

## Preface for the 2nd Edition

The tenth anniversary of the Dayton Agreement in 2005 offered good reason to reflect on the post-war period in Bosnia-Herzegovina and, more generally, in former Yugoslavia. Hence the first edition of this book, published in early 2006, which was born out of passionate discussions with my Bosnian colleagues about how to achieve lasting peace and conflict transformation in the region. Bosnian authors and international experts were invited to present their views on recent developments and contemporary realities, to highlight existing trends and to formulate an outlook on future prospects. In particular, special emphasis was placed on the potential role of civil society in relation to state building. The book also offers an overview of the research undertaken by the Berghof Research Center since 1998, including reflections on the work of some of our most important partners.


We decided to publish a second edition for two central reasons. First, response to the book has been very positive and thought provoking. In particular, public presentation at the Sarajevo Media Centar and in Tuzla served to stimulate great interest in more substantive debate about the potentials and limitations of civil society in processes of democratisation and peacebuilding. Academic colleagues, along with peace and human rights activists, women's groups, youth groups, journalists and representatives of international organisations were all inspired to engage with the many issues raised in the book. Second, daily news from the region continues to indicate that the book is still highly relevant. Even in the 11th year after Dayton, the peace process remains in a precarious state. In fact, some of the trends outlined in the first edition have acquired more pronounced shape over time. By way of updating this second edition, it is some of these conflicting developments that I wish to consider here.

Bosnia-Herzegovina continues to be governed as an international protectorate, but Christian Schwarz-Schilling now has been declared the "new

and final High Representative”, with plans to phase out the post-war protectorate in coming months. Although the EU’s policing and military missions will remain for the foreseeable future, Schwarz-Schilling’s role will shift from a governing position to one defined in terms of facilitating and steering Bosnia in the direction of preparing for EU integration. Schwarz-Schilling has indicated that signing a “Stabilisation and Association Agreement with the European Union” is one of the most important opportunities and challenges for Bosnia at this time. He has expressed hope that upcoming Bosnian membership in the EU, along with its participation in other European institutions, “should be sufficiently powerful to help Bosnians overcome divisions and shape their own destiny” (Schwarz-Schilling, “Bosnia’s Way Forward” in *Internationale Politik*, Spring 2006, 86). He also made it clear that there are identifiable limits of responsibility on the part of the international community. Specifically, he has asserted that it is “not possible to decree reconciliation, opportunity and responsibility” and that “institutions that have been created by imposition will never function effectively unless Bosnians of all ethnicities buy in to them and until Bosnian citizens expect them, and not international organisations, to deliver reform, exercise democratic rules and procedures day by day in a bottom-up process of building the state” (ibid, 84).

## VI

In terms of civil society and state building, however, both progress and serious backlashes are apparent. More than ten years after the war, state-building processes are unfinished and public institutions are not yet functioning in satisfactory ways. As was described in the first edition of this book, the political structure set up by the Dayton constitution was designed to end the war, but has not proven to be very suitable for establishing a functioning polity. It is now obvious that this is an obstacle, rather than support, for peacebuilding. One consequence of the Dayton constitution is that weak state institutions have been set up. Bosnia’s political system is based on two powerful sub-state “entities”: the Bosniak-Croat Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS), with a presidency at state level, consisting of a Bosniak, Bosnian Croat and Bosnian Serb representative. Although it is responsible for state-wide policy implementation, compared to the sub-state entities, the national government has hardly any power. The situation is further complicated by the fact that the entities are marked by highly distinctive political and administrative structures. The RS has a centralist system whereas the Bosniak-Croat FBiH adheres to a federalist model and is structured in cantons. On all these levels, different administrations, parliaments and decision-making processes exist. The result is that citizens everywhere in Bosnia are struggling with unclear and overly-bureaucratic rules and procedures. Legal provisions at the cantonal, entity



and/or state levels often are incompatible with one another, making daily life very difficult. Moreover, as international diplomats and political analysts agree, the administrative structures institutionalised in the Dayton constitution do not conform to the requirements of EU integration and therefore are in desperate need of reform

In Spring 2006, the national parliament discussed a proposal for constitutional reform that was launched by US advisors. This proposal aimed to modify the Dayton constitution in a small way that would give more competencies to state institutions at the national level. At one point, this modification appeared to be supported by nearly two thirds of the members of parliament, including the majority of the political parties – the HDZ (the Party of the Bosnian Croats), the SDS (the Party of the Bosnian Serbs) and the Bosniak SDA. In the end, however, this reform failed by two votes. There are several reasons for this. Some Bosniak groups and individuals wanted a more far reaching reform that would transfer all powers to a single national state, questioning the entity structure in general. At the same time, Croat hardliners used this situation to put the possibility of establishing a third “Croatian” sub-state entity on the agenda yet again. Finally, the constitutional reform initiative also fell victim to power plays during the pre-election campaign because many political parties and prominent politicians decided to adopt extremist positions – aiming to fish for votes in their respective ethnic constituencies, rather than to negotiate an agreement on state reforms. Consequently, an important opportunity to strengthen the weak state structures initially set up by the Dayton constitution, and which have proved so problematic over time, was lost. By and large, then, it seems that the reform proposal was launched at the wrong time.

In addition, the reform initiative was very unpopular at a broader social level because voters were badly prepared for it. Bosnian human rights activists, for instance, have criticised mistakes made in 2005 and 2006 on the grounds that the constitutional reform project was a “closed shop”. As the President of the Helsinki Committee for Human Rights in Sarajevo, Srdjan Dizdarevic, has pointed out, the reform project was primarily driven by US advisors, with only eight local political decision-makers involved, effectively leaving the public insufficiently prepared to participate in elections (Statement from the “European Perspectives of the Western Balkans” conference hosted by the Heinrich Böll Foundation in Berlin, 6 July 2006).


Unfortunately, instead of much-needed further integration, 2006 also saw a trend for polarisation. In particular, there was an amazing shift in public political discourse, which took a turn toward rhetoric that was aggressively nationalist. Such negative rhetoric was employed by Bosnian politicians from

every constituency, all of whom sought to play the nationalism card in one way or another. This practice arose in the constitutional reform debate in Bosnia-Herzegovina's parliament and it surfaced again in the campaign for national elections, which were co-opted by political hardliners and opportunist leaders for their own purposes. Combined, these factors suggest a worrying development with respect to establishing stable peace.

In Spring 2006, for example, nationalist rhetoric was particularly loud in reaction to Montenegro's decision to leave its federation with Serbia in order to establish a sovereign state. The Prime Minister of the Republika Srpska, Milorad Dodik (who until then was not even considered a hardliner, but rather was accepted as a moderate by international observers), embarrassed the Bosnian and international community when he called for a referendum on the status of the RS. In an interview with the daily news magazine *Oslobodjenje* (27 May 2006), Dodik asserted: "In a future debate on constitutional reforms in BiH one could insist that BiH will be defined as a federalist state which includes a clear defined right of self-determination for its peoples." He explicitly stated that "the Montenegrin model" for obtaining sovereignty could be applied to BiH. Dodik went on to argue that constitutional reform would have to include approving the right of self-determination via referendum. Dodik's announcement clearly referred to a reformulation (and possibly repartition) of the state of Bosnia-Herzegovina. His remarks also were inspired by recent developments in negotiations on the future status of Kosovo, where the possibility of independence "under certain conditions" has become popular among international negotiators. Consequent to Dodik's statements, High Representative Schwarz-Schilling was compelled to insist that the partition of Bosnia-Herzegovina was not on the agenda – whether in "compensation" for Kosovo, or for any other reason (Office of High Representative Press Statement, "Need for Responsible Political Leadership", 29 May 2006).

Thus, as was suggested in the first edition of this book, recent developments once more have demonstrated that the degree of political change toward national integration, peace and reconciliation in Bosnia very much depends on territorial problems and decisions elsewhere in the region. As such, initiatives for peacebuilding cannot be expected to be effective if questions about political status in the entire region remain unsolved and can be used as bargaining chips in power games by political decision-makers. It seems that peace in Bosnia-Herzegovina can only be achieved through peaceful development in the entire region of the Western Balkans.

Sadly, these new outbreaks of separatist rhetoric – be these nationalist ideologies or just instruments for fishing for votes during the pre-election



campaigns – have had an immediate and highly destabilising social impact. Specifically, this has helped revive fears of war and ethnic expulsion. It also has served to re-traumatise returnee communities, especially in Eastern Bosnia and other regions of Republika Srpska. Peace and human rights activists working both for the integration of returnees and reconciliation have reported that many families are concerned, with some of them considering the possibility of permanently leaving the area because they again feel unsafe. When I visited Eastern Bosnia in Autumn 2006, one of the most common questions I was asked is this: “Is the international community going to protect us here if a new war starts?”

It seems, therefore, that the dominant nationalist political rhetoric which became popular during 2006 has effectively destroyed several years of peace work, as well as considerably endangered relationship building between the different constituencies living in the region. Admittedly, reactions from the Bosniak political establishment were equally nationalist and contributed to further polarisation. That the revised draft constitution still has not been accepted by a majority of the Bosnian parliament has been interpreted as a huge backlash in the state-building process: much-needed modifications to ineffective and unproductive state structures must wait even longer.

Despite all this, both international and Bosnian experts see an opportunity for a new EU initiative on constitutional reform. However, it is highly important that international and local state actors learn from their past mistakes in order to ensure that the state-building process in Bosnia can be successful at last. Therefore, a new reform initiative must seek to accomplish two overall goals. On the one hand, those advocating reform must convince the citizens of Bosnia-Herzegovina that it is worthwhile to discuss constitutional reforms. In particular, agreement must be reached about formulating a more simple federalist model that both addresses citizens’ needs and makes life less bureaucratic. On the other, any new initiative must make it clear that constitutional reform is a necessary prerequisite for preparing the country for future EU integration. In terms of achieving these goals, the EU must undertake a series of crucial activities. First, it must involve political leadership in a new, more inclusive process. Second, the EU must re-define its own role in terms of facilitation and advice, rather than as an implementing institution or governing body. Third, it is essential to involve as many different types of civil society actors as possible – labour unions and professional organisations, religious communities, media, peacebuilding and human rights organisations, women’s groups, war veterans, victims’ organisations and even private sector associations – in order to guarantee that any new constitution will be broadly accepted. There is no way forward other than to


involve entire populations in such a process. This will ensure that they own the process and therefore can identify with the polity that eventually will be created.

Conversely, such practices of inclusiveness are the only way to avoid the perception that modifications to the constitution are “outside-driven” and/or internationally-imposed projects, thus fostering the value of state sovereignty in Bosnia. The prospect of future EU integration is increasingly important for further development in Bosnia-Herzegovina and the entire region of the Western Balkans. It can have an important psychosocial impact on the respective societies, which in turn can serve as an incentive for democratic reforms. But this means that EU integration must be a real option: criteria for accession must be concrete, transparent, credible and achievable in a time frame that relates to the imagination of the Bosnian people. However, if EU integration is to become a motivating factor for democratic reform, to make use of this potential the EU must develop a coherent regional concept for peacebuilding and stability in the Balkans. Crucially, this is still missing. As I already have noted, in fact the EU has taken steps to reformulate its political role in Bosnia. But so far it has not quite presented a convincing plan to address the region’s economic problems. Hence the EU must adopt an integrated approach to peacebuilding that includes institution-building, civil society support and economic development. This is one of the primary challenges facing the EU as it takes over more and more responsibility in the region.

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For the EU too, however, there is a clear limit to its responsibility and the scope of its interventions. Among other things, conflict transformation includes, for example, justice and healing. External assistance can merely provide a suitable framework and better conditions for such a process to happen. This cannot be introduced through social engineering by outsiders. Rather, this is a task for Bosnian society itself.

Apropos of this and as the first edition of this book also indicated, it again was apparent throughout 2006 that there is still no proactive engagement by political decision-makers in governments and parliaments for reconciliation. “Dealing with the past” is still avoided at such levels, particularly as this relates to fact-finding and public debates that force politicians to deal with their own responsibility for past violence. Even ten years after the war, for example, it was not possible to get reliable figures from Bosnian government offices about how many people died, how many left the country, how many returned and so on. Such statistics are still highly speculative and subject to political manipulation. They also contribute to new myths that are counterproductive to peacebuilding. The most commonly cited figure is that between 200,000 and 250,000 Bosnians were killed in the war. Recently, this figure has been revised by the Research



and Documentation Centre (RDC), a civil society organisation in Sarajevo. In its 2006 report, RDC instead documents that there are a total of 96,000 dead and missing persons on whom data is secured (Research and Documentation Centre, Report April 2004-April 2006, Sarajevo 2006, 4; online at [www.idc.org.ba](http://www.idc.org.ba)). Such fact finding activities are very important both for avoiding myths and facilitating serious debate about the past.

In addition to a lack of political will, there is a critical level of disinterest throughout Bosnian society to revisit the past for purposes of reconciliation. However, many local peace and human rights activists are convinced that dealing with the past is necessary for overcoming widespread perceptions of victimisation and selective remembrance. Despite a more general social and political reluctance, there are nonetheless some local civil society organisations who are ready to tackle the past – either by fact finding, culture and arts production and peace education activities. Such initiatives do exist on a small scale, including a regional network that aims to create a shared view of the past. Although these efforts have been able to create some public discourses about the need to address past grievances at local, national and regional levels, they mainly still only operate in niches. There is, however, one notable exception.

In addition to obscuring the facts about war fatalities, unreliable (or unknown) data has another insidious consequence: there has been a lack of state protection and support for victims. In particular, there were no clearly defined victim categories, including a critical failure to recognise the fate of women who were raped and tortured during the war. In fact, this issue was ignored for a long time. Jasmila Zbanic's 2006 award winning film, "Grbavica", helped to radically change this situation. The film deals with the relationship between a Bosniak woman raped during the war and her teenage daughter, both of whom are trying to cope with the past in post-war Sarajevo. It draws out experiences of individual trauma, as well as addresses taboos that still exist in present-day society. The film has been seen by 100,000 people in Bosnia, but was partially boycotted by cinemas and distributors in the RS. It was only after the launch of "Grbavica" that the Bosnian parliament finally decided that women who were raped would be legally classified as "war victims" or "war invalids". Crucially, this entitled these women to state compensation equal to that received by men who fought in the war. This decision is seen to represent important progress, especially by human rights and women's organisations.


However, this was a hard-won victory. Initially, parliament was considering a proposal to compensate rape survivors at only 50% of the amount given to male war victims. But pressure from NGOs such as Medica Mondiale, as well as the campaigns that accompanied the film in Bosnia, contributed to a

rethink of that proposal. Since the film was first shown in Bosnia, for example, civil society organisations have collected 50,000 signatures endorsing official acknowledgement of and equal reparations for those many women who were raped. This demonstrates that pressure from civil society organisations on politicians is necessary both for confronting social taboos and dealing with the past in a just and factual way.

Peace and human rights activists also reported some progress on the challenging issues of dealing with the past in the period following the release of the “Srebrenica Video” in 2005, which demonstrated that troops from Serbia were involved in the massacre there ten years earlier. This film not only provided important evidence to the Hague Tribunal, it also provoked discussions in Bosnian Society. Many Bosnians, especially young people, began to talk about the war. Hope consequently grew that this would have an impact on broader public discourse. However, after nationalist speeches poisoned political discourse at governmental and parliamentary levels, people eventually stopped talking about these issues altogether. As many activists and observers have noticed, the significant change in the political climate of Bosnia that took place during the elections now has made it even more difficult to address the past.

The outcome of the 2006 elections was also extremely discouraging. Although the ethnopolitical parties that existed during the war, such as HDZ, SDA and SDS, actually lost votes, the majority of voters supported other parties led by politicians who made use of the nationalist card to get into power. Effectively, traditional hardliners were replaced by new, more fashionable nationalists. Thus far, then, it appears that civil society initiatives have been unable to develop sufficient strength to transform this nationalist political climate in fundamental ways. At the same time, however, such initiatives cannot be expected to compensate for all of the deficits produced by dubious processes of state building.

Importantly, this relative weakness does not likewise mean that such organisations lack the capacity to have any effect at all. Nor does it mean that they are irrelevant actors as drivers for change. While they may not have the power to produce comprehensive change at the national level, they nonetheless do possess a capacity for change, particularly at local community levels. High Representative Schwarz-Schilling remarks that he has seen “impressive changes as a result of local people and their institutions” (Schwarz-Schilling, “Bosnia’s Way Forward” in *Internationale Politik*, Spring 2006, 85). In fact, more than ten years after Dayton, an encouraging number of citizens’ initiatives and non-governmental organisations are actively working to change politics and society in Bosnia and the broader region. In particular, some of these efforts focus on



young people, trying to change their patterns of apathy and disillusionment. In other areas, self-organising youth initiatives have formed that offer spaces for cross-community encounters and joint-learning experiences. These initiatives are immensely important: in seeking to change the social and political climate, they are tackling and working to dismantle cultures of violence.

In addition to the various peacebuilding efforts mentioned above, another positive development is the youth movement *Dosta!* (Enough!). This organisation became active during the pre-election campaign in October 2006, with young people who were fed up with ethno-political power plays meeting up for creative protests in the streets of Sarajevo and other cities. Indicating their general dissatisfaction with the current state of politics, many wore T-shirts with a raised fist. Still an on-going concern, *Dosta!* functions as a loose network, its members communicate via the Internet and participants spontaneously gather for protest activities.

In this same pre-election period, another civil alliance calling itself “*Građansko Organizovanje za Demokratiju*” (GROZD) was formed. By way of challenging the political establishment, GROZD sharply criticised the attitudes and policies of the political parties that were driven by ethno-political agendas, and which dominated the country at the time. The organisation mounted a national campaign, successfully collecting 400,000 signatures from citizens who wanted alternative political policies that addressed social needs, rather than those that served the interests of ethno-political power plays.

Both of these citizens’ movements shared a common purpose: to convince people in Bosnia that it is important to join the democratic process by participating in the elections. In the end, however, at 54% voting participation was not much higher than in previous elections. Nonetheless, GROZD was supported by contact groups in many different local communities and municipalities all over the country. Only time will tell if the short-term mobilisation and interest that GROZD and *Dosta!* succeeded in generating can be channelled into a more permanent and effective political force. One prerequisite for such a development is that the widely justified critical approach (e.g., of political corruption and economic malaise) be complemented by concrete political programmes that can become attractive alternatives in the competition for votes. Strengthening these developments remains a central task, especially with respect to young people in Bosnia-Herzegovina, who suffer most for a general lack of perspective on the future.

Of course, international institutions also can encourage such movements. Specifically, they can support local structures, processes and visions for designing a better future. The EU, too, can help create favourable conditions and

incentives in the region, especially to assist young people in resisting nationalist rhetoric and other strategies that roll back progress on peacebuilding. Peace education, programmes for youth exchange within the Western Balkans and the EU, along with possibilities for training and professional experience abroad, can all contribute to effect change. Crucially, however, such initiatives must be linked to a strategy for broader economic development in the region.

Although this book reflects on a decade that has been characterised as a post-war period (1995–2005), as the above update indicates the war-to-peace transition is clearly an on-going challenge. This is made more complex by the conflicting developments in Bosnia-Herzegovina. Because of the thorny nature of the problems they address, the authors included in this book do not offer any conclusive answers about how to proceed on the long road toward peace in the post-Yugoslav region. Rather, they highlight lessons, trends, dilemmas and open questions that, in their views, are worth exploring. The perspectives and concerns voiced here also may be of interest to others working in and on the Balkans, or in other post-conflict regions. The book additionally is designed to stimulate ideas for further debate among our partner organisations and our readers, which can continue via our website ([www.berghof-center.org](http://www.berghof-center.org)). Please share your comments, experiences and views with us.

## XIV

My grateful thanks are due to everyone who contributed to and made this project a reality. I am especially indebted to the *authors*, who delivered their excellent contributions on a short schedule, and to all those who joined the project as *interview partners*, illustrating the experiences and dilemmas they face in their struggle for peace, conflict transformation, cross-border cooperation and social change in the post-Yugoslav region. Special thanks go to *Astrid Fischer* (layout) and *Beatrix Schmelzle* (coordination and language editing). I would also like to thank my colleagues who supported the project in other ways: *Hillary Crowe* (translation); *David Bloomfield* (language checks); and *Peer Bruch*, *Mahmut Kural* and *Claus-Dieter Wild* (literature checks). I also thank *Ulrike Hesse*, who developed creative design ideas (cover and layout). And last but not least, I wish to thank the *Berghof Foundation for Conflict Studies* both for providing financial support towards the printing costs of the first edition and allowing us to distribute free copies at the book launches in the region.

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