

Reconciliation: a critical approach to peacebuilding in Bosnia-Herzegovina

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Abstract

This paper studies reconciliation as a source for critically viewing post-conflict peacebuilding and its impact on state-society relations after state-building processes. As traditional peace-building focuses on liberal formulas, it has been criticised for lacking legitimacy and withdrawing from everyday life. Looking at peacebuilding through a reconciliation perspective contributes to the liberal critique by looking at how reconciliation has been identified by peacebuilding agents in Bosnia who have worked during the state-building process. The present paper is based on interviews in Bosnia-Herzegovina through fieldwork during July 2014, a qualitative study that compares the understanding of reconciliation between different peacebuilders (international agencies, leaders of NGOs and grassroots organizations) and the obstacles identified as key for reconciliation in post-war Bosnia.

Keywords: Peacebuilding – State building – Liberal Peace - Reconciliation – Bosnia-Herzegovina

Introduction

Reconciliation, as a peacebuilding activity for social reconstruction, gained recognition in academic and policy circles for potentially rebuilding relationships broken during the outbreak of war, establishing institutional mechanisms dealing with human rights atrocities, focusing on victims' rights to truth and justice as well as an avenue for long-term development strategies for divided societies.

For those engaged in peacebuilding, reconciliation has been an expanding concept including transitional justice measures, accountability processes and rule of law in divided societies - all strategies receiving international support (Sriram, 2010). Practice in Rwanda and the former Yugoslavia is the solid proof for the importance given to these processes – for instance, creation of International tribunals and judicial sector reform are widely supported by international agents as quintessential to reconciliation. Academics studying divided societies state that reconciliation can meet everyday needs of those living in peacebuilding areas (Eastmond, 2010), via interethnic dialogue, social empowerment, deliberative democracy (Yordán, 2003) and ideational, cultural as well as non-state factors that can foster legitimacy to peace operations.

Projecting peacebuilding through the lens of reconciliation can contribute to the liberal peace critique, a debate on contemporary peacebuilding that looks at the legitimacy of liberal peacebuilding in post-war societies, the nature of liberal state-building as a peacebuilding strategy and the excessive focus on “fragile states’ as a threat to international security (Newman et al, 2009). The critique has looked at the domination of the state-building discourse that takes Western state models shaping narrow conceptions of what an ideal working state looks like (Richmond, 2010).

Reconciliation contributes to liberal peace debates by critically looking at the negative impact of state-centric security in justice, truth, repair and reconciliation work, arguing that liberalism has undermined options for human security, favouring the state’s security and integrity (Canteh-Morgan, 2005). Andrew (2010) mentions that the liberal project has used “transitional justice” as an extensive part of the top-down state-building approach that aims at creating official narratives for truth, justice

and reconciliation. Such objective fails to affect local dynamics of conflict and the meaning for people living in post-war societies. International transitional justice is denounced for being fixated on international legalism, speaking a language distant from affected communities and insufficient for building bridges amongst divided societies. International Tribunals and Truth Commission processes miss out on a direct dialogue between victim and perpetrator that can help reconciliation, as the dialogue is made towards a tribunal in search of criminal evidence or a National Truth Commission in search for an official version of the truth (Nordquist, 2006)

Proponents of a reconciliation approach recognise its expanding scope and applicability at personal and collective levels, discussing options for rebuilding intergroup relations, conflict transformation at the social, economic and political level as well as avenues for cooperation and coexistence through peacebuilding, (Lerche, 2002).

The aim of this paper is to look at peacebuilding practices in Bosnia-Herzegovina through a reconciliation lens, developing avenues for the liberal peace critique. Its main concern is with the understanding of reconciliation as a working term for peacebuilding actors in the country and the obstacles recognized when working in reconstruction projects. The article begins with a framework for understanding reconciliation as a peacebuilding lens, insisting on the evolution of peacebuilding since the 1992 Agenda for Peace, and the state-building project that unfolded, together with the emergence of a critical approach on the liberal peace project which has developed views on reconciliation. The second section addresses issues linked to reconciliation identified through interviews with peacebuilding

organizations working in the country to critically assess obstacles and missed opportunities in the area of reconciliation.

Viewing Peacebuilding through the reconciliation lens

Evolution of peacebuilding

Post-conflict peacebuilding evolved after the 1992 Agenda for Peace defines it as 'action(s) to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict' (Ghali, 1992, II.21). With this definition the concept acquires new dimensions for policy and academic literatures as Ghali emphasized peacebuilding with tasks such as weapon destruction, refugee repatriation, institutional strengthening, state-building, political participation processes and cultural processes linked to reconciliation. This allowed multiple organizations to engage in peacebuilding through a liberal peace strategy: promoting democratization and marketization in post-conflict societies (Paris, 2004). For Bellamy et al (2004) peacebuilding's commitment to liberal peace rests on the assumption that liberal democratic states do not wage war on one another due to institutional accounts (rule of law and electorates mitigate the decision to engage in war) and normative accounts (international norms compromise internal politics by conferring legitimacy upon states believed to be peaceful and democratic). Bellamy explains that the liberal peace assumes war as costly and irrational as States engage in practices of international trade. In summary he views the liberal peace as an argument that informs peacebuilding as an effort to maintain a global stable peace through the promotion of liberal, political and economic practices.

This “liberal peace”, the view that peace could be achieved through promoting democracy and market capitalism, became a formula where leading states, international organizations and international financial institutions advanced peace via international interventions, focusing on state sovereignty and international status quo (MacGinty, 2008). A practice based on the premise that democratic states do not wage wars on one another due to institutional constraints towards war established in democracies as well as the market premise that war is costly and irrational for states engaging in international trade (Bellamy et. al, 2004). Liberal peace has been done via state-building practices where state architecture supports the establishment of democratic foundations and a liberal economy, assumed to guarantee sustainable peace.

State-building is a central objective of international assistance focused on ‘support(ing) the building of effective, legitimate and resilient states’ (OECD,2008 ,p. 12), an external process of increasing capacity, institutions and legitimacy of the state. State-building involves a state that delivers services to society and the social and political groups who engage such state, making state-building a process driven by state-society relations (Haider, 2012).State-society relations become a focal point for analysing reconstruction efforts in Bosnia.

As promoting democracy and market economy in post-conflict societies became common practice, academics engaged in peace research have criticised state-building. For Chandler (2011) state-building is contradictory to peace-building: it presents itself as a “catch-all” solution to instability but has mixed and limited results, failing to meet the claims of its sponsors. Its ideals of social engineering based on development, democracy and good governance are not always met by the

reality of inconsistent, inadequate policy practices. A Liberal failure example is backsliding: '*a deterioration of peace during a peacebuilding process and a retreat from the liberal peace framework on the part of international and local actors.*' (Richmond, 2009: 55). This occurs as liberal institution-building is a slow, complex endeavour that can only occur as a product of a domestic, long-term political process marginally affected by donors (Ottaway, 2002). The challenge is not with institutions but with creating real mechanisms for power and authority generation, which should be created from the inside.

State-building has problematic consequences for intervention societies. Paris (2004) talks about how rapid liberalization has damaging side effects: the exacerbation of societal tensions and reproduction of traditional sources of violence. Liberalization is a conflictual process due to the fragile circumstances that societies endure, making it very difficult for institutions to manage the disruptive effects of introducing a market economy. Divided societies need recognition of particular needs within peacebuilding practice that may not be addressed by liberalism but rather by reconciliation strategies that focus on issues of justice, dealing with the past and helping communities plan a common future together.

As liberal peace insists on market imperatives, institution and elite creation, it ignores the realities and needs of the subjects of intervention, the "everyday" of local populations. Richmond (2011) insists that the reach of liberal politics has little impact on the life of populations managed by international state-builders. Local ownership, civil society development and participation formulas do not represent the interests of the most affected and vulnerable. For Richmond, state-building generates a hybrid state characterized by multiple forms of relations and

confrontation between agents of liberal peace and agents of social conflict, where the liberal peace becomes synonym of Western colonialism and the needs of individuals become obscured by a technical language of institutional frameworks. The gap between international liberal peace agents and locals becomes problematic and generates a perception of peacebuilding as a Western hegemonic practice of containing conflicts, with state-building as a tool to civilize societies incapable of developing indigenous mechanisms of cohesion (Newman et al, 2009).

As the liberal peace critique evolves, focusing on values and principles of peacebuilders rather than simply looking at policy discourses, it opens up space for thinking of a post-liberal peace and agency of the “everyday”. In particular how in peacebuilding interventions, measures are confronted by “locals”, subject to intervention ranging from acquiescence to confrontation, constituting the real effects of contemporary state-building practice. This space is appropriate for developing a reconciliation perspective that brings out issues at the heart of the “everyday”. Moreover a shift of the focus from global to local could ensure better strategies for an effective, sustainable peace. This is expressed as the “local turn” in critical peacebuilding literature which can be evidenced in the work of Richmond (2011) for whom the solution to the failures of liberal statebuilding derives from looking at practices located at the “local-local” (outside of an artificially localized civil society made up of Western-style NGOs) and the “everyday” of post-conflict settings. This local turn is also advocated by MacGinty (2008) who prefers indigenous forms of peacebuilding that rest on traditional processes for consensus decision-making, reciprocal compensation and traditional rituals which are different from the frequently contested foreign impositions of the liberal peace. Localized approaches to

peacebuilding not only insist on state-building's lack of legitimacy but place peacebuilding at the centre of a locally legitimated and desired context where local cultural identities can flourish.

Reconciliation: an avenue for liberal critique

Over the past two decades reconciliation has evolved as an element of peacebuilding. Its links to state-building practices bring opportunities for critical evaluation. Bloomfield et al. (2003)'s handbook sees reconciliation aimed at preventing the use of the past for renewal of conflict and a consolidation of peace. It is backward-looking as it deals with the past healing of survivors and reparation of past injustices and forward-looking as it enables victims and perpetrators to get on with life and establish civilized political dialogue and power sharing. These two meanings show how reconciliation can be broadened for a holistic interpretation of peacebuilding or narrowed down to 'governance and democracy', appropriate to a state-building agenda. Betts (2004) defines reconciliation as transitional justice: practices of good governance, rule of law and institutional legitimacy via the construction of historical memory in defining future identity, stability and democracy.

A state-centric view of transitional justice assumes that good governance, constitutional and legal equality encourages inter-group cooperation, where individual accountability and the quest for a comprehensive understanding of the past allows for reconciliation. For Kostić (2012) this view has been contested as transitional justice is incorporated into peacebuilding through power sharing agreements, often encountering dilemmas and contradictions that work against the delivery of justice as they blur the lines between victim and perpetrator. This is

further problematized when transitional justice is part of an externally driven peacebuilding mission as it ends up viewed as another Western imposition. Sriram (2010) adds to such critique as international supporters of transitional justice are commonly accused of promoting a western concept of human rights and rule of law that can be culturally inappropriate for post-conflict societies. She insists that this is more complex in places where the majority of the population has limited access to the formal justice system and often rely on traditional non-state justice. All of this impacts the introduction of new laws and institutions as well as accountability-focused mechanisms.

Haider (2012), recognizes reconciliation's potential as a multitask space for peacebuilding involving rebuilding relations at all levels, development of collective civic action as well as efforts to foster representative institutions, rule of law and positive state-citizens relations. Despite this, understanding reconciliation as "transitional justice" limits its impact on group identities due to excessive focus on criminal prosecutions, without impact on dominant narratives of collective blame that persist in post-war societies. Van Zyl (2005) focuses on the local as space for effective reconciliation processes. He is of the opinion that transitional justice strategies need to emerge from local consultation, based on local conditions and should be as comprehensive as possible and not focused on only one component (inclusive of truth, justice, reparation, institutional reform, reconciliation projects and development initiatives).

For Fischer (2011) reconciliation has become a main category for donor support, a necessary requirement for lasting peace, assuming the need for a "bottom-up" process for dealing with unresolved issues of conflict. The assumption

is that reconciliation is done only after a top-down political settlement has been reached. This conceptualization of two separate flows of peacebuilding (top-down and bottom-up) becomes the arena for tension between internationals and locals, or between state-building aims and the reconciliation needs of intervention subjects. Newman et al (2009) address this tension: top-down approaches become a realist exercise of achieving security and stability via negotiation with local power stakeholders and bottom-up approaches emphasize attention to conflict sources and facilitating accommodation between previously conflicting communities.

Despite reconciliation seen as “bottom-up”, the term gained space in state-building via transitional justice practices implemented by international peace-builders. Transitional justice is an approach of ‘*criminal prosecutions of perpetrators, truth-seeking efforts to determine the extent and nature, of past abuses, reparations for victims, reconciliation programmes within divided communities, and institutional reform to prevent the recurrence of abuses*’ (OECD-DAC, 2007: 107). Shaw and Waldorf (2010) see in transitional justice a state-building toolkit for reconciliation that includes war crime prosecutions, truth commissions and reparation policies. This solution creates a disconnection between international legal norms and local priorities and practices, leading to an engagement with accountability mechanisms at the national and international level but also with local evasion, critique and unintended consequences.

The liberal taint on reconciliation is criticised by Garbett (2004) who sees excessive international focus on trial promotion, creating a distant legal justice in overseas tribunals that is contentious, lack in understanding for the needs for reconciliation from those affected by conflict. The side effect to this is that the rule of

law expected from the international community is not accepted by locals as a means to dispense justice, forcing a gap between international legal justice and the way justice is viewed by victims and witnesses. The work of Chandra Lekha Sriram understands reconciliation as a space for liberal critique. In her 2010 work, she sees a “traditional” transitional justice focused on international justice practice through international tribunals and truth commissions which debate exhaustively on the dilemmas of justice vs. peace. Reconciliation includes not only measures pertaining to victims and perpetrators of human rights abuses but also a set of holistic activities, away from legal considerations of justice, that belong to the realm of peacebuilding. Sriram (2009) labels transitional justice practices as destabilising, externally imposed and culturally inappropriate. Destabilising due to juridical solutions forcing those accused of war crimes to seek preventing trials and moving political capital to achieve such an aim. Externally imposed, as there is an institutional preference for overseas tribunals and for international NGOs to lead reconciliation processes with victims and communities, and culturally inappropriate as they ignore indigenous demands for accountability or previous local practices in the area of justice and civil society development.

Options for the local: reconciliation within peacebuilding

Using reconciliation as a liberal critique leads to questioning spaces of agency for the local and the everyday within transitional justice. Richmond (2011) hints at the need for a holistic view away from problem-solving formulas, linked to activities that engage with societies, cultures and identities far beyond institutions and statehood, closer to marginalized agencies that have the potential to modify liberal paradigms

and institutions. His proposal is for a '*[r]econciliation, and a grassroots, bottom-up peacebuilding which does not leave itself open to a post-colonial critique requires moving beyond the narrow confines of liberal peace dependent on a particular form of state-building.*' (Richmond 2011: 42).

Reconciliation approaches generate spaces for civil society within peacebuilding. Paffenholz (2009) recognizes the role of the conflict-transformation school in understanding reconciliation, focusing on civil society and ordinary people as the centre of peacebuilding opposed to the liberal focus on international actors. The conflict transformation school recognizes how peacebuilding requires long-term infrastructures to support reconciliation. Moreover, there is an absolute necessity to reform peacebuilding planning by including internal actors and introducing sensitivity to local culture. Reconciliation practices have focused on working with the "grassroots", allowing for a multi-modal and multi-level form of peacebuilding that engages with all levels of society (elites, mid-level and grassroots) that aims at rebuilding social relationships in post-conflict settings (Sabaratnam, 2011).

As the recognition of different levels and spaces for peacebuilding engagement is brought by conflict management and reconciliation it is vital to review debates around hybrid forms of the liberal peace and the problem of romanticising the local. When looking at civil society, one must be aware of how the liberal project not only has diverted peacebuilding from individuals and communities towards state sovereignty and institutions but also co-opted locals into liberal sites, giving them direct access to institutions and the liberal international edifice (Richmond, 2010). MacGinty (2008) identifies the same problem when discussing indigenous peacebuilding, stating that international actors have developed a discourse towards

indigenous peacebuilding, via local participation policies that end in the co-option of local elites into western schemes of technocratic problem-solving approaches to social problems. Focusing on grass-root or indigenous approaches means looking at strategies for dealing with the hybrid-liberal peace; acquiescence, co-option, resistance as well as the modernity created by liberal state institutions and markets and its impact on the everyday lives of societies (Richmond, 2010). This forces us to understand the local in two ways: one as a western artifice established by internationals for the co-option of non-western partners, commonly labelled as civil society, as an NGO sector, and the other as the deeper local engaged with the everyday: a space where local individuals and communities live and deploy options for addressing the state and international order (or what Richmond labels as the *local-local*).

Mapping Bosnian Reconciliation: A Critical Perspective

The following section uses reconciliation as an avenue for critical analysis of Bosnia's peace-building, looking at how state-building was implemented in key areas linked to reconciliation, and how different agencies view the effects of such implementation in their work. The section explores four areas of reconciliation, identified in academic literature on Bosnia as well as by agencies interviewed during fieldwork: reconciliation as a working aim, the political system and political parties, education and media, and civil society development.

Understanding reconciliation

Looking at the concept of reconciliation gives an idea of the aims, priorities and activities linked to peacebuilding. Defining reconciliation is not merely a semantic but a political exercise as exploring its meaning identifies points of clarity, consensus as well as conflict (Wagner and Winter, 2001). Schaap (2008) explains that the precision in which reconciliation is defined may polarize a population as it sets the terms in which societies should reconcile or not. Reconciliation becomes ideological if its meaning is over-determined but it also has the potential of being worked out politically by those who decide to reconcile.

In interviews with peace-builders in Bosnia, the most common definition was “bringing people together”. This was expressed by Ivana Čelebić¹, Director of an NGO in Sarajevo, who states that developing projects that gather people together fosters reconciliation, overcoming ethnic divisions. One of her organization’s projects aims at establishing interethnic dialogue between teachers in the country, discussing how to deal with ethnic segregation in schools. Velma Šarić² from the Post-conflict Research Centre uses truth-telling projects based on documentary-making to work with young people from all sides, particularly in rural communities where youngsters rarely get to know people outside their own ethnicity.

A different view was taken by NGO’s with a transitional justice ethos, this is the case of TJAR’s Elmina Kulašić³ who insisted on reconciliation being about the acknowledgement of atrocities that occurred during the war and enabling a dialogue

¹ Interviewed in Promente’s office in Sarajevo on 14/07/14

² Interview in a cafe in Sarajevo on 16/07/2014

³ Interview at the office of TJAR (Association for Transitional Justice, Accountability and Remembrance) in Sarajevo on 15/07/2014

about “truths” in Bosnia, particularly to combat genocide denial, common in Republica Srpska (RS). Mervan Mirsacija⁴ stated quite clearly that reconciliation had been thought of in terms of transitional justice in Bosnia. It was done via a human rights-based approach through different pillars of transitional justice: oral history, vetting programmes and memorialisation. For Nejra Neimarlija from Kult, an NGO that deals with youth policy, reconciliation is a trust-building exercise that begins with the recognition of crimes between all ethnic groups. Youth is seen as the appropriate space for reconciliation practice as newer generations have little recollection of war atrocities and can easily develop critical thinking about war and politics in BiH. This idea of “trust-building” was also mentioned by Aida Vezic⁵ for whom trust is not only about giving people a chance to work in joint activities but also developing trust in the political system, particularly in the legal and justice system, where a lack of confidence has been characteristic of the post-war era. She insists that lack of trust both at the individual and societal level as well as lack of trust in the system leads to an inability in Bosnia for effective partnerships in reconciliation work.

International agencies adopted a different set of views. For an interviewee from the International Community⁶, ‘reconciliation in BiH may not be necessarily about achieving undisputed consensus among ethnic groups and their political representatives about past events’. Instead, reconciliation should revolve around mutual acknowledgement of the existence of differing interpretations of BiH's history. This would contribute to improving the functionality of the state and dealing with citizen's needs. An ICTY-Outreach representative explained it as the creation of

⁴ Interview at Open Society office in Sarajevo, on 16/07/2014

⁵ Representative of Cultural heritage Without Borders –Bosnia. Interviewed in Sarajevo on 15/07/2014

⁶ Interview on 24/07/2014. Location and identity remain anonymous as requested by participant

political platforms for dialogue among different communities. To a representative of the EU delegation in Bosnia, reconciliation is developed through a legal-based path, developing transitional justice via the courts and the national system.⁷

Differing views of reconciliation signal different approaches: some NGOs focus on the need to work with individuals through various projects without actually stating that their work is on reconciliation, as this term is exhausted in BiH. Sladana Milunovic⁸, a Bosnian worker at the OSCE explained that reconciliation in Bosnian “*Izmirenje*” may imply closeness, a reason why talking about reconciliation is hardly accepted in the country as ethnic groups don’t believe in the closeness of their relations. This view was shared by Ivana Čelebičić⁹: “Bosnians are tired of being told how to be polite and how not to hate one another.”

NGOs closely linked to international donors focus on transitional justice, talking about human rights advocacy and a human rights approach to reconciliation. Schaap (2008) interprets this as an ideological view limited to legal protection, affirmation of rule of law and a human rights culture which becomes problematic as it assumes a vision of society where all parties are expected to accept specific forms of reconciliation. For international organizations such as the OHR and the EU delegation, the term is tightly linked to judicial sector reform and the work of courts and tribunals. This view is problematic when the central state is weak and justice mechanisms lack a comprehensive enough approach to include the ideas and opinions of those affected by atrocities. Andrew (2010) criticises how a state-building view of reconciliation conceives truth as a neat and exclusive form of narrative which

⁷ Both ICTY-Outreach and EU Delegation representatives requested to remain anonymous.

⁸ Interviewed at the OSCE headquarters in Sarajevo on 22/07/2014

⁹ Interviewed in Sarajevo on 14/07/14

relies on a conception of violence that is purely political, ignoring economic or structural forms of injustice.

The differences in conceiving reconciliation illustrate how a technical approach reliant on criminal justice and justice sector reform is a priority for peace-builders at the top level and within some INGOs; whilst for organizations working locally with communities prefer developing projects that deal with everyday needs. The critique of equating reconciliation to transitional justice does not ignore the role of justice in peace-building as there is obviously a space for transitional justice and institutional reform. Van Zyl (2005) connects peacebuilding with institution-building via transitional justice's vetting programmes (identifying perpetrators for human rights abuses that may hold office after the war). These measures help recognise institutions that need to be reformed, develop training for staff on human rights protection and removal of those responsible for human rights abuse from state institutions. The critique lies on the limiting idea that only through strategies for institution creation and rebuilding can reconciliation be achieved.

The impact of politics on reconciliation

The 1995 Dayton Agreement was initially designed to stop the war, becoming the official Bosnian Constitution and guide for post-war politics in Bosnia. It organized the state in three levels: Republica Srpska (RS), a belt of land that borders Serbia and reaches to the outskirts of Sarajevo, the Federation of BiH which contains Croats and Muslims (Bosniaks) and a third level of government which is the national institutions of Bosnia-Herzegovina (Ignatieff, 2003). The Dayton

architecture allowed for an oversized state with excessive levels of governments, number of politicians and many opportunities for corruption, extortion and impasse.

Dayton included far-reaching powers for international actors involved in state-building. It gave powers to the internationals to cover the most basic aspects of government and the state and Dayton's annexes were simply the steps for the politics of state-building in BiH (Chandler, 2006). Sloan (1998) explains these: annex on elections requested the OSCE to develop electoral processes in the country, the agreement on refugees called the UNHCR to develop repatriation plans for refugees and displaced persons, the annex on international police tasked the U.N. to setup a police force to help development of a civilian law enforcement agency and the agreement on civilian implementation of the peace settlement designated the Office of the High Representative as the top coordinator for tasks related to civilian aspects of Dayton.

This confusing structure was founded on the idea of a consociational federation. Hoogenbom and Vieille (2004) explain how this was done via liberalism: designing effective institutions that preserved identities through group rights, accepting the presence of ethnicity in politics and building bridges among groups. Rose (2006) explains consociationalism as an institutional prescription for plural, divided societies where primacy is given to collectives rather than individual citizens in order to establish agreements across groups. Consociationalism is built into Dayton's BiH state institutions with a tripartite collective state presidency that represents the three constitutive people of Bosnia (Bosniaks, Croats and Serbs). Apart from this, the Bosnian state is also a confederal union between two political entities: the autonomous RS and the Federation of BiH (where competencies are

devolved at the local level via the establishment of ten cantons and their municipalities). For Rose(2006) consociational democracies can lead to the entrenchment of ethno-national identities, relying frailly on segmental elites that may lack political will and capacity. Consociational frameworks only perform for moderately divided societies but not in deeply divided societies like Bosnia.

Bosnia's consociational state-building failed to build bridges, fostering divisions rather than dialogues between the three constitutive groups of Bosnian citizens. The International Crisis Group's 2014 report describes three political communities in Bosnia after Dayton. One of Bosnian patriots loyal to the BiH state and Sarajevo who see the state as defender of their rights, a second loyal to RS and the city of Banja Luka who want the best for the entity and focus on full independence and a third that revolves around Mostar and has an aspiration for self-rule of Croat populated areas. This model failed in its reconciliation aims as trust was never achieved between former warring parties; power sharing did not provide cooperation on the elite level, allowing for a politics of divide and rule legitimised through elections (Zmeriket. al, 2005). Pickering (2006)points out that to forge ties that bridge ethnic tensions, institutions need to be a) ethnically diverse b) promoting interethnic ties rather than nepotism c) possess norms for interethnic cooperation and d) venues and spaces for dependant interaction among individuals from different groups. Instead of this, Dayton created a political system that discourages ethnic cooperation and reinforces divisions among the three constituent nations, institutionalizing ethnic cleavages, ethnic based federalism, mutual veto and ethnic keys in bureaucracy.

The impact of state-creation on current reconciliation efforts is evident in my interviews. For all interviewees the main obstacles for reconciliation are political parties and the political system as a whole. Mervan Mirsacija¹⁰, a representative of the Open Society Foundation in Bosnia, sees Bosnia as a state captured by its political elites, where all processes for reform remain under their influence and become the sole point of reference for citizens to deal with their everyday problems. Dinko Sijercic¹¹, representative of a youth-focused reconciliation NGO in Bosnia commented on how the ethnic political divide results in an inability for Bosnian politicians to make effective decisions, which becomes even more difficult when dealing with reconciliation as it is never supported by state nor local politicians. Political parties seem to be significantly difficult, Mevludin Rahmanovic¹², founder of the NGO Center for Peacebuilding in Sanski Most, identifies political parties as an obstacle due to hate speech strategies developed during electoral campaigns that end up demonizing the other and identifying reconciliation organization as enemies of society. Sladana Milunovic¹³ from the OSCE explained that one of the main needs from Bosnia's political system is for political parties to be accountable to their citizens, something that has been quite problematic at the local level.

According to an assessment on the state of democracy done by the National Democratic Institute in 2009, Bosnian political parties have developed organizational structures and are proficient in contesting elections, have staying power and some level of credibility among citizens, yet they rarely represent constituencies and issues as their election strategy is based on ethnic appeals. Many parties in Bosnia rely on

¹⁰ Interview at Open Society office in Sarajevo, on 16/07/2014

¹¹ Interview in a Cafe in Sarajevo on 23/07/2014.

¹² Interview on a Cafe in Sanski Most on 19/07/2014

¹³ Interview at OSCE office in Sarajevo on 22/07/2014

ethnic rhetoric to gain strength during elections but rarely base such strategies on a coherent policy-orientated platform. The ICTY-outreach representative highlighted this by stating that the political tension and the culture of denial affects reconciliation as politicians deny the episodes of genocide in Bosnia's war and send the incorrect message to the people, inhibiting change in the field and spreading fear and division for electoral purposes.¹⁴

Elmina Kulasic¹⁵, representative of a Bosnian NGO centred on issues of Transitional Justice and Accountability, sums the problems of Bosnia's political system into one issue: legitimacy. For her, there are far too many "layers of legitimacy" in the country: the legitimacy conferred by the Dayton agreements, the powers given to the international community in terms of implementation and monitoring of the peace agreement, Bosnian political parties and their organization inside the two main entities and the legitimacy of donors who support projects in political activities such as transitional justice. In this particular field, the question is who should be held accountable when shaping reconciliation processes and who is actually shaping the approach to truth, justice and reconciliation.

Education and media: obstacles for interethnic cooperation

Education and media systems have become tools for preparing the public for a sustained ethnic division and to live under fear of threat from "the other", particularly young people. The Office of the High representative stated in a 2005 policy brief that "Schools in BiH are being used to spread ethnic hatred, intolerance and division. The quality of the schooling provided in BiH does not meet commonly

¹⁴ ICTY outreach requested to remain anonymous.

¹⁵ Interview in Sarajevo on 15/07/2014

accepted European norms and standards.” (OHR, 2005: 1). A representative from an international organisation in Bosnia told me that initially the international community had neglected the area of education and focused on institution building and other problems identified as priorities yet it is clear now that formulas like the two schools under one roof have had very problematic effects for reconciliation.¹⁶

Cardais (2012) explains *the two schools under one roof* policy as an education formula where students of different ethnicities are segregated into separate classrooms, where they use different texts. Schools of this sort have separate entrances and students take different buses to get to school. This system is implemented in the Federation of Bosnia and initially was thought of as a policy to facilitate refugee returns and reverse ethnic cleansing effects. The effect of this formula has been the emergence of a radicalised youth that do not have a vivid memory of the war, yet have more extreme views than that of their parents. Goran Bubalo, an NGO worker dedicated to developing reconciliation projects pointed out that education is divided and offers no quality for Bosnian students, it only fosters ethnic division, a space without any opportunities to learn about the other, which enforces the already negative family narratives of victimization. Sladana Milunovic¹⁷ agreed with this, as she is of the opinion that young people are more divided than the previous generations, do not meet people from other communities and do not cross ethnic boundaries. Mevludin Rahmanovic¹⁸ mentioned how education lacks inclusivity (especially when it comes to history, religion or language teaching) and also how in RS there are teachers who had an involvement in the war and teach

¹⁶ Participant requested to remain anonymous.

¹⁷ OSCE representative interviewed in Sarajevo on 22/07/2014

¹⁸ Director for the Center for Peacebuilding in Sanski Most, Bosnia. Interview on a Cafe in the rural town of Sanski Most on 19/07/2014

from their own perspective. He believes that the unaddressed challenges at the State level to deal with changes in education trickle down to the local and municipal level, guaranteeing ethnic division of young people.

The education system became barrier to reconciliation namely because Dayton did not address education as part of its construction needs. Instead, it devolved policy authority to the political entities it created and the ethno-cultural groups it supported. Nelles (2006) explains that decentralised decision-making from Dayton gave separate powers to the Federation and RS to govern education, which led to a politicised education and a “nationalism” of education in the country which perpetuated the conflicting agendas of nationalist and religious constituencies in the newer generations. A representative of the EU delegation in Bosnia explained that as the EU monitors discrimination and segregation in schools, the identified problem is the lack of a state level education policy or strategy, making education dependent on the approach taken by entity level authorities or by ministries at the canton and municipal level.

In regards to media, mainstream media became a channel for political parties to spread nationalistic and ethnically divisor rhetoric, a tool used during elections and a mechanism controlled by political parties. Freedom House’s 2013 report on freedom of the press explains that Bosnian journalists and media face pressure from political parties in the two entities; their respective media (Federation T.V. and Radio T.V. from RS) behave as enemies and are organized along ethnic lines.¹⁹In their 2009 assessment, the NDI explain the effects of post-communist politics in Bosnia and how they begin capturing the state by private interests, relying on privatized

¹⁹ Taken from <http://www.freedomhouse.org/report/freedom-press/2013/bosnia-and-herzegovina#.U-2whuNdWSo>, found online on 15/08/2014

media that masquerades itself as independent, to enforce its power and extend the capture of the state.

All of my interviewees mentioned state and entity media as obstacles to reconciliation in BiH. Elmina Kulašić²⁰ said that working with media is tricky due to its lack of independence and NGO's have to be very careful in crafting their message and deciding who to contact as media have their favourites and go in whatever direction suits their political agenda, making working with media a challenging task, this was also recognized by a leading representative of the International community in Bosnia. A common trend identified by both NGOs and international agencies is how media approaches them in search for "negative" information rather than positive stories. Sladana Milunovic²¹ was particularly concerned with how media doesn't report on acts of public condemnation of hate speech or ethnic discrimination but only works with the OSCE to report on incidents of hate crime. Media was an obstacle for the ICTY-Outreach programme, although media reports on the advancement of justice at the international tribunal, the ICTY's work in Bosnia receives little attention while newspaper front-pages are full of messages denying the genocide. In RS, the situation seems to be more complex, as explained by Dinko Sijercic, who is of the opinion that RS media is even more politicised than in the Federation and directly controlled by the prime minister and the Serb majority in the assembly.

²⁰ Ngo representative for the Association for Transitional Justice, Accountability and remembrance, Interviewed in her Sarajevo office on 15/07/2014

²¹ OSCE representative interviewed in Sarajevo on 22/07/2014

Civil society development: doomed from the beginning?

Civil society development has been a crucial element for the state-building project in Bosnia and identified by all international agencies as one of the key aims to bring in legitimacy and effective results in its peacebuilding strategy. Fagan (2006) explains that a developed civil society was to be the hallmark of successful state-building, the point at which the Bosnian state would be left to rule without any international presence. Fagan's critique focuses on the excessive concern with creating NGOs as the main strategy for civil society development and how all the initial boost for NGO-creation led to a donor-dependant sector in Bosnia.

The history of civil society development in Bosnia begins with the conception of NGOs as service providers of humanitarian assistance immediately after the war. Terland (2006) presents the Dayton accords as the moment when international peacebuilding created the conditions for a massive arrival of international NGOs competing for donor funds on the areas of reconciliation, civil society-building and economic reconstruction. Evidently, by 1996 there were 233 INGOs in Bosnia, implementing loosely coordinated projects in areas such as infrastructure repair, democracy-building, refugee returns and multiculturalism. Terland (2006) advances his view by pointing out that civil society development was based on a new breed of local NGOs, supported by international organizations, tasked with service provision such as medical, psychosocial and legal services as well as developing training on democracy and human rights.

This international source of civil society development had to do with an assumption coming from state-building perspective: there was no relevant "liberal" experience regarding civil society in Bosnia or the former Yugoslavia, which led to

the assumption that western initiatives needed to be promoted. This is stated by Barnes et al. (2004) who, through analysing a series of interviews with international agents, come to the conclusion that internationals identified a lack of vision for civil society on the part of domestic actors which was assumed to be a challenge to the sustainability of the sector. The other side of this argument is that local stakeholders agree on lacking domestic ownership of this process and feel that the displacement by the international community of domestic actors has been one of the sources for the stagnation of civil society. Hoogenbom and Vieille (2004) identify civil society as a vital check on government powers and a source for political pluralism and transparent state-society relations. Still, they see Bosnia's NGO-domination of the sector problematic as Bosnian citizens avoid participating in voluntary organizations that derive from structures set up by international funding and donor prevalence in their working priorities which are recognized as different from their everyday needs.

The analysis of my interviewees, despite many belonging to the NGO sector, seems to reflect this critique of an internationally-dependant sector, whose donor-driven and internationally sponsored boost may be also the reason for its stagnation and crisis. Dinko Sijercic²² commented that Bosnia sees the civil society sector solely as NGOs (ignoring spaces for student organizations, trade unions or other form of political associations). Ordinary citizens think of NGO's as people who earn money from donors but do nothing to deal with the problems of everyday life. For him the problem lies on the donor-driven feature, as donors and peoples' needs are disconnected and NGOs are stuck in the middle of this situation. This view was

²² Representative of the Youth Initiative for Human Rights, interviewed in Sarajevo on 23/07/2014

shared by Aida Vezic²³, who defines civil society development still as a donor driven process. Ordinary citizens get mobilized in the case of humanitarian crises, but they are not interested to participate in the creation of the overall strategy for the civil society development. Even the representative of the EU delegation in Bosnia shared this belief when mentioning that civil society is a project-based field, a situation in part encouraged by donor funding over the past 20 years that fostered the establishment of semi-professional NGOs. This interviewee underlined that the lack of advocacy-orientated NGOs undermines civil society's impact on the political system through lobbying and advocacy for developing reforms much needed for BiH progress towards EU's candidate status.

Apart from the excessive dependency on donors and international structures, there is another side to the stagnation of the sector: the lack of trust between NGOs and their overall inability, to foster healthy alliances that can develop into sources of sustainability of civil society. The representative of the ICTY-Outreach programme highlighted this by stating that the sector is dominated by "leader animosity" with some leaders who are reluctant to engage in partnerships. For Goran Bubalo²⁴, who at the moment of interview was working on a project to develop an umbrella-structure for reconciliation NGOs, stated that civil society behaves in Bosnia like a business, where many NGOs work for salaries and survival of their organizations but not necessarily for the benefit of the people. This opinion was confirmed by Velma Šarić²⁵ who sees in the Ngo sector a strategy of dirty competition for funding where

²³ Representative of Cultural heritage Without Borders Bosnia. Interviewed in Sarajevo on 15/07/2014

²⁴ Representative of CRS Bosnia, interviewed in Sarajevo on 29/07/2014

²⁵ Representative of Post conflict Research Centre, interviewed in Sarajevo on 16/07/2014

NGOs have setup donor lobbying for funds and reject spaces for sharing ideas, information or resources between one another.

Another issue for civil society organizations is how there is no positive political environment in Bosnia for their work. Mervan Mirascija²⁶ explained that organisations which try to meet donor standards are criticised by political elites for not showing results on the ground and for ignoring the problems of communities on the ground. Mevludin Rahmanovic²⁷ added to this by explaining that there are NGOs, especially in Republica Srpska that are established by politicians in order to get funds from local government project, adding to the already competitive NGO sector in Bosnia. This competition between local NGOs and political parties is explained by Barnes et al (2004). The authors conclude that domestic stakeholders viewed political parties as dirty and corrupt and NGO leaders were opposed to cooperating with political parties which explained their reluctance to address policy issues and lobbying as their focus has been constantly to denounce corrupt practice from politicians. The conclusion that Barnes and his research group arrive at is that this aversion to politics by NGOs hinders their meaningful entrance into the policy arena. In the cases where there is space for cooperation between political parties and NGOs, the option has ended in co-option of NGOs by political parties, particularly NGOs who are small and work in rural areas.

This problematic scenario between NGOs and political parties in Bosnia was already tackled by Chandler (2000) who mentioned how the grass-root approach taken by international organizations was a reaction to the disillusionment created by the rise of nationalist parties during the first elections of post-war Bosnia. The

²⁶Representative of Open Society Foundation in Bosnia, Interviewed in Sarajevo on 16/07/2014

²⁷ Representative of Center for Peacebuilding, interviewed in Sanski Most on 19/07/2014

existing gap between the aim of state-building - a multi-ethnic cooperative state and the divisor nationalist platform of political parties competing for such state, was to be addressed by a democratisation approach focalised on NGO development. This may be a source of the existing tension between NGOs and political parties and their inability to work together. As equally problematic has been the dependency of NGO work on donor interests, which is created by an ongoing CSOs concern with funding. This reflects the problem of sustainability of the civil society sector, and the problems of romanticising the local (Richmond, 2010): as internationals develop strategies of local ownership, civil society and capacity building they have generated dialogue between the local and international with full recognition of established power relations. This fails to represent the everyday or recognize its local capacity, agency and resistance, developing a strategy for local co-option in the state-building practice.

Conclusion

Post-conflict peacebuilding, as developed in the Agenda for Peace, presented an array of activities for guaranteeing peace sustainability in societies out of war. This conception brought different international organizations together into the peacebuilding arena, unified by the promotion of liberal peace via democratisation and the establishment of market-led economies in post-conflict societies. As Richmond (2009) reveals, by relying on conditionalities and external formulas, the liberal-institutionalist agenda takes time for it to establish a social contract that creates grassroots legitimacy for governance institutions. This is even more so when it has to do with such issues such as the right to truth and justice after the

experience of mass atrocities during war. As peacebuilding became equated to state-building through formulas focused on building institutions to deal with state fragility and collapse, it irreparably had an impact on the way peacebuilding understood reconciliation. Reconciliation, a process aimed at achieving sustainable peace and breaking dynamics of ethnic hostility and intolerance via relationship and trust-building practices, has been the object of state-building practice and of democratisation efforts from international peacebuilding agents. Blagojevic (2007) reminds readers of the potential for conflict and intolerance that ethnic separation can bring and advocates for a reconciliation-focused peacebuilding that identifies problems of mistrust and lack of cooperation as potential sources of re-emerging violence.

Measures for transitional justice in peacebuilding areas included the development of International Tribunals for dealing with war crimes and past atrocities as well as institutional measures for rebuilding justice and strengthening rule of law to foster reconciliation. The implementation of transitional justice measures via state and institution-building measures has generated a gap between peacebuilding agents in the country and the population recipient of these policies, which affects the prospects for stability and sustainability of the achieved peace. Garbett (2004) recognizes this when explaining that dictating means for reconciliation via international legal work is contentious as it lacks space for recognizing different levels of societal repair (individual, family, society). The orientation towards rule of law brought by transitional justice has not been accepted in transitional societies as a means for dispensing justice. The attempts of transitional justice measures to “deal with the past” have often fostered further division between ethnic groups living in

Bosnia as the idea of dealing with reconciliation via institutions and projects foreign to the locals has alienated the concept of reconciliation and even generated forms of resistance, hybridizing peace into different options for engaging with truth, justice and reconciliation.

Liberal peace efforts included strategies for fostering “local ownership” and enhancing “local capacity-building” which address the local populations and appear to have a genuine concern with their needs and interests. Yet as a form of engagement, they seek to give agency to those who can speak the liberal language and engage in processes of democratisation linked to agendas of truth, justice and reconciliation. This strategy of co-option has fostered a series of NGOs that work around reconciliation relying on the priorities and frameworks of western donors and international organizations, often ignoring the interests and needs of that society that they seek to represent.

After interviewing peacebuilding agents in Bosnia, it was clear that the divide between “top-down” and the “bottom-up” approaches is blurred by processes of co-option of the liberal peace through the fostering of Western-based or Western friendly NGOs and resistance within the Bosnian state, its political parties, the education system and media broadcasters in the country. Politics in Bosnia are characterized by a chaotic state organization based around a formula that established two political entities founded on ethnic and national identity, inhibiting spaces for common dialogue and reconciliation. Political parties, who tend to oppose NGOs in their work around reconciliation, have become promoters of clashing agendas between the three constitutive peoples, relying on nationalist rhetoric of “us against them” promoting further division in the country.

Education became the space of influence for political agendas by schemes that have promoted school segregation, separating students according to ethnicity as well as developing teaching strategies insistent on themes of collective guilt and blaming the other when dealing with the past. Official media, heavily influenced and dominated by political parties, plays an important role in fostering ethnic divisions by establishing an agenda for reporting on ethnic issues and maintaining an ethnic perspective on news and events publicly broadcasted.

Finally, civil society development, marked by excessive donor dependency and with a looming prospectus for sustainability derived from donor retreat from Bosnia after almost twenty years of international engagement. This element shows the complicated effect that liberal initiatives for local ownership have in Bosnia, as many organizations are striving for funding and have no alternatives for their own sustainability.

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