building

In the light of the above, the current international statebuilding venture appears to be the latest project in a long succession of external and internal attempts to reorder local identities in Bosnia. What has this identity-building dimension of international statebuilding entailed? It is interesting, first of all, to note that the international identity-building measures in the aftermath of the conflict appear in many ways to be grounded in similar logic than the earlier attempts to forge common identity on the basis of Yugoslavism. Although the language of 'brotherhood and unity' has been replaced by narratives of multiculturalism and individualism, both foreground higher, shared identity and deconstruction of seemingly atavistic, ethno-national identities. As Yugoslav socialism before, the international statebuilding venture assumes the eventual decline of the narrow, group-based identities and the emergence of non-ethnic association with the state as a whole. For the Yugoslav socialists the working-class consciousness would eventually override particular national attachments,[559] while for the international statebuilders modernization, particularly economic development, will ultimately undermine ethno-nationalist loyalties. Both, Tito's socialism and the post-1995 international statebuilding mission have sought to construct a supranational 'state identity'. In Yugoslavia this was Yugoslavism derived from 'brotherhood and unity', which in effect meant the co-existence of various identities.[560] In post-Dayton Bosnia 'the state identity' has being constructed on the foundation of tolerant, rational, modern,

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[558] Dusko Sekulic et al 'Who were the Yugoslavs? Failed sources of a common identity in the former Yugoslavia' *American Sociological Review* 59 no.1 (1994), 88
[559] Ibid, 87
[560] Vesna Godina 'The Outbreak of Nationalism on Former Yugoslav Territory: A Historical Perspective on the Problem of Supranational Identity'. *Nations and Nationalism, 4* no.3 (1998), 416

European individuals by international statebuilding agencies, most notably the OHR.[561] An interesting difference between life under Tito and the current internationally-monitored governance is the representation of identities in political life. Whereas Tito actively suppressed national and religious identities, the internationally-designed Constitutional arrangements of the country created the post-war political order precisely on the basis of ethnic identities, manifested in the power-sharing system of governance. While it may still be too early to judge the success of the current identity-building efforts, the Yugoslavism promoted during Yugoslavia was unsuccessful in consolidating and mobilising Yugoslav identities sufficiently, as the painful collapse of the state shows.

The international statebuilding trajectory in post-Dayton Bosnia has entailed distinct, albeit at times contradictory, identity-building dimension as demonstrated by the provisions of the DPA pertaining to the symbols of the state and to national monuments of cultural, religious and historical importance.[562] Although international officials interviewed in the course of this research were under no illusion that the international statebuilders could impose a single national identity on the people of Bosnia,[563] international statebuilders have sought to encourage a sense of loyalty to the state and an identity approximating overarching national identity. An EU official noted that contra to the commonly-held view, the Dayton Constitution is not the biggest problem in Bosnia; the most challenging task is to overcome the lack of identification with the Bosnian state. This is a crucial aspect in the post-conflict process, the official argued.[564] The aim of building common Bosnianess should of course not be exaggerated; at times the attempts to counter local ethnic identities have had less to do with creating Bosnianess than with the practicalities of statebuilding and stabilisation of the country. This has for instance been the case in areas of minority returns where majority symbols have deterred refugees from coming back. Yet, a reoccurring theme in the international statebuilding jargon has been the need to create '*state identity*' in Bosnia. It appears to have both concrete and abstract meaning. On the one hand it refers to the concrete state

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[561] OHR, 14th Report by the High Representative for Implementation of the Peace Agreement to The Secretary-General of the United Nations. 17 July 1999. Available at: http://www.ohr.int/other-doc/hr-reports/default.asp?content_id=3678 (accessed 4 December 2011)
[562] Annex VIII of the DPA. Available at: http://www.ohr.int/dpa/default.asp?content_id=380 (accessed 28 October 2011)
[563] Interviews 1, 11, 22
[564] Interviewee 24

symbols (flag, national anthem, the design of the currency and so forth) and on the other to the construction of '*post-national politics*' grounded in depoliticized and multi-ethnic local identities.[565] It is premised on the idea that '*further progress in peace implementation depends upon the successful deconstruction of the politics of ethnic identity… they must live in multi-ethnic state…we have to counter-act the natural tendencies to live separately*'.[566] Ironically the contradictions inherent in the DPA are nowhere more obvious than here; while the agreement granted the ethno-nationalists their respective homogenous spaces, it obliged the parties to ensure that refugees were repatriated and thus the multi-ethnic character of the country was preserved.[567] It is here where the explanation for the inconsistencies in the international identity-building measures can be found.

Despite the above limitations, the internationally-led process of creating state identity has meant a careful balancing act, involving the encouragement and promotion of Bosnian nationhood as a multi-ethnic concept largely at the expense of the narrower ethnic and religious identities. Consequently, the grand narrative has been that of the multi-ethnic and multicultural statehood. Reminiscent of the modernization theory's view of traditional and particularistic cultures as lacking the rationality associated with modern societies, ethno-nationalism has been frequently singled out by international statebuilders as the enemy of progress.[568] In the international statebuilding narratives, it is not only individual freedom and democracy that are restricted by the nationalist ideology; nationalism also stifles the country's integration into the global markets where '*absurd state-lets*' are unable to compete.[569] This narrative of multiculturalism hence builds an image of the nationalist 'Other' that stands in a stark contrast to modern

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[565] Dreiski, Patrice, 'Speech by Deputy HR and Head of OHR Economic Department, Patrice Dreiski at the Security Education Development Initiative Summer School of Security' (21 July 2003, Neum). http://www.ohr.int/print/?content_id=30335
(accessed 5 July 2010)
[566] Wolfgang Petritsch 'Chatham House Speech by the High Representative Wolfgang Petritsch' Bosnia and Herzegovina: On its way to a modern European society? 18 February 2000. Available at: http://www.ohr.int/print/?content_id=3227, (accessed 5 July 2010) 'New Bosnia Mediator gives himself two years of irreversible peace' *Agence France Presse*. 2 June 1997. Accessed through Nexis UK 29 November 2010.
[567] Alex Jeffrey 'Building state capacity, 209
[568] It is worth noting that during Paddy Ashdown's tenure as the High Representative, criminality and corruption replaced nationalism as the chief stumbling block in the statebuilding process. Ashdown in fact accepted some of the nationalist politicians as his local partners in the post-conflict process.
[569] Wolfgang Petritsch, 'Speech by the High Representative Wolfgang Petritsch to Circle 99'. 1 November 2000. Available at: http://www.ohr.int/print/?content_id=3250 (accessed 1 February 2010)

multiculturalism purported by the international statebuilders. As the High Representative Petrisch noted, '*Such obsession with ethnic identity is of course largely alien to modern, multiethnic Europe. It has not been a significant force in European politics since the 30s and 40s'*.[570] According to his successor Ashdown, the wars of disintegration in the former Yugoslavia '*represented a return to that earlier model of atavistic nationalism just when the rest of Europe had finally discovered the value of multi-ethnicity and diversity'*, but post-conflict Bosnia '*yearns for – and needs – a broader political identity and that means a European identity'*.[571]

At the same time, the international trajectory of building multi-ethnic nationhood has been premised on de-politicization of the existing identities.[572] This has meant the problematization of the '*overpoliticized'* public sphere and discourses where the society in its totality is interpreted through ethno-nationalist lenses.[573] The alternative promoted by the international statebuilders has been 'Bosnianess' styled after Switzerland and realized through refugee returns. Accordingly, urgent repatriation of refugees is seen as paramount because '*unless we try to create a certain degree of multi-ethnicism, we will split Bosnia into two communities....and we cannot afford that'*.[574] The considerable emphasis placed on refugee returns, enshrined in annex VII of the DPA, represents perhaps the most pronounced attempt to return to the 'imagined community of Bosnia under Yugoslavia. While the international policy during the war was to a large degree informed by the notion of 'ancient hatreds' immortalized in Kaplan's *Balkan Ghosts*, following the conflict a revisionist version of the country's history has gained ground.[575] In this view of the country's past, Bosnia is represented as a beacon of multi-ethnicity and tolerance and such qualities should provide a guiding vision for the international statebuilding policies. This narrative has, however, been regularly qualified by the distinction between the people of Bosnia that bear the above qualities and their leaders

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[570] Wolfgang Petritsch, 'Chatham House Speech'

[571] Paddy Ashdown, 'High Representative's Speech to the Islamic Conference Research Centre for Islamic History. Art and Culture Symposium in Mostar. 22 July 2004. Available at: http://www.ohr.int/print/?content_id=32994(accessed 1 February 2010)

[572] See Park (Peacebuilding, The Rule of Law), who makes a similar claim in relation to international rule of law programmes in Kosovo.

[573] See HR Wolfgang Petritsch's speech 'Bosnia and Herzegovina: On its way to a Modern European Society?' 18 February 2000, London. Available at: http://www.ohr.int/print/?content_id=3227 (accessed 22 October 2010)

[574] 'Westendrop says EU must promise to admit Bosnia. date? 1998. Accessed through Nexis UK.

[575] Hansen, Security as Practice; David Rieff *Slaughterhouse: Bosnia and the Failure of the West*.(New York: Touchstone, 1996)

who compromise pluralism through deviant and corrupt practices. The OHR in particular has embraced this renewed understanding of Bosnia's past by frequently reiterating that peace rather than conflict has been the norm in Bosnia's history.[576] Following this sea change in the international statebuilders' perception of Bosnianess, refugee returns became the key nation-building policy. Indeed, for many international officials it has not only become a moral question to reverse the effects of ethnic cleansing but also a distinct possibility as demonstrated by the history of peaceful co-existence. The wider academic and policy debates casting doubt on the forced marriage that the country has come to resemble are categorically dismissed by the international statebuilding agencies in Bosnia. Particularly the OHR has been at pains to emphasize that the days of map-drawing are over.[577] Depoliticization of identities has also meant a move away from communitarianism to individualism.[578] As a hangover from communism, the prioritizing of the collective over the individual is seen as a feature that is fundamentally incompatible with modern statehood. Depoliticized identities and individualism are thus seen as crucial aspects in the construction of the state identity. The OHR's attempts to counter acts of contention in the symbolic domain, detailed in the remainder of the Chapter, have largely centered on the use of coercion. The OHR has used the Bonn powers to impose decisions on contentious issues such as the design of state insignia, in addition to blocking plans to rename places, use exclusivist symbols and erect controversial memorials. Yet, the Bonn powers have done little to eradicate the alternative symbolic systems.[579]

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[576] Anatoly Viktorov, 'Remarks by Anatoly Viktorov, Head of OHR Mostar Office at a Conference on European Integration Organised by the Association of European Regions'(30 August 2005, Mostar), http://www.ohr.int/print/?content_id=35279 (accessed 12 January 2011); Paddy Ashdown 'Remarks by the High Representative, Paddy Ashdown at the Opening of an Exhibition on the History of Dialogue' (speech, Sarajevo, 1 February 2004), http://www.ohr.int/print/?content_id=33982 (accessed 12 January 2011)

[577] OHR Media Round-Up 29 January 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=425 (accessed 2 August 2010)

[578] See for instance the following HR speeches: 'Speech by the High Representative, Wolfgang Petritsch to the Club of Three: Bosnian on the Road to Recovery?'29 June 2000. Available at http://www.ohr.int/print/?content_id=3242 and, 'Speech by the High Representative for BiH, Paddy Ashdown at RSNA' 29 April 2003. Available at: http://www.ohr.int/print/?content_id=29798 (all accessed 14 October 2010)

[579] See Jeffrey, Building State Capacity, for similar conclusion.

Mobilization and Framing of Contention in the Symbolic Domain

Having discussed at length the international activities in the symbolic domain of Bosnia, the Chapter now turns to exploring the local symbolic practices. In this regard, the mechanisms of mobilization and framing are particularly useful. Before discussing them further, however, it is important to note that an aspect of opportunity structures pertinent to the symbolic domain merits attention. Underpinning international statebuilding is the notion of tolerance and pluralism which translate into the policy of multiculturalism. Yet, the multiculturalism promoted by the international statebuilders is rooted in particularism; while foregrounding comparability of cultures it essentially sees them as being distinct.[580] Indeed, much of the international understanding of Bosnia is predicated on the existence of separate and conflictual cultures that are incentivized to co-exist. This has served to reify the notion of separate local cultures and consequently the local cultural narratives premised on exclusivist identities, while opening up the possibility for claim-making based on particularistic demands.

The mobilization of contention in the symbolic domain centers primarily on the networks of actors identified in the previous chapters; political parties, interests groups and religious organizations. Parties represent an ideal actor in mobilizing contention as they have formal organizational structures that can be used efficiently to carry out actions. Most political parties also have prestige and credibility that enables them to disseminate the message. In addition to parties, representatives of religious organizations have played an important role in mobilizing contention at the symbolic domain. A case in point are Bosnian Croat representatives of the Catholic Church who have publicly undermined the idea of Bosnianess. Bishop Ratko Peric for instance claimed that '*the international community launched a campaign against our most sacred book: the Bible is being prepared in the Bosnian language now*'.[581] Certain media outlets have also been important in terms of disseminating the alternative cultural narratives. Newspapers such as the Serb-controlled *Glas Srpske*, the Croat-run *Vecernji List* and Bosniak-owned *Dnevni List* regularly report on issues relating to renaming of

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[580] Camilla Orjuela *The Identity Politics of Peacebuilding: Civil Society in War-Torn Sri Lanka*. (London; Sage 2008)

[581] OHR Media Round Up 17 March 2002. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=29203 (accessed 22 June 2010)

public spaces, ceremonies, monuments and other issues of symbolic value in a manner that can be described inflammatory, thus keeping the issues at the fore of the post-war development. *Vecernji List,* for instance, reported on the OSCE's demand to remove all Croat insignia from schools and argued that references to different religions and cultures which people should cherish are distinctly unwelcome.[582] *Glas Srpske*, on the hand, regularly reports on the local municipalities perceived efforts to erase Serbness in Bosnia, ranging from the changing of Serb-related street names to attempts to build Orthodox churches outside the RS.[583] These newspapers also give voice and access to the public debates for interest groups such as the war veterans and families of the victims associations; such groups seek often, if not always, to mobilize the public opinion for the preservation and maintenance of the exclusive identities at the expense of wider Bosnian identity.

The local ways of framing contention that pertains to identities is linked to the wider debates on the existence of nations in Bosnia. In these debates Serbs and Croats have portrayed Bosniaks as Orthodox or Catholic Slavs who converted into Islam during the Ottoman occupation. This line of argument has then denied the primordial existence of Bosniaks. Bosniak scholars, on the other hand, have made a concerted effort to demonstrate the existence of distinct Bosniak identity prior to the arrival of the Ottomans. Linguistic, religious and cultural differences are frequently foregrounded in demands that challenge the international statebuilding vision. This has regularly taken the form of emphasizing the historic nature of one's own people. As an interviewee involved in a Croat political party asked *'Do you know how old our language is, by the age of its dictionary? The first Croatian dictionary was published around the seventeenth century. The first Bosniak one in 1997 or 1998'*.[584] Serb and Croat framings have then regularly portrayed Bosnianess as an artificial construct that has *'no smell or no color'*.[585] Another frequent method of framing contention at the symbolic domain has been to evoke the unsuccessful Austro-Hungarian attempts to create Bosnianess.

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[582] OHR Media Round Up 6 February 2003. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=29201 (accessed 29 June 2010)
[583] OHR Media Round-Up, 3 September 2001, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=5797, OHR Media Round-Up 12 August 2003, available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=30552 (both accessed 20 July 2010)
[584] Interviewee 44
[585] Interviewee 36

The international identity-building efforts are likened to those of Benjamin Kallay, an Austro-Hungarian administrator who attempted to create a shared identity for the Bosnian subjects. A Croat priest, for instance, lambasted the international statebuilders for attempting to '*return us to the Kallay time*', [586] while a Bosnian Serb intellectual noted with reference to Kallay that attempts to create a '*quasi-nation*' in Bosnia would be thwarted again as Serbs and Croats have their distinguishable histories, cultures and languages. [587] Although Bosniaks have by and large embraced the notion of Bosnianess, certain Bosniak actors have engaged in symbolic actions that highlight the Islamic past of Bosnia. For many in the Bosniak community, as discussed in the earlier chapters, the injustice frame is constructed on Bosniak suffering and victimisation during the conflict. This has prompted attempts to construct Bosniaks as a linguistic and historical entity, distinct from Serbs and Croats.

State Symbols

State insignia – flags, coat of arms, currency and other symbols of statehood – play an important role in the abstract representations of the people. They function not only as focal points of loyalty, but also as signifiers of history and identity. In the Bosnian case the rejection of internationally-decreed emblems and the use of alternative symbolic framework has highlighted the distinctiveness of each national group. Local ambivalence towards the internationally-designed identity-building measures is illustrated well by Kostić's survey concerning the three ethnic groups' attitudes on the international community's post-conflict peacebuilding and statebuilding efforts.[588] When asked to indicate a national anthem that best corresponds to the respondent's national loyalty, 93% of the Serbs chose the Serbian national anthem *Bože Pravde* and 76% of the Croats in Bosnia indicated the Croatian hymn *Lijepa Naša* as the anthem that expresses their national loyalty.[589] In the case of the Croat community, it has

[586] OHR Media Round-Up 14 May 2001. Available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=498

[587] OHR Media Round-Up 29 December 2004. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=33860

[588] Roland Kostic 'Nation-building as an instrument of peace? Exploring local attitudes towards international nation-building building and reconciliation in Bosnia and Herzegovina' *Civil Wars, 10* no.4 (2008)

[589] Ibid, 390

become an established practice that all Croat ceremonial activities play the Croat, rather than Bosnian, anthem.[590] In terms of other state symbols, such as the flag and the coat of arms, both Bosnian Serbs and Croats view the symbols of Bosnianess as meaningless as they do not adequately reflect all the constituent nations. A Serb representative described the design of the Bosnian flag as '*design of a Danish yogurt package'* lamenting the lack of authentic local symbols in the state flag.[591] The critique of the externally-imposed symbols reflects the deep-seated Bosnian Serb and Croat frustration over the perceived lack of international understanding of the alternative identities present in Bosnia; *'this is not a brotherhood and unity - it is impossible to turn Croats and Serbs into Bosniaks'*.[592] It is clear that in many ways the contested nature of the state symbols is a reflection of the contested statehood as a whole.

As noted above, the common state insignia representing Bosnian statehood has been contested by opting for alternative emblems. This has been the case with Serbs and Croats. The usage of separate symbols became a common practice during the recent war and the DPA endorsed the practice by permitting each entity to establish their respective emblems while also creating shared, state-level symbols. The state symbols of Bosnia, on the other hand, were chosen by international officials three years after the peace agreement as local actors were unable to agree upon the flag, coat of arms, currency and national anthem. Yet, the invention and imposition of symbols did not go un-negotiated. Local opposition to the single design of the currency, for instance, resulted in a compromise where the entities had their respective cultural and historical figures printed in the notes that were circulated in their entities, as opposed to the common symbols for all as proposed by the OHR. This hardly coincided with the international aim of creating a national currency representing unity of the people. In practice the use of common currency has been circumvented by the use of alternative currencies, such as the Croatian Kuna in the Bosnian Croat-dominated areas.

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[590] Ivan Lovrenovic ' Bosnia and Its Symbols' Bosnia Report 55-56, January-July 2007, http://www.bosnia.org.uk/bosrep/report_format.cfm?articleid=3167&reportid=173 (accessed 15 December 2010)

[591] Kostic, Nationbuilding as an Instrument of Peace?, 392

[592] OHR Media Round-Up 2 March 2001 Available at: 2001 http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=449 (accessed 15 December 2010)

Alongside the currency, the design of the Bosnian flag was also chosen by the High Representative in the face of local disagreement. The blue and yellow flag, devoid of any religious or national symbols, was chosen by the High Representative to reflect the projected outcome of the statebuilding process: EU membership. According to the OHR, the flag represents *'the future…unity, not division. It is flag that belongs to Europe'.*[593] The new flag was initially rejected by all three national groups and was rarely used in the immediate years following the war. This indicates the contentious function served by flags; while in many states they are generally representations of established order, in divided societies flags signify territorial and historical claims.[594] For the international statebuilders the refusal to fly the new flag signaled affront to the peace process as a whole. Resorting to the use of capital in countering such contention, the US froze its 'train and equip program' with the Bosniak-Croat Federation.[595] Whilst the Bosniaks have gradually come to accept the flag, the Serb and parts of the Croat communities continue to reject it. Bosnian flags are largely absent in the RS that uses its own flag, bearing a close resemblance of the Serbian flag. The *Šahovnica* – the Croat checkerboard flag – similarly dominates in the Croat-controlled areas of the Federation. In this way, the Serbness and Croatness as distinct from Bosnianess is continuously *'flagged'* or *'reminded'* through the symbols present in the physical environment.[596] Through such *'flagging',* as Billig argues, *'nations are reproduced as nations'* as people are continuously reminded of their national identity.[597]

Naming and Landscape

If the adoption of alternative symbols has been a salient aspect in the process of challenging the international statebuilders' vision of Bosnian nationhood, a range of symbolic practices have been equally important in foregrounding the distinctiveness of the national groups and thus providing alternative cultural visions of Bosnian statehood. Geography has been particularly important in this regard. Where places evolve in

[593] 'EUR: Envoy imposes new flag on Bosnia's rival factions' *AAP Newsfeed*. 5 February 1998. Accessed through Nexis UK 1 February 2011

[594] Michael Billing *Banal Nationalism*. (London: Sage, 1995), 39

[595] 'US suspends military training in Bosnia over flag dispute'. Agence France Presse. 4 June 1998. Accessed through Nexis UK 18 January 2011.

[596] Billing, Banal Nationalism, 8

[597] Ibid, 154

conjunction with conflicts and turbulent upheavals, specific features of the landscape take on special importance.[598] In an attempt to forge homogenous nations in a multi-national state, the war in Bosnia entailed extensive destruction of the architectural symbols of multi-ethnic Yugoslavia, whether churches, mosques or other monuments.[599] A significant part of the war effort involved wiping out of any difference in the geographical and symbolic landscape so as to construct and naturalize the notion of separate identity and its territorial home.[600] The built environment in many ways represented, and still does, the most tangible signifier of separate identities as the language, dress code or even outward appearance of the people inhabiting the country are indistinguishable.[601] Thus churches and mosques, as well as other culturally significant buildings have acquired political meaning. In this way geography has become an important dimension in the symbolic domain as public spaces and building have been appropriated for contentious practices. This relates to the lived environment in which post-conflict statebuilding occurs; streets, squares, towns, monuments and specific buildings. The practice of naming and re-naming of these spaces transforms the otherwise neutral environments into political settings.[602] In his research on the practice of renaming streets, Azaryahu suggests that street names commemorating specific individuals and events and their officially constructed meanings are *'instrumental in substantiating the ruling socio-political order and its particular theory of the world'*.[603]

In the Bosnian case these locally-authorized versions of the past have undermined international efforts to create a common state identity. Renaming of public spaces and towns in accordance with ethnically-defined criteria are an essential part of creating alternative cultural narratives. This has historically been the case in Bosnia; transformations in the country's power structures have been accompanied by changes in place and street names to reflect the values of those in charge. When the Yugoslav republic was founded following the fall of its former Habsburg overlords, main street

[598] Yvonne Whelan 'Mapping Meanings in the Cultural Landscape' in Gregory John Ashworth et al *Sense of Place: Sense of Time* (Aldershot; Ashgate Publishing Ltd, 2005), 63
[599] Jeffrey, Building State Capacity, Pilvi Torsti 'History Culture and Banal Nationalism in post-War Bosnia'. *South East European Politics* 5 no.2-3 (2004)
[600] Martin Coward 'Urbicide in Bosnia'. in Stephen Graham (ed.), Cities, war and terrorism (London: Blackwell, 2004)
[601] Carl Grodach 'Reconstituting Identity and History in Post-War Mostar, Bosnia-Herzegovina'. *City: Analysis of Urban Trends, Culture, Theory, Policy, Action 6* no.1 (2002), 74
[602] Maoz Azaryahu 'The power of commemorative street names'. *Environment and Planning D: Society and Space 14* (1996)
[603] Ibid, 311

names in Sarajevo were changed to illustrate the victory of south Slav values over those of the Habsburg Empire. Following the Partisan victory in the Second World War, similar act of altering the city's memorial culture was illustrated in renaming streets after the Partisans and their leader Tito. [604]

The practice of renaming streets in Bosnia has continued to the post-conflict phase. A particular case in point is Sarajevo. In the aftermath of the war a Bosniak-dominated committee of Sarajevan writers, artists and historians was given the task of renaming the city's streets; according to Robinson et al[605] the committee had popular support for changing street names that were associated with the war-time enemies. Even the streets named after Bosnian Serbs and Croats with strong ties to Bosnia were replaced by predominantly Bosniak names and events. Many of the streets came to be renamed after figures or events from the Ottoman period with few references to the Austro-Hungarian Empire. Cyrillic script, associated with Serbs, was removed from street signs. This signalled the prioritising of the Ottoman era of Bosnian history at the expense of the Yugoslav-period when the Bosniaks were in less dominant position. The act of erasing references to Yugoslavia thus signifies the transformation in the power structures internal to Bosnia. Names alluding to the recent conflict reflect the endeavour of the political elites to establish their worldview and rule as legitimate. For instance a square at the centre of Sarajevo was named '*Trg Oslobođenja Alija Izetbegović*' after the war-time president, while street names such as '*Zelenih Beretki*' and *Crnih Labudova'* referred to the Bosnian army that fought against the Bosnian Serbs and Croats.[606] In addition, various Bosniak-controlled towns were given the prefix '*Bosanski'* (Bosnian). Whereas *'Bosanski'* became a part of the Bosniak nation-building lexicon, in the RS the prefix was dropped from town names as an act of 'Othering'.[607] At the same time, the communist and multi-ethnic past has also been rejected through the replacement of pre-war street names in Banja Luka with those of Serb heroes and no references to the Muslim community have remained. In Banja Luka, the RS capital, references to Tito

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[604] Robert J. Donia Sarajevo: A Biography (London : Hurst & Company, 2006), 155, 207
[605] Guy Robinson et al 'Remaking Sarajevo: Bosnian nationalism after the Dayton accord'. *Political geography 20* no.8 (2001)
[606] *Zelenih Beretki* (Green Berets) refers to the Bosniak-dominated Bosnian army during the recent war and '*Crnih Labudova'* (Black Swans) to a special unit within the army.
[607] 'Silajdžić: Deletion of the Prefix Bosanski is Clearing of Bosnia from Bosnia' *FENA* 14 April 2009 Available at: http://www.fena.ba/public2_en/Category.aspx?news_id=FSA721277 (accessed 15 April 200)

and Lenin have been replaced by figures from Serbian history. Moreover, as an attempt to amplify the victimisation of the Serbs, a street in Banja Luka has been named 'detainees of Jasenovac', referring to the Croat-run Second World War concentration camp where many Serbs perished.[608] Similarly, Croats in Bosnia have renamed streets after Croat heroes from the Second World War, while also commemorating controversial figures from the recent conflict. In the town of Čapljina, in Herzegovina, HDZ-dominated municipal council controversially named a reconstructed bridge *'Dr. Franjo Tuđman'* after the former President of Croatia known for his fervent nationalism.   Other symbolic practices that challenge the very notion of Bosnian statehood pertain to alternative cartography. Maps are frequently utilised to make claims about identity and territory; schools, as well as weather forecasts, in the RS are found to use maps showing either the RS only or the RS represented as a distinct geographical space from Bosnia.[609]

As with renaming spaces, monuments and buildings are an integral part of the symbolic domain of post-conflict societies. They represent the prevalent interpretations and understandings of historical events and individuals. As distinct and physical markers of identity churches and historical buildings and monuments became targets of destruction during the war, embodying the practice of '*urbicide*' that occurred in tandem with genocidal policies.[610] It is against this background that the preservation of national monuments was acknowledged and enshrined in the DPA by the international officials designing the peace agreement. Indicating the salience of symbolic and cultural aspects of peacebuilding and statebuilding, High Representative Ashdown noted that preservation of national monuments '…*is of great political and symbolic significance in terms of redressing results of the wholesale destruction of our recent fratricidal war'.*[611] The underpinning logic assumes that preservation and rehabilitation of national monuments is not only necessary in terms of reconciliation but also to the process of

[608] Torsti, History Culture and Banal Nationalism, 152
[609] Ibid, 145
[610] By urbicide Coward (Urbicide in Bosnia, 155) refers to the destruction of culture and urban environment so as to remove signifiers of ethnic/cultural heterogeneity from a given territory.
[611] Paddy Ashdown, 'Speech by the High Representative for Bosnia and Herzegovina, Paddy Ashdown for the 120th Anniversary of the Rejaset' 24 December 2002. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=527 (accessed 19 December 2010)

refugee returns in that neutral symbolic environment is crucial for creating a non-intimidating and inclusive atmosphere.[612]

Local statebuilding actors have deployed a range of practices to preserve and maintain the mono-ethnic symbolic environment in their respective parts of the country. Politicians have, for instance, blocked at the municipal level permissions to build new monuments. A case in point is the reconstruction of the *Ferhadija* mosque in Banja Luka destroyed by Serb fighters during the conflict. While the process of getting the building work started was bureaucratically obstructed by Serb authorities, the ceremony of laying the first cornerstone in 2001 descended into a Serb-initiated violent riot.[613] Another case is the urgently needed maintenance work on the famous bridge in Višegrad, eastern Bosnia, immortalised by Ivo Andrić's Nobel Prize-winning novel '*Čuprija na Drina*' ('*The Bridge On the Drina*'). Regarded essentially as a legacy of the Islamic, Ottoman past, the RS authorities under whose jurisdiction the bridge is on have not completed the maintenance work.[614] Other national groups have engaged in similar practices; for instance the attempt to build a Serb Orthodox church near Srebrenica faced various obstructions from the local non-Serb authorities.[615] Local actors have also commissioned memorials and monuments that foreground the exclusive identity of the group rather than the wider state identity as advanced by the international statebuilders. In practice this has, for instance, meant rejecting shared war memorials commemorating all victims of the conflict; in 2001 associations representing the families of the fallen Serb fighters and war veterans protested against adding the names of the Serb dead to the genocide memorial in Potocari, regarded as Bosniak memorial.[616] These practices have extended to monuments celebrating specific aspects of the nation. Bosnian Croats

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[612] OHR 'Decision amending the Federation Law on Preservation of Assets Declared National Monuments of BiH under Decisions of the Commission for Protection of National Monuments' Available at http://www.ohr.int/decisions/statemattersdec/default.asp?content_id=6889. (accessed 18 December 2010); Valery Perry ' ECMI civil society project in Bosnia and Herzegovina: the role of annex 8 in bridging communities, promoting reconciliation and developing a unique identity in Bosnia and Herzegovina'. *European Centre for Minority Issues Report no. 25.* Available at http://www.ecmi.de/uploads/tx_lfpubdb/report_25.pdf (accessed 5 October 2011)

[613] International Crisis Group Report 118 2001, http://www.crisisgroup.org/en/regions/europe/balkans/bosnia-herzegovina/118-the-wages-of-sin-confronting-bosnias-republika-srpska.aspx (accessed 1 November 2010)

[614] Robinson and Pobric, Nationalism and Identity in Post-Dayton Accords, 245

[615] OHR Media Round-Up 3 September 2001. Available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=5797 (accessed 12 August 2010)

[616] OHR Media Round-UP 22 June 2001 Available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=527 (accessed 12 August 2010)

in Siroki Brijeg commissioned a monument for the late Croat ruler Franjo Tuđman, while strategically placing large Christian crosses in Stolac and Mostar that are inhabited by both Bosnian Croats and Bosniaks. Serbs similarly erected a statue for Draža Mihajlović (World War II Serb leader) in the centre of Brčko during a period of extensive minority returns.[617] Such practices are certain to cause offense to the other national groups, but crucially they also represent cultural alternatives that directly challenge the shared Bosnianess propagated by the international statebuilders.

Language and National Holidays

Alongside state insignia, place names, architecture and commemorative practice, language became an integral part of the local cultural narratives that foreground the exclusive identities. Under Yugoslavia the primary language of Bosnia was what was known as Serbo-Croatian. Following the dissolution of the state, Serbo-Croatian was deconstructed and demarcated into three separate languages. In many ways these languages have been used to create *'symbolic boundaries'* between nations following the collapse of the Yugoslav state.[618] In the RS this has been manifested in the exclusive use of Cyrillic alphabet, associated with the Serbian language, at the expense of its Latin counterpart. The 'language-nationalism' of the Bosniaks, on the other hand, has been manifested in the use of Turkish words as well as in the construction of a separate 'Bosnian' language through new reference - and textbooks.[619] Jeffrey found in his study of the Brčko district that the international effort to promote multi-culturalism by having street signs on both scripts were undermined by locals who painted over the script of other nationalities.[620] In other parts of the country Croats have been locked in confrontation with the OHR over the right to establish Croat-language public broadcasting company. While the OHR has blocked such efforts as inimical to multiculturalism, a high-ranking HDZ figure argues that '*media in Croatian language is*

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[617] Jeffrey, Building State Capacity, 211
[618] Godina, The Outbreak of Nationalism, 412
[619] Torsti, History Cultue and Banal Nationalism, 148
[620] Jeffrey, Building State Capacity, 220

one of important preconditions for Croats' existence in Bosnia', thus linking the very survival of Bosnian Croats to the question of language.[621]

If languages have acted as symbolic boundaries and thus reinforced exclusive identities, national holidays have served similar functions. This is important in the sense that states actively communicate or '*send messages'* through the holidays they choose to celebrate.[622] National holidays and celebrations serve then as signifying practices relating to the values the given state promotes and reflects the cultural, religious and civic features underpinning the society.[623] In contrast to other, previously discussed, symbolic aspects of Bosnian statehood, the DPA did not decree on public holidays. As a consequence there is no state-level law on public holidays; what has emerged instead are alternative celebrations and holidays. The Croat and Serb communities continue to reject the newly created national holidays and state ceremonies envisioned to create loyalty and sense of belonging. As an act of contesting the notion of Bosnianess, Croats and Serbs in Bosnia have created their own commemorative schedules. As an established practice since the end of the war, Bosnian Serbs refuse to participate in the annual Independence Day celebrations as, according to Serb politicians, the day '*brings uncomfortable memories on tragic conflict in Bosnia'* that resulted from '*ignoring the Serb peoples' will'*.[624] Rather than celebrating the independence of the country, the RS commemorates the 21st of November, 'Day of Establishing the General Framework Agreement for Peace in BiH', which silenced the guns and created the current state structure. This is controversial as the day is regarded by many in the Bosniak-Croat Federation as the date that established the *de facto* division of the country.[625] Some Croats in Bosniak-controlled areas do partake in celebrating independence, while most Bosnian Croats celebrate Croatian statehood day. Similarly, Bosnian Serbs celebrate hallmarks of the Serbian history, such as the anniversary of the First Serb Uprising. Ceremonies marking the suffering of one national group are common; while in each July Bosniaks gather in Srebrenica to member the victims of the genocide perpetrated by Serbs, the Serb community holds its own separate ceremonies to commemorate the

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[621] 'Bosnia: HDZ leader calls for Croat-language TV' *HINA/BBC*. 5 January 1999. Accessed through Nexis UK 2 June 2010.
[622] Boskovic, Happy Holidays for Whom, 129
[623] Ibid, 131, 137
[624] OHR Media Round Up 1 March 2004 Available at http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=31934 (accessed 23 November 2010)
[625] Boskovic, Happy Holidays for Whom?, 134

Serb victims. In July 2007, for instance, Serbs organized a memorial service to the 69 people killed in 1992 in Serb villages in Eastern Bosnia. According to media reports the event was marked by presence of Serb symbols from the Second World War and the recent conflict[626]. The presence of these symbols of identity was combined with the attendance of the RS prime minister, thus giving the event an official approval. Croats have similarly commemorated the *Herceg-Bosna*, the war-time Croat controlled enclave in Bosnia. The celebration in 2011 which marked the ten-year anniversary since the foundation of *Herceg-Bosna* was celebrated with accolades to controversial Croat nationalist figures such as Mate Boban.

Conclusion

The Chapter has argued that local practices contesting international statebuilding do not only take place in the institutional or discursive domain, but also in the symbolic realm of society where profound questions on what constitutes the people are debated and symbolically performed. In the case study at hand, a range of competing local nation-building practices have existed since the 19th century; following the end of the war the international attempts at cultural reconstruction and creation of state identity have encountered and interacted with these local practices. These international efforts have essentially entailed statebuilding-via-nationbuilding: they have been guided by the idea that current politicized and communitarian identities are not susceptible for efficient statehood. Local statebuilding agencies have challenged the international identity-building efforts by providing alternative cultural visions through the deployment of exclusive symbols and symbolic practices. These modalities of contention have entailed the rejection of Bosnian state insignia (mainly by Serbs and to some degree Croats), renaming towns and public spaces, opposing the construction of architecture and memorials that reflect or relate to the other national groups, construction of linguistic differences and celebrating alternative national holidays, while boycotting the official Bosnian celebrations (by Serbs and some Croats). Practices underscoring the essentialist and exclusive identities make the claim that that three culturally distinct groups exist and thus problematize the efforts to create Bosnianess. This has been particularly the

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[626] 'Serb entity PM attends ceremony to mark Serb suffering in eastern Bosnia' *BBC*. 12 July 2007. Accessed through Nexis UK 12 November 2010.

case with the Serbs and Croats in Bosnia. Although Bosniaks have come to accept and even embrace some of the international identity-building measures, practices that emphasize the Islamic past and culture of the Bosniaks have also occurred. They have thus contested the attempts to construct secular and individualistic Bosnianess. The analysis suggests then that akin to frame contests whereby different representations of the post-conflict space and the actors involved are used contest the internationally-led statebuilding, at the symbolic domain symbolic contests exist. In these symbolic contests, international and local statebuilding agencies make competing claims with respect to the cultural aspects of the statebuilding process. The analysis of contention and internal/external interactions in the symbolic domain is indicative of the way in which local contention politicizes the process: the dynamic underpinning these symbolic contests has been one of de-politicization/politicization. While international statebuilding officials attempt to de-politicize local identities through creating state identity, local statebuilding agencies maintain the politicization of identities through symbols and symbolic practices. As with contentious practices in the discursive domain, symbols and symbolic acts serve multiple purposes. The emotive aspect of symbols can instigate and legitimize actions, thus mobilizing contention. However, the use of symbols or engagement in symbolic actions can also function as contentious practices that directly challenge or undermine aspects of international statebuilding. This is the case for instance with the celebration of alternative national holidays or the appropriation of geographical spaces in order to maintain the demographic homogeneity wrought during the war.

Chapter 7
Conclusion

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This research project was motivated by the need to approach post-conflict statebuilding as a contested rather than hierarchical process. As argued in the opening Chapters, conceptualizations of statebuilding as top-down impositions tend to overlook the wide array of both 'hidden' and public practices in local spaces that re-negotiate international statebuilding measures through strategies of obstructionism and appropriation. It is the direct and explicit practices that have been the main concern of this thesis. Given the surge of academic interest in the everyday and hidden forms of resistance, this analysis has foregrounded the parallel, public acts of contention that have elicited less attention. Much of the prior theorizing of public forms of contention has done so through the spoiler lens. While the findings of the spoiler literature corroborate some of the conclusions reached in this study, its highly normative conceptual language and inattentiveness to non-material practices render it a limited framework. Moreover, the research on spoilers pays little attention to the way in which the practices of international actors may at times create and sustain local non-conforming actors. Motivated by the above concerns, this thesis has told a story of bureaucratic, discursive and cultural contests between agencies advocating different visions of statehood in Bosnia. In these interactions local actors have sought to bring about a change to international statebuilding measures or policies that threaten their respective statebuilding visions through a range of disruptive techniques. These techniques have not been limited to the institutional structures that are perhaps the most lucid domain where the statebuilding process can be negotiated; they are also evident in the public debates and symbolic realms where local agencies have sought to contest detrimental aspects of statebuilding by representing international statebuilding as oppressive and by sustaining local exclusive identities.

This concluding discussion has multiple aims. After bringing the different strands of the analysis together, the Chapter addresses the second question posed in the introductory Chapter; how do local acts of contention interact with international statebuilding practices. The section focuses on the dynamics of the interactions between internal and external actors. It suggests that statebuilding in the Bosnian case has essentially entailed contradictory dynamics of conflict and symbiosis: while the relations between the internal and external statebuilders have been contentious and conflictual, a closer inspection suggests that this dynamic also has a symbiotic dimension whereby the international statebuilders and the extension of their mandates are dependent upon the existence of local contentious agencies. At the same time, the presence of external authority and use of coercive methods has given the local actors a potent mobilizing and framing tool which has enabled self-representations of local elites as the defenders of their respective communities. The remainder of the chapter places the research in the wider context of the study of International Relations.

Key Findings of the Study

The thesis set out to enquire into local agency in post-conflict spaces and interactions between internal and external actors. It began by asking the following questions: how is international statebuilding contested in post-conflict spaces and how do the local practices of contestation interact with international statebuilding practices? The following section will rehearse the main findings of the study, before addressing the second research question by drawing some conclusions on the dynamics underpinning the interrelations.

Parallel, Local Statebuilding Agendas

One of the central points of departure for the analysis was the existence of local statebuilding agendas that encounter and interact with international statebuilding measures. Contra to the accounts of post-conflict spaces as passive recipients of

internationally-imposed measures, the analysis has been grounded in local agency. The study suggests that this agency can be found in expected places (institutions of governance) but also in some less-explored realms (discourses and symbols). Perhaps more importantly, the thesis deployed the notion of contention in analyzing the activities local agencies engage in. This was motivated by the observation that parallel to the much-analyzed 'hidden' and 'everyday' practices, alternative set of activities that challenge, undermine and shape statebuilding are evident. In cases such as Bosnia these alternative modalities of challenging the international statebuilding practice do not fit into the existing frameworks of everyday, unstructured and random acts that go unnoticed. This point is evident not only in the mobilizing and framing practices traced throughout the analysis, but also in the presence of connected networks of political, social and religious actors. An analysis of contention carried out here therefore traced and captured discernible practices which are understood as being contentious by the object/s of the action and which exhibit some degree of organization even if not being formally structured protest movements. Such 'public transcripts' [627] have been largely neglected by the focus on the 'hidden transcripts'[628] of resistance in post-Dayton Bosnia.[629] While one might argue that the potential for emancipatory forms of development lies precisely in the everyday realm, sharp divisions between elites and non-elites may result in unwarranted romanticization of the 'local-local'[630] and overlooking the possibilities for progress in the society as a whole. Even though the local re-politicization of the statebuilding process in Bosnia has largely occurred along ethnic lines, the eventual departure of the international officials may pave the way for the start of politics on social and economic, rather than ethnic, grounds.

To return to the point made earlier about the presence of local statebuilding agendas, a reoccurring theme in the analysis has been the complexity of actors and agendas and the difficulty of drawing clear demarcations between local and international agendas. The categories of local and international have been used as heuristic devices for the purpose of generating coherent analysis; in practice narratives, concepts, norms and values are

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[627] Scott, Domination and the Arts of Resistance, 2

[628] Ibid, 4

[629] Kappler and Richmond, Peacebuilding and Culture; Stephanie Kappler, Stefanie Kappler 'Everyday Legitimacy in Post-Conflict Spaces: The Creation of Social Legitimacy in Bosnia-Herzegovina's Cultural Arenas' Journal of Intervention and Statebuilding (published electronically July 2012)

[630] Richmond, Becoming Liberal, Unbecoming Liberalism; Resistance and the Post-Liberal Peace.

shared across the analytical divide of local and international. Not all local contention is, for instance, grounded in the claim of international statebuilding as being overly intrusive; many local actors in Bosnia argue that it is the half-hearted and inconsistent manner of its implementation that has resulted in weak statehood. At the same time, international actors do not agree upon the scope of Bosnian statehood nor on the role of international actors in the process. Actors such as Russia share the concern of many in the Bosnian Serb community over the interventionism of the OHR. This illustrates the difficulties in drawing clear demarcations between external and internal agendas.

Domains and Modalities of Contention

The core empirical Chapters identified a set of practices, both material and non-material, that form the overall repertoire of local contention in Bosnia. These practices operate in the institutional, discursive and symbolic domains which are overlapping and interconnected. The red line running through the empirical Chapters is the local attempt to re-negotiate the parameters of the post-conflict process through overlapping bureaucratic, communicative and cognitive practices. Chapter 4 provided an in-depth investigation into the contentious episodes in the institutional domain. It highlighted the way in which a range of disruptive administrative techniques deployed by local agencies sought to re-negotiate the shape and the parameters of the externally-administered process in accordance with their respective statebuilding agendas. The chapter demonstrated how international attempts to counter local contention resulted at times in cycles of contention where coercive international measures served to fuel further disquiet and contention. Whereas Chapter 4 traced tangible acts of contention, Chapter 5 shifted the attention to the discursive dimension of local contention and the internal/external interactions. Interrogating public discourses and debates, it found that local discursive strategies deployed liberal peace narratives and other international discourses in order to destabilize and undermine the legitimacy of international statebuilding or to affect its course. International statebuilding actors, on the other hand, regularly used decertification strategies that depicted local elites as corrupt and self-interested. These frame contests reflect the discursive hybridity that marks post-Dayton Bosnia: while liberal peace remains the hegemonic narrative, its key concepts are used

to represent the post-conflict process and the actors involved in profoundly different ways. Chapter 6, in turn, explored the symbolic domain that encompasses both material and non-material practices. The central argument was that the modalities of contention in the symbolic domain – the use of symbols and symbolic acts – challenge the internationally-devised cultural reconstruction measures aiming at creating a sense of Bosnianess by sustaining exclusive communal identities. The empirical Chapters demonstrated that while international statebuilding actors have implemented a number of statebuilding reforms and policies, in many instances local actors have been successful in using delays, vetoes and other techniques to alter the scope or the form of the externally-devised policy.

What does the existence of local contention then mean to the post-conflict development of Bosnia? Although for many in the international statebuilding community in Bosnia local contention is the key obstacle in the road to peace and prosperity, a more somber analysis reveals a more nuanced reading of contention. While it may well be the case that some instances of contention reflect the attempt to protect the interests of the few, writing all local contention off as self-aggrandizement or corruption misses the negotiatory aspect of contention. Local participation in the post-conflict process has perhaps not materialized in depoliticized and non-ethnic way envisioned by international statebuilding actors, but contention nevertheless represents a local alternative to the somewhat hollow concept of local ownership propagated by international actors. Local practices of contestation represent an active engagement with the post-conflict process of determining the contours of Bosnian statehood. They represent re-politicization of the externally-led statebuilding process in which political questions are represented as technical and administrative issues of good governance. If local acts of contention counter the depoliticizing tendencies of international statebuilding, they may also have implications on the process of democratization. Contention represents a form of societal negotiation that is crucial in the gradual development of democracy.[631] It is through this process that the differing statebuilding and nationbuilding projects can be peacefully negotiated. Another noteworthy point is that if we understand hybridity - that best characterizes the Bosnian statebuilding experience – as an outcome of local mediation of the externally-led process, then it is

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[631] Charles Tilly *Contention and Democracy in Europe 1650-2000* (Cambridge: Cambridge University Press, 2004), 6, 34

likely that such negotiated forms of statehood are more sustainable and locally legitimate than imposed statebuilding strategies. This implies that local practices of contention are not necessarily problematic from the point of view of democratization and local ownership of the post-conflict process. Indeed, in many ways one of the problems of post-conflict statebuilding process in Bosnia has been the mistaken identification of local political engagement with the process as a problem requiring resolving through external 'spoiler' management techniques, such as the Bonn powers. As particularly Chapter 4 demonstrated, international attempts to counter these practices have not brought an end to contention but have in many cases reinforced it.

Mechanisms of Contention

The thesis began developing a framework that allows the tracing and understanding of contentious practices. In this regard it utilized the mechanism of political opportunity structures, mobilizing structures and framing. Political opportunity structures were particularly useful in understanding the concrete acts of contention at the institutional domain. They showed how wider regional and international dynamics as well as changes in the political environment affected the opportunities for contention. At the same time, political opportunity structures highlighted the divisions amongst the international statebuilding actors that incentivized contention: this was particularly true when it comes to the international actor should play in the post-conflict process. The opportunity structures also entail discursive dimension, as noted in Chapter 2, which directed attention to the way in hegemonic discourses enable or limit contention. This allowed us to interrogate the discursive environment in which statebuilding takes place and appreciate how its main narrative – the liberal peace – has enabled contention. Mobilizing structures, on the other hand, directed attention to the range of local actors involved, organization of contention and dissemination of contentious claims. Although contention in the Bosnian case has not been formally organized activity, investigation into the mobilizing structures demonstrated that actors sharing visions of Bosnia's statehood and how to achieve them engaged in propagating frames that have sought to affect the international presence. Framing, as a mechanism of contention, has in turn been useful particularly in understanding discursive forms of contention. Framing has

underlined the discursive hybridity through the focus on competing representations of the post-conflict process and the different agencies involved.

As noted above, the aim of deploying these mechanisms is to begin developing a set of analytical tools that help us to understand how local contention operates and is sustained. Although the specific histories and characteristics of each post-conflict society require attention, it is likely that similar mechanisms of contention are at play across cases as an extensive body of literature suggests.[632] These studies applying contentious politics mechanisms are not limited to traditional contentious politics subjects such as revolutions, but on range of different processes where actors have engaged in contesting authorities' policies.[633] The thesis has argued that such mechanisms can help us to better understand the societal negotiation processes that occur following conflicts and how local actors seek to protect and promote their respective statebuilding projects. Features of the political environment, most notably the institutional arrangements through which the country is governed, the degree to which the international actors agree upon the course and the methods of statebuilding and the way in which they respond to local acts of contention affect the type of contentious practices that are available for local actors. Bureaucratic acts of contention, such as blocking decision-making, are likely in political systems based on consociationalism. At the same time, different understandings of the conflict and the process thereafter among the international actors involved may offer local agencies the opportunity to align themselves with international actors holding similar views and pursuing similar agendas. This can have implications for the ability of the international agents of

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[632] McAdam et al, Dynamics of Contention; Watts, Activists in Office; Sidney Tarrow 'Transnational Politics: Contention and Institutions in International Politics *Annual Review of Political Science* 4, no.1 (2001); Quintan Wiktorowicz (ed) Islamic activism : a social movement theory approach (Bloomington; Indiana University Press, 2004); Grzegorz Ekiert and Jan Kubik 'Contentious Politics in New Democracies: East Germany, Hungary, Poland, and Slovakia, 1989–93' *World Politics* 50, no.4 (1998); Oded Haklai, 'Linking Ideas and Opportunities in Contentious Politics: The Israeli Nonparliamentary Opposition to the Peace Process'. *Canadian Journal of Political Science/Revue canadienne de science politique, 36* no. 4 (2003); Sarah Wayland ' Ethnonationalist networks and transnational opportunities: the Sri Lankan Tamil diaspora' *Review of International Studies* 30 no.3 (2004); Rory McVeigh and David Sikkink 'God, Politics, and Protest: Religious Beliefs and the Legitimation of Contentious Tactics' *Social Forces* 79 no. 4 (2001); Hans Kriesi et al 'New social movements and political opportunities in Western Europe' *European Journal of Political Research* 22 no. 2(1992); Hein-Anton Van Der Heijden 'Globalization, Environmental Movements, and International Political Opportunity Structures' *Organization Environment* 19 no.1 (2006)
[633] On the peace process in the Middle East (Haklai 2003), on democratization in Eastern Europe (Ekiert and Kubik 1998), on ethnonationalist diasporas (Wayland (2004), on ethno-political conflicts (Watts 2006), on environmental movements and international political opportunity structures (van der Heijden 2006) and on international organizations and transnational movements (Tarrow 2001).

statebuilding to operate as a coherent and effective actor. Post-conflict statebuilding processes are not just physical actions but also consist of verbal and communicative interactions. This is not limited to the Bosnian case; similar contests in the realm of public debates over the meaning of international statebuilding practice have been observed in other cases ranging from East Timor to Kosovo. Bearing close resemblance to the Bosnian practice of re-framing 'liberal peace' narratives, many East Timorese, for example, routinely referred to the UN-administration of the country as the 'second occupation' following Indonesian oppression of the Timorese.[634] This highlights the importance of framing the situation and the actors involved in a specific way in order to justify and legitimize local acts of contention and alternative statebuilding agendas. Formal and informal ways to mobilize and organize these practices are also crucial for contesting the international authority in post-conflict states. It is through such structures that information is disseminated, activities coordinated and demands and activities of local agents made visible.

International Statebuilding Contains Opportunities for Contention

The analysis has suggested that certain ideas and practices underpinning the international statebuilding venture in Bosnia have provided opportunities for contention. This has been the case with the consociational political system, the essentialist view of Bosnian identities and the glaring contradictions between the international statebuilding rhetoric and practice. All of these aspects of statebuilding are intimately linked to the conservative and status quo-oriented nature of statebuilding in that they tend to prioritize stability over the seemingly liberal concern of democratization. The consociational structures of governance created by the international actors in Dayton do not only enable the vetoing of decisions on the grounds of protecting national interests, but the use of ethnic quotas has also institutionalized ethnicity in the country.[635] Due to the nature of the electoral system, politicians need to attract votes only from their

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[634] Samantha Power *Chasing the Flame: Sergio Vieira de Mello and the Fight to Save the World* (New York; Penguin, 2008), 313

[635] Florian Bieber 'Institutionalizing Ethnicity in the Western Balkans Managing Change in Deeply Divided Societies' European Centre for Minority Issues Working Paper 19, February 2004, http://unpan1.un.org/intradoc/groups/public/documents/UNTC/UNPAN015487.pdf (accessed 10 October 2010), 2

national group which disincentivizes political appeals across communities. Although in many ways the international actors in Dayton had few alternatives to powersharing when it came to finding political structures suitable for all parties, it is nonetheless the case that consociationalism has enabled local agencies to continue to protect and promote their respective statebuilding agendas through the institutions of governance.[636] The above point is intimately linked to the essentialist view of Bosnian identities: consociationalism is grounded in the view that separate and distinct political communities exist and they ought to have the right to protect their interests through powersharing mechanisms. This essentialist view of identities has not only informed the design of the country's governance, but has also driven the international policy of building multicultural Bosnian statehood in which the different cultural groups could peacefully co-exist. This thinking has inadvertently legitimized local critiques that point out the impossibility of overarching Bosnian nationhood as they see Bosnia as a society comprised of multiple and separate nations and cultures.[637] Such a view has overlooked the socially constructed nature of many of the inter-ethnic differences. At the same time, as much of the empirical analysis has suggested, contradictions between the liberal rhetoric and coercive practice of international statebuilding have enabled local actors to formulate compelling narratives pertaining to the oppressive nature of international statebuilding. This has been particularly the case with regards to undemocratic use of the Bonn powers as discussed in Chapter 5.

The Dynamics of Statebuilding in Post-War Bosnia

As noted earlier, the study has been concerned not only with how contention operates and is sustained but also with how local actors engage and interact with international statebuilding actors and practices. This is important considering that it is through these encounters and interactions that the statebuilding process is mediated. The following section discusses the contentious and symbiotic dimensions of the statebuilding interactions.

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[636] Interviewee 21

[637] This can be seen as the continuation of the international community's war-time policy in Bosnia, following Campbell's critique in National Deconstruction

Conflict/Contestation

A tangible and recurrent manifestation of the troubled relationship between segments of the local population and the internationally-led statebuilding in town centers across the country have been the frequent and illicit posters and graffiti celebrating war heroes indicted by the ICTY. Occasionally the international community responds in kind; when posters supporting the Bosnian Serb war-time President Radovan Karadžić appeared around the town of Pale in 2004, NATO troops plastered the Karadžić posters over with a poster of their own announcing ' *Radovan, we did not forget you'*.[638] Although but one incident amongst many, this reflects the contention and conflict that has marked the internal-external dynamic. It is also indicative of the fundamental inability by international statebuilders to overcome the legitimacy enjoyed by many local actors engaged in contention in the eyes of the people. Although contention is not the sole local response to international statebuilding intervention and local co-operation also occurs, conflict and contention become salient dynamics to understand when investigating how the statebuilding process is negotiated. Such nature of the statebuilding dynamic in post-Dayton Bosnia is often explained with recourse to attributes of local actors. Indeed, the dominant account on the contentious nature of the statebuilding process in Bosnia - most often produced by the OHR - centers on the self-aggrandizing Bosnian elites. As the argument goes, it is in the interest of Bosnian elites to maintain the current political and economic system through which they can maintain their power bases.[639] The blame for the contentious relations between certain local actors and international statebuilding officials is reduced to a number of local individuals who have disrupted the process, thus personifying the pathologies of the post-conflict reconstruction process. This was manifested particularly in the first decade of peacebuilding and statebuilding in Bosnia when the key concern of the international statebuilders was to send war criminals to the Hague. This policy priority

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[638]OHR BiH Media Round-Up, 10 December 2004. http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=33711 (accessed 3 December 2010)

[639]Articulated, for instance, in interviews 23, 29, 37,40,51, 43. Also stressed in 'International mediator in Bosnia slams irresponsible local politicians' *BBC* 29 September 2000, 'International administrator explains reasons for dismissing officials' *BBC* 30 November 1999, both accessed via Nexis UK. See also Wolfgang Petritsch,'Speech by the High Representative for Bosnia and Herzegovina, Wolfgang Petritsch at the Steering Board Ministerial Meeting' New York, 22 September 1999, available at:http://www.ohr.int/print?/content_id=3339. Accessed 1 June 2010.

was not only necessitated by the demands of post-war justice but also the idea that the presence of war crimes indictees such as Karadžić and Mladić prevented the full implementation of the peace agreement. Following this logic then the failure of the statebuilding reforms could be accounted for by the pressure of deviant local agencies; if only these actors were captured, the real process of unhindered statebuilding could begin.

Contra to this view, the discussion throughout the empirical chapters has made the case for understanding local contention as a way to re-negotiate the externally-led statebuilding process rather than routinely approaching it as an evidence of local deviance and criminality. Local agencies have put forth different claims with respect to the organization of the country's governance. Contention has been about providing different and contradictory answers to the question of what kind of state should be built both in institutional/organizational and ideational terms after the war. Contention in the Bosnian case has not meant a wholesale rejection of international statebuilding but rather the attempt to mediate aspects of statebuilding that threaten the local visions of Bosnian statehood as outlined in Chapter 4. A re-occurring theme in the analysis that is closely linked to the above notion of contention as a form of negotiation is the re-politicization of the process by local agencies. It has become a common place to argue that statebuilding de-politicizes the post-conflict reconstruction process: it turns profoundly political matters into technical and managerial issues, thus removing them from the realm of political decision-making and debate.[640] Generally this has entailed prioritizing good governance and capacity-building at the expense of policy-making autonomy or local self-determination. The idea here is, as Chandler argues, that '*the problems of politics'* can be resolved through law, social policy and administration rather than through the political structures and processes of the society emerging from conflict.[641] This problematization of the political in local spaces produces '*peace without politics'*.[642] Yet, what is clear is that such attempts to de-politicize the local through the bureaucratization of statebuilding are encountered by local practices that re-

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[640] Chandler, Peace without Politics, Hans-Martin Jaeger 'Global Civil Society' and the Political Depoliticization of Global Governance'. *International Political Sociology, 1* no 3 (2007), 260
[641] David Chandler, Empire In Denial, 56
[642] Chandler, Peace without Politics

politicize the local space.[643] Through a range of contentious practices in the institutions of governance, local agents engaged in contention seek to re-negotiate statebuilding measures deemed inimical to the interest of their respective groups or communities. In the Bosnian case local actors using the institutions to block and delay externally-imposed measures are ultimately engaging in the democratic process of protecting the interests of their respective constituents. Although the democratic process may not have brought to the fore actors that many international statebuilders consider as partners, it nevertheless signals a local engagement with the post-conflict process via politics.

Dynamic of Statebuilding: Symbiosis

Even though contention is crucial to understanding the dynamic of statebuilding in Bosnia, conceiving the interactions in the case study at hand merely in terms of contestation would be to overlook the complexity that marks the post-conflict process. Indeed, a closer look reveals another dynamic that not only maintains local contention but also gives the international statebuilding mission its *raison d'être*. In short, the presence of actors contesting the internationally-led statebuilding process has necessitated the extension of international mandates, while the extension of international mandates and intensification of the statebuilding methods has, in turn, generated further local contention. Contentious dynamics then do not necessarily hinder international statebuilding but appear perversely to sustain it: in many ways the logic of interaction between the external and the internal statebuilders has been one of symbiosis whereby the seemingly conflictual agencies and agendas have, in fact, maintained each other. This is an aspect of hybridity that has elicited limited attention in the literature. Jarstad and Olsson, for instance, allude to the '*symbiotic*' relationship between international and local actors but provide no detailed discussion of what such symbiosis entails.[644] Divjak and Pugh, on the other hand, refer to the '*unique symbiosis of international and local power*', but focus mainly on the economic aspect of the statebuilding.[645] It is important to look more closely the issue of symbiosis, as it

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[643] See Richmond and Mitchell (Hybrid Forms of Peace, 2) who argue, in similar vein, that '*local politics restarts through its confrontation with liberal peace*'.

[644] Anna Jarstad and Louise Olson Introducing Hybrid Peace Governance:Impact and Prospects of Liberal Peacebuilding. *Global Governance, 18* no.1 (2012), 105

[645] Divjak and Pugh, The Political Economy of Corruption, 379

challenges accounts of statebuilding dynamics as an antagonism between internal and external actors.

This symbiotic relationship entails a number of elements. One of them is predicated on economic logic. These pathologies of the neo-liberal economic ideology in Bosnia's reconstruction process are well-established by earlier studies. As Pugh argues, international financial institutions are exclusively in control of the country's economic policy (through conditions attached to their loans) which has meant that local communities have had no way of protecting themselves against the adverse effects of adjustment and austerity measures.[646] The neo-liberal economic policies prioritizing privatization and the creation of investor-friendly environment have paid scant attention to the social aspects of the reconstruction, such as basic public services. This absence of state-sponsored social policies has opened up opportunities for the elites and actors in shadow economic networks to offer alternative forms of social welfare and protection to the people and thus maintain their bases of power. Privatization processes that have been captured by the nationalist parties – the main actors engaging in contestation of the externally-led statebuilding – have resulted in companies diverting funds to their respective political parties and parallel structures, as the cases of Herzegovacka Banka and the Bank of BiH illustrate.[647] The common ground between the international statebuilding officials and local elites, as Pugh notes, is found in the drive to privatize and foster the growth of a '*non-interventionist state*'.[648]

The dynamic created by the international statebuilding intervention has then been one where internationally-designed neo-liberal economic policies have facilitated local practices of clientelism which in turn has strengthened the alternative, local statebuilding agendas.[649] In a system where political and economic power are intimately connected, access to jobs and other opportunities is exclusively controlled by the political elites, elites have been able to accommodate the conditionalities used by international statebuilding officials. More importantly, however, the governance

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[646] Pugh, Post-War Political Economy of Bosnia and Herzegovina,468
[647] The former was said to bankroll the 2001 Croat self-rule campaign, while the latter was intimately linked to funding the Bosniak party SDA. According to Pugh, nationalist parties also exert control over financial authorities tasked to monitor corruption which are used to extract money from business and carry out audits on rival political parties.
[648] Pugh, Post-War Political Economy of Bosnia and Herzegovina, 467
[649] Ibid, 468

structures designed in Dayton have granted local actors measures through which to counter structural adjustment policies associated with the liberal statebuilding.[650] The highly decentralised form of governance has granted local authorities substantial degree of both economic and political power.

Much of the international funding aimed at physically and socio-politically reconstructing the country are diverted by local agencies to the purposes of their respective, local statebuilding agendas. Particularly in the early years of the statebuilding project much of the international funding was given directly to the municipal level (as opposed to the state level) which has strengthened these entities at the expense of the central state institutions.[651] Moreover, the highly decentralised nature of the Bosnian state has made it difficult to control borders and collect customs duties in attempt to deal with trans-border trafficking of goods,[652] while also allowing local politicians to consolidate their positions of power.[653] Rather than using international funds to encourage minority returns, local actors have directed aid to the strengthening of the mono-ethnic features of the municipalities, for instance by creating jobs for people belonging to the majority ethnic group. It is clear then that the international attempts to counter local contestation with the means of capital have allowed the local agencies to persist.

While Divjak and Pugh as well as Bliesemann de Guevara,[654] among others, have shown how the economic structures created in Dayton have reinforced the existing structures of power and facilitated the misuse of office by parts of the elites in exchange for cooperation with the OHR, ostensibly trivial practices have also helped to sustain the nationalist political parties that are some of the primary actors challenging the externally-driven statebuilding process. This has, for instance, entailed substantial rental income from international statebuilding agencies to the coffers of companies controlled

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[650] Divjak and Pugh, The Political Economy of Corruption, 374
[651] Berit Bliesemann de Guevara 'Material Reproduction and Stateness in Bosnia and Herzegovina.' in Pugh et al.*Whose Peace? Critical Perspectives on the Political Economy of Peacebuilding*.Basingstoke: Palgrave Macmillan, 2008, 380
[652] Peter Andreas 'Criminalized Legacies of War : The Clandestine Political Economy of the Western Balkans' Problems of Post-Communism 51 no.3 (2004), 45
[653] Peter Uvin The Influence of Aid in Situations of Violent Conflict *OECD Development Assistance Committee* (1999) http://www4.carleton.ca/cifp/docs/archive/synth_fin.pdf (accessed 20 January 2012)
[654] Divjak and Pugh, The Political Economy of Corruption; Berit Bliesemann de Guevara '*Material Reproduction and Stateness in Bosnia and Herzegovina*

by nationalist parties. NATO forces present in Bosnia paid millions of dollars in renting land, where military bases were set up, owned by the Government and in effect controlled by nationalist parties. These funds were in effect used to buy '*good relations*' with the locals.[655]

If the symbiotic relationship that is an integral part of hybrid peace has a distinct economic dimension, the less-explored political aspect of the symbiosis merits attention too. It is a dynamic where international statebuilding partly creates local contention and international responses to such local practice reproduce it further. Although local contention stems partly from the parallel, local statebuilding agendas, it is also the case that the nature of international statebuilding in Bosnia generates contention. This is because the policies and strategies of international statebuilding actors are deemed to be either non-democratic and "neo-colonial" (Serbs and Croats) or ineffective and half-hearted (Bosniaks). While this profound lack of legitimacy reproduces contentious local agencies, it also creates the continued necessity for the international actors, particularly the OHR, to remain engaged. This is based on the internationally-stated intent that the OHR's mission will continue until no significant contestation of the process exists. Given the presence of '*unacceptable challenges to the Dayton Peace Agreement*', as the PIC Steering Board stated in 2008, the OHR will remain in place until the so-called '5+2 conditions' have been met.[656] These criteria entail resolving the issue of property rights between state and other levels of the country's government, completion of the Brčko Final Award, fiscal sustainability and consolidation of the rule of law. The two additional conditions entail signing of the Stabilisation and Association Agreement with the EU and '*a positive assessment of the situation in BiH*' by the PIC Steering Board '*based on full compliance with the Dayton Peace Agreement*'.[657] Particularly the latter stipulation, given its ambiguity, gives the PIC the possibility to maintain the presence of the OHR for the unforeseeable future as it establishes no concrete benchmark for closing down the office. In other words, there is no real end point to the OHR's presence in the country. This has certainly not gone unmissed by local subjects of the OHR; many locals perceive the involvement of the international statebuilders as one

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[655] 'Political parties opposed to Bosnia peace get millions in rent from NATO'. *The New York Times*. 13 October 1998. Accessed through Nexis UK 29 June 2010.

[656] OHR 'Declaration by the Steering Board of the Peace Implementation Council' 27 February 2008. Available at: http://www.ohr.int/pic/default.asp?content_id=41352. Accessed 7 December 2011.

[657] Ibid.

where they artificially create problems in order to ensure that their mandates are extended.[658] Whether this really is the case or not is less important; what matters are the perceptions the local agencies' actions are based upon.

The continued presence of the OHR has acerbated the logic of dependency. While the OHR's powers to impose legislation relieves local politicians from having to take difficult political decisions or having to negotiate solutions to political, economic or social issues and thus 'depoliticizes' the process of statebuilding,[659] the OHR continues to act as the medium through which local and competing statebuilding agendas are sought to realize, particularly when it comes to the Bosniak statebuilding agenda. Rather than having to find real policy solutions to everyday issues and build election campaigns around such considerations, politicians have been able to focus on representing themselves as the protectors of their own group vis-à-vis the interventionism of the OHR and security threats emanating from the other national groups within the country. This has proved to be the formula that has allowed the nationalist political parties to cement their role in the Bosnian political life.

Another interesting aspect here is the entanglement of international actors in the domestic political dynamics; the OHR in particular '*has become much more of a local player than a representative of the international community*', as an interviewee put it.[660] This has been manifested in the 'grooming' of local politicians by external actors; while local politicians with policies different to those of international actors are marginalized, those supporting internationally-led initiatives are backed up in financial and advisory terms.[661] Some interviewees even suggested that investigations into corruption of Bosnian politicians are used as strategic leverage by international actors when countering local opposition to statebuilding reforms.[662] In addition to the dependency on the OHR, the presence of a highly interventionist OHR has enabled local statebuilders to further consolidate their statebuilding agendas. As a former OSCE employee observed, uncritical acceptance of the demands of international officials is often

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[658] As discussed by interviewees 14 and 17
[659] Chandler, Peace without Politics
[660] Interviewee 25
[661] Interviewees 5, 31, 33, 40, 42
[662] Interviewees 20 and 4.

politically costly for local politicians.[663] This has particularly been the case in the RS where protecting the Serb interests against internationally-imposed state-strengthening measures has consolidated the popularity of politicians.[664] Such confrontational dynamic may also help parties to maintain unity in the face of internal disagreements even if resistance yields no tangible outcomes. A case in point is the Croat self-rule campaign in 2001; despite the fact that it did not achieve Croat autonomy in Bosnia, it nevertheless served to consolidate the HDZ BiH's popularity.[665] These potentially positive implications of confrontation with the OHR in particular are not limited to the nationalist parties; when the non-nationalist coalition of parties, 'the Alliance for Change', won the elections in 2001, cooperation with the OHR was approached with caution. As a representative of the coalition noted, *'we will not agree to become mere yes-men of OHR'*.[666] The above points underline the complex nature of statebuilding dynamics in Bosnia and how statebuilding practices and local acts of contention appear to exist in mutual dependency. The reality of statebuilding thus seems to be more complex and messy than often assumed, entailing aspects of conflict and symbiosis that form a hybrid order of post-conflict intervention and politics.

Final Remarks

The thesis has added to our understanding of post-conflict statebuilding conceptually and empirically. In conceptual terms the contribution of the thesis resides in the introduction of the concept of contention to the analysis of local agency and local-international dynamics and applying contentious politics mechanisms in order to trace such interactions. The point here is that even though the host countries of post-conflict statebuilding interventions vary a great deal, the mechanisms deployed in this analysis – political opportunity structures, mobilizing structures and framing – can be found across cases where societal change is taking place, as substantial body of contentious politics research indicates. The above concepts can help us to capture and interpret processes of

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[663] Interview 20

[664] Ibid.

[665] OHR Media Round-Up 19 December 2001 Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default.asp?content_id=6612. Accessed 19 February 2010. See also ICG Report 106 2001, 1, 9.

[666] OHR Media Round-Up, 9 January 2001. Available at: http://www.ohr.int/ohr-dept/presso/bh-media-rep/round-ups/default/asp?content_id=28884. Accessed 15 February 2009.

societal negotiation that statebuilding operations essentially represent. Empirically, the research has identified how and where local agency operates and the range of contentious techniques through which the externally-led process is mediated. It has demonstrated that more complex and multi-faceted local agency exists than assumed by earlier studies on everyday resistance and 'spoiler' behavior. Through the in-depth case study research method, this thesis has generated hypotheses on the dynamics and interactions that drive statebuilding processes in societies emerging from conflicts. These contributions of the research speak in many ways to the interconnections between internationally-led statebuilding projects and domestic processes of state formation.[667] The complex and contested nature of post-conflict processes often results in what Barnett and Zurcher call '*compromised*' forms of peace.[668] Yet, to understand these compromised forms of peace as the reason why international statebuilding missions have had poor track record would be to overlook the negotiatiory functions of contention. Although we should remain cautious of valorizing local contention as an entirely unproblematic feature of statebuilding in Bosnia, it is nonetheless important to recognize the potential of contentious practices. In many ways the questions asked and the practices and dynamics uncovered in the course of the research speak to the notion of hybrid nature of post-conflict peace missions. It is pertinent to make some final observations on what the Bosnian case tells us about hybridity. This can generate hypotheses for further research and more refined understanding of '*the variable geometry of hybrid peace*'.[669]

Formal Institutions as Site of Hybridization

In terms of the institutional domain, earlier research has identified the hybrid composition of formal institutions. In this regard much research has focused on the presence of international officials in domestic bodies such as courts.[670] Other research

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[667] Berit Bliesemann de Guevara 'Introduction: The Limits of Statebuilding and the Analysis of State-Formation.' *Journal of intervention and statebuilding* 4 no. 2 (2010)

[668] Barnett and Zurcher, The Peacebuilders' Contract

[669] Mac Ginty, Hybrid Peace, 397

[670] See for instance, Chandra Lekha Sriram 'Wrong-Sizing International Justice - The Hybrid Tribunal in Sierra Leone' Fordham International Law Journal 29 no 3 (2005/6), Johanna Herman et al 'Evaluating and Comparing Strategies of Peacebuilding and Transitional Justice' Just and Durable Peace by Piece Working Paper Series No. 1 May 2009, http://www4.lu.se/upload/LUPDF/Samhallsvetenskap/Just_and_Durable_Peace/Workingpaper1.pdf (accessed 18 May 2012)

has pointed towards the co-existence of formal and informal institutions and governance practices, which result in hybridized post-conflict order.[671] This study finds that post-conflict statebuilding processes are hybridized not only through informal institutions and modalities of governance but also through the formal institutional infrastructure and processes of consociational governance put in place by international actors. In the formal institutional domain a set of disruptive political techniques are regularly deployed by local agencies to contest aspects of international statebuilding. This has often, if not always, resulted in re-negotiation of the measures in question. This dynamic draws attention to the importance of formal governance practices, alongside the informal institutions and modes of governance, in the hybridization of post-conflict peace.

Discursive Aspects and Symbiotic Dynamics

If institutions have been key to understanding hybrid forms of order in post-conflict states, other realms where local and international agencies encounter have elicited less attention. This research discovered a range of local practices in the discursive and symbolic domains that provide a richer understanding of not only interactions between internal and external agencies but also of the process of hybridization. The discursive domain is particularly interesting in this regard; the investigation into the discursive domain is indicative of the way in which the hegemonic liberal peace discourse is adapted and utilized to construct competing claims about the meaning of the post-conflict process and the actors involved. This suggests that going beyond understanding hybridity as simply local-liberal governance arrangement and inquiring into the non-material domains where local and international statebuilding practices co-exist facilitates the development of a more nuanced understanding of hybridity and its different dimensions. Another observation relates to the statebuilding dynamics highlighted through the Bosnian case. Heathershaw argues that hybridity does not

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[671] E.g. Volker Boege et al 'Building Peace and Political Community; Hoglund and Orjuela, Hybrid Peace Governance; Tobias Debiel and Daniel Lambach. "Global Governance Meets Local Politics: On Western State Building and the Resilience of Hybrid Political Orders." (Paper presented at the International Peace Research Association 2010 conference in Sydney, Australia, 6-10, 2010). http://www.peacebuilding.de/files/td_dl_irpa-2010d.pdf (accessed 2 August 2011); Joanna Wallis 'Liberal-local hybrid peace project in action? The increasing engagement between the local and liberal in Timor-Leste' *Review of International Studies* (published electronically in 2012).

necessarily '*work against*' international statebuilding. [672] He suggests that formal models of peacebuilding require informal modes of practice to function. Yet, with reference to the case of Tajikistan, Heathershaw notes that this hybrid reality of peacebuilding is unacceptable to donors: this means that hybridity is concealed in official accounts and interpretations produced by international officials.[673] In the Bosnian case somewhat different dynamics are at play: as noted earlier, the presence of local agencies that are seen to pervert the post-conflict process enables the extension of international mandates. The presence of local actors who are deemed to hybridize the internationally-led statebuilding then ensures the continued international presence. This indicates that hybridized forms of peace may not be driven solely by antagonism and conflictual relations but also mutual dependency.

Problematization of Local/Liberal Binaries

The investigation carried out in this thesis has problematized simplistic assumptions seeking to explain the pathologies of post-conflict statebuilding as the outcome of hybridity.[674] This is a problematic conclusion to draw as the complexity of the Bosnian case highlights. International statebuilding projects and methods are themselves hybrids between liberal and non-liberal practices and ideas. Moreover, no single consensus on the course and the role of external amongst the international actors exist. Approaching statebuilding as stability-prioritizing mission, as suggested in the Introductory Chapter, provides a more useful point of departure for understanding hybridity. Secondly, in cases such as Bosnia it is inaccurate to view the local as unfamiliar to participatory governance and liberal economics. As discussed elsewhere in the thesis, Bosnia as a part of socialist Yugoslavia was no stranger to participatory decision-making, even if not fully-fledged democracy. Moreover, Yugoslavia was part of the global economic

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[672] John Heathershaw 'The Practical Representation of Peacebuilding: An(Auto)ethnography of Programme Evaluation in Tajikistan' in Audra Mitchell and Oliver Richmond, Hybrid Forms of Peace (Basingstoke, Palgrave Macmillan, 2012), 163
[673] Ibid, 183
[674] See, for instance, Marie-Joelle Zahar 'Norm Transmission in Peace- and Statebuilding: Lessons from Democracy Promotion in Sudan and Lebanon' *Global Governance: A Review of Multilateralism and International Organizations,* 18 no. 1 (2012)

system.[675] Although each post-conflict society has its distinct history, the Bosnian example cautions against strict dichotomies between local and liberal.[676]

Avenues for Further Research

In many ways this study marks the beginning rather than an end of the inquiry. Applying the concepts and mechanisms used in this research to other post-conflict cases is undoubtedly vital for refining and retuning them further. At the same time, hypotheses created through the in-depth case study method – in the case of this research for instance those related to the domains and practices of contention - require testing through other cases. Beyond these methodological issues, the analysis has raised a number of potential lines of inquiry that can contribute to our understanding of hybridization of post-conflict spaces. Perhaps the most interesting line of analysis opened up by this research pertains to the hidden and public forms of challenging international statebuilding interventions. Systematic inquiry into how these private ('everyday resistance') and public ('contentious politics') modalities interact and overlap would further improve our understanding of how international statebuilding is responded to in societies emerging from conflicts. Another set of questions pertains to the interactions and dynamics between internal and external actors. Whereas this study found that the logic underwriting the interrelations was one of contention/conflict and symbiosis, applying this hypothesis to other cases would be interesting in determining further dynamics that drive interactions between international and local agencies. Moreover, this research was unable due to reasons of scope to examine more systematically how the interactions between internal and external actors affect the dynamics between the local groups or alternatively, how interactions between local groups affect the overall statebuilding process and the role of international actors in it. Ethnographic research could potentially uncover the impact of capital, coercion and decertification on the local power relations.

In thinking further the relations between local actors, it is also important to conduct further research on the relationship between elites and non-elites in post-conflict states.

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[675]Woodward, Varieties of State-Building in the Balkans
[676] Richmond, Becoming Liberal, Unbecoming Liberalism

As argued in Chapter 2, the tendency to approach elites as unrepresentative, predatory and self-interested seems to simplify the complex relations between different segments of society and rule out any possibility for progress. This uncritical assumption requires problematization. In terms of thinking beyond the framework of contention laid out here, potentially interesting avenue for further research pertains to issues discussed in Chapter 6. Although questions of post-conflict identity-politics have been discussed in the literature, there has been relatively little empirical engagement with the actual local practices of consolidating or building identities. In this regard further investigation into local symbolic practices across different cases could allow establishing some patterns with respect to local identity-building. At the same time, international nation-building and identity-building practices require further research; if ethnic identities are socially constructed, then how does the process of de-constructing and re-ordering them look like across cases? These questions are important as the process of (re)construing statehood entails addressing the idea of state; not only how its institutions look like but also who the people are.

The study of the contentious repertoires and interactions is in many ways a valuable piece in the larger puzzle of critical peace operations research; it allows us to move beyond the ideal notions of the 'liberal peace', address the multiplicity of agencies involved in the process and understand how statebuilding is shaped and re-negotiated on the ground. Such contextually-sensitive analysis does not necessarily translate into total un-generalizability; it can allow us to develop a framework for capturing and understanding the interactions in different cases. Generating in-depth knowledge on statebuilding operations is critical as they tend to produce weak forms of statehood and negative forms of peace.[677] It is not only the sense of urgency stemming from the largely poor track record of statebuilding that makes statebuilding an important subject of study; post-conflict statebuilding can also tell us a great deal about the current world order. Statebuilding operations challenge a key norm of international relations, sovereignty, through interventions in the affairs of states that the international community considers weak or failing. Whether one sees sovereignty as 'organized

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[677] Barnett and Zurcher, The Peacebuilders' Contract ,David Roberts 'Hybrid Polities and Indigenous Pluralities: Advanced Lessons in Statebuilding from Cambodia' *Journal of Intervention and Statebuilding* 2 no.1 (2008)

hypocrisy' [678] and a norm that existed more on paper than in practice, statebuilding does represent an unprecedented intervention in domestic affairs of states in that it has taken a systematic, organized and internationally-coordinated form. A less-often elicited point is that statebuilding can also provide a window for analysis on the relations between local and global and how mechanisms of global governance are received and mediated in local spaces. Global governance is not merely a set of shared norms and values pertaining to the political and economic organization of states and their interactions at the international arena; it is also a network of influential donor and development organizations and a constellation of strategies and mechanisms through which governance is implemented across the globe.[679] Building efficient states that can function as regulatory agents in local spaces is at the core of global governance mechanisms in general and statebuilding operations in particular. Yet, building states on the basis of the exigencies of global governance does not often translate into locally-legitimate statehood which arguably is prerequisite for sustainable and just statehood. Such qualities undoubtedly require real local deliberation and participation in the process. In terms of thinking of the interactions between national and international agencies, the research carried out here suggests that the transactions between global and local are highly varied and multi-faceted. These encounters entail a number of agendas and agencies that defy simplistic categorizations of international/local, Western/non-Western, liberal/non-liberal. Global governance measures – such as externally-driven statebuilding – are received, understood interpreted and responded to in local spaces in a range of different ways. Local practices entail hidden, Scottian, forms of resistance as well as public forms of contestation using the institutional and normative frameworks as repertoires of contestation through which international practices are challenged and negotiated. This allows us to understand power in the global-local nexus in a more nuanced way, paying attention to both the material and non-material modalities of power. Whilst research on statebuilding as an instrument of global governance reveals a great deal about the power and domination of the West vis-à-vis the troubled and failed states around the world, it can also unmask the ways in which such power is negotiated in local spaces.

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[678] Stephen Krasner *Sovereignty: Organized Hypocrisy* (Princeton : Princeton University Press, 1999)
[679] Jan Selby 'Governance and Resistance in Palestine: Simulations, Confrontations, Sumoud' in Feargal Cochrane et al *Global Governance, Conflict and Resistance* (Basingstoke; Palgrave McMillan, 2003), 127

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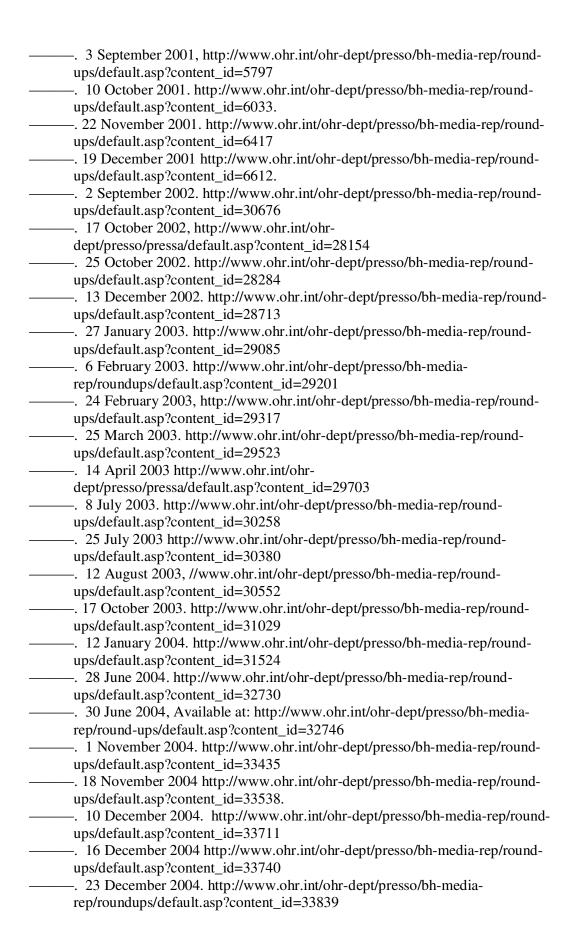
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Appendix I

List of Interviews

1. Mark Wheeler, Political Advisor, OHR, Sarajevo 16 June 2009
2. Representative of the Socijaldemokratska Partija Bosne i Hercegovine (Social Democratic Party) (a), Sarajevo 26 June 2009
3. Representative of Partija Demokratskog Progresa (Party of Democratic Progress), Sarajevo 15 June 2009
4. Newspaper editor, Sarajevo 24 June, 2009
5. Member of Parliament, Stranka za Bosnu i Hercegovinu (Party for Bosnia and Herzegovina) (a), Sarajevo 19 June 2009
6. Lazar Prodanović, Member of Parliament, Savez Nezavisnih Socijaldemokrata (Alliance of Independent Social Democrats), Sarajevo, 20 June 2009
7. Member of Parliament, Stranka Demokratske Akcije (Party for Democratic Action), Sarajevo 22 June 2009
8. Mirko Okolić, Member of Parliament, Srpska Demokratska Stranka (Serbian Democratic Party), Sarajevo, 23 June 2009
9. Member of Parliament, Stranka za Bosnu i Hercegovinu (Party for Bosnia and Herzegovina) (b), Sarajevo 25 June 2009
10. Representative of an international organization (a), Sarajevo 22 June 2009
11. Representative of EUSR, Sarajevo 18 June 2009
12. Representative of an international aid agency (a), Sarajevo 30 June 2009
13. Representative of local NGO (a), Sarajevo 17 June 2009
14. Amna Muharemovic, Head of Office, UNDP, Sarajevo 24 June 2009
15. Jerko Ivanković Lijanović, Member of Parliament, Narodna Stranka Radom za Boljitak (Peoples' Party for Work and Betterment), Sarajevo 24 June 2009
16. Local civil society activist (a), Sarajevo 26 June 2009
17. Representative of local NGO (b), Sarajevo, 19 June 2009
18. Representative of an international donor agency (b), Sarajevo, 23 June 2009
19. Local civil society activist (b), Sarajevo 26 June 2009
20. Former representative of an international organization, Sarajevo 29 June 2009
21. Pauline Neville-Jones, member of the European negotiation team in Dayton, London 11 February 2010.
22. Representative of an international organization (b), Banja Luka 16 March 2010.
23. Representative of the OHR, Banja Luka 22 March 2010.
24. Representative of an international organization (c), Banja Luka 22 March 2010.
25. Gordan Milosevic, Advisor to the Prime Minister of Republika Srpska, 22 March 2010.
26. Local political Analyst (a), Banja Luka 26 March 2010.
27. Member of the Republika Srpska National Assembly, Banja Luka 19 March 2010
28. Local political Analyst (b), Banja Luka 25 March 2010
29. Anthony London, Regional Political Advisor, European Union Police Mission, Banja Luka 18 March 2010

30. Representative of the RS government, Banja Luka 19 March 2010
31. Western Diplomat (a), Banja Luka, 17 March 2010
32. Western Diplomat (b), Banja Luka, 26 March 2010.
33. Gavrilo Antonic, Director, Partija Demokratskog Progresa (Party of Dem Progress), Banja Luka 17 March 2010.
34. Nina Sajic, Special Adviser to the President of Republika Srpska, Banja Luka 29 March 2010.
35. Advisor to the President of Republika Srpska, Banja Luka 24 March 2010.
36. Branislav Borenovic, Vice President, Partija Demokratskog Progresa (Party of Dem Progress)
37. Western Political Analyst, Sarajevo 9 April 2010
38. Local political analyst (c), Banja Luka 1 April 2010
39. Natasa Tesanovic Director of Alternative TV, Banja Luka 31 March 2010
40. Representative of international organization (d), Mostar 15 September 2010
41. Representative of local think tank, Sarajevo 24 September 2010
42. Local journalist, London 20 August 2010
43. Representative of an international organization (e), Mostar 20 September 2010
44. Representative of Hrvatska Demokratska Zajednica 1990 (Croatian Democratic Union 1990), Mostar 14 September 2010
45. Representative of Hrvatska Demokratska Zajednica (Croatian Democratic Union), Mostar 17 September 2010
46. Representative of Socijaldemokratska Partija (b), Mostar (Social Democratic Party), Mostar, 17 September 2010
47. Representative of Liberalno Demokratska Stranka Bosne i Hercegovine (Liberal Democratic Party), Sarajevo 25 September 2010.
48. Ernad Deni Comaga, Demokratski Omladinski Pokret (Democratic Youth Movement), Sarajevo 28 September 2010.
49. Representative of an international organization (f), Sarajevo 28 September 2010
50. Western Diplomat (c), Sarajevo 1 October 2010.
51. Representative of the OHR, Sarajevo 25 September 2010.