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DEMOCRACY IN DEEPLY DIVIDED SOCIETIES

CONSOCIATIONAL POWER-SHARING DEMOCRACY
IN BOSNIA AND HERZEGOVINA

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by

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Abbreviations

BiH

Bosnia and Herzegovina

DPA

Dayton Peace Agreement (see also GFA)

ECHR

European Convention of Human Rights

ECtHR

European Court of Human Rights

FBiH

Federation of Bosnia and Herzegovina

GFA

General Framework Agreement for Peace in Bosnia and Herzegovina (see also DPA)

OHR

Office of the High Representative

OSCE

Organization for Security and Co-operation in Europe

OECD

Organization for Economic Co-operation and Development

PIC

Peace Implementation Council

RS

Republika Sprka

UN

United Nations

WRR

Wetenschappelijke Raad voor Regeringsbeleid (Dutch Scientific Council for Government Policy)

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Introduction

Introduction

Hard-Won Peace or Unfair Compromise?

In November 1995 the signing of the Dayton Peace Agreement (DPA) put an end to the war that had raged in Bosnia and Herzegovina from 1992 until 1995.¹ Bosnian Serbs, Bosnian Croats, and Bosniaks were pitted against each other in a conflict that may have been one of the most violent episodes in the break-up of the former-Yugoslavia. The Dayton Peace Agreement, that was negotiated with great difficulty, aimed at the creation of a durable peace by managing the conflict between the three groups within the political system (Bose 2002; I. Daalder 2000). Attached to the DPA is the Bosnian constitution. It divides power and political positions between Bosniaks, Bosnian Croats and Bosnian Serbs. These groups are considered the three “constituent peoples” of Bosnia and Herzegovina.² With this power-sharing constitution, each group is ensured a share in political power after the end of the military conflict.

However, the constitution is not uncontested. This came to the fore in 2009, when two Bosnian citizens won a case against their government at the European Court of Human Rights (ECtHR).³ Dervo Sejdić and Jakob Finci are citizens of Bosnia and Herzegovina who figure prominently in Bosnian public life and hold positions in international, non-governmental, and governmental organizations. Yet, because Dervo Sejdić and Jakob Finci belong to the Roma and Jewish community respectively, not all political positions were open to them. For example, the seats in the three-member presidency of Bosnia and Herzegovina were reserved for members of the three constituent peoples. The constitution thus did not allow Sejdić and Finci to run for a position in the presidency. Therefore, they claimed, the constitution was discriminatory, as it treated them differently solely on basis of religion or ethnicity. The ECtHR agreed: it ruled the constitution to be discriminatory and urged the Bosnian government to change it. The historical context in which the constitution was developed, the ECtHR concluded, does not justify the unequal treatment that the Bosnian constitution comprises.

This study investigates democratic systems that balance power between groups with the aim of avoiding or stopping (violent) conflict. The form of democracy that is central to *Sejdić and Finci v. Bosnia and Herzegovina* and this study is consociational democracy. Consociational democracy encourages, facilitates or necessitates the formation of a coalition between representatives of different societal groups (O’Leary 2005). Thereby, political power is divided between relevant social groups. Ensured representation for the relevant social groups, group veto rights to block decisions and prevent domination of one group over another, and significant autonomy for each group to regulate its internal affairs are consociational institutional devices that ensure the sharing of power (Bogaards 2000). Consociational democracy is regarded as a highly influential and much debated area of research in political science, as well as the dominant model of democracy

¹ The DPA is officially known as the General Framework Agreement for Peace in Bosnia and Herzegovina (GFA) (21 November 1995), online available at <https://peacemaker.un.org/bosniadaytonagreement95> [last accessed 19.04.2020].

² Additionally, the constitution recognizes a fourth group of “Others” that comprises all citizens not identifying with with one of the three constituent peoples.

³ *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR, 2009-VI

for divided societies (Lemarchand 2007, 1; Nagle and Clancy 2010; Taylor 2009b). Consociational institutions are often implemented as part of peace agreements to create a stable democracy in a divided post-conflict society.

Nevertheless, consociational institutions are often contested. While sharing power between designated groups may resolve some problems, it can generate others. For example, the ECtHR decision in *Sejdić and Finci v. Bosnia and Herzegovina* has not been implemented until today.⁴ Other Bosnian citizens have since filed similar cases against the Bosnian state at the ECtHR.⁵ These issues are not limited to the case of Bosnia and Herzegovina. Northern Ireland, a consociational democracy since the Good Friday Agreements in 1998, was without a government for almost three years when the government collapsed in 2017 after disagreements over cultural issues, particularly Irish language legislation.⁶ Lebanon, where a consociational democratic system regulates power-sharing between its three main religious groups, has seen protests for weeks on end since October 2019.⁷ Protesters blame the consociational system for the lack of progress and the continuously deteriorating economic situation in the country.

In the scholarly debate, consociational democracy is scrutinized for not upholding liberal values and impeding the development of a country (Horowitz 1985; Taylor 2009c). The consociational focus on the political representation of groups, critics claim, comes at the cost of individual rights and liberties. Groups may be given equal standing in a consociational democracy, but individuals are perceived through their membership of a particular group (O'Flynn 2005). Furthermore, fixating on groups may only lead to further segmentation of societies, exacerbating the divisions that were already impeding social cooperation (O'Flynn 2010). The focus on elite-level politics is argued to be at odds with democratic participation and deliberation, which are considered to be processes important characteristic of liberal democracies (Taylor 2006).

At the same time, it is not hard to imagine that certain circumstances, such as those in post-conflict societies, pose limitations to the realization of liberal values. A liberal democratic state would arguably best uphold the equality of its citizens and grant each of them equal rights to political

⁴ See for example Department for the Execution of Judgements of the European Court of Human Rights (2020) *Bosnia and Herzegovina Country Fact Sheet*, online available at <https://rm.coe.int/1680709741> [last accessed 29 July 2020].

⁵ Two cases bearing much resemblance to *Sejdić and Finci v. Bosnia and Herzegovina* are *Zornić v. Bosnia and Herzegovina*, no. 3681/0, ECtHR 2014, and *Pilav v. Bosnia and Herzegovina*, no. 41939/07, ECtHR 2016. Azra Zornić identifies as a Bosnian citizen and does not identify with one of the three constituent peoples. Ilijas Pilav identifies as Bosniak and lives in the Republic Srpska, one of the two states constituting Bosnia and Herzegovina. Because of their identification (Zornić) or because of a combination of their identification and their inhabitancy (Pilav) they cannot run for a position in the Bosnian Presidency.

⁶ For an overview of the main events since the collapse of the consociational government in 2017 see for example Aamna Moohdin (26 April 2019) "Timeline of Northern Ireland's power-sharing crisis", *The Guardian*, available online at <https://www.theguardian.com/politics/2019/apr/26/northern-ireland-power-sharing-stormont-crisis-timeline> [last accessed 18 April 2020]. In early 2020 a new deal was formulated, which is available online at <https://static.rasset.ie/documents/news/2020/01/new-decade-new-approach.pdf> [last accessed 18 March 2020].

⁷ See for example Vivian Yee (23 October 2019) "Lebanon Protests Unite Sects in Demanding New Government", *New York Times*, available online at <https://www.nytimes.com/2019/10/23/world/middleeast/lebanon-protests.html?action=click&module=RelatedLinks&pgtype=Article> [last accessed 10 May 2020].

participation. But do all circumstances allow for the direct application of a liberal democratic model? This question reflects the principal issue in the debate about consociational democracy that is central to this study. Consociationalists claim that consociational democracy is the form of democracy most apt for the realization of liberal values in severely divided societies (McCrudden and O'Leary 2013a; O'Leary 2005). In contrast, liberal critics maintain that the group-focus and elite-focus of consociational democracy render it incompatible with liberal democratic values (Horowitz 2014; Taylor 2006; R. Wilson 2009). The debate, I suggest, has reached an impasse.

Resolving this impasse is the primary objective of this study. It investigates whether and how a consociational theory for democracy is or can be compatible with liberal values of individual freedom and equality. This study takes answering this question to have a theoretical and an empirical dimension. On the one hand, it involves a theoretical exploration of the role that liberal values play in consociational theory. Whether and how are liberal values taken into account in consociational theory? On the other hand, it is an empirical question whether and to which extent deep societal divisions pose limitations to the realization of liberal values. What characteristics of a divided society limit the implementation of liberal democracy? What aspects of consociational democracy aid and impede the freedom and equality of individuals? This study employs a case study to examine how consociational democracy works in practice. In a series of semi-structured interviews, I discuss liberal values, societal divisions, and the benefits and detriments of consociational democracy with respondents from Bosnia and Herzegovina.

The solution offered to solve the impasse between consociationalists and liberals is two-fold. First, an important contribution lies in developing a methodological framework that combines philosophical theorizing and empirical research methods. The relevance of this framework extends beyond the debate about consociational democracy. It can be used to develop and evaluate theories in political philosophy for non-ideal circumstances in general. Second, in this study this framework serves to bridge the impasse between consociationalism and liberalism. I argue that while consociational democracy in its current form is not liberal, revisions can be made to make it compatible with liberal values.

Aim and Outline of the Study

The impasse in the debate between consociationalists and liberals forms the starting point of this project. Resolving this impasse to gain ground for the development of a liberal theory of democracy in divided societies is my main objective. Chapter 1 provides an overview of the debate about consociational democracy. It describes the development of consociational theory into an influential model for democracy in divided societies. It discusses the work of the most prominent consociationalists. Arend Lijphart (1968b, 1969, 1977) is considered the father of consociational

theory, while John McGarry and Brendan O'Leary (2007, 2009a) are among its most notable contemporary defenders. It also outlines the main critiques directed at consociational theory.

To untangle the stark opposition between consociationalists and liberals, Chapter 2 takes a step back to develop a methodological perspective. The central issue in the debate between consociationalists and liberals can be understood as the balance between the realization of values on the one hand and the constraints that actual-world circumstances pose for the realization of these values on the other. Consociationalists and liberals disagree about the appropriate balance between these two things in deeply divided societies. This issue is not limited to the debate between consociationalists and liberals, nor is it specific to the peace process in Bosnia and Herzegovina. It plays a role across the board in political philosophy, especially where the applicability of normative principles is concerned. This is particularly visible in the debate about ideal and non-ideal theory. Non-ideal theorists hold that in order to be applicable to real-world circumstances, normative theories need to take into account both the values we want to realize and the circumstances in which we aim to do so. In other words, normative theories should be responsive to (contingent) social factors. One way of doing so, as for example proposed by Elizabeth Anderson (2010) and Charles Mills (2017), is to focus on the injustices we recognize in the world around us and develop normative principles that address these injustices.

Ideas about non-ideal theory such as those put forth by Anderson and Mills have gained some support in political philosophy. However, no consensus exists on whether and to what extent normative theories should incorporate or respond to social factors that might constrain the realization of values. Which social factors are important for normative theorizing? How do we let these factors play a role in our theorizing about justice? This chapter aims to formulate a methodological framework in answer to these questions. Drawing on the philosophy of science, I propose to conceptualize the contrast between ideal and non-ideal theory in terms of ideal and non-ideal models. This allows me to clarify the positive role ideal models play in political philosophy, as the usefulness of highly idealized and unrealistic models in the sciences has been accounted for (e.g. Hindriks 2013; Mäki 2013). Furthermore, I offer an understanding of non-ideal models as approximating the actual-world circumstances they are applied to, while at the same time relying on an ideal blueprint of a just society.

Chapter 3 explores a case study of consociational democracy in Bosnia and Herzegovina. What are the real-world circumstances that a theory for democracy in divided societies should be responsive to? I examine whether and how the situation in Bosnia corroborates the assumptions underpinning consociational theory. Chapter 2 argues that normative theorizing should sometimes be more

sensitive to actual-world circumstances. It offers a methodological framework for making it so. In this chapter, a series of semi-structured interviews taps into the perspectives of the people whose freedom and equality are affected by consociational practices. Do the concerns of Bosnians about their democratic system align with the concerns of liberal theorists? The interviews give a voice not only to consociational theorists and policy makers, but also to those directly affected by consociationalism in practice. The methodology followed for the case study and especially the interviews will be discussed in this chapter.

In addition to the interviews, I use primary and secondary written sources. Consociational democracy in Bosnia is well-researched and many scholarly sources are available. Primary sources consist of policy and legal documents regarding the development, implementation, and reviewing of consociational democracy in Bosnia. International involvement in the peace process as well as in the current political process ensures that many policy considerations and decisions are well-documented.

The two final chapters analyze the two aspects of consociational theory that are argued to render consociational democracy incompatible with liberal values. Chapter 4 analyzes the role that assumptions about (the behavior of) political elites play in consociational theory. Chapter 5 concentrates on the group-focus of consociational theory. It examines whether and how the understanding of groups underpinning consociational theory fundamentally conflicts with the freedom and equality of individuals. A liberal democratic theory for divided societies may differ from a liberal democratic theory for homogeneous societies. These chapters examine why liberals maintain that consociational democracy cannot be considered an example of the former. The methodological perspective from Chapter 2 and the empirical data from Chapter 3 are employed here to analyze consociational assumptions about political elites and groups. Where exactly does consociational theory deviate from liberal theory?

The contribution this study makes is two-fold. Firstly, it develops a methodological framework for thinking about the relationship between ideal and non-ideal theory. This framework is applicable beyond this debate. Its relevance extends to many theories in political philosophy that are concerned with applicability to actual-world circumstances. Secondly, with this framework, this study sheds a new light on the disagreements between consociationalists and liberals. It allows me to pinpoint more precisely which aspects of consociational democracy cause it to conflict with liberal values. This enables me to take the first steps towards reconciling consociational democracy with liberal values, by proposing revisions that make them more compatible.

This study develops a methodological framework to integrate political philosophy and empirical political theory. Although it cannot always account for differences in the terminology employed in empirical political theory and political philosophy, this methodological perspective allows me to distinguish between disagreements that are merely semantic and those of a more fundamental nature. Staying close to the terminology employed by consociationalists, along the way I will point out where the consociational use of terms is confusing or problematic. While some disagreements—for example those about specific electoral systems—are beyond the scope of this study, the developed perspective offers ample suggestions for escaping the current impasse.

The contrasts in the debate about consociational democracy are stark and apparently unresolvable. This will become clear in the next chapter, Chapter 1. It proves the need for a new perspective on the debate about consociational democracy. Chapter 2 provides a methodological framework that sheds a new light on the contrasts between consociational democracy and liberal values. The case study in Chapter 3 testifies to the significant impact consociational democracy has on actual societies and the lives of individuals. It provides the empirical input needed to evaluate consociational assumptions about severely divided societies. Finally, Chapter 4 and Chapter 5 analyze whether these contrasts are fundamental and rigid or only apparent and whether or not they can be bridged. Here, I discuss whether and how consociationalism and liberal values can be reconciled such that liberal values can be preserved in deeply divided societies. In this way a methodological innovation will prove to be the most fruitful way to get out of the trenches, both in theory and in practice.

Consociational Democracy

1. Consociational Democracy

Deep societal divisions pose a problem for establishing or consolidating democracy. Democratic competition for power can cause conflict in deeply divided societies. It may lead to a tyranny of the majority that minorities will (violently) resist (O'Leary 2013, 13). Conflict typically entrenches existing societal divisions even further. Consociational democracy maintains peace in deeply divided societies by letting social groups that were previously in conflict share political power (Rothchild and Roeder 2005).⁸ Relevant communities are represented by political elites whose behavior is cooperative rather than adversarial. Consociational power-sharing may lead to stable democracy in deeply divided societies, because societal conflict is regulated through elite cooperation (McGarry, O'Leary, and Simeon 2008).⁹

Consociational power-sharing, however, conflicts with the basic tenets of liberal democracy. Firstly, concentrating on cooperation at the level of political elites, consociational democracy underrates the importance of popular participation for the “quality” of democracy (Huntington 1982; Taylor 2006; Van den Berghe 1981). Secondly, the focus on the accommodation of groups signals an uncritical acceptance of group identities that leads to the entrenching of these identities (Taylor 2009a). This group focus conflicts with liberal values of individual freedom and equality (R. Wilson 2009; O'Flynn 2005). Consociationalism, critics argue, is unacceptable for a theorist or policy-maker committed to the realization of liberal values.

Consociationalists disagree. They argue not only that consociational democracy is often necessary, but also that consociational institutions are compatible with the freedom and equality of the individual (McCrudden and O'Leary 2013b). Consociational democracy is not second-best, but a tantamount alternative to liberal democracy. While proponents hold that there is such a thing as liberal consociational democracy, critics contend that consociational democracy is neither liberal nor democratic. With this, the debate between consociationalists and liberals has come to an impasse. An impasse, I suggest, that is not fruitful in theory or in practice. Pitting these theories of democracy vis-à-vis one another impedes the development of alternative theories that might do justice to the concerns of both consociationalists and liberals. In the following chapters, I will therefore set out to resolve this impasse by systematically analyzing consociational theory and its liberal critiques.

Before doing so, this chapter will outline the debate about consociational democracy. It argues that an impasse has been reached in this debate. The first section discusses the evolution and main characteristics of consociational democracy (1.1). Although many theorists and practitioners have

⁸ The UN is most notable among the actors actively engaging in peacebuilding through democratization, but also other international actors like the EU and national governments such as the US government actively engage in peacebuilding activities. A focus on liberal democracy forms the common denominator for the activities carried out under the umbrella of peacebuilding, regardless of the source and nature of the conflict addressed (Richmond 2004; Boutros-Ghali 1996). Peacebuilding comprises a comprehensive approach aimed at creating the conditions for sustainable peace. These practices are widely associated with liberalisation (Paris 2004). They include *inter alia* democratisation, human rights monitoring, civil society empowerment, and economic reforms (Lund 2003).

⁹ In post-conflict societies, this gives former combatants the insurance that their voices will be heard after the military conflict is over. This increases the likelihood of warring groups accepting a peace settlement that include the establishment and consolidation of democracy (Hoddie 2014).

contributed to the development of consociational theory, I focus primarily, but not exclusively, on Arend Lijphart, John McGarry and Brendan O'Leary.¹⁰ They are not only the most prominent defenders of consociational theory, but their theories also are the main target of liberal critics. The second section discusses and illustrates the development of consociational theory, by exploring the case of Northern Ireland that is central to the work of McGarry and O'Leary (1.2). After this discussion of consociational theory, the critics of consociational theory enter the stage (1.3). Consociationalists believe that they sufficiently rebut the charges leveled against them. The fourth section argues that an impasse has been reached in the debate and suggests that the contrast between liberal and consociational democracy can be seen as a contrast between theories for ideal and non-ideal circumstances (1.4). This sketched contrast between consociational and liberal democracy is a preparation for an analysis of the debate in terms of models in the Chapter 2.

1.1 Consociational Theory

Consociational theory developed in two phases. First, it is used to explain democratic stability in deeply divided societies (Lijphart 1968a, 1968b, 1969). Second, it formulates prescriptions to create democratic stability in deeply divided societies (Lemarchand 2007, 1; Lijphart 1977; Nagle and Clancy 2010). Although this shift in the use of consociational theory has led to some modifications of the original explanatory theory, the roots of contemporary consociational theory firmly lie in Arend Lijphart's explanatory theory. His work continues to be a reference point for consociationalists and critics alike (Taylor 2009b; Bogaards, Lijphart, and Helms 2019).

This section outlines the main characteristics of consociational democracy. The first section discusses Lijphart's introduction of consociational democracy (1.1.1). The second section focuses on the four key features that characterize consociational democracy (1.2.2). In a consociational democracy the leaders of all relevant social groups cooperate in (1) a grand coalition. Political representation as well as the allocation of resources is based on (2) principles of proportional representation. Each group is granted (3) veto rights to protect their vital interests and (4) autonomy to run their internal affairs to a certain extent. The four key features form the basis for consociational prescriptions. The third section discusses the shift towards the prescription of consociational democracy (1.1.3).

Confusion over the terminology employed by Lijphart has fueled the debate about consociational democracy. "Politics of accommodation", the first term used by Lijphart (1968a), was subsequently abandoned for "consociational democracy" or "consociationalism" (Lijphart 1969). "Power-sharing" was introduced later, because it appeared to be a simpler and more attractive word than "consociationalism" (Lijphart 2000, 427). This is especially important in the prescription of

¹⁰ This is reflected in the large number of publications on consociational democracy that they have produced together, alone, and in cooperation with other scholars. Also critiques to consociational theory are often directed specifically to the work of McGarry and O'Leary. This is exemplified the excellent volume edited by Rupert Taylor (2009a) in which several authors engage in debate with McGarry and O'Leary. The Northern Irish case is central to the work of McGarry and O'Leary and to this volume.

consociationalism.¹¹ Here, the terms power-sharing and consociational democracy will be used interchangeably. The noun “consociation” is furthermore used as a synonym for “consociational democracy”. “Consociational” and “consociationally” are used to indicate whether certain institutions, systems, arrangements or actions are compatible with consociational theory.

Furthermore, the notion of “power” requires some clarification. The nature of power remains a contested issue.¹² In power-sharing theory, power is conceived of as parliamentary and governmental political power. It is primarily understood as action-oriented power-to.¹³ When political power is shared, proponents of consociational power-sharing argue, “it enhances collective capacity” (O’Leary 2013, 2).

1.1.1 Explanatory Consociational Theory: Arend Lijphart

Lijphart (1968a) developed consociational theory based on a case study of democracy in the Netherlands in the first half of the twentieth century.¹⁴ Dutch society was divided into several religious or ideological groups that were associated with political beliefs and organizations (Lijphart 1968a, 27–28). Catholics, Protestants, socialists, and liberals each had their own media, interest groups, schools, and political parties (Lijphart 1968a, 27–28, 35–37). In spite of these divisions,

11 Lijphart uses power-sharing to appeal not only to scholars, but also to policy-makers: “The term ‘consociational’ worked well enough in scholarly writing, but I found it to be an obstacle in communicating with policy-makers who found it to be esoteric and poly-syllabic; using ‘power-sharing’ instead has greatly facilitated the process of communication beyond the confined of academic political science” (Lijphart 2000, 426–27).

12 Power is commonly conceived to refer to a capacity to act. Two main distinctions in conceptions of power are between power-over and power-to and between action-oriented and systemic power. Power-over is the capacity to get someone to do something. This notion is associated with domination. Power-to is the capacity to obtain or achieve something for oneself. Action-oriented and systemic power refer respectively to the capacity to do something and power as a systemic force defining norms and behavior, and thereby structuring the options available for an agents. Although, as will become clear in subsequent chapters, systemic power plays an important role in severely divided societies, consociational theory does not call attention to this.

13 However, the discussion of contemporary cases of consociation in Chapter 3, Chapter 4, and Chapter 5 will show that other forms of power have an impact in severely divided societies and within consociational democratic arrangements.

14 While Lijphart’s work on the politics of accommodation in the Netherlands and consociational democracy has proved to decisively influence consociational theory in the subsequent decades, his academic contributions did not emerge or develop in a vacuum. Rather, as Lijphart also acknowledges, several other authors have published on consociationalism or related topics around the same time. Among these are Gerhard Lehmbruch (1967), with a comparative study of what he terms “Proporzdemokratie” in Austria and Switzerland, Jurg Steiner (1974), with a study of democracy in Switzerland, and Luc Huyse (1970), with a study on pacification and pillarization in Belgium. These studies have three things in common: they all have contributed to the field of comparative politics with studies of smaller continental European countries; they all provide theoretical arguments in addition to reflection upon the empirical evidence they present; and lastly these studies have all challenged existing typologies of democracy through the examination of deviant cases (H. Daalder 1974). Sir Arthur Lewis’s (1965) study of West African democracies, albeit using different terminology, also describes consociational measures to achieve stable democracy in these countries. Eric Nordlinger (1976) and Ronald Rogowski (1974) employ a deductive method starting from theory instead of an inductive method starting from a (deviant) case study in developing strategies for dealing with fragmentation in democracy.

the democratic system was stable. This contradicted expectations raised by prevalent political theories that linked the homogeneity of a society to the stability of its democratic system (Lijphart 1968a, 1968b).¹⁵

The theoretical assumption underlying the coupling of homogeneous political culture and democratic stability, is the overlapping memberships proposition (Lijphart 1969). The overlapping memberships proposition refers to the possibility that individuals may belong to several social groups that do not coincide, but crosscut each other.¹⁶ The hypothesis is that when there are overlapping membership, these will lead to moderate political attitudes at the societal and the political level. Citizens with shared memberships will have some shared goals that will lessen political opposition between them. Political elites are more cautious in making claims against other groups, as members of other groups may be represented among their own supporters (Verba 1965, 468–69). The overlapping membership proposition holds that when no overlapping memberships exist

[t]he only channels of communication between the two camps would be at the highest level – say when the leaders of the two camps meet in the governing chambers – and all conflict would have to be resolved at this highest level. Politics comes to resemble negotiations between rival states; and war or a breakdown of negotiations is always possible. (Verba, 1965: 470)

If there are no overlapping memberships, neither political elites nor citizens will be moved towards moderation. In these circumstances conflict is likely to ensue at both levels. This threatens democratic stability. Hence, the moderation that is the result of overlapping memberships is “essential to political stability” (Lijphart 1968b, 18).

The heterogeneous political culture of the Netherlands could not explain the persisting democratic stability. Lijphart (1968a) suggests that the presence of elite cooperation could. To counter the threat of societal and political adversity, Dutch political elites found ways to accommodate their differences. In 1917 several political issues, including education, suffrage, and labor-law, pitted the pillars against each other (Lijphart 1968a, 100–104). Fearing that hostility between the parties would threaten the political stability of the Netherlands, the government appealed to parliament to find a solution acceptable to all parties. To effectuate this, committees with representatives from all groups were established (Lijphart 1968a, 104–6). The cooperation between the parties eventually led to a change in the constitution that all parties could agree with. Lijphart (1968b) dubbed this

¹⁵ Lijphart focuses primarily on Gabriel Almond’s (1956) typology. This typology draws on a distinction between heterogeneous and homogeneous political cultures on the one hand, and between differentiated and undifferentiated role structure on the other hand. On basis of these two characteristics, Almond distinguishes between three types of democratic political systems: stable Anglo-American systems with a homogeneous society and a differentiated role structure; unstable Continental European systems with a fragmented political culture and undifferentiated role structure; and a type comprising Scandinavia and the Low Countries that have fragmented political cultures, yet appear to be stable. Almond does not expand on this third type. It is this type that Lijphart focuses on. Chapter 4 will further explicate the relationship between Almond’s typology and Lijphart’s consociational democracy.

¹⁶ It may seem unlikely that a society exists where there are no cross-cutting group memberships. As individual identities are multi-faceted, they are likely to have some characteristics or aspects that overlap between different societal groups. The multi-faceted nature of (individual) identities is emphasized in theories of intersectional identities as put forth by Sally Haslinger (2012). For example, gender or sexual orientation will typically crosscut Catholic, Protestant, socialist and liberal groups. However, the overlapping membership proposition focuses on the organizational dimension of group membership. Whether this does justice to the multi-faceted nature of individuals identities remains an open question for now. This will be discussed in Chapter 5.

form of democracy “consociational democracy”. It characterized the Netherlands from 1917 until the late 1960s.

Lijphart simply defines “political elites” as “the leaders of social groups” (Lijphart 1969, 208). While he does not provide a more elaborate discussion, two additional features of political elites can be inferred from his work. First, the overlapping memberships propositions puts some emphasis on the organizational dimension of social groups. The leaders of social groups are typically the leaders of group-specific organizations. Secondly, they are leaders of groups that have political power. This can be manifested directly as parliamentary or governmental political power when political elites head political parties that are part of the opposition or the governing cabinet. Alternatively, elites can lead organizations that hold significant influence over political parties and the government. Depending on the context, these could be labor unions, advisory bodies, or interest organizations. In contemporary consociational theory, it is important that political elites are chosen through democratic processes, as will be subsequently discussed in this chapter. That this does not guarantee that political elites appropriately represent (the interests of) certain social groups will be discussed in Chapter 5.

In subsequent decades, Lijphart broadened the empirical scope of consociational theory.¹⁷ He included case studies of Austria, Belgium, and Switzerland. This strengthened consociational theory as “an explanation of the political stability of a number of European democracies” (Lijphart 1977, 1). Furthermore, he explored the possibility of prescribing consociational democracy to societies with a heterogeneous political culture. He added case studies such as Malaysia, Lebanon, Cyprus, Nigeria and Indonesia. These differ from the original cases of consociational democracy in that elite cooperation did not naturally emerge, but rather was implemented as part of peace settlements.

Furthermore, the development of consociational theory is characterized by an increased focus on its institutional characteristics. Specifying the institutional structures that facilitate elite cooperation eases the formulation of prescriptions. The four key institutional characteristics will be discussed in the next section.

1.1.2 Key Characteristics of Consociational Democracy

Democracy in Plural Societies (Lijphart 1977) marks a shift towards the prescription of consociational democracy. It offers the first comprehensive discussion of its four key characteristics. The characteristics are not static. Depending on the case, they are institutionalized in various ways. However, all four key features remain important in consociational theory and institutional design.

(1) The first and most distinctive characteristic of consociational democracy is the formation of a grand coalition. Consociational arrangements encourage or require cross-community power-sharing

¹⁷ Lijphart has worked and published on other related subjects as well, for example consensus democracy (e.g. 1984, 1998, 2012). The connections between these different subjects has sometimes led to confusion. Is consensus democracy essentially the same as consociational democracy? These questions are outside of the scope of this research project. The common denominator of most of Lijphart’s work is its empirical footing, being firmly ground in a broad set of case studies of mostly divided societies.

arrangements between “constitutionally or legally recognized groups” (McCrudden and O’Leary 2013b, 6–8). Power-sharing in a grand coalition may take place in any relevant decision-making organ, from schools to the police force to parliament. In democratic constitutional arrangements, it can be institutionalized in parliaments, assemblies, or multi-member presidencies (McCrudden and O’Leary 2013b). The emphasis on grand coalition distinguishes consociational theory from well-known majoritarian theories of democracy in two main ways (Lijphart 1977, 31–36). First, the cabinet, the executive branch of the government, is not supported and run by a (overwhelming) majority, but rather by several smaller parties representing different social segments. Second, the cooperative style of leadership in a consociational democracy contrasts with the adversarial relationship between government and opposition in majoritarian systems (Lijphart 1968b).¹⁸

The other three key features of consociational democracy support cross-community decision-making (Lijphart 1977, 37–38; McCrudden and O’Leary 2013b). On the one hand, they create the necessary conditions for joint-government by ensuring all communities are represented in the relevant legislative and executive government bodies. On the other hand, they cultivate willingness to cooperate by guaranteeing that no community can dominate other communities.

(2) The principle of proportionality holds that “not only should all significant segments be represented in decision-making organs, but they should also be represented proportionally” (Lijphart 1977, 39). The segments are typically represented in a coalition according to their numerical strength. However, minorities may also be overrepresented in order to achieve a certain level of equality with larger groups and avoid dominance of one over the other. Proportionality can be applied in the allocation of civil service appointments and the allocation of government resources. In Northern Ireland, for example, Catholic schools receive equal financial support to that of public schools (McCrudden and O’Leary 2013b).

Although consociational proportionality is contrasted with majoritarianism, it seems that consociational representation mechanisms are not more proportional than majoritarian representation for at least two reasons. The focus on group identities does not reflect the multi-faceted nature of individual identities. Only part of an individual’s identity is represented. Furthermore, not all groups are represented in a consociational democracy, but only the “significant segments” (Lijphart 1977, 39). In the Bosnian consociation, for example, this means that Roma or Jewish groups are not represented, as *Sejdić and Finci v. Bosnia and Herzegovina* makes clear.¹⁹

¹⁸ Initially, Lijphart described consociational democracy to be “not so much any particular institutional arrangement as the deliberate joint effort by the elites to stabilize the system” (Lijphart 1969, 213). He considered consociation to be a style of leadership or an attitude of political elites rather than a specific democratic system. Gerard Lehmbruch (1975, 384) referred to this as a “spirit of accommodation” that is not necessarily laid down in laws or rules.” Along similar lines, Jürg Steiner (2009) emphasizes the importance of a “consociational culture”.

¹⁹ *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR, 2009-VI

Consociationalists measure proportionality by the level of inclusion of social groups in a governing coalition (Lijphart 1977, 38–39). Majoritarian systems function on the basis of a winner-takes-all principle. This may result in governing coalitions in which a relatively small proportion of the population is represented (Lijphart 1977, 31). In consociational democracies governing coalitions include representatives of more groups and are hence argued to be more proportional in relation to the composition of society. The more groups are included in consociational power sharing, the stronger the degree of consociation (O’Leary 2005, 12–13).²⁰

(3) Mutual veto rights grant political elites cooperating in a grand coalition the guarantee of political protection when cooperation fails to lead to a decision that is desirable for all (Lijphart 1977, 37–38). Mutual veto ensures the protection of minority rights and provides incentives for minorities to participate in a grand coalition. A coalition is less likely to break apart over difficult and contested issues. The mutual veto can be both formally institutionalized or the subject of informal agreement and custom. It can apply to all decisions, but may also be limited to the most contested issues at the core of group rivalry.

(4) Each community has the right to govern their own affairs in so far as these are not the subject of a common national interest (Lijphart 1977, 41–44). Communities are granted self-government over at least one aspect of public life. In federal systems, autonomy is territorial. For example, Bosnia and Herzegovina comprises two territories, the Federation of Bosnia and Herzegovina and the Republika Srpska, that both enjoy significant levels of autonomy. Federalism is not only applied in consociational democracies, but exists in other democracies without being accompanied by grand coalition formation, mutual vetoes or proportional representation. In consociations, communities importantly always enjoy functional autonomy that it is exercised through self-governance and self-administration (McCrudden and O’Leary 2013b).

In determining which groups are the “relevant” social groups that ought to be represented at the political level, a distinction is made between pre-determination and self-determination (Lijphart 1995). Consociationalists use the terms self-determination and pre-determination to refer to the way in which groups are identified.²¹ In self-determined consociations, individuals self-determine their group membership. Groups emerge based on the expressed preferences of individuals. Individuals can express their preferences by casting a vote. In pre-determined consociations groups are antecedently identified. However, while it is pre-determined which groups will share power, there may still be room for individuals to self-determine their group membership. In Bosnia, for example, Bosniak, Bosnian Croat, and Bosnian Serb groups are pre-determined. Yet individuals are free to (officially) declare their

20 Furthermore, consociational proportionality seems to implicitly rely on the idea that proportionality constitutes the balancing of the proportions between groups. The power of one group is brought into proportion to the power of another (larger) group to give them equal negotiation power and facilitate cooperation between them. This is especially important when consociation is applied as part of a peace agreement, as exemplified by *Sejdić and Finci v. Bosnia and Herzegovina* (nos. 27996/06 and 34836/06, ECtHR, 2009-VI). The purpose of the inclusion of equal numbers of Bosniaks, Bosnian Serbs, and Bosnian Croats is to balance the power between the three groups.

21 Note that the use of the terms self-determination and ascriptive differs from its common use in political theory. Self-determination typically refers to the self-government of a (national) group. It is for example employed in debates about autonomy for groups within a plural society and in debates about secession. Consociationalists instead use it to identify social groups and the formation of group identities. The consociational use of the term self-determination will be discussed in Chapter 5.

affiliation with any of these groups. Alternatively, they are free to declare affiliation with any other group identity, which would place them in the category identified as “Others”. McGarry and O’Leary (2006b, 2007) draw on this distinction in differentiating between corporate and liberal consociations. Corporate consociations rely on pre-determination and liberal consociations on self-determination. Chapter 5 will discuss how this freedom to self-declare group affiliation plays out in practice and whether this renders consociational democracy compatible with liberal values.

1.1.3 Prescribing Consociational Democracy

Consociational democracy has gained significant traction in political theory and politics over the past forty years (Taylor 2009a, 1). In severely divided post-conflict societies, policy makers have often turned to consociational systems. Until the 1990s, the ten major cases of consociational democracy included Canada, the Netherlands, Lebanon, Switzerland, Austria, Malaysia, Colombia, Cyprus, Belgium, and then Czechoslovakia (Lijphart 1993, 97). Contemporary cases comprise a “new wave of consociationalism” (Taylor 2009b). These cases are associated with peacebuilding. Examples include former Yugoslav countries Bosnia-Herzegovina and Macedonia (Bieber 2000, 2005; Bose 2005, 2002; Caspersen 2004), South Africa (Jung and Shapiro 1995), and several African countries after the Cold War like Rwanda, Burundi and the Democratic Republic of Congo (Lemarchand 2007).

What this broad array of cases shows, according to Lijphart, is that “power-sharing was developed repeatedly and *independently* as a method of resolving an preventing deep conflicts” (Lijphart 1993, 97, emphasis in original). Politicians and international policy makers are attracted to what consociationalists refer to as “the compelling logic” of consociational theory (Lijphart 1993, 97). The constitutional designers, lawyers, and jurists participating in peacebuilding operations often have “no explicit schooling in consociational theory” (O’Leary 2005, 18–19). Yet, they have developed and applied its principles to realize democracy in severely segmented communities

Two strategies have been used to defend and recommend consociational democracy. First, consociational democracy is portrayed as a necessity and the only option to create something resembling democracy in severely divided societies. Second, consociational democracy is argued to be a worthwhile alternative to liberal democracy fully in compliance with liberal values.

In the early 1970s, Lijphart contended that consociationalism may be the best option to create democratic stability in deeply divided societies, even though it may not be an ideal solution. Consociational democracy ought to be favored over other forms of democracy in these societies, because “peaceful coexistence may be a realistically attainable objective, whereas assimilation into a truly unified culture is usually impractical in the short run” (Lijphart 1971, 14). In *Democracy in Plural Societies*, his cautious commitment to the promotion of consociational democracy is turned into an appeal to the political leaders of deeply divided societies. He “encourages” these leaders to become “consociational engineers” (Lijphart, 1977: 223). In *Power-Sharing for South Africa* (1985) Lijphart abandons the view that consociational democracy is second-best with a vehement appeal

for consociational democracy in South Africa.²² He considers consociational democracy to be “fully democratic – to the extent that any real-world democracy can approximate the democratic ideal” (Lijphart 1985, 109). Consociational democracy is no longer presented as the only feasible option, but also as “the optimal form of democracy for deeply divided societies” (Lijphart 2002, 37).

McGarry and O’Leary contrast consociational accommodation with integrationist approaches to pluralism (McGarry and O’Leary 2009a).²³ While integrationist approaches ignore “the reality of divisions on the ground” and thereby exaggerate “the basis for unity”, McGarry and O’Leary present themselves as realists, recognizing the severity of societal division (McGarry and O’Leary 2007, 675). Rather than advocating for public institutions to be based upon a common identity, consociational democracy favors “the formal public recognition and organization of ethnic, religious, and linguistic minorities” (O’Leary 2013, 19). This is considered to be fairer than integrationist alternatives:

Where divisions are enduring and deeply divisive, accommodationists think attempting integration is likely to be unfair, and likely to fail, especially because it usually means a political choice in favour of one, and usually the largest, community. (McGarry, O’Leary, and Simeon 2008, 53)

Especially minorities will be negatively affected by integrationist approaches in severely plural societies.²⁴ Their participation in the government is not guaranteed when a government needs only majority support.

22 The outright recommendation of consociationalism for segmented societies also calls for the identification of the conditions under which consociational institutions may be beneficial and successful. In what circumstances can we expect positive results from consociational institutional design? The most important factors concern the nature of pluralism and comprise “the absence of a majority ethnic group and the absence of large socioeconomic differences among the ethnic groups” (Lijphart 1990, 497). Furthermore it is considered favorable for consociationalism: “(1) that the ethnic groups are of roughly the same size [...]; (2) that there are not too many groups [...]; (3) that the total population is relatively small [...]; (4) that there are external dangers that promote internal unity; (5) that there are overarching loyalties that reduce the strength of particularistic ethnic loyalties; (6) that the ethnic groups are geographically concentrated [...]; (7) that there are prior traditions of compromise and accommodation” (Lijphart 1990, 497–98). As the presence of these conditions varies greatly over existing cases of consociationalism, the factors should be considered as favorable, but certainly not as necessary or decisive.

23 While integration aims at eliminating difference from the public domain, accommodation manages difference in the public domain (McCrudden and O’Leary 2013b). Integration strategies encourage citizens to integrate into common public institutions (Kymlicka 2001). The tenacity of the encouragement varies and ranges from implicit and cautious encouragement to more pressuring methods. Integration needs to be distinguished from assimilation (e.g. R. Wilson 2009). Assimilation requires an extensive cultural adaptation, whereas integration does not necessitate this.

24 McGarry and O’Leary describe integration as follows: “Integrationists favour electoral systems that discourage the mobilization of parties around national, ethnic, religious, or cultural differences. They usually reject proportional electoral systems, which they think facilitate communal appeals, and favour rules which require winners to achieve a majority of plurality support, usually in single-member districts. They endorse executive institutions that favour candidates who rise above religious, linguistic, and ethnic “factions”. They frown on the delegation of public policy functions to minority nationalities, or ethnic or religious communities, and oppose publicly funded religious school systems, and forms of autonomy based on “groups” (McGarry and O’Leary 2009a, 16)

1.2 McGarry & O’Leary and the Northern Ireland Consociation

The introduction and development of consociational theory primarily relies on (single) case studies. McGarry and O’Leary concentrate their efforts on the analysis of the Northern Ireland case. Their work characterizes the case-study-based approach of consociational theory. Furthermore, it encompasses and brings about some of the most important changes to consociational theory. McGarry and O’Leary consider themselves “revisionist consociationalists” (McGarry and O’Leary 2009a, 24). I will briefly introduce the Northern Ireland case, before discussing the most important amendments to Lijphart’s consociationalism.

The conflict in Northern Ireland between Catholic nationalists and Protestant unionists originates in the sixteenth century, when Brits and Scots settled in the Irish province Ulster (McGarry and O’Leary 1993, 55).²⁵ Although they did not succeed in completely driving off the native Irish or converting them to Protestantism, Scots and Englishmen became the main population in this area in the following centuries. Their settlement caused the mixed population in Northern Ireland that is at the root of the conflict referred to as The Troubles.²⁶ The Troubles comprise the period from the late 1960s until 1998. Unionists insisted that Northern Ireland must forever remain a part of the United Kingdom. Nationalists contended that Northern Ireland must immediately or in the longer term become part of an all-island Ireland.

After decades of violent conflict between nationalists and unionists, the 1998 Belfast Agreement, also known as the Good Friday Agreement, created a consociational democracy in Northern Ireland (e.g. McGarry and O’Leary 2009a; Taylor 2001). For the most part, it has brought an end to the violence that has afflicted Northern Irish society for decades. The new political system includes all elements of a classic consociational democracy (McGarry and O’Leary 2009a, 32–35): the relevant groups (unionists, nationalists and others) are all represented in the Assembly; decision-making requires support across these three groups; the rules provide for legislative vetoes; and each community is granted significant room for self-government, especially in cultural matters such as language.²⁷

Lijphart first discusses Northern Ireland in the context of consociationalism by reviewing different approaches to the conflict that flared up in 1969 (Lijphart 1975). Although he believes that case

25 Ulster was one of the four provinces of Ireland. Nowadays it is divided over Northern Ireland, where the largest part of Ulster lies, and Ireland.

26 However, the conflict is too complex to be explained by reference to a single interpretation of the history of the country. Firstly, because each party invokes history in a different manner: “Nationalists begin their histories of Northern Ireland in 1169 with the first Norman invasions, and seek to persuade their audience of uninterrupted English brutality in Ireland; while unionists begin their histories in 1609, and regale their listeners with survival of Protestant of British stock steadfastly withstanding barbaric sieges ever since” (McGarry and O’Leary 1993, 54). Secondly, concepts like nationalism and self-determination simply make little sense in the historical context that the colonization took place in (McGarry and O’Leary 1993, 55).

27 A brief introduction can also be found on the website of the Northern Ireland Assembly http://education.niassembly.gov.uk/video-gallery/consociationalism-explained_northern-ireland-assembly [last accessed 14 June 2020].

studies of Northern Ireland could contribute to consociational theory, he does not think Northern Ireland is a good candidate for consociational democracy. Northern Ireland fundamentally lacks some factors that are needed for the consociational approach to be successful (Lijphart 1975, 99). Most importantly, the Protestant majority would not support a consociational system. As the largest group, their support is indispensable.

By the mid-1990s, Lijphart becomes more positive about the possibility of successful consociation in Northern Ireland. By then, the British government recognized “the need for power-sharing” as “the only viable option” (Lijphart 1996, 267–68). On the one hand, his newfound optimism can be attributed to a change in circumstances. The British government did not previously support a consociational solution.²⁸ On the other hand, the emphasis on this external power appears to be a slight shift in Lijphart’s theoretical focus. In earlier consociational theory, the existence of an external threat, a multiple balance of power as opposed to a two-party system, and a low load on the decision-making apparatus were seen as favorable for consociational elite cooperation (Lijphart 1969, 271–218). The positive role of external actors is added to the list of possibly conducive factors that can have a decisive function on the success of consociation.

McGarry and O’Leary (1993, 16) are critical of some of the arguments Lijphart puts forth. In their view, Lijphart systematically overlooks the influence of certain factors on the possibility and success of consociational democracy in Northern Ireland. The revisions they propose primarily pertain to the factors conducive to the success of consociation.²⁹ They are not an integral part of the consociational democracy, although they must be included in consociational peace agreements.

First, McGarry and O’Leary argue that classic consociational theory overlooks the importance of the nature of societal division or conflict. The consociational focus is on cases where societal divisions run along religious or class lines. It ignores the particularities of binational or pluri-national states where disputes revolve around self-determination (McGarry and O’Leary 2006a, 54–55). In these states, the rival communities do not only contest who gets power within the state, they also fundamentally disagree about the legitimacy of the state. Not recognizing the nationalist dimensions of societal divisions, “consociation is normally associated with institutional arrangements that maintain the territorial *integrity* of the existing state” (McGarry and O’Leary 2009a, 26 emphasis in original). When the legitimacy of the existing state itself is challenged, however, voluntary consociation, relying on the assumption of a single albeit divided society, will not work (McGarry and O’Leary 1993, 303). This oversight in classical consociationalism is reflected in the cases of early consociational theory—none of the original cases like the Netherlands or Switzerland were bi- or pluri-national—and in the terminology employed by Lijphart. When discussing societal divisions, Lijphart speaks of “fractions”, “fragments” or “segments”. These terms suggest that the groups he refers to are parts of a bigger whole, namely the sovereign state. His starting point is thus the assumption of a single, albeit divided, society.

28 Additionally, he observes that none of the parties in Northern Ireland favor a return to majoritarianism and that thus consociationalism might be much more workable than previously.

29 In addition to the three elements discussed here, the nature of divisions, the role of external actors, and other dimensions of conflict, McGarry and O’Leary discuss the benefits of a single transferable vote system of proportional representation instead of the party-list system of proportional representation that Lijphart favors and the allocation of seats through the d’Hondt portfolio allocation process (McGarry and O’Leary 2006a).

McGarry and O'Leary (2009a, 32–34) further argue that by not recognizing the nationalist nature of the conflict, Lijphart fails to see why Irish nationalists and Protestant unionists would not support consociation. Irish nationalists did not resist consociation *per se*. They resisted consociation as part of the United Kingdom, because they wanted national self-determination and therefore a withdrawal from the UK (McGarry and O'Leary 2006a, 56). Likewise, Protestant unionists would not have supported consociational arrangements in which Northern Ireland would not have been a part of the United Kingdom. As both communities were striving for national self-determination whilst referring to different nations, consociation within the existing state was not a viable option (McGarry and O'Leary 2009a, 31). In pluri- or binational societies, group autonomy needs to involve territorial autonomy in addition to cultural autonomy (McGarry and O'Leary 2009a, 29). Recognition of a group as a national group with a right to self-determination can improve the prospects of successful consociation. The Belfast Agreement succeeded because, amongst other things, the UK and the unionists recognized the Irish right to self-determination. This recognition extends beyond the Irish population of Northern Ireland and applied to the people of Ireland as a whole:

Republicans would not have approved the Agreement had the UK government not recognized, in a treaty, the right of the people of Ireland, meaning the whole island, to exercise their right to self-determination, albeit conjointly and severally as 'North' and 'South' to bring about a united Ireland if that was their wish. The referendums and the British–Irish Agreement (the treaty incorporating the Agreement) in effect made the partition of Ireland – and its continuation – and the Agreement and its institutions dependent upon the expressed will of the people of Ireland. (McGarry and O'Leary 2006a, 57)

As consociational democracy is often implemented after severe conflict, amendments recognizing the right to national self-determination of each community will more often than not be a necessary aspect of contemporary consociational democracy.

Second, not only conflict, but also conflict regulation has an external dimension (McGarry and O'Leary 2009b, 337). Classic consociational theory treats the state too much as a closed entity devoid of external pressure and incentives. However, the Belfast Agreement would likely not have been brokered without the pressure exercised by the United Kingdom, the European Union, and the US. The role of the British and Irish governments in “facilitating consociation and post-Agreement stability” is further corroborated by contributions of Adrian Guelke, Michael Kerr, John Cash, and John Morison in responses to the work of McGarry and O'Leary (Taylor 2009a).

Third, when consociational democracy is implemented in post-conflict societies, a focus on institutions at the level of the state government—parliament, executive branches of government, the presidency—does not suffice. Agreements must extend beyond these issues of constitutional design, otherwise disagreement over other matters such as repatriation of refugees, demilitarization, or reconciliation programs may undermine the stability of consociational political institutions (McCrudden and O'Leary 2013b). Especially in the aftermath of violent conflict, arrangements must include security to successfully lead to stable democracy. Military means may have to be divided, secured, or demolished. Tribunals or truth commissions may have to be established in order to prosecute perpetrators and do justice to their victims. Strategies for reconciliation may have to be implemented in order to deal with hatred and violence at the societal level.

The variety in cases warrants a more flexible interpretation of consociationalism (McGarry and O’Leary 2009b, 350). Consociation with its four key characteristics should be conceived of as a four-dimensional concept. Depending on the presence, absence and form that each dimension has been given in a particular political system, different forms of consociation can then be distinguished:

<i>Complete consociation</i>	<i>cross-community executive power-sharing + autonomy + proportionality + veto rights</i>
<i>Flexible consociation</i>	<i>cross-community executive power-sharing + autonomy + proportionality</i>
<i>Semi-consociation</i>	<i>cross-community executive power-sharing + proportionality</i>
<i>Non-ethnic consociation</i>	<i>cross-community executive power-sharing + proportionality + veto rights</i>

1.1: *Forms of Consociation (McGarry and O’Leary 2009b, 350)*

In semi-consociations, some of these elements are present, but not all. They are used as part of multicultural practices in plural societies. Proportional representation or community autonomy are for instance used to promote the emancipation of minorities. Characteristic of semi-consociations is that the consociational practices do not apply to the state as a whole, but rather are intended to address specific parts and communities. A non-ethnic consociation lacks the institutionalizations of groups, segments or pillars. When referred to as a consociational democracy, however, a case must exhibit all four key characteristics (Andeweg 2000; McCrudden and O’Leary 2013b; Lijphart 1977, 119–34).

1.3 Critics of Consociational Democracy

In spite of the various (flexible) interpretations and revisions, consociationalism continues to attract various critiques. Aiming mostly at Lijphart’s earlier work from the 1960s and 1970s, critics question the validity of the empirical foundations of consociationalism. They contest whether the cases Lijphart draws on are indeed cases of consociational democracy and whether the practices he perceives as consociational practices are indeed examples of elite cooperation (Halpern 1986).³⁰ For instance, Lijphart conceives of the Wetenschappelijk Raad voor Regeringsbeleid [Scientific Council

30 More recently, in a vehement critique of contemporary consociationalism, Robin Wilson mentions on a side note that the revisions that McGarry and O’Leary make to consociationalism on basis of their studies of Northern Ireland “look suspiciously like defining consociationalism by whatever is being done in Northern Ireland at the moment” (R. Wilson 2009, 226).

for Governmental Policy] (WRR) in the Netherlands as an important mechanism of inter-group collaboration, while others argue that this constitutes a significant overestimation of the importance of the WRR for Dutch politics (Van Schendelen 1984).

The critiques central to this study target the normative dimension of consociational democracy. The gist of these critiques is that consociational democracy is not compatible with liberal democratic values.³¹ Two types of liberal critiques can be identified. The first pertains to the role that social groups play in consociational democracy (1.3.1). This is argued to fundamentally conflict with liberal values (Taylor 2006; Rick Wilford and Wilson 2006; R. Wilson 2009). Furthermore, it leads to the entrenchment of segmentation and, concomitantly, political stalemates (Aitken 2007; Horowitz 2001). The second critique pertains to the central role that elite cooperation plays in consociational democracy (1.3.2). Focusing on political elites rather than the population as a whole is argued to be undemocratic, because it detracts from popular participation and public deliberation (Huntington 1982; Taylor 2006).

The critiques directed at the empirical footing cannot be viewed as strictly separate from liberal critiques targeting the prescription and application of consociationalism. Chapter 4 and Chapter 5 will examine the interconnectedness of the empirical and normative validity of consociational theory.

1.3.1 Group Representation

The role that groups and group representation play in consociational theory has been criticized on three related grounds. First, it entails an unequal treatment of individuals. Liberalism is premised upon the principle that individuals are fundamentally free and equal and a liberal political system should thus be based on the equality of individuals (Taylor 2006, 220). Consociationalism curtails the freedom and equality of individuals, by connecting their citizenship to group membership (Barry 2001, 9). Instead of representing individuals, consociational democracy “rests on and promotes and ethno-national group-based understanding of politics that is inherently illiberal” (Taylor 2006, 217). This violates the equality of individuals, in particular of those individuals who do not wish to be identified with particular groups (Brass 1991, 342). When an individual is first and foremost treated as a member of a certain group, the individual is not primarily conceived of as free and equal to all other individuals in a society. The groups are given equal standing, but individuals are perceived through their membership of a certain group.

This affects the extent to which the rights and freedoms of individuals can be protected within the consociational system. The right to choose political representation is thought to be important because it ensures the protection of the individual’s interests. Consociation privileges the representation of group interests and group rights over the representation of the interests and rights of the individual (O’Flynn 2003, 130). As we cannot assume that the interests of each group member align perfectly with the interests of the group as a whole, or that the identity of a group

³¹ To the extent that these critiques apply to the case of Northern Ireland, most can be found in *Consociational Theory: McGarry and O’Leary and the Northern Ireland Conflict*, a volume edited by Rupert Taylor (2009a). The volume comprises contributions concerning various critiques as well as a response by McGarry and O’Leary. It offers a comprehensive overview of the main liberal objections to consociational theory.

means the same to every group member, the rights and interests of each individual are not equally represented (O'Flynn 2005, 18; Parekh 1992, 69).

The unequal treatment of individuals in consociational democracies comes to the fore, for example, when individuals do *not* identify with “any of the “significant” segments of the society” (Stojanović 2018, 345). In Bosnia, citizens who do not identify as Bosnian Serbs, Bosniaks, or Bosnian Croats are categorized as “Others”. *Sejdić and Finci v. Bosnia and Herzegovina* concerns the discrimination of two Bosnian citizens belonging to this category.³² Although the Roma and the Jewish community have been living in Bosnia for centuries, members of these communities, like Dervo Sejdić and Jakob Finci, are considered to be “Others” (Hodžić and Stojanović 2011, 74). Members of this category are not eligible for a position within the tripartite presidency or the house of peoples of Bosnia. The European Court of Human Right ruled this unequal treatment to be discriminatory.³³

Second, this is due to an essentialist understanding of social groups (R. Wilson 2009). Wilson defines essentialism as the reduction of a complex object of study to a single essence. Consociational democracy draws clear lines between groups or communities to enable their accommodation within the democratic system. This entails a reduction of a myriad of “cultural practices and political attitudes” to communities as coherent wholes, identifiable by a single characteristics, such as national, religious, or ethno-national identity (R. Wilson 2009, 223). The status of groups in consociational democracy reflects this idea that groups have clearly and objectively identifiable characteristics that are moreover stable and unchanging, thereby limiting the freedom of individuals to develop and determine their own identities.

Third, consociational arrangements entrench group identities rather than help to overcome severe societal segmentation (Aitken 2007; Horowitz 2001; Wilford and Wilson 2006). This is problematic especially with peace agreements, such as the Dayton Accords or the Good Friday Agreement. Consociational peace agreements “entrench or institutionalise ethnic divisions and thereby sustain antagonism or at least inhibit reconciliation” (O'Flynn 2010, 3). Rather than being a form of liberal democracy, consociational democracy “endorses social segregation” (Rick Wilford 2001, 60–61). It is even referred to as a form of “benign apartheid” (Graham and Nash 2006, 60–61).

Consociationalists maintain that their group focus does not entail a deviation from liberal values. Instead, it is a “realistic” description of the societies studied by consociationalists (O'Leary 2005, 9). Moreover, in liberal consociations, individuals can freely choose with which group or community they affiliate (McGarry and O'Leary 2007). Yet, Ian O'Flynn (2005, 18) argues: “it is difficult to see how the thought that intrinsic equality can be ascribed to groups can be rendered compatible with ascribing intrinsic equality to their individual members.” Whether and how consociationalism can successfully focus on the importance of groups while consolidating a normative commitment to individual freedom and equality will be discussed in Chapter 5.

32 *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR, 2009-VI

33 This discrimination is not merely theoretical. Given the prominent positions in Bosnian public life that Sejdić and Finci hold, it is not unlikely that they would run for a seat in the presidency. The Bosnian constitution, which prevents them from doing so, thus not only theoretically deprives them of this right, but also makes them *de facto* victims of discrimination: “In the present case, given the applicants’ active participation in public life, it would be entirely coherent that they would in fact consider running for the House of Peoples or the Presidency. The applicant may therefore claim to be victims of the alleged discrimination.” (Judgement, *Sejdić and Finci v. Bosnia and Herzegovina*, par. 29).

1.3.2 Elite Cooperation

Consociationalism is considered an “elitist” political system that “postpones democratization of multiethnic societies” (Brass 1991, 339–40). Consociationalism downplays the importance of popular participation in democratic processes. It relies on the participation of political elites, but barely on the participation of citizens. “It is democratic only in the sense that each communal group is represented and no significant decisions can be taken without the consent of those representatives” (Huntington 1982, 10). Consociation achieves the inclusion of representatives of many groups at the expense of the exclusion of their electorates.

Furthermore, successful elite cooperation presupposes that “each political elite effectively controls its followers” (Huntington 1982, 10). If political elites did not have a strong influence over their conflict-prone electorate, their compromises would likely not lead to stabilization but rather to conflict. It is the combination of elite politics and elite control, Huntington asserts, that makes consociational democracy particularly undemocratic. This implicitly calls into question the viability of consociational democracy. What happens in a consociational democratic system when political elites do not want to cooperate? Or if they do not effectively control their followers? Such questions offer a new angle from which to address the critique that consociational democracy is too elite-focused. They will form the starting point of an analysis of assumptions concerning elite behavior in Chapter 4.

Moreover, consociational democracy is often implemented without any form of consent from the governed. Although in Northern Ireland a referendum was held before the consociational system was implemented, various commentators scrutinize the democratic credibility of the referendum. Paul Dixon (2002) contends that politicians sold the peace agreement through manipulation. Rupert Taylor similarly states that

the Agreement was bargained at elite level, tête-a-tête, not defended in wide-ranging deliberation in the civic public sphere ~ people were not motivated to think through the issues or discuss them with others (Taylor 2006, 221).

What these critics have in common is the conviction that a certain level of deliberation or participation is a necessary condition for truly democratic politics. Consociational democracy “proves hostile to deliberative politics” (Taylor 2006, 223). The implementation of consociational democracy in Bosnia was similarly the result of negotiations at the highest political levels (Chandler 2001, 115). Bosnian, Croatian, and Serbian delegations, led by the respective presidents of each state, negotiated a peace settlement for Bosnia with US and EU diplomats. The Bosnian population was not consulted before the Bosnian constitution came into force.

Lijphart asserts that the lack of popular participation is not a sufficient or necessary condition for successful consociation. However, the theoretical development of consociational democracy depends on the idea that social groups do not interact at the mass level, but only at the elite level. When societies are severely divided along ideological or religious lines, “they [political elites] have to be able to make concessions and to arrive at pragmatic compromises even when religious or ideological values are at stake” (Lijphart 1968a, 131). The deferential attitude of the Dutch population was conducive to the success of consociational democracy in the Netherlands. The lack of popular participation in democratic processes more or less directly contributes to democratic stability in

deeply fragmented societies; these countries can be stable democracies not only because elites cooperate, but also because social groups are rarely in contact with each other (Lijphart 1968a, 219). This seems to run counter to our intuitions concerning democratic debate and democratic participation.

1.4 Different Theories for Different Situations?

With the consociational response to these liberal critiques, the debate seems to have come to an impasse. Consociationalists claim that the form of liberal consociation that they advocate is perfectly compatible with liberal values (e.g. McCrudden and O'Leary 2013b). Liberals disagree and argue that the defining features of consociational democracy conflict with the basic tenets of liberal democracy. Consociationalists claim that durable and stable societal divisions are the reality in certain societies that a theory for democracy should take into account. Liberals argue that a theory working on such assumptions concerning the nature of social groups does not appropriately reflect liberal democratic commitments concerning the liberty and equality of individuals. The arguments put forth by liberals and consociationalists are unlikely to decide the debate one way or another (O'Leary 2005, 36). Especially because of the relevance of consociational theory, it seems important to find better ways to evaluate the shortcomings and benefits of consociational democracy. A more systematic method of evaluating consociational theory and the relationship between the "reality" of societal divisions and liberal democratic values is called for.

I suggest that consociational and liberal democracy can be construed as theories of democracy for different circumstances. This notion points to a way of resolving the impasse. The current impasse focuses on two things. First, the conceptualization of the circumstances in deeply divided societies. Second, the extent to which consociational institutions realize liberal values. Conceiving of consociational and liberal democracy as theories for different circumstances rather portrays the disagreement as one concerning the balance between the circumstances and the realization of liberal democratic values. Consociationalists and liberals do not disagree about the importance of liberal values, but rather about the institutional arrangements that are apt for the realization of these values. Approaching liberal and consociational democracy as theories for different circumstances allows for the development of different criteria, taking into consideration values as well as circumstances, for the evaluation of consociational democracy.

Disagreements about the appropriate balance between the realization of values and the constraints posed to this realization by real-world circumstances, are not specific to the debate between consociationalists and liberals. They play a role in debates about the applicability of normative theories more generally and in debates about ideal and non-ideal theory in particular. Understanding the debate about consociational democracy as a debate about the balance between the realization of liberal values on the one hand and the constraints that deep societal divisions pose for the realization of these values on the other, the contrast between liberalism and consociationalism can be construed as a contrast between ideal and non-ideal theory. While societies where identities are somewhat fluid and malleable are central to liberal ideal theory, consociationalists focus on societies

characterized by non-ideal deep societal divisions.

Some political philosophers question the applicability of theories that are too far removed from actual-world circumstances (Mills 2005). When these circumstances are not taken into account, theories are not useful for people working under those conditions. As opposed to ideal theory, non-ideal theory aims to develop normative principles that are suitable to follow in the non-ideal actual-world circumstances we find ourselves in (Rawls 1971, 244–46). The circumstances in a post-conflict society are a good example of such non-ideal circumstances. Proposing a theory of democracy for these circumstances, consociationalists can be considered to propose a liberal theory for democracy in non-ideal circumstances. Differently formulated, consociational democracy may be considered to be a liberal non-ideal theory for democracy. To break the impasse between consociationalism and its liberal critics, and to assess whether consociational democracy is indeed compatible with liberal values as its proponents claims, in the following chapters, I will analyze consociational democracy as a non-ideal liberal theory for democracy.

The combination of strategies employed by proponents to defend consociationalism against its liberal critics fits this framing of the debate in terms of the ideal/non-ideal distinction well. First, consociationalists claim that the values that they care about are the same ones that liberals hold dear. Emphasizing the importance of individual freedom and equality, consociationalists advocate forms of liberal consociation that they argue do not conflict with the basic tenet of liberal democracy (Lijphart 1985; McGarry and O’Leary 2007). Second, without discrediting the importance of liberal values, consociationalists argue that liberal democracy does not lead to the realization of liberal democratic values in deeply divided societies. Liberal democratic theories assume that group identities are fluid and malleable. This assumption and thereby liberal democratic theory is too far removed from the circumstances that characterize deeply divided societies (O’Leary 2019, 6–7). The integrationist focus on one public identity is likely to involve a bias in favor of one community over other (typically smaller) communities (McGarry, O’Leary, and Simeon 2008, 53). Liberal democracy is considered unsuitable for deeply divided societies.

Third, consociationalists present themselves as realists giving due attention to sometimes grim circumstances in severely divided societies. Their understanding of the severity and durability of group identities more accurately portrays the situation in many divided societies:

Consociationalists argue from a standpoint of political necessity: they do not embrace pluralism for its own sake, or because they want a romantic celebration of a thousand different flowers (or weeds). They maintain that a hard confrontation with reality forces certain options on decision makers in deeply divided territories. In some tough cases, their claim is that the only real choice is between consociational arrangements and worse alternatives. (O’Leary 2005, 9)

Consociational democracy is not necessary or appropriate for all societies, but it is for societies in which severe societal divisions are observed. In such circumstances, “when all propositions are equally evaluated, consociationalism is left as the best opportunity for advancing democratic stability and peace” (Nagle and Clancy, 2010: 44). This may be reason to conceive of consociational democracy as a transitional theory of democracy. It forms the best available alternative in such circumstances, but may become obsolete once immediate and urgent threats to stability and peace dissipate. It is not at all clear that (all) consociationalists would subscribe to such a

reading of consociation. There are also advocates of consociation who argue consociation can be recommended solely on its own merits. Chapters 4 and 5 will come back to the notion of consociation as a transitionary device.

Consociational democracy aims to realize liberal values in circumstances that are far from ideal. The evaluation of consociational theory therefore must not only concentrate on the extent to which it realizes liberal democratic values. It should also take into account the limitations that these non-ideal circumstances pose on the realization of liberal values. Can consociational democracy be viewed as a non-ideal theory for liberal democracy? Chapter 2 will consider the characteristics of respectively ideal and non-ideal theory and develops criteria for evaluating the appropriateness of non-ideal theories. Chapters 4 and 5 will explore whether consociationalism proposes a liberal non-ideal theory for democracy.

1.5 Conclusion

Consociational democracy explains and creates democratic stability in severely divided societies. Elite cooperation in a grand coalition, proportional representation of the main social groups, veto rights for each group, and a certain degree of group autonomy characterize a consociation. By prescribing these institutional devices to severely divided societies, consociationalists aim to get as close to the realization of liberal values as possible given the circumstances.

However, liberal critics eschew the idea that a group- and elite-focused form of democracy like consociational democracy can be compatible with liberal democratic values. Furthermore, the idea that there is no alternative to consociational democracy, critics argue, reveals an unfruitful tendency to tunnel vision. Reflecting on McGarry and O'Leary's (2009a) celebration of the Northern Ireland consociation, one commentator compared consociationalists to the character Pangloss from Voltaire's *Candide*. In this satirical work, no matter the trouble he finds himself in, Pangloss remains convinced "that we live in the best of all possible worlds" (Guelke 2009, 99).

I proposed that rather than accepting the opposition between consociational and liberal democracy, the theories could be viewed as targeting different circumstances. The circumstances that consociationalists assume characterize societies are far removed from the circumstances that liberals take as their point of departure. To put it differently, I suggest that it is worth considering whether consociational and liberal democracy may both be theories for the achievement of a just society based on liberal democratic values. Yet, liberal democracy is an ideal theory, while consociational democracy is a non-ideal theory. The next chapter, Chapter 2, will examine what constitutes the ideal/non-ideal distinction. My aim is to resolve the impasse between liberalism and consociationalism by moving the debate to a methodological level.

2 Ideal and Non-Ideal Models of Justice: the Continuum Approach

2. Ideal and Non-Ideal Models of Justice: the Continuum Approach

In post-Rawlsian political philosophy, it is commonly accepted that political philosophy comprises ideal and non-ideal theories of justice. In Rawls's (1971, 245) understanding, ideal theory is concerned with developing the principles of justice that guide our conduct in a perfectly just society. Non-ideal theory examines which principles we should follow under "less happy circumstances" (Rawls 1971, 244–46). These circumstances may put some justifiable constraints on the realization of justice. Rawls suggests that non-ideal theory can be derived from ideal theory, but the literature so far does not offer a systematic account for developing non-ideal theory (Robeyns 2008, 348). Are ideal and non-ideal theory indeed connected, as Rawls's suggests? And if they are, can this teach us how to think about the development and function of these two strands of theorizing?

I propose that the ideal/non-ideal distinction in political philosophy is best seen as a distinction between theories employing ideal and non-ideal models. Furthermore, ideal and non-ideal models form a continuum ranging from highly idealized and abstract models to very "realistic" models. To give further substance to this proposal, I draw on the literature on models from the philosophy of science. I argue that the reasons for relying on a model at some point of the continuum are importantly similar to the methodological considerations for which scientists develop models at different levels of idealization and abstraction. This is in spite of the fact that models in political philosophy typically fulfill a different function than models in other sciences. The continuum interpretation of the ideal/non-ideal distinction is rather different from the prevailing binary interpretation. I argue that as more realistic models gradually address the injustices prevailing in actual-world circumstances, the better these circumstances become, and the closer these societies move towards more idealized depictions of a just society. Because of this envisaged progression in the relationship between ideal and non-ideal models, I refer to the perspective that I develop here as 'The Continuum Approach.'

The main criticism of ideal theory is that it is too far removed from actual-world circumstances to provide any guidance in those circumstances. This criticism has received increasing attention in recent years (Farrelly 2007; Mills 2005; Sen 2006; Wolff 2010). In light of this, it is striking that, in the philosophy of science, the much-discussed apparent falsity of idealizations and abstractions is not necessarily considered to be problematic. Whether it is indeed problematic depends on the purpose a scientific model is supposed to serve and the roles that idealizing and abstracting assumptions play in it. Explicating the distinction between ideal and non-ideal theory in terms of the different kinds of models they employ allows me to consider whether and how this is relevant to political philosophy. Hence, I ask what purpose ideal theory might fulfill and what are good reasons for making idealizing and abstracting assumptions in political philosophy.

Answering these questions prepares for the main contribution of this chapter. As mentioned above, a systematic account of what non-ideal theory is and especially how it can be successfully developed is still lacking (Robeyns 2008). However, the philosophical literature on scientific

models shows how more realistic models can be derived from very unrealistic models by relaxing their assumptions. Conversely, a more ideal model can be constructed by introducing idealizations and abstractions. I will use the Continuum Approach to defend three conclusions. First, providing action guidance in actual-world circumstances is not the only legitimate use of theories or models in political philosophy. Providing a blueprint of a better and more just society is a further important goal. Second, a non-ideal model that approximates actual-world circumstances can be combined with such a blueprint in order to develop a view as to how a society might be improved and become more just. In this way, two static models can be used to address actual-world injustices in a dynamic manner. Third, different aspects of the ideal/non-ideal distinction that are highlighted in the literature can all be accommodated within the Continuum Approach. Placing non-ideal models on this continuum underscores the importance of some transitional aspects in non-ideal models, while a focus on assumptions emphasizes whether and how models can be developed to address specific actual-world injustices.

In Chapters 4 and 5, the Continuum Approach will be applied to evaluate consociational democracy as a non-ideal model. The current chapter takes a step back from the substance of this debate to explore its methodological underpinnings. Before discussing the use of models in political philosophy by drawing on the philosophy of science (2.2), the first section will offer a brief overview of the debate about the ideal/non-ideal distinction in political philosophy and clarify the use of terms (2.1). The following sections discuss respectively ideal (2.3) and non-ideal models (2.4) in political philosophy. In the final section, some conclusions about the role of ideal and non-ideal models in political philosophy will be accompanied by some prospects for further inquiry into the methodology of ideal and non-ideal models in political philosophy (2.5).

2.1 Ideal and Non-Ideal Theory

The ideal/non-ideal distinction plays an important role in debates about the nature of political philosophy and particularly its ability to provide guidelines for action in actual-world circumstances. As mentioned above, the distinction was first introduced by John Rawls (1971) in *A Theory of Justice*. He defines his own work as ideal theory, as it deals with “the principles of justice that would regulate a well-ordered society” (Rawls 1971, 8). Non-ideal theory, taking into consideration the limitations posed by actual-world circumstances, asks which normative principles should guide our behavior in less favorable circumstances (Rawls 1971, 246). In post-Rawlsian political philosophy the distinction continues to play an important role, yet different meanings have been attributed to it. In a now highly influential conceptual map of the debate, Laura Valentini (2012) identifies at least three distinct meanings attributed to “ideal” and “non-ideal”.

(1) Ideal and non-ideal theory stand for theories designed to deal with full and partial compliance (Valentini 2012, 655). Rawls construes ideal theory to presume everyone to “act justly and do his *[sic]* part in upholding just institutions” (Rawls 1971, 8).³⁴ Non-ideal theory is concerned with

³⁴ The assumption of full compliance not only applies to the circumstances, but also to the normative principles themselves: just normative principles are principles that will be confirmed by full compliance.

dealing with the injustices that arise from partial compliance and includes, for example, theories of punishment or just war. Non-ideal theory asks what obligations and duties apply when not everyone is doing their part in upholding justice.

(2) The distinction is used to refer to the fact-sensitivity of a theory (Valentini 2012, 656–60). Firstly, this is a distinction between utopian and realistic theories. Most prominently, G.A. Cohen (2003) defends the view that principles of justice are fact-insensitive. In contrast, Rawls develops his theory of justice in response to what he conceives to be the human condition. While in the latter case theories of justice are primarily normative, in the former case their main purpose is evaluative (Valentini 2012, 657). This chapter focuses on normative theories in political philosophy.

Secondly, fact-sensitivity is used to distinguish between “more or less realistic” theories (Valentini 2012, 658). The ideal/non-ideal distinction depends on the extent to which facts about actual-world circumstances are taken into account (Farrelly 2007). Rawls refers to the distinction as one between theories taking into consideration respectively “favorable circumstances” and less favorable “natural limitations and historical contingencies” (Rawls 1971, 245–46). Waldron (1999) points out that the circumstances of justice that Rawls assumes in his ideal theory of justice do not relate to all relevant facts about the actual world that give rise to concerns of justice. Assumed ideal theoretical circumstances are less realistic than non-ideal circumstances of justice. This aspect closely aligns with what others have referred to as the fact-(in)sensitivity of a normative theory, with which a distinction can be made between more empirically grounded non-ideal theories that take into account “real, non-ideal considerations” and ideal theories that disregard such facts (Farrelly 2007).³⁵

(3) The ideal/non-ideal distinction is understood as a distinction between end-state and transitional theory (Valentini 2012, 661–62). This idea can be found with Rawls who states that while ideal theory is concerned with formulating a long-term goal, “[n]on-ideal theory asks how this long-term goal might be achieved, or worked toward, usually in gradual steps” (Rawls 1999, 89). As non-ideal theory requires a goal to work towards, Rawls argues, non-ideal theory presupposes that an ideal theory already has been formulated.

Valentini contends that distinguishing between these three approaches as separate strands of the debate on the ideal/non-ideal distinction can yield some conceptual clarity, but that there are also clear connections between them.³⁶ These strands highlight different aspects of the ideal/non-ideal distinction instead of providing mutually exclusive interpretations of the nature of the distinction. Furthermore, even when we agree that ideal theory should influence non-ideal theory, as Valentini

35 The terms “real” or “realistic” in this context will be taken to mean something like “resembling actual world circumstances”. This conception of realism must be clearly distinguished from epistemic realism or realism in the field of international relations. A realistic model represents the target system in more respects than an unrealistic model does. Whether a model is unrealistic does not necessarily entail anything about whether its conclusions obtain in reality.

36 Rawls (1999, 5–6) considers theories dealing with noncompliance and theories dealing with unfavorable conditions to be different *kinds* of non-ideal theories. This contention is connected to the role that compliance plays in Rawls’s theory. The Continuum Approach outlined here considers assumptions about compliance and assumptions about circumstances both to serve as input for ideal and non-ideal models. As this chapter suggests, this best allows us to develop theories for actual world societies, that are often characterized by unfavorable circumstances as well as noncompliance.

asserts, how this should be done is far from clear. The approach developed in this chapter takes Valentini's contention that these three different strands exist and are connected as a starting point and provides a framework in which we can understand the connections between them more systematically. This will furthermore provide a response to the critiques of ideal theory.

2.1.1 Critiques

Specifying whether and how ideal theory plays a role in political philosophy in general and in relation to non-ideal theory in particular is urgent given the severity of critiques leveled against ideal theory. In the debate on the ideal/non-ideal distinction we can find two main criticisms directed at ideal theory.

The first type of critique focuses on the idealizations featured in ideal theory. Because of these idealizations, ideal theory is thought to be too far removed from actual-world circumstances to be able to address actual-world injustices. Colin Farrelly argues that ideal theories, because they are not sensitive to relevant facts about the actual world, provide "impotent or misguided practical prescriptions" to guide our collective actions (Farrelly 2007, 854). Charles Mills (2005, 173) similarly argues that ideal theory is "abstracting away from realities crucial to our comprehension of the actual workings of injustice in human interactions and social institutions", but goes even further by arguing that this is because the cognitive processes involved in making these idealizing assumptions are biased. As many minorities are underrepresented in philosophy, ideal theory does not address the injustices suffered by these minorities. Idealizations and ideal theory, Mills argues, are fundamentally flawed and potentially harmful. This bias in idealizations and ideal theory has further consequences, as ideal theory has performative qualities as well. The persistent idealization of a society without racial inequality might actually "obfuscate" the actual experience of racial inequality, thereby potentially delegitimizing this perspective.

If these critiques are correct, using abstractions and idealizations to theorize about justice seems nearly inevitably problematic. Almost every theory employing a representation of actual-world circumstances relies on abstractions and idealizations to some extent, not only in philosophy, but across the sciences. This suggests that we should not refrain without further questioning from using idealizations and abstractions, but that we should instead explore which idealizations and abstractions are actually the target of critiques such as those formulated by Farrelly and Mills. As Robeyns (2008) points out, in political philosophy little attention has been devoted to finding out how we can distinguish good from bad idealizations. A recent contribution by Uskali Mäki (2020) forms an important exception. He considers the role of idealization in Rawlsian ideal theory in comparison with the role of idealizations in other sciences. The Continuum Approach developed here goes further. Drawing *inter alia* on Mäki's work, it suggests thinking about the ideal/non-ideal distinction in political philosophy in terms of ideal and non-ideal *models*. This allows us to draw on philosophy of science, where the function of idealizations as well as that of unrealistic models is much more elaborately discussed than in political philosophy.

The second type of criticism focuses on the function of end-state ideal theory versus transitional non-ideal theory. Amartya Sen (2006) refers to these as respectively transcendental and comparative theories of justice. Within non-ideal theory, existing social arrangements are compared with and

improved towards a better alternative rather than towards an ideal and fully just end-state society. Contrary to Rawls, Sen contends that for useful comparison between non-ideal cases, no prior development of an ideal end-state is necessary (Sen 2006, 236). We do not need to know what a fully just society is to determine which of two justice arrangements is the more just one. The Continuum Approach concurs with Sen's understanding of ideal as end-state theory and non-ideal as transitionary theory. However, I suggest that comparatively assessing two non-ideal theories does require knowledge of the continuum on which they are placed and, consequently, an end-state theory. As critics of Sen have pointed out, a comparative assessment without such knowledge does not guarantee that the alternative we choose will also allow us to achieve the greatest justice possible given the circumstances in the future (Simmons 2010). Additionally, my approach offers a way of deriving non-ideal theory from ideal theory.

2.2 Models in Political Philosophy

In the philosophy of science, models are typically understood to be representations of target systems. Target systems are possible- or real-world phenomena.³⁷ Models are built using abstractions and idealizations, which entails that some are unrealistic. However, this does not necessarily have to be problematic. The view that apparently false assumptions and highly idealized models do have a positive role to play in science has been defended in a variety of ways in the philosophy of science debate about unrealistic models (Hindriks 2006; Mäki 2009, 2013).³⁸ Even though by examining a model we aim to learn something about the target system, a model is not the same as or even similar to the target system (Mäki 2005). Instead, models *isolate* a certain phenomenon, mechanism, or problem (Mäki 2009). Mäki (2009, 30) describes isolation as a theoretical “control of noise” that modelers use to focus on a specific phenomenon or mechanism.³⁹

The same is true, I suggest, for models in political philosophy: they are built using abstracting and

37 What constitutes a target system is very broadly conceived. Although the focus here is on models as representation of the possible- and actual-world phenomena, models can also represent theories or data (Mäki 2005, 304).

38 I rely primarily on the work of Uskali Mäki (1992, 2001, 2005, 2009, 2013) and Frank Hindriks (2006, 2013). Both these authors engage with the work of Alan Musgrave (1981). Although various more and less subtle differences characterize the approaches of Musgrave, Mäki and Hindriks, they share the contention that false assumptions often appear to be unproblematic when we take the context into account. As Hindriks (2006, 410) states: “[s]cientists frequently impose first order assumptions, not because they take them to be true, but rather only for pragmatic reasons, including negligibility, applicability, and tractability”. This is the central insight I want to take from these theorists in developing the Continuum Approach.

39 The type of models that is in focus here is what Roman Frigg and Stephan Hartmann refer to as “idealized models”. Additionally, Frigg and Hartmann consider scale models, analogical models, and phenomenological models. Scale models are “basically downsized or enlarged copies of their target systems” (Frigg and Hartmann 2018). An analogue model is interpreted as capturing the mechanism of the target system in different terms. A traditional definition of phenomenological models “takes them to be models that only represent observable properties of their targets and refrain from postulating hidden mechanisms and the like” (Frigg and Hartmann 2018). I will assume that models of society as used in political philosophy are typically idealized models, as idealized models use idealizations to deliberately simplify “something complicated with the objective of making it more tractable” (Frigg and Hartmann 2018).

idealizing assumptions. Although models are unrealistic in some respects, this does not necessarily imply that they are useless or that the conclusions drawn from them are false. Moreover, no model is a fully complete representation of the actual world. A dichotomous identification of non-ideal as realistic and ideal as unrealistic is unwarranted. Idealization and abstraction can be used in different degrees. Therefore, instead of being divided into two categories, either ideal or non-ideal, models comprise a continuum of more and less idealized models. As this approach to the ideal/non-ideal distinction breaks away from any binary interpretation of the distinction, I have termed it the Continuum Approach.

A model is not the same as a theory. Hence, ideal and non-ideal models do not equate ideal and non-ideal theory. Rather, I take theories to contain models. Theories may also contain multiple models. Theories in political philosophy do not only consist of a model representation of a target system, but include, for example, also normative principles. Ideal and non-ideal theories in political philosophy are taken to employ ideal and non-ideal models.⁴⁰

Political philosophers engage with models representing society instead of directly with some properties of the actual world.⁴¹ In order to theorize about questions of justice, fair cooperation, or fair institutions, they use a representation of the circumstances that give rise to these questions. This appears to be true, even for the most idealized theories in political philosophy. Contractarian theories, for instance, rely on a model of an initial situation (D'Agostino, Gaus, and Thrasher 2019). This initial situation models a situation in which no agreement between parties exist. It includes, for example, assumptions about the natural distribution of endowments and about the rationality of the parties to the contract. Gauthier (1986, Ch. VII), for instance, models the “structure of interaction” in a situation with no agreement. Representing a situation without agreement, these models are not the same or even similar to actual-world circumstances. Yet they are of vital importance in subsequent theorizing about the justification of morals or governmental authority.

Idealizations and abstractions are used to isolate a target system phenomenon in a model (Mäki 1992). An idealization is a distortion of an actual-world phenomenon or mechanism; it distorts a certain aspect of the actual world usually in order to highlight another. Abstractions, on the other hand, are omissions; they omit certain details about the target system to flash out something else. Both types of assumptions, but especially idealizing assumptions, often appear to be false. The models they feature in do not actually appear to be similar to the target system. In economics, a model of international trade may assume that trade takes place between two countries only. In natural science, the assumption that air resistance is absent takes an important place in Galilei's model of gravitational acceleration. In political philosophy, Rawls assumes that we are dealing with closed societies and that in choosing fair social arrangements persons are not affected by envy (Rawls 1971, 8). The assumptions are used to zoom in on a specific mechanism, for example absolute and comparative advantage, the relation between mass and acceleration, or a fair basic structure of society. Political philosophers use assumptions about circumstances, for instance defining the limits

⁴⁰ No consensus exists on the relationship between models and theories. The most important disagreement concerns the question whether models are subordinate to theories or whether they exist independent from theories. For an overview discussion of the different positions in this debate, see for example Frigg and Hartmann (2018).

⁴¹ I draw on Weisberg (2007, 209) here, who characterizes modeling as “the indirect theoretical investigation of a real world phenomenon using a model”.

of a society, and assumptions about agency or persons, concerning their psychological features and capacities, to isolate a target system.

None of these assumptions appears to be true for the respective target systems, yet all play an important role in influential models. It has been argued that these assumptions do not need to be true for the target system, as they instead pertain to the model (Mäki 2009). If we want to understand the truth of these assumptions, we need to look at the function of the assumptions in the model. Three reasons have been identified as to why unrealistic assumptions need not be problematic.⁴² Firstly, *negligibility assumptions* assume that the impact of a certain variable is negligible given the purpose of the model. Secondly, *applicability assumptions* state that a model is applicable only in a specific domain, for example where a certain factor is absent or negligible. Lastly, assumptions that have been referred to as *tractability assumptions* employ (strong) idealization in order to clearly grasp a phenomenon or mechanism (Hindriks 2006, 2013).⁴³

For example, the assumption “the economy is closed” is not true for many (if any) target systems. Yet in a model, it can be an appropriate assumption depending on the purpose of the model. Taking into consideration the function, we could reformulate the assumption to state that “foreign trade has negligible impact on the phenomenon of interest—effects that are negligibly small or otherwise irrelevant, given the purpose and audiences of the modeler” (Mäki, 2013: 9). Rather than evaluating whether or not “the economy is closed” is an appropriate depiction of the target system, we should assess the truth of “foreign trade has negligible impact on the phenomenon of interest—effects that are negligibly small or otherwise irrelevant, given the purpose and audiences of the modeler”.

Depending on the target system of this model, this second paraphrased assumption might be evaluated as true. Focusing on the function of assumptions thus changes the way we evaluate the truth of a model.

The idea that unrealistic assumptions may be true for the model when they do not obtain in the target system also applies in political philosophy. Following the conceptual map of the ideal/non-ideal distinction, there can be assumptions about the circumstances in which justice ought to be realized and about the level of compliance that can be expected from agents. When Rawls (1971) assumes that we are dealing with closed societies, this assumption can be taken to state that “assuming a closed society makes the problem of achieving just social institutions in a domestic context more tractable”. Similarly, assumptions about full-compliance could be interpreted as negligibility assumptions. They do not claim that full-compliance is reached, but rather abstract away from deviations from full-compliance to isolate the principles regulating social cooperation in a fully just society.

42 To clarify whether and how unrealistic assumptions can be nonetheless true, Hindriks (2006) distinguishes between first order and second order assumptions. A first-order assumption is a statement concerning the effect of a factor F on the phenomenon of interest. Negligibility and applicability assumptions are second-order assumptions. They are meta-statements that clarify the function of the first order assumption. As the examples in the subsequent paragraph will show, second-order assumptions may be true even when the first-order assumption is false.

43 Mäki (2013) instead focuses on early-step assumptions, which are used in an early stage of modeling in order to better grasp the phenomenon or mechanism that is modeled and are in a later step relaxed to be replaced by more realistic assumptions. This is a backward-looking conception of assumptions whereby the function of an assumption can only be established in hindsight. For the purposes of this paper, I focus on a forward-looking conception of assumptions, where the function of the assumption can be (more or less) defined when the assumption is made.

2.2.1 Using Models Normatively

The main difference between models in the sciences and models in political philosophy lies in the purpose for which the models are used. Where models in the sciences are typically used to *explain* some phenomenon in the actual world, models in political philosophy are used primarily for *normative* purposes. Models in political philosophy aim to capture rules and principles regulating social cooperation in a just society. The use of such models can be considered normative in at least three senses. Firstly, a model capturing just social cooperation can be considered as a model to work towards (Mäki 2020). It can be the eventual outcome or pursuit of a more just society. Secondly, the normative use of models may be evaluative. Actual institutions, principles or regulations can be judged in comparison to a more just model of social cooperation. Thirdly, the normative use of models can help test our intuitions about justice. For example, comparing two models may help assess and justify which one of two states we find morally desirable. For example, Thomas Hobbes can be taken to compare the state of nature with a society governed by the Leviathan. He concludes from this comparison that some restraining of freedom in the latter case ought to be preferred over the situation in the former case.

To determine whether a model is appropriate for certain explanatory purposes, we can test whether a model offers appropriate representation by fitting the model towards the actual world. When more facts about the actual world are added to the model, does the model still accurately explain? When a model is used for normative purposes, however, such a model-to-world fit does not make sense. As we use a model normatively, the world is fitted towards the model rather than the other way around. In a normative theory, normative principles serve this purpose. When a model of a possible world resembles the actual world in relevant respects, the normative principles developed using the model can be applied in actual-world circumstances. The normative use of the models entails the changing of the actual-world circumstances to more closely resemble the (more) just model world.

For explanations drawn from a model to pertain in actual-world circumstances, a model ought to have an appropriate resemblance relationship with the target system (Mäki 2009). Inferring from a model to the target system helps determine whether the model is credible. Models in political philosophy are not typically “checked” against empirical data in the same way, because the models are not used to explain empirical phenomena, but to justify normative principles. How do we determine whether a model in political philosophy appropriately resembles the target system?

The question of appropriate resemblance between model and world goes far beyond the philosophical literature on models and an elaborate discussion is beyond the scope of our present purposes.⁴⁴ For the current argument, it suffices to note that the fact that models in political philosophy cannot be directly tested against empirical evidence does not distinguish them from many scientific models.

⁴⁴ A further and related debate exists concerning the ontological status of models (Frigg and Hartmann 2018). Models can be considered as linguistic or non-linguistic entities. This distinction is important for assigning truth status to models. If we understand models as linguistic representations of target systems, the relationship between language and reality, extensively discussed in the philosophy of language, is important in determining the truth of models. As truth value can be assigned to propositions, it can also be assigned to models. If models are non-linguistic entities, as for example Giere (1988) argues, models cannot be truth-valued. Mäki (2011) takes yet another approach by suggesting that models indeed are non-linguistic entities, but that they are accompanied by model descriptions or model commentaries. In his account truth can be located in a model through an interplay between model, model commentary and model description. As Mäki's account is conducive in determining the truth of models that seemingly do not resemble their target system, taking the broader characteristics of the model (purpose, audience) into account, this chapter roughly follows Mäki's account to determining the truth of models (2.2.2).

Consider for instance the Miller-Modigliani model in economics that states that the value of a firm is unaffected by how that firm is financed, under the idealizing assumptions that (amongst other things) taxes, market inefficiency, agency costs, and bankruptcy costs are absent (Modigliani and Miller 1958). As there are no actual-world circumstances in which all these factors are absent, empirical data confirming its conclusions cannot be obtained. The appropriateness of a model thus does not have to involve a straightforward process of fact-checking. Also the purpose of the model and the intended audience should be taken into account (Mäki 2001). This makes appropriateness less a matter of truth, and more a matter of credibility or plausibility (Mäki 2001, 2011; Sugden 2009).⁴⁵ At the same time, credibility assessments may appear to be of a lesser burden in political philosophy than in other sciences. Typically, the intuitions of the model-builder play an important role in assessing the credibility of assumptions and models, rather than empirical fact-checking. However, when normative principles are proposed based on a model, additional justification may be required to determine the moral appropriateness of such principles. In Chapter 4, Rawls's justification based on the expectation of public agreement will be discussed.

2.2.2 Ideal/Non-ideal Continuum

Idealizations and abstractions can be used in models in different degrees. The relationship between ideal and non-ideal models of justice is thus not a binary distinction of two opposing categories, but rather a scale on which different degrees of idealization can be discerned. Non-ideal models resemble the target system more closely. The normative principles developed can be used to address actual-world injustices. When this is done successfully, the target system has changed and the model no longer appropriately represents the target system. To address other injustices still prevailing, the assumptions underpinning the model must be adjusted and new normative principles can be developed. When again, the principles from this model successfully address injustices, the assumptions have to be adjusted, and so forth. The more actual-world injustices are addressed, the closer we bring the actual world to an ideal model world. Correspondingly, the closer the actual world is to an ideal model world, the fewer injustices there are in the actual world.⁴⁶

45 It seems to me that also in normative theory the plausibility of certain principles is “checked” against a target system. For example, philosophers use examples or thought experiments in order to check whether their principles hold under different circumstances. In Rawls’s political philosophy, reflective equilibrium can be considered a form of the “checking” of a normative model and the idealizing assumptions featuring in it: “By going back and forth, sometimes altering the conditions of the contractual circumstances, at others withdrawing our judgements and confirming them to principles, I assume that eventually we shall find a description of the initial situation that both expresses reasonable conditions and yields principles which match our considered judgement duly pruned and adjusted. This state of affairs I refer to as reflective equilibrium. It is an equilibrium because at last our principles and judgements coincide; and it is reflective since we know to what principles our judgement conform and the premises of their derivation” (Rawls 1971, 20). Going back and forth between a model of a just society and the idealizing and abstracting assumptions we made about the actual world, the credibility of the model is tested.

46 Hamlin and Stemplowska (2012: 48) have similarly argued that “the territory associated with the ideal/non-ideal distinction is better viewed in terms of a multidimensional continuum ranging over a number of variables”. The difference between their approach and the Continuum Approach developed here, primarily lies in the angle from which this continuum is approached. Hamlin and Stemplowska (2012: 53) focus on the way in which the ideal/non-ideal distinction relates to what they term “theory of ideals”, which is theory in which “the purpose is to identify, elucidate and clarify the nature of an ideal or ideals”. Such theory of ideals remains largely outside of the scope of this chapter. Rather, the aim is to explicate the relationship between normative theorizing, both ideal and non-ideal, and actual-world circumstances.

This is where the Continuum Approach diverges from Sen’s approach to the ideal/non-ideal distinction as a distinction between end-state and transitional theories. First, it offers additional criteria for assessing which one of two non-ideal models is better. Rather than just being the better of two alternatives, a non-ideal model can be assessed for being able to move a society closer to the ideal model in the long run (see 2.4). Second, it shows that and how ideal models can play a role in this (see 2.3).

Model	Ideal		Non-ideal
Target System	Perfectly just society		Actual-world injustices
Assumptions	More idealized assumptions		Less idealized assumptions

2.1: The Continuum Approach to Ideal and Non-Ideal Models

Contrary to what the simplified depiction in this table might suggest, this continuum need not be this nicely linear, neither in philosophy nor in its application to actual-world circumstances. I do not want to argue that a clear line of moral progress can or should be achieved, nor do I intend to say that every normative theory moves along the same continuum. Different continuums can exist depending on the values to be realized.⁴⁷ Rather than one universally recognized understanding of a just society, a broad variety of conceptions of just societies exists. Although the Continuum Approach considers these depictions of fully just societies to serve as end-goals, this does not necessarily imply that they depict a static state of affairs. Justice and just societies may take different forms for various people. Consequently, many different ideal models can be developed and, accompanying these, even more non-ideal models. The more modest point attached to this seemingly linear picture is that ideal and non-ideal modeling is a matter of degree.

The gradual relationship I suggest exists between non-ideal and ideal models also exists in the sciences. Discussing models of racial segregation in cities, Mäki suggests a continuum of models exists ranging from Schelling’s highly idealized checkerboard model on one end to an actual city as a “natural model” on the other end:

Consider real cities as the extreme end of a series (or a continuum) of model cities along which the series is ordered in terms of numbers of attributes, simplicity of structure, and so on. We may not want to say that natural models are real cities an sich, or under any description. Natural models are not real cities in their entirety, but are rather real cities under a description that covers a selected set of relevant features plus particular features that distinguish them from other particular cities. What makes the first set of features relevant is that they are related to the causal mechanism that is isolated as the ultimate target of representation. (Mäki 2009, 42)

⁴⁷ This applies to the subject of this study as well. In this study liberal democracy is considered as an ideal model, while it is examined whether consociational democracy is an accompanying non-ideal model. By evaluating the consociational model in the light of a liberal democratic model, I do not mean to suggest that liberal democracy is the only available model for regulating social cooperation in a fully just society. Consociational democracy is examined as a liberal non-ideal model connected to a liberal ideal model, because consociationalists claim to advocate a theory for democracy compatible with liberal values.

The real cities on Mäki's continuum would be non-ideal models, including relatively many aspects of the target system. Schelling's checkerboard model, discussed in the next section, is a highly idealized model. Although at first glance the resemblance relationship between these "realistic" non-ideal models and the ideal model seems weak, when we look more precisely at what it is the model is built to isolate—namely a mechanism leading to social segregation—the connection of these models on the continuum becomes more obvious.

More just societies are represented by more idealized models. Does this imply that a more just world is a simpler world? This seems like an odd implication that I argue rests on a misunderstanding of the function of a model. An idealized model does not represent simpler circumstances. Rather, an idealized model assumes, for the sake of isolation, that fewer aspects are relevant to understand the core issue that is studied. When an idealized model of justice accurately represents some actual-world society, this does not mean that this society has fewer characteristics, but rather that fewer of the aspects characterizing this society impede the realization of justice. This seems to align more with our intuition of what a just society looks like.

2.3 The Function of Ideal Models

Highly idealized models can be found across the sciences and serve to isolate a specific mechanism or phenomenon to gain a better understanding of it (Mäki 2009; Hindriks 2013). The function of assumptions in highly idealized models is to isolate the phenomenon or mechanism that the modeler wants to study, without interference of other factors. Schelling's checkerboard model, for example, provides us with a highly idealized picture of residential segregation (Schelling 1971). Schelling employs a number of idealizing assumptions to isolate a social mechanism that explains why residential segregation does arise, even when groups of residents do not have a shared preference for segregation. Even though the highly idealized model contains assumptions that appear to be false—it assumes, for example, the absence of collective action and the effect of housing prices—the model does explain how a small preference at the individual level may lead to large scale segregation at the societal level.

Ideal models in political philosophy aim to isolate the mechanism that would be characteristic of a just society.⁴⁸ Rawls employs the original position to this end. The original position abstracts away from all features of the actual world that Rawls considers morally irrelevant—psychological

48 The close connection between "ideal" and "isolated" comes to the fore when Mäki (2011) discusses a highly idealized agricultural model by von Thünen. The work that is called "The Isolated Stated" was initially titled "The Ideal State" by Von Thünen: "It is noteworthy that von Thünen's working title for his book was *Der ideale Staat* (The Ideal State), which is in some ways more informative than *Der isolierte Staat* (The Isolated State). *Der ideale Staat* aptly captures the nature of his model in depicting a very idealized system. It also highlights the fact that the system is "ideal" in the sense of being imagined by our ideational powers." (Mäki 2011, 51)

differences, historical and economic circumstances.⁴⁹ Abstracting away from these morally irrelevant factors, the ideal model captures “the nature and aims of a perfectly just society” (Rawls 1971, 9). The idealized model serves to “nullify the effects of contingencies which put men [*sic*] at odds and tempt them to exploit social and natural circumstances to their own advantage” (Rawls 1971, 136). Determining what constitutes these morally irrelevant contingencies is a matter of normative judgement, whereby normativity enters into this model before model-use. The principles of justice arrived at with this model serve an evaluative purpose. They ought to be used to evaluate the kinds of social cooperation and the forms of government that we enter into (Rawls 1971, 11).

Ideal models normatively used in political philosophy can be ideal in two ways. In a descriptive sense they rely on highly idealizing assumptions about the circumstances in which justice must be realized. To isolate the principles that would guide our conduct in a perfectly just world, ideal models abstract away from features of the actual world that are judged irrelevant for this purpose. Normativity plays a role in determining which features of the actual world are thought of as relevant and which are not. In a normative sense it is a model of a world in which justice is realized. This second sense of ideal is, as discussed in the previous section, particular for political philosophy, as it is entailed in the normative character of models in political philosophy. A model used for normative purposes does not represent the world as it is, but as it could be if it were just. Ideal models can be perceived of as something to work towards. Rawls’s (1971, 453–55) well-ordered society can be considered in this way, as it depicts a society regulated by a publicly accepted conception of justice, complied with by all people.

Amartya Sen (2006) argues that we do not need to capture the core of justice to address actual-world injustices. In an analogy, he suggests that we do not need to know what the highest mountain in the world is in order to determine which one of two mountains is the highest. John Simmons (2010) objects that if we are, eventually, on our way to the highest mountain, we still want to know where it is to decide which of the paths we ought to take to get there. This is the function that ideal models and the ideal/non-ideal continuum fulfill. Even if it is unlikely that the world can be successfully fitted to an ideal model, displaying what a just world looks like can encourage action leading to more just social arrangements (Estlund 2014, 121).

The Continuum Approach, in contrast to Sen’s approach, can account for the difference between local or short-term and global or long-term justice improvements. Choosing the more just of two alternatives, may lead to a local short-term justice improvement. However, it cannot account for justice in the long run. What constitutes the more just alternative in the short run, might prove to be a dead-end rather than a just end-state in the long run. Placing non-ideal models on an ideal/non-ideal continuum allows us not only to assess which one of two alternative models is more just, but also which one is more likely to serve as a transition towards a desired end-state. The import of the Continuum Approach is that it accounts for the positive role of ideal models. It offers additional criteria for determining the better one of two non-ideal models. Furthermore, as the next section will discuss, this leads to additional criteria for assessing non-ideal models and offers insight on deriving non-ideal models from ideal models (2.4).

⁴⁹ Whether these factors can be considered “morally irrelevant” has been widely questioned, for example from de-colonial and intersectional perspectives. For example, Charles Mills’s (2017) *Black Rights/White Wrongs* argues that histories of racism and colonialism cannot be considered “morally irrelevant” in developing a theory of justice.

2.3.1 Evaluating Models and Assumptions

Two critiques of ideal theory were identified in this chapter: ideal theory is too far removed from actual-world circumstances and the idealizations featuring in ideal theory are biased. In response to the former, the previous sections suggested ideal models and ideal theory have a positive role to play in political philosophy. Furthermore, the appropriateness of a model and its assumptions, and the possible bias affecting their appropriateness, can be assessed based on two criteria: the relationship to the target system and the context of the model.⁵⁰ These two criteria help determine whether and when a model in political philosophy is adequate for its purpose and may help to identify bias.

Firstly, the appropriateness of assumptions is determined by their relationship to the target system. Taking into consideration their function, assumptions need to hold true for the target system. For example, an Aristotelean ideal model of the universe is a geocentric model. It assumes that the movement of earth itself must have a negligible impact on the movement of planets around the earth (because no movement of air can be constantly observed on earth). This assumption does not appropriately resemble the target system and, as we know now, this ideal model does not yield accurate explanations or predictions. The reason for this lies *inter alia* in the fact that the negligibility assumption does not hold true: the movement of the earth does not have a negligible impact given the purpose of the model.

When ideal models in political philosophy are criticized for being too far removed from actual-world circumstances, it may be that the assumptions featuring in the model do not appropriately resemble the target system. Mills (2019) criticizes ideal theory for abstracting away from histories of colonization and racism. Such ideal models can be thought of as featuring the assumption that “histories of racial oppression have a negligible impact on the basic structure of a just society”. Mills can be taken to object that these histories of racial oppression do not have a negligible effect on any mechanism regulating just social cooperation. Models that do employ this negligibility assumption, in his view, may be like geocentric models of the universe: it seems as if they capture what just social cooperation is, but because of a wrong assumption, they miss some crucial aspects of it.

Secondly, the appropriateness of a model and its assumptions depends on the context within which the assumption is made. Geocentric models of the universe have remained the standard model for many centuries. The prevalence of a false assumption such as the assumption that the earth does not move can be well explained when we consider the assumption within common scientific practice at the time. Not only did this practice constrain the access to other ontologies, but modelers employing different versions of this model furthermore acted in accordance with common scientific practice.

Mills (2005, 2019) argues that idealizations abstracting away from histories of colonization and racism remain prevalent in ideal theory. He attributes the prevalence of such assumptions to the

⁵⁰ I draw here on Mäki's (2013) assessment of “the truth of false idealizations”, which is grounded in an account of models as partly pragmatically and partly ontological. Mäki (2009, 32) gives the following account of models: “Agent A uses object M as a representative of some target system R for purpose P, addressing audience E, prompting genuine issues of resemblance to arise; and applies commentary C to identify and align these components. The truth of an assumption is thus dependent on the purpose P, the addressed audience E and the resemblance relationship according to the relevance established in the commentary C.”

composition of the “professional philosophical population” (Mills 2005, 172). In this population, certain groups—most notably, “middle-to-upper-class white males”—are overrepresented, which comes at the cost of the representation of minorities (Mills 2005, 172).⁵¹ Certain idealizing assumptions that are prominent in ideal theory reflect the experiences of overrepresented groups, yet not those of minorities. Differently formulated, the context of ideal models in political philosophy is characterized by an underrepresentation of minorities that limits the access to a broader variety of ontologies. From this perspective, making political philosophy more sensitive to issues like racism may require the adjusting of what is currently considered common philosophical practice. Addressing Mills’s critique requires, at a minimum, a careful consideration of the context in which theories and assumptions are formulated.⁵²

2.4 The Function of Non-ideal Models

The purpose of more realistic models is to serve “as bridges to the world” (Mäki 2009, 35). I suggest non-ideal models in political philosophy similarly serve as bridges. They aim to discover what more just social arrangements are, given the actual-world circumstances we find ourselves in. Starting with assumptions about actual-world injustices, the purpose of non-ideal models is corrective justice (Mills 2017) and to “provide principles to adopt under less happy conditions” (Rawls 1971, 246). Assumptions can be used in two ways to let non-ideal models appropriately resemble their target systems (2.4.2). Firstly, these assumptions can be abstractions instead of idealizations. Secondly, the assumptions can be arrived at by relaxing the idealizing assumptions of an ideal theory. By adding facts about the actual world to an ideal model, the model is concretized or de-idealized. In either case, non-ideal models should incorporate some dynamic aspects (2.4.1). If they do not, they may affirm an unjust status quo instead of, implicitly or explicitly, move an unjust actual world closer to more just model worlds.

Although the Continuum Approach is in agreement with Rawls in circumscribing the role of ideal models in political philosophy, it diverges from the Rawlsian conception of the ideal/non-ideal distinction in its understanding of the function and development of non-ideal models and theory. Rawls concedes that non-ideal theory asks how the long-term goal developed in an ideal theory

51 The underrepresentation of minorities in academic philosophy is more widely considered to be an issue that needs to be addressed. This is for example reflected in various reports about minorities in philosophy commissioned and published by the American Philosophical Association (APA). These reports are online available at <https://www.apaonline.org/page/data> [last accessed 14 July 2020].

52 Taking models to be experiments, Mäki (2005) suggests they allow for the testing of theories. Likewise, political philosophers might “test” normative principles by thinking about the effects they could have in a particular model representation of society. Whether this model representation of society is inspired by Hobbes or Rousseau, one can imagine, would lead the same principles to yield very different results. It is therefore important to identify the models that philosophers use in their normative theories.

might be achieved (Rawls 1999, 89–99).⁵³ It follows that non-ideal theory is always derived from ideal theory. I suggest that a non-ideal theory asks to what extent certain values, the values fully realized in an ideal theory, can be realized in the modeled non-ideal target system. This question may be answered by relaxing the assumptions of an ideal model. This approach may approximate the way in which Rawls understands the relationship between ideal and non-ideal theory. Alternatively, the development of a non-ideal model of an actual-world target system may precede relating this model to a desired ideal model. In both cases the non-ideal model can be placed on an ideal/non-ideal continuum. It is the way in which the model is arrived at that is different. The Continuum Approach transcends the opposition between Sen's plea for a comparative theory of justice and Rawls's ideal-theory-centered approach. Although a fully developed theory of justice is not considered a prerequisite for the initial development of non-ideal theory, the Continuum Approach does require each non-ideal model to be placed on an ideal/non-ideal continuum.

2.4.1 Non-Ideal Theory as Transitional Theory

Non-ideal theory typically relies on two models. The first model describes actual-world circumstances, while the second model has a more just version of the world as its target system. The relationship between the two models can be conceived of as comparatively static. Each model depicts a state of affairs, whereby comparison in terms of justice between the models becomes possible. The purpose of non-ideal theory is to correct for (some) injustices by fitting the first model closer to the second model. Proposing normative principles to facilitate this fitting of one model to another, non-ideal theory has a transitional character. To reflect this transitional character and to prevent non-ideal theory from affirming an unjust status quo, two dynamic aspects must be incorporated. Neither of these two aspects is internal to non-ideal models, yet both are closely connected to them.

Firstly, the normative principles connecting a descriptive and a normative non-ideal model should aim at addressing the circumstances which the assumptions describe. To serve as a transitional device, non-ideal theory should propose normative principles with a dynamic character. Charles Mills (2017) develops a non-ideal model that rests on assumptions about racial oppression and white dominance. The normative principles he derives from his model are dynamic, because they demand from us that we change the current circumstances by upholding these principles. They call for us to “end racially unequal citizenship” and “end racial disrespect” (Mills 2017, 215). Compared to the Rawlsian principle stating that “each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others” (Rawls 1971, 60), the formulation suggests a dynamic form of action in the former case, while in the latter case it rather describes a situation we ought to create. While Mills's principles suggest how we get to a better next stage, the Rawlsian

53 The Continuum Approach, like Rawls, holds that ideal theory assumes favorable circumstances and full compliance, while non-ideal theory assumes unfavorable circumstances and partial compliance. As these sets of assumptions form representations of respectively fully just and actual world target systems, I refer to them as ideal and non-ideal models.

principles require no further action to make the circumstances more just.⁵⁴

Secondly, non-ideal models ought to be dynamic in the sense that they are re-evaluated once the principles of justice a non-ideal theory proposes are successfully realized. As the target system is changed, the assumptions underpinning that model are no longer correct. The normative principles change the target system. For example, a non-ideal model that aims to minimize poverty may initially assume, based on an analysis of the actual-world target system, that societies are characterized by an (unfair) unequal distribution of resources. As poverty is minimized, this assumption no longer appropriately represents the target system. It therefore ought to be reconsidered. The model itself thus needs to have a dynamic aspect that calls for the re-evaluation of the assumptions underpinning the model and subsequent remodeling.

Although a dynamic character should be present in most non-ideal theories, there are also exceptions. Mills assumes that the actual world is characterized by a history of white dominance and black oppression. A non-ideal theory cannot be expected to change this history. In these cases, a non-ideal theory may be an end-state rather than a dynamic corrective model with regard to these specific aspects. When actual-world circumstances, however, are successfully adjusted to a model depicting more just circumstances, such assumptions might become less relevant. In a society characterized by equal racial citizenship, the history of white dominance and black oppression is relevant to a lesser extent than in a society where racial inequality persists.

2.4.2 Abstraction and Relaxation

Arend Lijphart's model of consociational democracy uses abstractions to isolate the mechanism that generates democratic stability in severely segmented societies (Lijphart 1969). The assumptions are arrived at through an examination of a segmented society in which at the same time stable democracy appears to exist (Lijphart 1968a). Abstracting away from the specific details of his initial case study, the Netherlands, Lijphart develops a model that not only applies to the Dutch case, but to other cases as well (Lijphart 1968b). Empirical models that primarily use abstractions instead of idealizations often have a narrative form, because the more information about the target system the model includes, the more details must be described. This can be, but not necessarily is, difficult to capture in a more schematic form.

Examining actual-world injustices, Charles Mills (2017) argues that a non-ideal theory of justice should only omit certain details by using abstractions, and not distort details by using idealizations. This will provide us with a non-ideal model of an ill-ordered society that represents actual-world societies more appropriately. Contrasting his abstractions with Rawls's idealizations, Mills assumes that (i) societies are ill-ordered coercive ventures characterized by "exploitation and systemic disrespect for subordinated groups rather than mutual advantage and reciprocal respect" and that (ii) persons are not isolated individuals, but "raced humans interacting in racialized way". (Mills, 2017: 209). Using this non-ideal model as a starting point, Mills employs Rawls's Original Position to

54 However, when a political conception of justice is the focus of an overlapping consensus, some dynamism also comes into play in Rawlsian theory of justice. To be the focus of an overlapping consensus, a political conception of justice must be continuously reflected upon. Chapter 5 will briefly discuss this aspect of Rawlsian just social cooperation (5.3).

develop principles that will correct the historical social injustices that characterize current societies instead of principles guiding a fully just society,

What aspects of Rawls's ideal theory of justice does Mills object to? He critiques the moral principles for not being applicable to an actual-world situation that is characterized by relations of racial domination. The idea of justice that Rawls posits is not bad in itself, but it is irrelevant in actual-world circumstances. What Mills keeps from liberalism are the values central to it: the equality and the freedom of the individuals. What is needed to express these values is dependent upon the circumstances in which these values are to be expressed. The purpose of his non-ideal model necessitates the use of abstractions over idealizations.

It could be objected that if a non-ideal model is developed using abstractions and is thus not directly derived from an ideal model, the relationship between the ideal and non-ideal models cannot be understood using this model approach. I suggest that if we accept that a non-ideal model aims at making some non-ideal circumstances more just, and if we accept that the model is transitional, we can still place it on a continuum ranging from unjust to fully just. The former corresponds with a non-ideal model and the latter can be depicted in the form of an ideal model. Although this ideal model might not play a role in the initial development of the model, it ought to be identified when the model is used to develop normative principles to improve injustices.

A non-ideal model can also be developed by further approximating the target system of an ideal model. By adding information about the target world to the model world the idealizing assumptions of the ideal model are relaxed to develop a more realistic model (Hindriks 2013). Modeling through relaxation always requires two models: a more idealized model and a more realistic model. The more realistic model is derived from the more idealized model. For example, the assumptions of the highly idealized Miller-Modigliani model are relaxed to explain actual-world phenomena (Hindriks 2013). Factors that are assumed to be absent in the ideal model – among other things: taxes, market inefficiency, agency costs, and bankruptcy costs – have been added to the model by various authors to use the model to explain some actual-world mechanism. The modeler can experiment with the model by relaxing different assumptions and testing the outcomes.

Moving from *A Theory of Justice* to *Political Liberalism* Rawls notes that “[t]he fact of plurality of reasonable but incompatible comprehensive doctrines – the fact of reasonable pluralism – shows that, as used in *Theory* the idea of a well-ordered society of justice as fairness is unrealistic” (Rawls 1993, xvii) Rawls takes a first step in the direction of non-ideal theory by relaxing the assumption of a well-ordered society that underpinned his theory of justice. By adding the fact of pluralism to his initial model, Rawls adjusts his assumptions so that the model world is better fitted to its target system and his theory of justice is better applicable to actual-world circumstances.

Susan Moller Okin (1989) relaxes Rawls's idealizing assumption about the family by adding information about gender inequalities in the family:

Once we dispense with the traditional liberal assumptions about the public versus domestic, political versus nonpolitical spheres of life, we can use Rawls' theory as a tool with which to think about how to achieve justice between the sexes both within the family and in society at large. (Okin 1989, 109).

When this assumption is relaxed, the liberal ideal model world is closer to actual-world circumstances and thereby better able to address the inequalities and injustices that characterize the target world.

2.5 Conclusion

The key observation around which this chapter revolves is that, drawing on the philosophy of science literature about models, parallels can be drawn between the methodology of political philosophy and that of other sciences. This allows for a more precise understanding of the purpose of models and the function of the assumptions they employ. The distinction between ideal and non-ideal theory is dependent on the model representation that they employ. It does not primarily lie in the values that they aim to realize or the principles they propose for doing so.

I have argued that because idealizations and abstractions can be used in varying degrees, it makes more sense to conceive of the ideal/non-ideal distinction as a continuum than as a binary opposition. Both apparently unrealistic ideal and more realistic non-ideal models have a function in political philosophy. Political philosophy comprises a continuum ranging from very realistic to highly idealized models. Looking at the function of idealizations in relation to the purpose of the model allows for the development of more refined critiques of the apparently unrealistic assumptions and conclusions drawn from ideal models. Understanding the specificities of models used normatively in political philosophy, I have argued that non-ideal models, addressing actual-world injustices, should incorporate some dynamic aspects. Not doing so may lead the model to support an unjust actual-world status quo indefinitely.

The Continuum Approach offers an understanding of the relationship between ideal and non-ideal theory in terms of ideal and non-ideal models. In the subsequent chapter, this approach will be applied to analyze the relationship between a particular ideal and non-ideal model: liberal democracy and consociational democracy. How the Continuum Approach to the ideal/non-ideal distinction can aid the evaluation of a particular model will become clear in Chapters 4 and 5. There, the consociational model will be analyzed. First, however, Chapter 3 will provide empirical input from an actual-world target system: Bosnia and Herzegovina. This will primarily serve to evaluate whether the assumptions of the consociational model appropriately resemble their target system. Responding to the critiques of ideal theory, the inclusion of perspectives from those directly affected by the consociational model play an important role in this chapter.

3 Consociational Democracy in Bosnia and Herzegovina

3. Consociational Democracy in Bosnia and Herzegovina

“The peace agreement balances the reality of division with the structure of cooperation and integration, and is based on the hope that over time the imperative of integration in the country and the region will be the dominant factor.”

(Bosnia's first High Representative, Carl Bildt 1998, 392)

The post-conflict institutional design in Bosnia and Herzegovina is a clear case of consociational democracy. Florian Bieber (2006, 27) describes the Dayton system as “an extreme textbook example of consociationalism”. Marc Weller and Stefan Wolff (2006, 4) suggest that Bosnia's political system can even be argued to represent “two consociational settlements within the boundaries of a single state”. At the same time, Nina Caspersen (2004) argues that Bosnia is a consociational democracy that also exhibits some elements of integrative approaches. Arguably, and as exemplified by the words of Carl Bildt quoted above, Bosnia is not only a classical example of a consociational democracy, but also represents the liberal aspirations of international peacebuilding efforts in the 1990s. The challenge in Bosnia is, in the words of Sumantra Bose (2002, 252), to “build a system that can simultaneously accommodate national identities and liberal-democratic values”.

As can be inferred from these comments, Bosnia presents an exemplary case in which the tensions around consociationalism come to the fore. The efforts of the international community have focused on the realization of liberal values and the accommodation of groups. The case study sets out to examine how the theoretical tension between consociational democracy and liberal values plays out in practice. To enrich theorizing, I did empirical research in Bosnia. In a series of semi-structured interviews with Bosnian citizens, I tapped into the daily experiences of living and working in a consociational democracy. The respondents work for civil society organizations concerned with human rights and democracy. With my respondents, I reflected on the benefits and pitfalls of Bosnia's consociational democracy. The interviews are contextualized and complemented by an analysis of primary and secondary sources.

The gathered qualitative data will be used to assess consociational democracy as a liberal non-ideal model. First, the case study illustrates and tests the assumptions used by consociational theorists. Do the characteristics of Bosnian society corroborate consociational assumptions about deeply divided societies? Do Bosnians experience their divided society as consociationalists assume it is constituted? Second, the case study examines to what extent the tensions highlighted in the scholarly debate – between consociation and liberal values, between the realization of justice and unjust circumstances – are also the tensions that characterize the Bosnian consociation. Is the apparent incompatibility of consociation and individual liberty an important problem for Bosnian citizens? The interviews set out to see to what extent tensions around consociational democracy are experienced in practice. This taps into the values of Bosnians and highlights the dimension of daily life in a consociational democracy. The case study gives a voice to citizens who are not members

of the political or academic elite. Including an audience in a broader sense, beyond political or scholarly elites, seems important for democratic models in particular.

Consociational theory strongly draws on empirical data from case studies. Many of the studies use quantitative data. They rely for example on numerical data from censuses or elections (e.g. Hodžić and Mraović 2015; R. Wilson 2009). The quantitative data used by consociationalists has not yet convinced liberals of the liberal character or liberal potential of consociational theory. Numerical data from censuses and elections or analysis of the formation of grand coalitions fail to convincingly show whether and how consociations are in the best interest of citizens. Qualitative studies analyze minutes, summaries and recordings of political debates (Jusić and Stojanović 2015) and include interviews with senior political actors (Merdzanovic 2015).⁵⁵ I am not aware of any studies using interviews with civil society actors to reflect on the consociational/liberal tension. The consociational literature, to the best of my knowledge, has not yet asked what it is like to live and work in a consociational democracy for those who are not part of the political elite. The answer to this question may help bridge the persisting gap between consociational theory and its liberal critics.

An analysis of the empirical data gathered through a series of semi-structured interviews forms the core of this chapter. The first two sections contextualize this analysis. The interviews probe the respondents' views on the tension between individual rights and the consociational system, their ideas about justice, and the limitations posed by the non-ideal circumstances in a severely divided society. Basic knowledge of the consociational democracy in Bosnia and the potential problems it creates thus forms the background for all the interviews. The first section provides information about the consociational political system and its historical context (3.1). The second section discusses the most prominent positions taken up in the scholarly debate about consociational policy in Bosnia (3.2). The third section discusses the methodology of the case study (3.3). This contextual framework provides the foundation for discussing the main findings distilled from the interviews in the final section (3.4.).

⁵⁵ Mirna Jusić and Nenad Stojanović examine the arguments political actors put forth to justify reserving seats for minorities. In addition to audio files, transcripts and minutes of two sessions in the state parliament, they analyze "(1) draft amendments and proposals for amendments to the municipality's statute with narrative justifications of both; (2) minutes/transcripts/audio recordings of local council/assembly sessions where the draft amendments and the proposed amendments were discussed; (3) materials from any other session where the sponsor of the amendments gives reasons for the amendments; and (4) minutes of any public hearings on amendments to the statute" (Jusić and Stojanović 2015, 407). Based on their analysis of these documents they conclude that justice is not the frame within which representation of national minorities is justified. Instead, it is complying with international rules and regulations that appears to be the most used argument in these debates (Jusić and Stojanović 2015, 414)

3.1 Consociationalism in Bosnia and Herzegovina

Consociationalism was introduced in Bosnia as part of the peace agreement that ended the Bosnian war in 1995. The constitution of Bosnia was attached to the General Framework Agreement for Peace in Bosnia and Herzegovina, also known as the Dayton Peace Agreement, as annex four.⁵⁶ It outlines consociational arrangements to democratically manage the power between the three main conflicting groups in Bosnia. It came into force when the Agreement was signed on December 14, 1995. The Agreement was negotiated with considerable difficulty. There was widely felt relief when, after more than four years of violent conflict, the Agreement put an end to the war in Bosnia and Herzegovina.⁵⁷

Understanding the history of Bosnia, looking several centuries back, is necessary to fully understand the war and the circumstances that characterize Bosnian society today. However, my purposes here are more modest. Insightful overviews of Bosnian history and interpretations of the relations between its three main peoples have been provided by various authors.⁵⁸ Drawing on these, a brief and by no means complete sketch of the immediate circumstances in which the Dayton Peace Agreement was drawn up is provided (3.1.1). I then move on to discuss the political arrangements outlined in the Dayton constitution and explain why these should be considered as consociational (3.1.2). This provides an important insight into the layered complexity of the Bosnian political system that forms the background of the interviews. The last section illustrates concerns about the realization of liberal values in the Bosnian consociation (3.1.3). It discusses the case of *Sejdić and Finci v. Bosnia and Herzegovina*.⁵⁹

As identification, narratives, and histories lie at the heart of the disputes between different peoples in Bosnia, I am fully aware of the precariousness and importance of the language and terminology used in describing the conflicts in the region.⁶⁰ For example, at the time of writing, three different languages are officially taught in schools in Bosnia: Bosnian, Serbian, and Croatian. So many similarities exist between these languages that speakers can understand one another without

⁵⁶ General Framework Agreement for Peace in Bosnia and Herzegovina (21 November 1995), available online at <https://peacemaker.un.org/bosniadaytonagreement95> [last accessed 19.04.2020]

⁵⁷ However, even the idea that it is good that the agreement brought peace to Bosnia is not univocally supported. Some people feel it would have been better to let the war run its course. They suggest that the power balances emerging from the war would have been much more manageable than the current power-sharing construction (Personal Communication, Researcher and Human Rights Activist, June 2017).

⁵⁸ I especially draw on excellent contributions by Francine Friedman (2004), Mark Attila Hoare (2007), Adis Merdzanovic (2015), Mitja Velikonja (2003), Sumantra Bose (2005), Xavier Bougarel (1996) and, focusing on the Bosnian Muslims, Mark Pinson (1993) and Tone Bringa (1995).

⁵⁹ *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR 2009-VI

⁶⁰ Specific conceptions of the history of and conflict between the groups in Bosnia have significantly shaped the thinking about the solutions. This is for example illustrated by Richard Holbrooke's (1998, 22) personal account of the negotiations leading to the Dayton Peace Agreement. He mentions that according to various news outlets in the 1990s, Presidents Bill Clinton and several White House officials were heavily influenced by the bestseller *Balkan Ghosts* by Robert Kaplan (1993). The book covers different countries in the Balkans, amongst which Bosnia. The general tendency characterizing Kaplan's approach is to view the conflict in Bosnia as the flaring up of ethnic conflict that has lingered just below the surface across the region for many centuries.

many difficulties. And until the 1990s they were all known under the common denominator Serbo-Croatian. Nevertheless, children are taught that the language differences matter more than the similarities.⁶¹ It matters whether we speak of Bosniaks or Bosnian Muslims, ethnic groups or national groups, war or civil war, also in academic texts.⁶² Yet, many of these complexities will remain outside the scope of this study. The main aim is to explore the tensions between liberal and consociational democratic theories. The overview provided here sketches the context of such tensions. Bosnia is deeply divided society, governed through a consociational democratic system. Consequently, it provides an excellent case through which to explore the possibilities as well as the barriers to justice experienced in the application of the consociational model. Chapter 2 argued that to address injustices in a particular society, a non-ideal model should appropriately resemble this society. Chapters 4 and 5 will assess the relationship between the assumptions employed in the consociational model and the circumstances in an actual-world deeply divided society, drawing on the qualitative data provided in this chapter.

3.1.1 Context

The history of Bosnia and the relationships between its inhabitants is complex and much is written about it. The country has existed as a single territory since the Middle Ages and has been inhabited by Bosnian Croats, Bosnian Serbs, and Bosniaks since that time. The territory has more often than not been ruled by external powers. Starting in the fifteenth century, Bosnia was a province of the Ottoman Empire. In 1878, it came under Austro-Hungarian rule. After the First World War, Bosnia was part of Yugoslavia: from 1918 until 1941 of the Kingdom of Yugoslavia, and from 1945 until 1992 of the Socialist Federal Republic of Yugoslavia.⁶³ Each of these phases was characterized by different political arrangements and during each of these phases the importance of different identities was emphasized. Consequently, various commentators have examined these histories in order to find explanations for the violent conflict and apparent hatred that ensued in 1992.

⁶¹ A informative article about segregation in the Bosnian public school system was published by Barbara Surk (1 December 2018) in *The New York Times*, online available at

<https://www.nytimes.com/2018/12/01/world/europe/bosnia-schools-segregated-ethnic.html> [last accessed 16 April 2020].

⁶² Following, *inter alia*, the terminology employed in the Bosnian constitution, the term “Bosniak” and not “Bosnian Muslim” will be used. As each group can be identified based on ethnic as well as religious markers, I find it appropriate to choose the same marker to indicate each of the groups. Bosnian Croats and Bosnian Serbs are not commonly referred to using religious markers. Although the three groups are also referred to as Bosniaks, Serbs, and Croats, it is appropriate to make a distinction between Serbs and Croats from respectively Serbia and Croatia, and Bosnian Serbs and Bosnian Croats.

⁶³ During the Second World War (1941-1945), Yugoslavia was conquered by and its territory divided between the Axis powers.

In the early 1990s the Socialist Federal Republic of Yugoslavia disintegrated. Although the secession of Slovenia and Croatia had not gone uncontested, the independence of Bosnia was a particularly intricate issue. Unlike the populations of Slovenia and Croatia, the population of Bosnia was highly mixed; it comprised significant numbers of Bosnian Croats, Bosnian Serbs, and Bosniaks. Bosnian Serbs and Bosniaks also inhabited certain areas of Croatia, but the population there was mixed to a much lesser extent than in Bosnia. In response to Croatian and Slovenian declarations of independence, a referendum was held in Bosnia in 1992. It sought to determine whether an independence declaration was supported among the Bosnian population. An overwhelming majority voted in favor of independence. However, many Bosnian Serbs had not voted in the referendum, leading many to argue that the referendum was thus not legitimate. Bosnian Serbs appeared to prefer to maintain the federal ties to Serbia over an independent Bosnia.

When Bosnian leaders nevertheless declared Bosnia's independence in 1992, a war broke out in the country.⁶⁴ The more than three-year long siege of Sarajevo and the genocide that took place in Srebrenica in 1995 are the examples of the violence and cruelty of the Bosnian war best known to an international audience. The polarization between these three groups that was so painfully visible during the war continues to define Bosnia today. This is the background against which the Bosnian constitution was drafted. The claims of the three main constituent groups of Bosnia and the territorial occupation that was the result of the war were leading considerations in the development of the constitution.⁶⁵

Under great pressure from the international community, a peace conference started on 1 November 1995 at the Wright-Patterson Airforce base near Dayton, Ohio (I. Daalder 2000; Holbrooke 1998). The main participants to the negotiations from the region were the President of Bosnia, Alija Izetbegović, the President of Serbia, Slobodan Milošević, and President of Croatia, Franjo Tuđman. The negotiations were led by an American delegation headed by Richard Holbrooke. On 21 November 1995 a peace agreement was reached. The agreement was formally signed in Paris on 14 December 1995.

64 The Bosnian war has also been referred to as a civil war. As there is ample evidence of the involvement of the Former Socialist Republic of Yugoslavia (at the time, now Serbia) and especially the ties between its president Slobodan Milošević and the Bosnian Serb leadership, the conflict clearly crossed national boundaries and is therefore more appropriately considered a war than a civil war.

65 According to various commentators, the territorial settlements were more important during the negotiations than the constitutional or institutional arrangements (e.g. McEvoy 2015, 109). In the months leading up to the parties reaching a deal on the peace agreement in Dayton joined Croat and Bosniak forces took back large parts of the territory of Bosnia that the Bosnian Serbs had gained over the past years. This changed the territorial division from 70 percent Serb and 30 percent Bosniak/Croat more towards 50/50 in only a matter of weeks (Bose 2002, 60). The latter division, chief negotiator Richard Holbrooke thought, would make the Serbs more “conciliatory at the negotiation table” and was therefore preferred by some, yet not all, of the international negotiators (Holbrooke 1998, 73)

The importance of “the map” is illustrated by an anecdote that Holbrooke (1998, 294–97) calls “The Chart Fiasco”. At some point during the negotiations the division of territory had come to 55/45 in the advantage of the Bosniak-Croat Federation. In an attempt to convince especially the Bosniaks of the benefits they had gained at Dayton, one of the negotiators had drawn the number on a chart in large letters. When a member of the Serbian delegation accidentally saw the chart, the negotiators had to put in a lot of effort to bring the division back to the 51/49 that was agreed upon at the beginning of the negotiations to also keep the Serbian delegation on board.

3.1.2 Consociational Arrangements in Bosnia

The territorial division reached at the end of the war in 1995 continues to characterize Bosnia today. The constitution provides for a federal structure with high degrees of autonomy for each of the two constituent states.⁶⁶ The two federal entities, the Republika Srpska and the Federation of Bosnia and Herzegovina, both have considerable political autonomy.⁶⁷ The Republika Srpska comprises roughly 49 percent of the Bosnian territory and the Federation of Bosnia and Herzegovina 51 percent.⁶⁸ Each of the entities has its own constitution. The constitution attached to the DPA outlines only the political structure of the federal state of Bosnia and Herzegovina. In the following I focus mainly on the consociational structure of the Bosnian state level constitution attached to the DPA. Figure 3.1 provides a simplified overview of Bosnia's highly complex and layered political structure.

The preamble to the constitution of Bosnia and Herzegovina states that “Bosniacs, Croats and Serbs, as constituent peoples (along with Others)” determine the Bosnian constitution.⁶⁹ The Federation's constitution has a similar provision. In the first article it states “Bosniacs and Croats as constituent peoples, along with Others”.⁷⁰ The basic provisions of the Republika Srpska's constitution state that the “Republika Srpska shall be the State of Serb people and all its citizens”.⁷¹ Each constitution leaves room for citizens not identifying as Bosniak, Croat, or Serb by referring to a category of “Others” or “all its citizens”. Consociational institutions, however, regulate power-sharing between the three “constituent peoples”, largely disregarding citizens who do not identify with one of these three peoples. The characteristics of consociational democracy—representation of groups, veto rights, and segmental autonomy—apply to these three groups.

⁶⁶ Constitution of Bosnia and Herzegovina, art. I.3

⁶⁷ The Federation of Bosnia and Herzegovina (hereafter: the Federation) resulted from an accord between Bosnian Croats and Bosniaks in 1994. The Federation's constitution was adopted only a few months after the fighting ceased and the Bosniaks and Bosnian Croats had joined forces (Bose 2002, 77). To accommodate both groups, and especially to appease the Croatian minority in the Federation, the Federation has a strongly decentralized internal structure. It consists of ten cantons. Three are predominantly Croat and the others predominantly Bosniak. More than eighty municipalities form the third level of government in the Federation. Most political responsibilities within the Federation lie with the Canton governments (Hayden 2000, 114–16). The federal government and the municipal governments play a relatively weak role. The Republika Srpska has a significantly more centralized structure than the Federation. The intermediate canton-level of government does not exist in the Republika Srpska. It has a central government and more than sixty municipalities. The municipalities play an important role in the implementation and administration of state policy, but the main decision-making responsibilities lie with the state government in the Republika Srpska.

⁶⁸ The status of the Brčko District was the only issue not finalized in the DPA. The district was tentatively divided over the two entities and arbitration concerning its status was agreed upon. The arbitration process was concluded and the Brčko District was confirmed as a self-governing district.

⁶⁹ BiH Const. preamble

⁷⁰ Constitution of the Federation of Bosnia and Herzegovina, online available at <http://www.ohr.int/laws-of-bih/constitutions-2/> [last accessed 10 June 2020]

⁷¹ Constitution of the Republika Srpska, online available at <http://www.ohr.int/laws-of-bih/constitutions-2/> [last accessed 10 June 2020]

Bosnia has a bicameral system. The parliamentary assembly comprises a house of peoples and a house of representatives.⁷² An equal division of power between the three constituent peoples and the two entities determines the composition of the two chambers and of the presidency. The house of peoples consists of fifteen delegates; ten from the Federation and five from the Republika Srpska.⁷³ Of the delegates from the Federation five must be Croats and five Bosniaks. The delegates of the house of peoples are not directly elected by popular vote but selected by, respectively, the house of peoples of the Federation and the national assembly of the Republika Srpska. The house of representatives comprises forty-two members.⁷⁴ Also the federal structure plays a role in the division of seats: two-thirds of the members of the house of representatives are elected from the Federation and one-third from the Republika Srpska.⁷⁵ No additional provisions on the ethnicity of the members of the house of representatives are made. Contrary to the delegates of the house of peoples, the members of the house of representatives are directly elected from each entity.⁷⁶

The political leadership of Bosnia comprises a three-member presidency consisting of a Bosniak, a Bosnian Croat and a Bosnian Serb.⁷⁷ The Bosniak and the Bosnian Croat member of the presidency are directly elected from the territory of the Federation. The Bosnian Serb member of the presidency is directly elected from the territory of the Republika Srpska. The chair of the presidency rotates. The presidency nominates a chair for the council of ministers.⁷⁸ In turn, the chair nominates at least a foreign minister, and a minister of foreign trade. Other ministers can be nominated as the chair sees fit. At most two-thirds of the ministers can be from the territory of the Federation.⁷⁹ The chair also nominates deputy ministers that always have to be of a different ethnicity than the minister.

72 BiH Const. art. IV

73 BiH Const. art. IV §1

74 BiH Const. art. IV §2

75 BiH Const. art. IV §2a

76 The constitution of the Federation of Bosnia Herzegovina also provides for a house of peoples, a house of representatives and a presidency. The presidency consists of a president and a vice-president (Fed. BiH Const., art. IVB §1). These cannot be of the same ethnicity. Moreover, two subsequent presidents cannot be of the same ethnicity either. The composition of the house of peoples is also based on ethnicity, but is even more complicated as it is dependent on the ratio of Bosniak/Croat delegates to Other delegates in the cantons as well: "There shall be a House of Peoples, comprising 30 Bosniak and 30 Croats Delegates as well Other Delegates, whose number shall be in the same ratio to 60 as the number of Cantonal legislators not identified as Bosniak or Croats in relation to the number of legislators who are so identified." (Fed. BiH. Const. art. IVA.2.6)

The house of representatives has 140 members. Further requirement concerning the ethnic identity of these members are not specified in the Federation constitution. The Republika Srpska's constitution provides for a presidency and a national assembly. For neither of these are specific proportional arrangements specified.

77 BiH Const. art. V

78 BiH Const. art. V §4

79 BiH Const. art. V §4b

Lastly, the members of the constitutional court also have to represent the two entities and the three ethnicities central to Bosnia's constitution.⁸⁰ The court consists of nine members. Four are selected by the Federation's house of representatives and two by the general assembly of the Republika Srpska. The remaining three members cannot be from Bosnia or any of its neighboring countries. These judges from other states are appointed by the European Court of Human Rights in consultation with the presidency.

The federal structure of the highly decentralized Bosnian state leaves much political responsibility at the entity or even canton level. The state is thus characterized by high levels of segmental autonomy. The autonomy of the Bosnian Serbs is guaranteed by the autonomy of the Republika Srpska. In the 2013 census 30,78% of the population of Bosnia declared themselves Serb.⁸¹ Of the population of the Republika Srpska 81,51% is Serb. The autonomy of the Croats and Bosniaks is not only ensured through the power delegated to the Federation government, but especially by the high degree of autonomy granted to the cantons. The Federation comprises 70,40% Bosniaks and 22,44% Croats. It is primarily at the cantonal level and not at the Federation level that the ethnic dispersion of Croats and Bosniaks coincides with geographical areas. The overall population of Bosnia is mixed—50,11% Bosniak, 30,78% Serb, 15,43% Croat, 2,73% Others, 0,95% undeclared or unknown at the state level. The political structures dividing power between Bosniaks, Serbs, and Croats are an example of consociational proportional representation.⁸² Proportional representation characterizes the central state level as well as at the Federation level.

Furthermore, the constitution provides the groups with extensive instruments for protecting their group's interests. A system of veto rights and quora ensures that a group cannot be easily dominated by other groups. The constitution gives the three members of the presidency a right to veto decision that they consider "to be destructive of a vital interest of the Entity from the territory of which he was elected".⁸³ To hold, the veto should subsequently be backed by the representatives of this group in either the national assembly of the Republika Srpska or the house of peoples of the Federation.

⁸⁰ BiH Const. art. VI §1

⁸¹ The results of the 2013 census are available online at <http://www.statistika.ba/> [last accessed 10 June 2020].

⁸² For the specificities of consociational proportional representation, see 1.1.2.

⁸³ BiH Const. art. V §2d

3.1: Political Structure in Bosnia and Herzegovina

PRESIDENCY
3 members
1 Bosniak from FBiH;
1 Croat from FBiH; 1 Serb from RS

HOUSE OF REPRESENTATIVES
42 members
28 from FBiH; 14 from RS

FEDERATION OF BOSNIA AND HERZEGOVINA

Government
Prime Minister + deputy
12 Ministers + 12 Deputies
2 Ministers w/o portfolio

PRESIDENT
VICE-PRESIDENT

HOUSE OF REPRESENTATIVES
140 members

HOUSE OF PEOPLES
80 members
30 Bosniaks; 30 Croats; 20 Others

PRESIDENT
DEPUTY PRESIDENT

CANTONAL ASSEMBLY

Municipal Executive or Mayor + Deputy mayor

MUNICIPAL COUNCIL

VOTERS FROM FBiH

3.1.3 Sejdić and Finci v. Bosnia and Herzegovina

The complex consociational structure of the Bosnian constitution has not remained uncontested. In 2008 Dervo Sejdić and Jakob Finci submitted a complaint against the government of Bosnia with the European Court of Human Rights (ECtHR).⁸⁴ The case is a real-world manifestation of the theoretical disagreements between consociationalists and their liberal critics.

Sejdić and Finci are both citizens of Bosnia and Herzegovina. They figure prominently in Bosnian public life, in positions in international organizations and in government functions. They identify respectively as belonging to the Jewish and Roma minorities in Bosnia. Because they do not identify with one of the constituent peoples, not all positions in the Bosnian political system are open to Sejdić and Finci. The constitution they argued, is therefore a violation of the equality of citizens. It constitutes an instance of discrimination. This claim is based on two articles of the European Convention of Human Rights (ECHR):

1. Article 1 of Protocol Nº 12 - General prohibition of discrimination

1. The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.
2. No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

2. Article 14 - Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.⁸⁵

⁸⁴ *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR 2009-VI. Sejdić and Finci initially filed their complaints separately. After their cases were ruled to be admissible, they were joined and treated in one case.

⁸⁵ Written Submissions to the Grand Chamber, *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR 2009-VI, par. 4. Additional claims were made relying on three other articles. The applicants additionally referred to:

3. Article 3 of Protocol Nº 1 Right to free elections

The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.

4. Article 13 Right to an effective remedy

Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.

5. Article 3 (in relation to the first applicant only) Prohibition of torture

*No one shall be subjected to torture or to inhuman or degrading treatment or punishment. The court did not rule in favor of the applicant in regard of these articles, primarily because, the court states, the applicants were not personally targeted by the Bosnian constitution (Judgement, *Sejdić and Finci v. Bosnia and Herzegovina*, par. 58). As my main focus is the tension between values and the circumstances in which these ought to be realized, focusing on the main claims of the applicant suffices here.*

The applicants claimed that individuals ought in essence to be considered as equal and should be treated by the state as such. A state may differentiate between its citizens, but only on the basis of some particular action by an individual and not on the basis of “innate or inalienable characteristics”.⁸⁶ In democratic societies, individuals should all have equal opportunity to participate in political processes.⁸⁷ Equality in political participation is not only considered to be an end, but also an important means for citizens to protect their fundamental individual freedom.

One of the strategies employed by the respondent, the government of Bosnia and Herzegovina, is to show that the means, discrimination, is justified in light of its aim, peace and democratic stability. They argued that different or “less favorable” treatment is not always discrimination and that, in this case, it serves a legitimate aim. The respondent party quotes the BiH Constitutional Court in a case brought on by the Party for Bosnia and Herzegovina that was found ill-founded:

It means that they [the constitutional arrangements/laws] serve a legitimate aim, that they are reasonably justified and that they do not place an excessive burden on the appellants given that the restrictions imposed on the appellants’ rights are proportional to the objectives of the general community in terms of the preservation of the established peace.⁸⁸

The respondent party asserts that the same reasoning applies to the current case. Even if we accept that the applicants are treated differently where they should in fact be treated the same, then this different treatment is justifiable in the light of its aim, which is the preservation of peace after a devastating war.⁸⁹

The ECtHR ruled in favor of the applicants that the constitution of Bosnia entails a violation of the ECHR. The Bosnian government was urged to change the constitution. Yet not all the judges in the ECtHR concurred. In his dissenting opinion, Judge Bonello questions whether the ECtHR has sufficiently taken into consideration the particular circumstances of Bosnia. He asserts that the values of non-discrimination and equality are invaluable, but that “national peace and reconciliation are at least equally so.”⁹⁰ Only looking at the issue of human rights without taking the larger context into consideration, the ECtHR may have jeopardized peace and reconciliation. Judge Bonello states: “The Court felt compelled to disgrace the Dayton Constitution, but has not felt compelled to put something equally peace salving in its place.”⁹¹

86 The AIRE Center (2008) “Advice on Individual Rights in Europe”, Third Party Submission, *Sejdić and Finci v. Bosnia and Herzegovina*.

87 Open Society Justine Initiative (2008), Third Party Submission, *Sejdić and Finci v. Bosnia and Herzegovina*, §4.

88 Bosnia and Herzegovina (2008) Written Observations on Merits and Admissibility by the Respondent Party, *Sejdić and Finci v. Bosnia and Herzegovina*, §12.

89 Bosnia and Herzegovina (2008) Written Observations on Merits and Admissibility by the Respondent Party, *Sejdić and Finci v. Bosnia and Herzegovina*, §29, §32

90 Dissenting Opinion of Judge Bonello (2009), *Sejdić and Finci v. Bosnia and Herzegovina*.

91 Dissenting Opinion of Judge Bonello (2009), *Sejdić and Finci v. Bosnia and Herzegovina*.

The Bosnian consociation sparked a debate about consociational practice that mirrors the debate in consociational theory. On the one hand, referring to the ECHR, critics say the consociational system simply is not just. On the other hand, observers such as Judge Bonello maintain that it is the best available option for a peaceful Bosnia. Further, a peaceful Bosnia ought to be preferred over the war and its horrors, even when not all human rights can be upheld. Putting an alternative constitution in place of the Dayton constitution is no easy or straightforward matter. Although the Bosnian government has submitted various plans to the Department of Execution of Judgements from the ECtHR, as of the time of writing, the judgement has yet to be implemented.

The issues pointed out by Sejdic and Finčić are far from the only aspects of the Bosnian consociation that commentators have found to be problematic. Since its implementation in 1995, the Bosnian consociation has been both cautiously encouraged and critically scrutinized by scholarly commentators. The next section reviews some of the most important scholarly contributions on consociationalism in Bosnia.

3.2 Scholarly Perspectives on the Bosnian Consociation

Despite serious concerns the Bosnian consociation is not written off by academic commentators. As Sumantra Bose (2005, 323) observes, a decade after Dayton “the Bosnian state is not about to wither away.” This might suggest that at least some good has come from the state designed in Dayton. However, a brief review of the vast amount of literature on the Bosnian consociation shows that discrimination is far from its only problem. Is consociational democracy a fair and workable solution? And if it is, is it temporary or transitional? Several facets of the justice-dimension have been discussed in the scholarly literature, for example minority rights, representation, accountability, and civil society (Belloni 2001; Hodžić and Stojanović 2011; Hodžić and Mraović 2015; Jusić and Stojanović 2015; Manning 2004; Stojanović 2018). Furthermore, the international involvement in the development, implementation, and maintenance of the democratic arrangements in Bosnia is much discussed (Chandler 2000; Bose 2002; Hayden 1998; Merdzanovic 2015). As I am primarily concerned with the constitution attached to the DPA and the alleged liberal aspirations of the international community, this section discusses some of the major contributions relating to these aspects of the Bosnian consociation.⁹²

The lack of minority rights is perceived to constitute one of the biggest problems with the Bosnian constitution. If members of minority groups do not have equal rights to members of the main social groups, this constitutes a clear conflict with liberal values of individual freedom and equality. According to the 2013 census 3.7% of the citizens of Bosnia do not belong to one of the three constituent peoples.⁹³ This group of Others includes citizens who identify with the recognized “national minorities” such as Albanian, Jewish or Roma. But it also includes citizens who prefer a

⁹² Focusing on Bosnia instead of consociationalism more generally, Sumantra Bose (2002) offers a good example of how these questions and debates can come together in one book. (Although I do not want to suggest I adhere solely to his analysis of the case.)

⁹³ Results from the 2013 census are online available at <http://www.statistika.ba/> [last accessed 10 June 2020].

civic identity such as Yugoslav or Bosnian, and citizens who prefer “no declaration” or “unknown”. In comparison to the other three communities (Bosniak: 50,11%, Serb:, 30,78% Serb, Croats: 15,43%) the size of this group may seem insignificant. Furthermore, there is nothing in the Bosnian constitution that formally prevents citizens from declaring themselves as a member of one of the constituent peoples. It could be argued that the discrimination suffered by Others is a small sacrifice in the pursuit of peace and stability. Yet, as Nenad Stojanović (2018, 360) points out, “even if the Others in a society are a statistically insignificant and heterogeneous category, their exclusion from consociational institutions raises important normative and legal issues for liberal democracies.” In liberal democratic theory, numbers cannot override the intrinsic value ascribed to each individual.

Offering a different perspective on citizenship and minority rights, Eldar Sarajlić (2012) places the problems with Dayton citizenship in a broader historical and geographical context. Bosnian citizenship consists of different layers that include external citizenship in neighboring countries, the history of citizenship within Yugoslavia, and the differentiation between entity and national citizenship. This layered complexity which Sarajlić refers to as “nested citizenship” is one of the factors contributing to the incompatibility of some part of the constitution with the ECHR (Sarajlić 2012, 377–78). Nevertheless,

this does not mean that the root cause of the problem lies in the legal dimension of the Dayton citizenship itself and that it needs change in the direction of more simpler and centralised forms of political membership (Sarajlić 2012, 378).

The broad variety of experiences of citizenship—of entities, neighboring states such as Serbia and Croatia, Bosnia, former-Yugoslavia, the EU—requires an institutional or constitutional framework that reflects all these different experiences of citizenship. What is problematic and needs to change, according to Sarajlić, is the way in which political actors can (mis-)use these layered notions of citizenship and the way in which neighboring countries influence Bosnian citizenship. Although this may require some provisions in the Dayton definition to change as well, Sarajlić argues that the main culprit does not lie in the Dayton constitution. Instead, the Dayton constitution “can provide a vertical structure within which ideals of equality and all forms of liberty can be anchored and given practical manifestation” (Sarajlić 2012, 379).

Sumantra Bose provides a cautiously affirmative answer to the question of whether the Dayton framework for Bosnia “provides the basis for a viable multi-national democracy in BiH” (Bose 2005, 326). This is not in the least because the two structural alternatives, a more integrated state without a federal structure or partition of the country, are both not considered viable options. Within the current system, Bose (2002, 210–12) observes a positive tendency towards pluralization within political parties. Preferences other than the nationalist preferences reminiscent of the war influence citizens’ voting behavior. However, this pluralization is still happening strictly within the three nationalist blocks. Electoral reforms might be necessary to encourage cross-ethnic integration, but Bosnia after Dayton can be a viable democratic state (Bose 2005, 23).

Bose's cautious optimism appears to stem from the fact that he disconnects other problems—he names the poor quality of education, emigration, and the incompetence of the political class—from the Dayton Agreement and constitution (Bose 2005, 329–30). Bosnia is indeed “fragile”, but the fragility is caused by a variety of factors and “not because of some original sin visited on it in Dayton, Ohio in November 1995” (Bose 2005, 330). Others, including most of the respondents of this study, see a much closer and causal relationship between the consociational system and the problems in education, emigration and political rhetoric (see 3.4).

Within the first decade after the peace agreement was brokered and looking at the first results of the implementation efforts, some scholars were pessimistic about its prospects. Susan Woodward (1999, 74) holds that the Dayton Peace Agreement was “widely seen to be little more than a cease fire.” Robert Hayden (2000, 138, 126) calls the Dayton state “a mimic sovereignty with no effective government” and “a customs unit with a foreign ministry.” Policy reports in the late 1990s of the International Crisis Group (ICG) overseeing the implementation of the Dayton Accords do not sketch a rosy picture of the prospects. The consociational system was unable to foster the building of bridges between groups, as the international community had hoped. The ICG reported that “[f]or too long the country has been ruled by leaders who draw support from only one of the three main ethnic groups.”⁹⁴

Dino Abazović attributes the lack of reconciliation that he signals in Bosnia to the segmented politics under the Dayton consociation, because “[t]he design of its political institutions do not encourage cross-ethnic cooperation” (Abazović 2014, 50). Not all commentators agree whether these problems are inherent to the Dayton constitution or caused by flaws in the implementation of the constitution. What seems to be somewhat accepted is that the Dayton design has not been implemented to the letter. The ambiguities and the flexibility inherent to the Dayton constitution also allow for the little evolution that has been possible (Bieber 2006).

The lack of participation by Bosnian citizens is emphasized by many as a fundamental shortcoming of the Dayton constitution. This already started during the negotiations in Dayton, Ohio, where the Bosnians themselves had little or no say in the constitutional outline of their state (Chandler 2001, 115). The Bosnian delegation was just one out of five delegations at the negotiation table (Chollet, 2005: 134-135). The presidents of Serbia and Croatia signed the Agreement for the Bosnian Serbs and Bosnian Croats (Bose, 2002: 23). Yet, the constitution is only binding for the Bosnian parties to it, not the international parties. David Chandler (2006a) maintains that the lack of Bosnian involvement is symptomatic not only of the negotiations, but of the consociational system itself. He attributes this to the tendency to separate state-building from politics. There is little to no Bosnian input to “the making and implementation of policy,” which causes a “lack of political autonomy for Bosnian representatives, and of political accountability for Bosnian citizens” (Chandler 2006a, 2).⁹⁵ The Bosnian system is not even evaluated by Bosnian standards:

94 International Crisis Group. 1999. “Breaking the Mould: Electoral Reform in Bosnia and Herzegovina.” Sarajevo, 1.

95 Chandler identifies the separation of state-building and politics and the related lack of Bosnian input as a shared theme in the contributions to his edited volume *Peace without Politics? Ten Years of International State-Building in Bosnia* (Chandler 2006b).

The historically understood meaning of democracy- legitimacy through popular accountability to the electorate, the demos – has been replaced by a new meaning: adherence to regulations laid down by external institutions.” (Chandler 2001, 119)

Bosnian institutions are measured by a yardstick set by the international community, rather than by standards set through democratic processes by the Bosnian population.⁹⁶

This lack of Bosnian involvement is closely related to the excess of international involvement. Since the Dayton Peace Agreement was signed, Bosnia “has been the site of internationally sponsored political engineering on a remarkable scale” (Bose 2002, 3).⁹⁷ The Office of the High Representative (OHR) is an international institution that was established to oversee the implementation of the Dayton Accords. The OHR has a fairly far-reaching mandate and has intervened on several levels in Bosnian politics since 1995, for example by using “economic blackmails” or “political bans” (Chandler 2001, 115). The latter entails the removal from office of politicians who are considered extremely nationalist and whose politics is not compatible with post-war aspirations of democratization and reconciliation. This type of intervention can be understood as international intervention taking precedence over local electoral processes. Adis Merdzanovic (2015) argues that the involvement of the Office of the High Representative is undemocratic and that it impedes the political development of the country. As long as politicians are able to defer their responsibilities to an international actor that will eventually intervene, they are not going to take responsibility for any unpopular decisions.

The international involvement was initially supposed to be a temporary measure to guide the transition to a democratic society (Chandler 2001, 115).⁹⁸ However, this transition tends towards solidifying the international grip on Bosnia instead of towards Bosnian ownership (Chandler 2006a, 2). This impedes the consolidation of democratic participation and deliberation, which are associated with the realization of liberal democracy, within Bosnia. This begs yet another question, namely what timeframe should be reserved for such a transition? And what should be the end-goal of this transition? Consociational democracy may be considered a liberal model for democracy, if

96 The Bosnian constitution is “inspired by” a range of international conventions, such as the Universal Declaration of Human Rights and the international Covenant on Civil and Political Rights (BiH Const. preamble). It furthermore states that it will comply with the standards set by the EHCR (BiH Const. art. II §2). The alleged universal applicability of human rights expressed in these conventions has been questioned, see for example the work of Talal Asad (2003). Further critical discussion of the status and role of human rights in international politics is beyond the scope of this study.

97 The intervention in Bosnia can be seen as part of a larger effort by the international community to engage in peacebuilding activities that aimed towards the development of Western-style liberal democracy. In this spirit, Sumantra Bose contends that “[t]he IC sees itself as the flagbearer of a vision of liberal internationalism in a place destroyed by particularist nationalisms” (Bose 2002, 6).

98 David Chandler (2001, 115) describes the institutions and intentions more elaborately: “Dayton called for one year of internationally supervised transition, during which elections would be held and two types of joint institutions would be established: the political institutions of the new state which were to be elected and directly accountable to the peoples, and the economic, judicial, and human rights institutions, which were to be supervised through the appointment of representatives from international institutions for five or six years. This year of transition to at least partial, self-governing democracy was to end with the election of state and entity bodies in September 1996. Although these state bodies were elected under internationally supervised and ratified elections, the transitional international administration was prolonged for a further two-year “consolidation period” and then, in December 1997, continued indefinitely for a variety of reasons: lack of ethnic reconciliation; need to ensure “effective governance”; and international agreement that long-term engagement was necessary.”

it addresses the impediments for the realization of liberal democracy in deeply divided societies (see 2.4.1). Consociational democracy ought to foster a transition towards liberal democracy. Do the lack of minority rights and popular participation, and the strengthened international grip prevent Bosnia's consociational system from evolving into a system more in line with liberal democratic values? The second part of this chapter reflects on these and related questions with civil society workers in Bosnia (3.4). But first the methodology of this aspect of the case study will be discussed (3.3).

3.3 Perspectives from Bosnia: Methodology

Concerns about the Bosnian consociation are widely shared in scholarly and policy circles. Do Bosnians share these concerns? Do they view the choice their country faces as one between consociational peace and liberal democracy? Questions such as these formed the basis for a series of semi-structured interviews that I conducted as part of this study. During three trips to Bosnia in 2017, I spoke with various Bosnians about what they perceive to be the major problems in their country. Some of these conversations followed an interview guide that I prepared. Others were the kind of conversations you might get caught up in sitting on the bus or having a cup of coffee. One thing clearly stood out in all of these conversations: many Bosnians do have an opinion to share about these issues.

The primary aim of this case study is to give Bosnians a voice in the debate about consociational democracy. The interviews contribute to the analysis of consociational theory with actual-world insights. This helps to ground the theoretical discussion. The analysis of consociational theory is moved away from the realm of purely scholarly or political elite debates and towards the lived realities of ordinary citizens in a consociational democracy. The interviews tease out Bosnian perspectives on the apparent tension between consociational peace and liberal democracy. While consociational democracy is argued to foster peace and stability, the pursuit of liberal democratic values is associated with the realization of justice. Is one achieved at the cost of the other? Are peace and justice in post-conflict consociational Bosnia mutually exclusive or does the realization of one require the other? The questions seek to understand consociational practice. They reflect on the everyday priorities of Bosnian citizens, particularly in relation to peace and justice. Do Bosnian citizens find liberal values as important as many international policy makers and scholars do? Does the effect of the illiberal character of consociation trickle down into the daily lives of Bosnians?

First, the interviews serve to test assumptions about societal divisions and about the effect of consociational democracy on a society. They provide examples and illustrations of the problems experienced in the Bosnian consociation. Do the experiences of Bosnians corroborate or contradict the assumptions consociationalists make? Secondly, the interviews probe whether tension between consociational democracy and liberal values is also perceived by Bosnians. Consociational practice and the values of Bosnians both play a role in these questions. Before discussing the main themes drawn from the interviews (3.4), this section offers some methodological reflections on the (selection of) respondents (3.3.1), the interview procedure (3.3.2), and the analysis of the transcripts (3.3.3).

3.3.1 Respondents

The apparent opposition between consociational theory and liberal values lies at the heart of this study and of the case study. The respondents have been selected based on an assumed familiarity with this tension. All respondents in this study work for civil society organizations in Bosnia. They primarily work on topics related to democracy and human rights. They are familiar with liberal values and the prominence of these values in international peacebuilding discourse. Some respondents feel a strong personal commitment to these values, some see them as instrumental to the work they do in civil society, and others may only see value in paying lip-service to them for the sake of getting international funding.

At the same time the respondents are intimately familiar with the limitations that a divided post-conflict society imposes on the expression of these liberal values. As they work on the promotion of human rights and democracy, they regularly experience the challenges that severe societal divisions present. The respondents are also Bosnian citizens who experience life in a divided society on a daily basis. They are in a good position to judge whether a tension between the achieving of a consociational peace and the realization of liberal democratic justice is experienced in the everyday lives of Bosnians.

Respondents were selected based on the expectation that they form a subset of citizens especially conscious of the tensions examined in the theoretical study. The method followed in the selection was purposive sampling (Lynch 2013). Convenience and snowballing also determined the selection of the respondents. Contact with one respondent would lead to another and so on. Many individuals were incredibly helpful in providing me with contacts of their friends, colleagues, family members or acquaintances working for civil society organizations. These forms of sampling—purposive, snowball, and convenience—are fairly common in constructivist or interpretative studies (Bryman 2016; Bleich and Pekkanen 2013). They allow the researcher to select respondents based on their familiarity with a particular discourse.

A total of eight semi-structured interviews with ten respondents have been conducted. For one of the interviews I spoke with three colleagues at the same time. In the selection a balance was sought in the group affiliation of the respondents.⁹⁹ Organizations from different regions in Bosnia were approached. These included three relatively small local nongovernmental organizations, two local organizations closely affiliated with international networks, and two international nongovernmental organizations.¹⁰⁰ The organizations work in the Federation of Bosnia and Herzegovina and in the district of Brčko. Unfortunately, no respondents working for organizations in the Republika Srpska

⁹⁹ I have chosen not to include the group affiliations in the descriptions of the interviews (Appendix A) and the discussion of the data. As many of the respondents have emphasized the negative effects of the constant reiteration of group affiliation, it seems inappropriate to unnecessarily mention this here. Especially because I did not encounter any significant differences in the interviews with members of different groups. Exceptions were made only when the respondent did allude to their group affiliation explicitly, for example in an anecdote.

¹⁰⁰ Two interviews were with employees working for different departments in different locations of the same international nongovernmental organization.

have participated.¹⁰¹ The function of the respondents within the organizations did not appear to significantly affect their perspectives.¹⁰²

A list of the interviews, including transcripts of the interviews and some (anonymized) information about the respondents, can be found in Appendix A. Citations from the interview refer to Appendix A (unless indicated otherwise). In preparation for the interviews, permission was obtained from the Research Ethics Review Committee.¹⁰³ Complying with ethical and privacy guidelines, ensuring the anonymity of the participants, I have stored the transcripts, recordings, and fieldnotes securely on my personal drive.

In addition to the recorded and transcribed interviews, several non-recorded interviews and conversations have taken place. They were unrecorded for several reasons. Sometimes the respondents indicated they would prefer the interview not to be recorded. At other times, what started as an informal friendly conversation turned into a semi-structured interview covering all the topics on the topic guide. The list of eight semi-structured interviews does not appropriately reflect the numerous and invaluable conversations I had with Bosnian citizens and experts. All these conversations have helped shape my thoughts, interpret the gathered data., and evaluate the assumptions (implicitly) featuring in consociational and liberal democratic theory.

3.3.2 Interview and Procedure

The conducted interviews were semi-structured. Based on the consociational literature and the focus of this study, a topic list was drawn up. The topics included group identities, group rights, power-sharing democracy, and an introductory question about the respondent and their work.¹⁰⁴ The topic list was divided into sub-topics that were subsequently used to develop an interview guide. The topic list is included here, the interview guide can be found in Appendix B.

A semi-structured interview allows the researcher to assess what kind of follow-up questions best suit a particular interview setting. Some interviews might call for a more concrete posing of the questions, other for more abstract reflection on the themes introduced. This depends, for example,

101 The organizations from the Republika Srpska that were approached did not respond to interview requests. Because of the variety in the approached organizations, I cannot speculate as to why they did not respond. The complexity of the federal political structure in Bosnia may have contributed to it. Working across entity lines is typically considered challenging. The participating organizations did often not work in or cooperate with organizations from the Republika Srpska, and therefore respondents could not be approached through snowballing either.

102 No organizations perceived as “nationalist” participated in this study. Several of the respondents mentioned the existence of these organizations, although they were unable or unwilling to mention the organizations by name. The organizations that were mentioned by name were not associated with projects related to human rights or democracy, but with the preservation of cultural heritage. As respondents these organizations did not fit the purpose of this study.

103 Commissie Ethische Toetsing Onderzoek (CETO) of the Faculty of Arts, the Faculty of Philosophy, and the Faculty of Theology and Religious Studies at the University of Groningen.

104 As Lijphart (2000) already suggested that the term power-sharing is simpler and more understandable than consociationalism or consociational democracy, I have systematically used this term in the empirical study. As the system that is referred to is always the Bosnian system, there was no confusion over the institutional arrangements that are indicated by the term.

on the willingness of the respondent to engage in a more reflective exercise, but also on the type of organization they work for. The semi-structured nature of the interview allows for the researcher to connect the themes, concepts and ideas introduced by the respondent to the themes introduced by the researcher. As the interviews are semi-structured, probes other than those included in the interview guide are also used. The interviewer may ask the respondents to clarify something, ask for a reason, to provide an example, etcetera. What probes are used depends on the context of the particular interview as well as the (established) relationship between the respondent and the interviewer.

The interviews began with a question about the occupation and organization of the respondent. The simple question put the respondent at ease and set the tone for the rest of the interview. Especially because many respondents expressed that they are not experts on power-sharing democracy, I found it important to convey that it was their views and opinions that I was interested in. This question also allowed the respondent to introduce some themes or terms relevant to them. It allowed me to ask after the ways in which groups and group rights are relevant to their life and work and relate the other questions to their life and work.

The second topic, group identities, was divided into questions about the nature of group identities and the importance of group identities. The questions probed reflections on the defining characteristics of groups and the relevance of these characteristics for individuals. Consociationalists have often been accused of drawing on an essentialist conception of group identities that exacerbates the lasting importance of group identities for individuals. By asking after the differences between groups and the importance of these differences, these questions invited the respondent to reflect on this.

Consociational arrangements, critics argue, further strengthen the divisions between groups. At the same time, consociationalists and (some) liberals claim that group rights are often necessary to protect individual members of these groups. The third topic, group rights, drew out reflections on this tension. Are group rights necessary? What do they protect? How can they be justified?

The fourth topic is power-sharing. It addressed two themes from the consociational literature: the effects (positive and negative) of the introduction of power-sharing in Bosnia; and the existence of possible alternatives to the Bosnian power-sharing system. The topics covered the current situation in Bosnia as well as the situation in 1995, when the power-sharing system was introduced. This opened up different possible ways of seeing the power-sharing system. It allowed, for example, for a view of the system as temporary or transitional and for reflection upon viable alternatives now and in 1995.

Topic	Sub-topics
1. INTRODUCTION	<i>Respondent</i> <i>Organization</i> <i>Target group of the organization</i>
2. GROUP IDENTITIES	<i>Nature of group identity</i> <i>Importance of group identity</i> <i>Group membership</i>
3. GROUP RIGHTS	<i>Nature of group rights</i> <i>Importance of group rights</i> <i>Justification of group rights</i> <i>Positive and negative effects of group rights</i>
4. POWER-SHARING	<i>Benefits of power-sharing</i> <i>Problems of power-sharing</i> <i>Alternatives to power-sharing</i>

3.2: Interview Topic Guide

The interviews were held in different places. In most cases, this was the workplace of the respondent, in some cases a public space, a café or restaurant, and in one case the backseat of the car of a busy respondent.¹⁰⁵ In each case the respondent was asked whether they felt comfortable talking openly. In all cases respondents expressed experiencing no impediments to answering honestly. This was also reflected in their willingness to sign the consent form and their approval of using their names and organizations in the study.¹⁰⁶ Contact was established with all respondents before the interview. They received some information about the study and the researcher as well as the consent form by email. If the interview was recorded, before the recorder was turned on, the respondent was asked whether they understood how I would use the data and whether they consented to recording the interview. Additionally, they were asked whether and how the study could cite them. For the sake of convenience and confidentiality, I have named the interviews 1 to 8 and I will refer to them in this and subsequent chapters accordingly (Appendix A).

105 The co-worker of the respondent was driving the car.

106 I have nonetheless chosen not do so. First, for the sake of consistency, because not all respondents felt comfortable with this. Second, the information does not serve an analytical purpose and is therefore of little use to the reader. Third, because I want to make sure the respondents do not in any way experience negative effects from their participation. As the interviews were conducted more than two years before this dissertation is defended, I do not want to rely on the consent they gave two years ago when it is not strictly necessary.

3.3.3 Analysis

The interviews were all conducted in English. My Bosnian/Serbian/Croatian language skills are too limited for in-depth conversations about democracy and human rights. As none of the respondents were native English speakers, this may have caused a bias in the data. I have tried to account for this through follow-up questions. I implemented similar questions with different wording and inquired after examples of the points made by respondents. The interviews that were recorded were transcribed. I took notes during and immediately after all interviews, also those that were not recorded. Based on the topics and sub-topics identified before, the transcripts were coded.¹⁰⁷

As the interviews showed that more interesting topics came up than could be captured by the previously defined topics, I made some slight adjustments when I analyzed the interviews. I focused on (i) definitions of groups and group identities; (ii) the problems that arise from the power-sharing system; (iii) the perceived cause of these problems; (iv) the positive experiences and stories that respondents shared; and lastly, (v) what respondents state ought to change in the political system and Bosnian society.

These code categories are very broad and do not reflect all the interesting information that was brought to the fore in the interviews. They were developed after various careful readings. The primary aim of the codes was to serve as some sort of table of contents that allowed me to browse through the interviews more efficiently and to connect themes across interviews. They allowed me to easily see whether a certain definition of group identity or problem associated with power-sharing is mentioned by more than one respondent. Other than this, the codes have not been used to generate new insights or information.¹⁰⁸

My intention is not to come to any conclusions about the “real” problems in Bosnia or *the* opinion of Bosnians on power-sharing. The data set would not nearly be large enough for this, if this is even possible at all. Instead, the following section presents some findings from the interviews that complement or contradict the case study discussed so far. They speak to the tensions between consociational and liberal democracy on a more general level. The data augment the debate about the Bosnian consociation as well as consociational theory more generally by adding the perspective of the lived realities of ordinary citizens from a consociational democracy. The next section presents some general findings and themes from the interviews. More information drawn from the gathered data will be used in Chapters 4 and 5 for the analysis of the consociational model and its assumptions.

107 I used coding software Atlas.ti for this. For more information on this software, I recommend the very comprehensive and immensely helpful handbook by Susanne Frieze (2014).

108 Coding can be used to systematically extract information from the data, for example by employing different phases of coding or finding networks within the coded data set. Elaborate guidelines on these coding processes are provided by for example Susanne Frieze (2014) and Johnny Saldaña (2009). I have used some aspects of these approaches, but as the purpose of the interview data is illustrative and theory-testing rather than theory-building, I have not strictly employed a particular approach.

3.4 Perspectives from Bosnia: Results from the Empirical Study

Some of the themes in the scholarly and policy literature on consociationalism were also put forth by the respondents. When asked about the effect of the division of society into Serbs, Croats, Bosniaks, and Others, many respondents mention the problems with the rights of any person not identifying as Serb, Croat or Muslim: “minority groups, let’s say Roma, Jewish, Ukrainian, Romanian, Russians, Slovenes, they don’t have equal rights as these three, what I call, ‘heavenly people’” (Interview 1, 142). The problems brought up resemble the type of discrimination experienced by Sejdić and Finci, but may also be of a more practical nature. For example, it may be difficult for inhabitants of the Republika Srpska to access the healthcare system in the Federation of BiH (Interview 8, 214). Furthermore, even registering at the unemployment office requires one to register their group affiliation, and most of the time you will only be able to find a job through the office if you are a member of one of the constituent peoples (Interview 7, 203).

Some respondents are outright negative about the Bosnian consociation: “the Dayton Agreement was the least worst option that we could have done back then, it was a critical minimum of what we needed to do for war to stop” (Interview 3, 167; supported by Interview 6, 215). More nuanced assessments are also not unheard of. The people in Bosnia were desperate for the war to stop and the DPA initially offered a clear improvement of the situation (Interview 4, 178). A respondent from Brčko remarks that the Dayton system of ethnic divisions functions “great” for the majority of people who do belong to one of the three ethnic groups (Interview 7, 204). This is at least 95 % of the population in the Brčko district. This applies strictly to Brčko only, he warns, as the district has a much better financial position than any other region in Bosnia.

Other themes brought forth by the respondents differ from the themes that can be discerned in the scholarly literature on consociation. The literature focuses primarily on the formal qualities of the state, the level of international interference, and the lack of self- and local governance. Respondents focus on the experiences and daily lives of Bosnians and the reasons they have for behaving and voting the way they do. In Chapters 4 and 5 the interviews will be employed to analyze the appropriateness of consociational assumptions. Here I want to draw the reader’s attention to three themes which I discerned across the different interviews and which do not appear to be as prominent in the theoretical debate about consociational democracy. These are reconciliation, or the lack thereof, manipulation and corruption by political elites, and ideas about group identity and how it is constituted.

In evaluating and analyzing the reports of the respondents, it is important to understand that they often perceive of themselves as progressive. They distinguish themselves from people who attach a lot of importance to group identities, for example by suggesting that *people* are easily manipulated through the media, but not them. Arguably, identification with new groups becomes important through these processes, like rural versus urban or nationalist versus cosmopolitan. Without exception, the respondents were very committed to improving Bosnian society for all Bosnians, even though some were more cynical about the prospects than others. Their commitment to their country is expressed by their decision to stay in Bosnia, even though the conditions are sometimes

harsh (for example economically) and they often could have pursued opportunities elsewhere.

3.4.1 Reconciliation and Intergroup Contact

All but one of the civil society organizations that the respondents work for are actively engaged in activities that aim to bring members of the three main groups in Bosnia together. Some organizations set up shared, cross-group, religious festivities (e.g. Interview 1), while others focus on engaging children in inter-group activities (e.g. Interview 5). Often the reasoning behind it is fairly simple: when you actually meet individuals belonging to different social groups and you notice you have some things in common, it becomes harder to demonize an entire group and its members. As a respondent organizing summer camps where children from different groups are brought together put it: “they are smart kids, they see that nobody has horns, that nobody has tails” (Interview 6, 195). Respondents working especially with children emphasize that it is not hard to change children’s perspectives of members of other groups. Children of a young age simply do not understand the issues that are at play between groups and only become aware of “their identity and the difference and everything” as teenagers (Interview 5, 180). Working on very different dimensions of identity with adults also opens up spaces for positive experiences with intergroup contact. A feminist organization creating workshops for women reported that in the safe space of a workshop, women with very different outlooks on life come to accept and sometimes even love one another (Interview 2, 156).

When organizations have projects that aim to bring children together, for example through games and sports, summer camps, or free after-school care facilities, this may have a ripple effect beyond these children. When parents bring their young children to a youth center, they meet one another, regardless of their ethnic background and might go for a coffee (Interview 5, 180). The other way around, there are also anecdotes of parents from different communities who want to bring their children together. A respondent recalls a story from a small community not far from Sarajevo, where both Bosnian Muslims and Bosnian Serbs committed atrocities during the war:

And then this imam from this place said “listen, our kids are living so close to each other, they don’t know each other. So if something would happen in the future it would be easier for them to start killing each other. I think it is better if we bring them together, so they realize that they are neighbours and they have common interests and so on.” (Interview 3, 167)

Although in this small town some progress towards intergroup contact and activities was made, respondents appear to be united in the belief that these positive examples remain incidental. With the exception of urban areas, for example Sarajevo, Brčko and Banja Luka, the war has caused

groups to live in different regions (Interview 1, 145).¹⁰⁹ They rarely meet members of other groups. As will be discussed later in this section, this makes them vulnerable to manipulation and unlikely to change the perspectives formed by the war. Although the respondents are keen to point out that their projects aimed at reconciliation do yield results, they are also aware of the limited scale of their successes.

Why did the topic of contact between groups or reconciliation come up in interviews that focused primarily on the political system in Bosnia? Bosnian politics is still centered around the three nationalist narratives of Bosnian Serbs, Bosnian Croats, and Bosniaks. Most respondents concede this needs to change. The nationalist politicians are considered to be an important cause of the stagnation of development in Bosnia. Nationalist politics, respondents argue, focus on the wrong issues. The focus on nationalist interests in politics impedes improvements in areas that are of common interest. As one respondent poignantly summarizes:

And you know now in Sarajevo we don't have water, so it is like the Middle Ages, it is crazy. But as long as our president is protecting our interests, we don't care, we can be thirsty. If our kids don't have a social security number, it is okay, because we can call ourselves Bosniaks or Serbs. (Interview 3, 159)¹¹⁰

For the focus to shift away from these nationalist narratives, she continues, a dialogue must open up between the three groups. People need to speak to each other to realize that these shared interests—in water, infrastructure, or health care—override the nationalist interests invoked by politicians. Reconciliation, she argues, is necessary for progress (supported by Interview 1, 144; Interview 3, 166). Acknowledging the atrocities committed in the past is, in turn, necessary for reconciliation:

How can you reconcile when you are pretending you didn't do anything? That is the first step. That we say, okay, we did it. You did something, but here is what we did. And now we can have dialogue. (Interview 3, 166)

The war caused an entire generation to grow up without contact with members of other groups. The respondent explains:

Like myself, until the war started I already had this experience of living together, which was interrupted, and then I continued. But these kids, their parents were separated and then they were born in these so called ethnically clean [areas], you probably heard this idiotic notion. And now they have to be taught from scratch how to live together with others and there is nobody to teach them. (Interview 3, 163)

Unless individuals are brought into contact with each other once again, the nationalist narratives that fueled the war in the 1990s continue to be an inflammable source of potential conflict.

¹⁰⁹ The current ethnic composition of Bosnia is the result of the mass displacement during the war, following from a war-time strategy known as “ethnic cleansing”. Furthermore, post-war policies—first expressed in Annex VII of the DPA—aiming to create a safe environment for the return of displaced persons to their original homes have been insufficiently implemented. See for example the Council of Europe Commissioner of Human Rights Mr Thomas Hammarberg (20 February 2008, par. V) *Report by the Commissioner of Human Rights on his Visit to Bosnia and Herzegovina*; European Commission (10 November 2015, par. 2.4) *Bosnia and Herzegovina 2015 Report*; and Internal Displacement Monitoring Centre (19 November 2014) *Bosnia and Herzegovina, Political Agenda's still Prolonging Displacement*

¹¹⁰ During the summer of 2017 (and likely also earlier and later summers) the water supply in certain districts of Sarajevo was shut off for several hours a day due to water shortages.

3.4.2 Group Identities and Group Membership

Are the differences between groups only important when invoked in nationalist narratives? Or do these identities have a relevance beyond these narratives that justifies the need for group rights? When asked about the importance of group identities, respondents disagree. Many refer to cultural practices such as holidays and names as the most important identity markers (e.g. Interview 1, 142; Interview 5, 181). Names are an easy tool for Bosnians to ascertain whether someone is a Bosnian Serb, Bosniak, or Bosnian Croat. There is no consensus on whether the three main groups should be called ethnic group or national groups, but most tend to settle for the idea that they are ethnic groups that are mobilized around nationalist narratives. Some explicitly state that ethnicity and religion can be equated and that religion is what distinguishes the group (Interview 2, 160). But another respondent emphasizes that for individuals ethnic and religious identities do not always overlap (Interview 1, 141). In practice I have found that people at the very least assume a strict overlap between religion and ethnicity. A “Buddhist Bosniak”, for example, is considered a contradiction in terms.

This disagreement can most clearly be observed in the diverging ideas expressed in the two interviews conducted in the relatively small Brčko District. A young social worker describes how he and his friends do not care about nationalism or ethnicity at all, but instead come together under different self-chosen common bases:

I don't know. Brčko is special. Let's say my generation is 1994. And I have mixed friends. And I don't know who they are or from which background they are. They are people, they are a person as me, so I don't really care. And I think for the most of the people it does not so much matter. Or it is maybe the people that I go out with, or I don't know, I didn't meet that much. I go out with metal heads and we are a metal heads group, and rockers. We also have other friends, but with my most common group, we have that common base. And we are really open-minded people and I don't care if he is a Serb, Croat or Bosniak, or gypsy. I don't give a fuck at all. I'll go out with them nevertheless. (Interview 5, 184)

His co-workers corroborate his experience and explain that it has to do with the mixed ethnic composition of Brčko district. Since the end of the war people are used to living together in Brčko district. Another respondent, also from Brčko, is less optimistic. The positive experiences in Brčko, he maintains, are primarily the result of the relatively abundant resources (Interview 7, 205). As competition over resources is not necessary, the political system functions relatively well in Brčko. As long as there is enough money for each group to have their own monuments, cultural clubs, sports clubs, and religious holidays, they do not interfere with each other's practices.

Within a single interview a respondent makes some puzzling yet revealing remarks about group identity. On the one hand, she argues group identities do not matter and that she fails to understand the importance people attach to it. She finds it especially incomprehensible that people would be proud of something they simply are, rather than of something they achieved or did (Interview 3, 170). On the other hand, explaining why she chooses to stay in Bosnia while her life would be significantly easier elsewhere, she says:

Would I be happier if I moved to the Netherlands with my family? I don't think so. Because my seat is this. This is the air that I need. If I want to replace it with more money or a better job, what do you trade for? (Interview 3, 169)

Being Bosnian—she insists on a geographical identification—means something to her. This is something that one cannot shed or acquire, as she pointed to me and added: “Because you can marry a Bosnian and move here, but you will never be Bosnian, right?” (Interview 3, 169). Pressed on this issue, she persists that the name you give a person does not affect the identity of this person: “How you call me cannot strip me of my identity, right?” (Interview 3, 170). Her seemingly inconsistent comments can be interpreted as an expression of a commitment to intersectionality. She emphasizes how different experiences of (group) identities come together in one person and form the individual identity of that person. If we take this to signal some commitment to a more intersectional understanding of identity, supporting comments are found in the approach of another respondent (Interview 2, 157). The respondent of the feminist organization emphasizes the many different facets to a woman's identity and explains that highlighting these facets is an important part of the organization's strategy to show that nationalism is not all that matters.

Not all respondents ascribe the same importance to ethnic identities. Yet, most respondents appear to indicate that an individual's ethnic identity can be fairly easily determined. For example, because Bosniak, Serbian, and Croatian names “are very specific” (Interview 2, 156). It appears that group identities at least partly can be ascribed to individuals based on external criteria. How does this relate to the self-determination of individual and group identities that consociationalist claim to advocate? Chapter 5 will further examine the tension between the political right to self-determination and practices of group identification.

When people eat the same things, drink the same things, and have a similar way of living (Interview 1, 142), why do these three group identities matter so much? Firstly, the memories of the war are very much alive in Bosnia today. For example, because many Bosnians have lost relatives during the war and the war trauma is transferred from one generation to the next (Interview 3, 162). Furthermore, war criminals continue to live freely across Bosnia (Interview 1, 144). Secondly, and very closely related to this, peer pressure is exercised within groups. Individuals stick to the existing group narratives, because they are afraid to break with the group if they do not (Interview 3, 164). An example is given by a respondent who organized a summer camp for children from different communities. The teachers of the children, who had come along as chaperones, did not always allow the children to mix or mingle, even when this was one of the objectives of the camp. Asked why they did not allow it, the respondent says:

Maybe, as I say, it is not them personally, but they were afraid to come back to their community with children talking about, let's say, forbidden things. (Interview 6, 195)

Contact between the children was allowed by the teachers. They allowed the children, and themselves, to undertake activities together. Yet a too explicit emphasis on the similarities between the groups and the children turned out to be “forbidden things”.

The third and most frequently mentioned reason for the importance people attach to group identities is the continuous inciting of these identities for political purposes. If you tell people often enough

that something is the case, one respondent states, then eventually they will start believing this (Interview 3, 165). Political elites deliberately strengthen the sense of group belonging, which brings us to the final part of this section.

3.4.3 Manipulation and Corruption

Manipulation and corruption are some of the most important reasons for the persistence of group rivalry in Bosnia. Even when it seems obvious that citizens share a cause that has nothing to do with ethnicity or nationalism, political elites seem to have enough power to shift the focus:

There is one good example for this as well. When we had these floods, in 2014, at that time it wasn't important who was a Bosniak, Serb or Croat. Everyone was together in every situation. People were helping each other. Until the leaders of political parties came to a certain area, to certain towns, and said: "why do you Serbs help Bosniaks?" (Interview 5, 187)

In the interviews and in the time I spent in Bosnia more generally, I have very rarely heard of a story or anecdote that serves as a counter example to the extent that it concerns the role of political elites. That is not to say that these examples do not exist, but it is telling that political elites are fairly widely very negatively portrayed.

Manipulation primarily consists of a constant reiteration by political elites of the interests that are supposedly group specific. Bosnian Serb political leaders, for example, emphasize how the existence of the Republika Sprska is a guarantee for the safety of Bosnian Serbs (Interview 1, 143). People are told that speaking their own language – respectively Bosnian, Serbian and Croatian – is of great importance, even though these did not even exist as separate languages not so long ago (Interview 3, 165).

Political elites have the power to control these narratives because they control many of the media outlets in Bosnia, which are, according to the respondents, formally or informally linked to the main political parties. For many people, especially in rural areas, traditional media such as television are still their main source of information (Interview 7, 203). There is little to no information contradicting the nationalist rhetoric of political elites. Corruption also influences the prevalence of nationalist narratives. While unemployment rates are high, obtaining a job is thought to be nearly impossible without being affiliated to a political party (Interview 5, 184). As with jobs, receiving government funds for community projects is also often dependent on the political affiliations of the recipients. The government is thought to be interested in communities and likely to invest in them only in the run up to elections (Interview 6, 193). This way, the investments lead to political support for the responsible politicians. Through these and similar mechanisms, political elites continue to hold control over the political narratives in Bosnia.

Few respondents believe that the focus on political elites benefits the protection of group interests. Political elites have the highest stakes in the continuation of nationalist narratives. It is through these narratives that they obtained the power they have today. And it is through the reproduction of these narratives that they stay in power. "They know that when this hate speech thing stops, they will have nothing to get the voters to vote for them" (Interview 3, 164). Given the precarious

economic situation, political elites are unlikely to want to give up the position that gives them and their families access to resources.

This situation is precisely what needs to change. A new political class not stained by the war or its nationalist narratives must emerge to address the issues that are important to all Bosnians alike:

I think we need better economics anyway. We need new political leaders in the country. We need more young people being involved in local authorities anyway. And I think if everyone has a job, the person is happy. But we have this very bad economic situation and so many young people are leaving now. It didn't affect me until two months ago, when my very good friends left to Norway. Because they said "we can't live here, there is no job". They have a little child. And I think more than 150.000 young people have left Bosnia. So what needs to be changed is that we have to change everything and then start from scratch and really try to put more young people, educated people, into this system with decisions and politics and everything. It is my opinion. And it is really hard, because the old ones, they don't want to go away. They want to stay in their function, because it is good paid as well, you know. (Interview 5, 185)

The problems in Bosnia are complex and cannot be attributed solely to the behavior of political elites. There are few incentives for post-war generations to stay in Bosnia. The education system reinforces group divisions, for example through language classes, instead of creating bridges. Economically, high unemployment rates diminish individuals' chances of economic advancement, especially among the higher educated. Politically, the country is thought to be primarily ruled by politicians who subscribe to the same narratives as those prevalent during the war. It is the interconnectedness of all these problems that makes many people in Bosnia, including the respondents, at least somewhat pessimistic about Bosnia's future.

3.5 Conclusion

That the Dayton Agreement finally managed to put an end to war in Bosnia was applauded, but the consociational nature of the agreement is not univocally commended. The critiques voiced in the scholarly debate about consociational democracy mirror to a certain extent the worries about the Bosnian consociation expressed by scholarly commentators, policy makers, and my respondents. The scholarly debate focuses on two types of criticism: of the elite-focus of consociational democracy and of the group-focus of consociational democracy. The concerns discussed in this chapter can also be arranged according to these two themes.

Problems with consociationalism's elite-focus, have been brought up in the context of the Bosnian consociation. Scholars scrutinize the lack of Bosnian involvement in the development, implementation, and maintenance of the political system. Respondents criticize the amount of power that political elites have. As they use this power to further their own interests, it is far from clear for the respondents that political elites' main focus is the avoidance of conflict as consociational theory asserts. Do these examples undercut consociational assumptions about political elites? Critiques of the consociational group-focus also find resonance in various perspectives from the case study. Scholars and civil society workers alike are concerned that it impedes reconciliation.

Furthermore, as the interviews revealed, it may make individual citizens vulnerable to political manipulation when the group identities pitted against each other during the war continue to be centrally important in contemporary society. Because of the horrors of the war, which many Bosnians experienced and remember, individuals' fears are easily exploited by nationalist politicians.

Lastly, the issue of transition is important in the scholarly literature and for my respondents. It is mentioned in scholarly contributions, but it becomes tangible in the interviews. The desired transition to a more just system also entails a transition to a more economically stable country. A perspective from Bosnia shows that such a transition does have an expiration date. When it is not forthcoming, citizens will find different ways to keep themselves afloat. In Bosnia this is exemplified by the emigration of steep amounts of young (and often highly educated) citizens.¹¹¹

Chapter 2 has provided a methodological framework, offering criteria for the evaluation of non-ideal models for justice and the assumptions employed in these models. This chapter has provided an actual-world example of the circumstances characterizing the deeply divided societies central to consociational theory. The next two chapters will evaluate whether and how consociational democracy can be considered a *liberal* non-ideal model for democracy. They will assess consociational assumptions about political elites (Chapter 4) and group identities (Chapter 5) in the light of the methodological approach developed in Chapter 2 and the findings from the case study.

111 According to the Organization for Economic Co-operation and Development (OECD) database, the negative net migration balance has been around 20,000 to 30,000 each year since 2000, reaching a peak of 44,000 in 2017. This entails a total negative net migration of 500,000 since the early 2000s. Because of insufficient collection of data on migration in Bosnia, the data are drawn from the number of immigrants with Bosnian citizenship registering in other countries. Data are online available at <https://stats.oecd.org/Index.aspx?DataSetCode=MIG> [last accessed 22 July 2020].

4

Analysis I: The Behavior of Political Elites

4. Analysis I: The Behavior of Political Elites

"So basically I think the power sits with the political parties.
Not with the institutions. With the parties."

(Interview 6, 194)

The behavior of political elites plays a central role in consociational theory since Lijphart (1968a) first discovered the effect that it can have on democratic stability. Assumptions about the cooperative behavior of political elites are the distinguishing feature of consociational theories of democracy (McGarry and O'Leary 2009a, 80). However, this focus of consociationalism has been critiqued. It is considered to be inherently undemocratic, as the focus on elites comes at the cost of popular participation in democratic processes (Brass 1991; Huntington 1982; Taylor 2006).

Concerns about the consociational focus on political elites are especially important in the light of the "normative turn" in consociational theory. Initially the theory was used to *explain* democratic stability. More recently, the theory has been used to formulate prescriptions to *create* democratic stability. As discussed below, this distinction between explanatory and normative uses of consociational theory has given rise to a number of confusions. To clarify it, I reconstruct consociationalism in terms of models and their assumptions. In the process, I make explicit the role that assumptions about political elites play. I then proceed to assess the model and assumptions underpinning it using insights from the philosophy of science about modeling (see Chapter 2). This enables me to address the central question of this chapter: are consociational assumptions about political elites appropriate for the explanatory and the normative use of the consociational model?

This chapter will argue that there is no inherent incongruity between the explanatory and normative uses of the consociational model. One model can, in principle, be used for both explanatory and normative purposes. However, when the consociational model is applied to actual-world divided societies, it is typically significantly changed. The assumptions underpinning the consociational model *explaining* democratic stability are abandoned or modified when the model is used to *create* democratic stability. This is problematic, because the cases and assumptions employed by the model when used to explain democratic stability do not support the model when used to create democratic stability. First, I suggest that additional support for the changed assumptions is needed in the application of the consociational model. Second, as the model is advocated as a *liberal* model for democracy, it requires additional justification of the proposed principles in line with liberal democratic justification.

The first section will offer a reconstruction of consociational theory as a model for democracy, following the methodological approach developed in Chapter 2 (4.1). The reconstruction shows the importance and role of assumptions about the behavior of political elites in the consociational model. The second section assesses these assumptions (4.2). The assessment includes the relationship between the assumptions that are in focus when the model is used to explain, the assumptions that

are central when the model is used to formulate prescriptions, and the actual behavior of political elites in Bosnia. The third section focuses on the context of the model (4.3). It assesses whether and how the theoretical justification of consociational theory is comparable with the theoretical justification of models for liberal democracy. The latter might be an important criterion for thinking of consociational democracy as a liberal non-ideal model for democracy.

4.1 “Modeling” Consociational Theory

Consociational theory was initially developed to *explain* democratic stability in divided societies. In the following decades, it was increasingly used to formulate prescriptions to *create* democratic stability in divided societies. I refer to this shift in the use of consociational theory as “the normative turn”. The normative turn has attracted numerous critiques. Critics doubt whether a limited set of case studies can lead to a normative theory that is widely applicable (Halpern 1986; Lustick 1997). The use of the earlier empirical data, critics contend, leads to inconsistencies in consociational theory.¹¹² Matthijs Bogaards (2000) goes further by suggesting that consociational democracy as an empirical theory and consociational democracy as a normative theory are different “types”. One can therefore not be supported by the other. If true, these critiques raise some serious concerns for consociational theory, especially because case studies—old and new—continue to play an important role in its development.

To evaluate these and related critiques more systematically, this section offers a reconstruction of consociational theory as a model for democracy.¹¹³ The first section explicates how the consociational model was constructed in response to Almond’s typology of democratic systems (4.1.1). The second section discusses four main changes that the consociational model underwent in the shift from explanatory to normative use (4.1.2). While the function of the model has undeniably changed, I suggest that this change does not necessarily entail a significant discontinuity in the consociational model itself. However, when it is applied to post-conflict societies, the model is changed (4.2). This may imply that earlier cases, assumptions and explanations no longer support it.

112 Others have also argued that Lijphart has been inconsistent in his writing about consociational democracy. Most pointedly, Ian Lustick (1997) has argued that there is an inconsistency in the number of factors favorable to successful consociation listed by Lijphart. He writes: “Having dropped five and added three or four (depending on how one counts) Lijphart ends up in 1977 with a list of six or seven conditions” (Lustick 1997, 107). Lustick also considers the fact that Lijphart initially did not consider India a consociational democracy, but later argued it does have strong characteristics of consociation as proof of the inconsistency of consociationalism. In response to such critiques, Lijphart (2002) simply states that they indicate the evolution and refinement of consociational theory, rather than any structural inconsistency. I tend to agree. Bogaards critique is of a more fundamental nature, addressing not some specific inconsistencies but the relationship between empirical and normative theories.

113 Speaking of “the consociational model” should not be understood to contradict with the variety of consociational models available in the literature. Instead, this term is used to refer to an ideal type consociational model. It captures the core of what minimally constitutes a consociational model for democracy.

4.1.1 Explaining Democratic Stability

In developing the consociational model, Lijphart draws on Gabriel Almond's typology (1956) of democratic systems, revolving around the notion of democratic stability.¹¹⁴ In this typology, Almond distinguishes between three types of democratic systems: Anglo-American systems, Continental European systems, and the system of Scandinavia and the Low countries. While Anglo-American systems are stable democracies, the Continental European and Scandinavian and Low Countries' systems are unstable.¹¹⁵ Although the names of the types of democratic systems suggest otherwise, the types are not associated with specific geographies.

This categorization of stable and unstable democratic systems rests on two characteristics of democratic systems: political culture and role structure. *Political culture* is defined as a "particular pattern of orientations to political action" (Almond 1956, 396). It can be thought of as the outlooks people have in engaging in social cooperation. *Role structure* refers to the division of roles within the political system. These roles include the formal branches of government (the legislative, executive and judicial) and informal roles such as interest groups, parties and media. In Almond's typology, a political culture can be either homogeneous or heterogeneous, while role structure can be either differentiated or undifferentiated. Continental European democratic systems have a heterogeneous political culture and an undifferentiated role structure. They are characterized by democratic instability. Anglo-American democratic systems are characterized by homogeneous political culture and a differentiated role structure. They are characterized by democratic stability.¹¹⁶

Almond's typology not only categorizes, but also offers an explanation for the existence of democratic (in)stability. Political culture offers the main explanation for democratic stability.¹¹⁷

114 The typology is typically referred to as "Almond's typology of democratic systems", even though an important source, also much cited by Lijphart, is a publication co-authored by G. Bingham Powell (1966), *Comparative Politics: A Developmental Approach*.

115 Although Almond groups together Scandinavia and the Low Countries, Lijphart (1969) argues that there are significant difference between these countries. Only the latter fall within the developed category of consociational democracies. I will therefore limit myself to these countries and refrain from discussing the specificities of the Scandinavian democracies.

116 In his typology of *political* systems, also based on political culture and role structure, Almond (1956) distinguishes between four types of political systems: Anglo-American or centripetal systems; Continental European or centrifugal systems; pre-industrial systems; and totalitarian systems. Pre-industrial political systems have a homogeneous political culture that is characterized by a mixed of political systems. There is an undifferentiated role structure, where no interest aggregation exists. The system is instable and unpredictable. Totalitarian political systems have a heterogeneous political system (there is the appearance of homogeneity, but this is entirely synthetic), roles are differentiated, but coercive power penetrates all functions. The pre-industrial and totalitarian systems are not democratic political systems. As democratic systems are my main concern, I will focus on Almond's typology of democratic systems.

117 In Almond's typology of *democratic* systems, political culture is the main explanatory concept. In the democratic types, homogeneous political culture is always coupled with a differentiated role structure and heterogeneous political culture with an undifferentiated role structure. If this is not the case, the emerging types are not democratic political systems (see also the previous footnote). Role structure does not have a prominent function in consociational theory either, as the connection between heterogeneous political culture and undifferentiated role structure is also assumed there.

The explanatory function of role structure is limited. In Almond's typology of *democratic* systems, homogeneous and heterogeneous political culture are always connected with respectively differentiated and undifferentiated role structure. Political culture explains *democratic* stability. This relationship between political culture and democratic stability is closely connected to the overlapping memberships proposition (Lijphart 1968b; Verba 1965) (see also 1.2.1). When a society is characterized by overlapping memberships, citizens affiliate with social groups that do not coincide, but rather cross-cut each other. When a society has overlapping memberships, citizens are likely to have some shared goals that lessen the political opposition between them. Political elites represent members of different (overlapping) groups and will have to be moderate in order to do so successfully. Hence, the overlapping membership proposition holds, overlapping memberships lead to moderate political attitudes, while the absence of overlapping memberships leads to antagonistic attitudes.

Continental European democracies have a heterogeneous political structure without overlapping memberships. This means that there is little or no contact between groups. It leads to the coordination of roles within sub-groups, an undifferentiated role structure. Contact between groups only takes place within formal political structures, where it is likely to lead to conflict and hence to democratic instability. Anglo-American democracies have a homogeneous political culture with overlapping memberships. This leads to interest aggregation and the specialization in roles. Politics does not consist of conflict between groups in these systems. The regularity that explains democratic stability can be summarized in two statements as follows:

- (1) Homogeneous political culture leads to democratic stability.
- (2) Heterogeneous political culture leads to democratic instability.

The regularity captured in these statements, however, does not explain all cases of democratic stability. A set of deviant cases leads Lijphart to question Almond's typology and the presumed mechanism producing democratic stability captured by it. The Netherlands during the first half of the 20th century had a fragmented political culture, which we would expect led to democratic instability (see also 1.1.1). Yet, the Netherlands had a stable democracy. To explain democratic stability in these and related cases, Lijphart argues, "the deterministic aspects of the overlapping memberships theory must be abandoned" (Lijphart 1969, 17).

If political culture cannot explain democratic stability in the Netherlands (and other deviant cases), what can? Lijphart (1968a) observes in the Netherlands that even in the absence of overlapping memberships political elites can form coalitions. When political elites opt to cooperate, this counters the "deterministic aspects" of the overlapping membership proposition. The proposition holds that in heterogeneous societies, political elites are antagonistic, which leads to democratic instability. Lijphart argues that in some heterogeneous societies, political elites choose to cooperate in a grand coalition, creating democratic stability in spite of the fragmented political culture. This can be captured as follows:

- (1) Homogeneous political culture leads to democratic stability.
- (2) Heterogeneous political culture leads to democratic instability.
- (3) Elite cooperation leads to democratic stability.
- (4) Elite adversity leads to democratic instability.

Building on Almond’s typology, Lijphart’s theory can be understood as a model of democratic (in)stability. It captures a mechanism that leads to democratic (in)stability, both in homogenous societies and in heterogeneous societies. Yet, an additional statement is needed if the model is to explain why and when each regularity obtains. When does elite cooperation counter the effects of the overlapping memberships proposition that underpins it? Most importantly, when political elites in heterogeneous societies recognize the dangers of democratic instability (Lijphart 1968b, 22–24). Awareness of these dangers leads them to opt for cooperation and, as a consequence, democratic stability. Lijphart’s model of the mechanism that explains democratic stability can thus be expressed as follows:

- (1) Homogeneous political culture leads to democratic stability.
- (2) Heterogeneous political culture leads to democratic instability.
- (3) Elite cooperation leads to democratic stability.
- (4) Elite adversity leads to democratic instability.
- (5) Awareness of the pitfalls of democratic instability makes political elites in-
clined to cooperate

These additional statements about elite behavior lead to a new typology of democratic systems.¹¹⁸ In this typology two mechanisms are captured: the mechanism through which political culture leads to democratic (in)stability and the mechanism through which elite behavior leads to democratic (in)stability. These mechanisms overlap with centripetal and consociational types of democratic systems, which are the only two types of stable democracy.

ELITE BEHAVIOR	POLITICAL CULTURE	
	Homogeneous	Heterogeneous
Coalescent	<i>Depoliticized democracy</i>	<i>Consociational democracy</i>
Competitive	<i>Centripetal democracy</i>	<i>Centrifugal democracy</i>

4.1: Typology of Democratic Systems (Lijphart 1968, p.38)

Where this typology and the three statements underpinning it explain democratic (in)stability in both homogeneous and heterogeneous societies, consociational theory focuses on heterogeneous societies. The consociational model captures how elite cooperation leads to democratic stability in heterogeneous societies.

118 Shedding the unintended geographical connotation of Almond’s terminology, Lijphart terms Anglo-American systems “centripetal democracies” and Continental European systems “centrifugal democracies”. Referring to inward and outward circular movement, these terms indicate moderate and stable (inward moving) and antagonist and instable (outward moving) political systems.

4.1.2 Prescribing Democratic Stability

The consociational model is not only used to *explain* democratic stability in heterogeneous societies.¹¹⁹ In the decades since Lijphart first developed it, it has also been used to formulate prescriptions to *create* democratic stability in heterogeneous societies. The model as depicted in the previous section is applied to heterogeneous societies. The aim of the application of the consociational model is to bring about the mechanism that leads to democratic stability. The model is thus used for a distinctively different function. As it still concerns the same model, however, the cases and assumptions supporting the explanation that the consociational model offers are thought to support the prescription of the model. The cases in which elite cooperation *explains* democratic stability are thought to support the prescription of elite cooperation to *create* democratic stability.

However, the congruity of the explanatory and normative use of the consociational model has been contested (Bogaards 2000). Does the model when used normatively still capture the same mechanism? At least four changes accompany the normative turn in consociational theory. I suggest that each of these four changes leaves the main mechanism, democratic stability through elite cooperation, unaltered. In principle, there is thus a congruence between explanatory and normative use of the model for consociational democracy. When the consociational model is applied to deeply divided societies, however, the model is significantly changed. The fifth statement, concerning the when and why of elite cooperation, is frequently overlooked or altered. The next section will discuss whether and how this affects the appropriateness of the consociational model (4.2).

First, the consociational model has become more abstract or idealized with the normative turn. The consociational model was primarily a representation of the mechanism that explained the stability of democracy in the Netherlands (Lijphart 1968a). The mechanism was modeled after a single case study. In this initial model Lijphart used abstracting assumptions that led the model to be fairly close to the natural model, the case of the Netherlands. In its subsequently evolved versions, the consociational model became more idealized. It abstracted away from particular details concerning the Dutch consociation. In this process, for example, one of the five initial characteristics of consociational democracy was dropped (Lijphart 2000, 425–26). The (severity of) societal divisions, Lijphart argues, appeared to have less of an influence on the central mechanism than he initially thought. The consociational model became more and more idealized, leaving out details that are specific to the cases it is derived from and that are not perceived to influence the core of the mechanism at work.

Second, when used normatively, consociational democracy is contrasted with majoritarianism, even though this contrast is not observed in the empirical typology developed. Matthijs Bogaards (2000, 408) argues that this is problematic, because

the European centrifugal democracies do not present cases of failure of majoritarian democracy in plural societies and hence do not provide an argument against the recommendation of majoritarian democracy for plural societies.

¹¹⁹ The term “heterogeneous” stems from Almond’s theory and is used by Lijphart in his earlier contributions on consociational theory. Following the overlapping membership proposition, Lijphart also refers to societies with a heterogeneous political culture as “segmented”. In normative consociational theory the terms “plural” and “divided” are more commonly employed. Accordingly, I will shift to using these terms more as well, although the terms are all used interchangeably. Chapter 5 will further discuss the nature of the “segments” constituting plural societies.

Lijphart acknowledges that not consociational democracy, but rather consensus democracy is appropriately contrasted with majoritarian democracy. Consensus democracy is different from consociational democracy, but they share an important feature: coalescent elite behavior (Lijphart 2000, 427). When used normatively, the consociational model urges political elites to cooperate. The appeal is based on a specific aspect of the consociational model, elite cooperation or the formation of a grand coalition. This aspect of consociational democracy, government by grand coalition, “may be contrasted with the type of democracy in which the leaders are divided into a government with bare minimum support and a large opposition” (Lijphart 1977, 25). While the different use of the model may be accompanied by a different emphasis, this does not necessarily entail an altering of the model itself.

A similar move, thirdly, can be observed when consociational democracy is framed as a model for democratically accommodating rather than integrating groups. Consociation is promoted as the best alternative to (liberal) integrationist strategies. Different forms of accommodation are considered consociational as long as the basic mechanism on which they rely is elite cooperation (O’Leary 2005, 12). Although variations of consociational institutional arrangements may suffice, any form of consociation requires joint government (McGarry and O’Leary 2009a, 80). Political elites are the “practitioners” of consociational democracy, because their behavior defines consociations (McGarry and O’Leary 2009a, 23). What consociational democracy necessarily has “is meaningful cross-community executive power sharing in which each significant segment is represented in the government with at least plurality level of support within its segment” (O’Leary 2005, 13).

Fourth, the four key characteristics of the consociational model are introduced with the normative turn in consociational theory. Consociational democracy is defined by the formation of a grand coalition, proportional representation of relevant social groups, mutual veto rights, and a considerable degree of autonomy for each social group (see 1.1.2). The increased emphasis on the institutionalization of these four key characteristics will be further discussed in the next section. Because the focus on institutions is accompanied by a shift away from the basic mechanism, this focus can be perceived as problematic for congruence between explanatory and normative use of consociational theory. However, the turn to institutional key characteristics does not necessarily imply a break with the original consociational model. The characteristics can be understood as a specification of the institutional form that results from the mechanism of elite cooperation. This concretizes the model. The presence of these key characteristics indicates whether it is likely that elite cooperation explains the democratic stability of a country. The key characteristics can increase the predictive power of assumptions about elite behavior in societies with a consolidated consociational democracy:

[i]f a consociational mode of democracy has been in operation for some time, an analysis of its institutional mechanisms and the elite’s operational code would yield some grounds for predicting its successful continuation. (Lijphart 1977, 54)¹²⁰

When used normatively, the hope is that the presence of key characteristics increases the likelihood of elite cooperation creating democratic stability. Serving as a concretization of elite cooperation, the

120 Note that this is not an inaccuracy in the quotation, but that Lijphart speaks of consociation as a “mode” of governance or a way of governing.

key features of consociation do not change the basic mechanism around which the model revolves. In the application of the consociational model, however, the relationship between the core mechanism and the key features is often interpreted differently. The next section will elaborate on this.

This section has offered a reconstruction of the consociational model. The consociational model is understood to capture a mechanism that leads to democratic stability in segmented societies. The reconstruction in terms of a core mechanism focuses on revealing a continuity between explanatory and normative uses of the consociational model. None of the changes accompanying the normative turn in consociational theory necessarily implies a change in the model or its assumptions. However, the statement that “(5) awareness of the pitfalls of democratic instability makes political elites inclined to cooperate” has so far been largely left outside of the scope of this discussion of the normative turn. As (5) offers an explanation for why and when political elites cooperate, it should be a part of any application of the consociational model. The next section will examine assumptions about political elites in contemporary applications of the consociational model in more detail to assess whether this is the case.

4.2 Applying the Consociational Model

One model can be unproblematically used for different purposes. The consociational model likewise can be used for explanation and prescription. The regularity that is explained by the model may be created through the application of the model. However, for this to obtain, three criteria need to be met. Chapter 2 discussed these as criteria for evaluating models in political philosophy (see 2.3.1). First, the model needs to be the same in relevant respects. It cannot be changed. Second, there must be an appropriate resemblance relationship between the model and the target system to which it is applied. The assumptions featuring in the model need to appropriately represent the actual-world target system. Third, depending on the context in which the model is prescribed and applied, additional justification of the model may be required. This section focuses on the first two requirements, while the next section focuses on the justification of the consociational model (4.3).

The previous section highlighted the importance of assumptions (or statements) about political elites for the consociational model. This section evaluates the appropriateness of assumptions about the behavior of political elites in the application of the consociational model. The first section will break-down assumption (5) by discussing the motivations and attitudes attributed to political elites in consociational theory (4.2.1). Then, I suggest that the key institutions have been given the role, explaining or encouraging elite cooperation, that was previously reserved for the attitudes and motivation of political elites (4.2.2). I thus argue that in the application of the model, it is significantly adapted. Thirdly, these assumptions about elite behavior will be compared with elite behavior in an actual-world target system, Bosnia, drawing on insights from the case study (4.2.3). I suggest there is also a disparity between what the consociational model assumes about elite cooperation and what obtains in circumstances where the model is applied.

4.2.1 Assumptions about Political Elites

Observing the mechanism producing democratic stability in fragmented societies, Lijphart makes at least four assumptions about the behavior of political elites that explain why and when they opt for cooperation. Lijphart calls these “behavioral attributes” of the leaders of social groups “prerequisites for consociational democracy” (Lijphart 1968b, 22–23). (i) It is assumed that political elites recognize the dangers of democratic instability. Political elites are aware that antagonistic attitudes can lead to a breakdown of the system and realize that such a breakdown will not benefit the group they represent. (ii) Furthermore, political elites are assumed to be committed to the maintenance of the democratic system. This assumption can, for example, be taken to state that political elites do not seek secession, as this would imply the dismantling of the existing political system to make possible the construction of another. (iii) In addition to being willing to cooperate beyond group boundaries, political elites must have the ability to do so. (iv) For elite cooperation to be accepted, the solutions political elites are able to forge must also be acceptable for the social groups they represent. These assumptions are a specification of the conditions summarized in (5) stating that “awareness of the pitfalls of democratic instability makes political elites inclined to cooperate”.

The normative turn in consociational democracy is marked by *Democracy in Plural Societies*. It starts with the recommendation of the consociational model. Lijphart begins the final chapter, titled “Consociational Engineering” as follows:

This book’s message to the political leaders of plural societies is to encourage them to engage in a form of political engineering: if they wish to establish or strengthen democratic institutions in their countries, they must become consociational engineers. (Lijphart 1977, 223)

What prerequisites on the behavioral attitudes of political elites does Lijphart assume here? The call for consociational engineering could be interpreted as aiming to create an awareness of the risks of democratic instability with political elites. If they want to have a stable democracy, they must cooperate. Although this does suppose some commitment to system maintenance, it does not assume that political elites fear (the consequences of) democratic instability. As the next section discusses, a variety of reasons can lead political elites to be committed to system maintenance. The call could be alternatively interpreted as directly targeting the creation of democratic stability through elite cooperation, rather than effectuating this indirectly by targeting the behavioral attitudes and motivations of political elites. The why and the when of the explanatory consociational model are circumvented or substituted.

Contemporary studies of consociation in post-conflict societies cite various rationales for elite cooperation. In their analysis of the Iraqi constitution of 2009 McGarry and O’Leary (2007, 697) observe that, given the recent history of conflict, “it is very unlikely that victims of state policies of ethnocentrism, discrimination, ethnic expulsion, and genocide will accept the integrationist model championed by well-meaning liberals.” It is the recognition of the impossibility of integrationist alternatives that is expected to motivate elites. This cannot be strictly separated from the earlier described fear of conflict. Yet it forms a diversion from classically ascribed incentives for elites,

especially because the histories indicative of many post-conflict societies are invoked as the rationale for this rejection. Contemporary consociationalists recognize that these histories differ from the histories of societies like the Netherlands.

In 1993, a few years before the Good Friday Agreement, McGarry and O'Leary observed that there was little reason to believe that political elites would be inclined towards cooperation:

The experience of voluntary consociational initiatives in Northern Ireland is so far consistent in its message. From Whitelaw in 1972 to Brook during 1991-2 they have not worked. The collapse of talks in July 1991 portended the renewal of deadlock, and though the talks have subsequently been resuscitated there is no cause for undue optimism. (McGarry and O'Leary 1993, 324)

Drawing on this analysis of the conflict in Northern Ireland, McGarry and O'Leary (1995a) discuss possible political solutions.¹²¹ They suggest what they term “shared authority” for Northern Ireland, a system that is closely akin to consociation, as the authors also accede:

These institutions would provide a capacity for self-government in certain policies which could be extended as broad agreement and co-operation emerges amongst the political parties. [...] Its detailed architecture is described elsewhere, but its logic is a combination of shared sovereignty and consociational principles. (McGarry and O'Leary 1995a, 370)

They further argue that such a consociational solution would vitally require the support of the peoples of Northern Ireland, as well as of the political leaders in Northern Ireland, the UK, and Ireland.¹²² McGarry and O'Leary recommended this consociational model in 1995, even though the behavioral attitudes of political elites at the time were not even close to meeting the four conditions set by Lijphart. As various violent incidents, such as the 1996 IRA Manchester bombing, that occurred after this model was developed show, political elites were neither moved by an awareness of the consequences of instability nor were they committed to system maintenance. An extensive discussion of the behavioral attitudes of political elites in Northern Ireland is beyond the scope of this study. What this example shows is that the absence of the assumed behavioral attitudes and motivations of political elites does not prevent the insistent recommendation of consociational policies.

4.2.2 The Four Key Features and Elite Cooperation

The consociational model does not imply a causal relationship between consociational institutions and cooperative elite behavior (see 4.1.2). Rather, the four key institutions describe the form elite cooperation can take. The relation between the two is thus one of specification: the four key features specify the institutional form of consociational elite cooperation. Consociational institutions

¹²¹ *The Politics of Antagonism* (McGarry and O'Leary 1993) analyzes the political situation in Northern Ireland, while *Explaining the Northern Ireland Conflict: Broken Images* (McGarry and O'Leary 1995a) discusses potential solutions. The books were written simultaneously and the offered analyses can thus be considered to complement each other.

¹²² McGarry and O'Leary even propose making the functioning of the local executive conditional on the acceptance of consociational practices (McGarry and O'Leary 1995a, 376).

are the form that political elites choose when they decide to cooperate.¹²³ Cooperative behavior precedes the emergence of consociational institutions, as cooperation facilitates the building of consociational institutions. “Elite collaboration”, Rupert Taylor (2009b, 4) summarizes, “to promote consociationally structured political institutions could, through power sharing, achieve democratic stability.”

The role of the four key institutions of consociational democracy has changed with the normative turn. Previously, they constituted a specification of elite cooperation. When the model is applied, they form the prescribed principles. Application of the four key institutions of consociational theory is expected to effectuate elite cooperation. This increases the applicability of the consociational model, because implementing institutions seems easier than changing the attitudes and motivations of political elites. Furthermore, as contemporary consociationalists emphasize, their specific form of these institutions can be adapted to the characteristics of the case to which it is applied.

However, this relationship between consociational institutions and elite behavior is not assumed or supported by the consociational model. Thus, when the consociational model is applied, it is changed:

- (3) Elite cooperation leads to democratic stability.
- (4) Elite adversity leads to democratic instability.
- (5) Awareness of the pitfalls of democratic instability makes political elites inclined to cooperate.
- (6) The four key consociational institutions makes political elites inclined to cooperate.

Why is this change that the model underwent with the normative turn problematic? The empirical evidence on which the consociational model is based does not support (6). The model used for policy application significantly differs from the original model.

The consociational model explains when and why (3) pertains by reference to (5). However, with its application the model aims to bring about the why and when of elite cooperation through different means, namely (6) consociational institutions. Hereby, this model captures a different mechanism. Elite cooperation *when* and *because* political elites are aware of the pitfalls of democratic instability is substituted by elite cooperation *when* and *because* consociational institutions are implemented. As they capture different mechanisms, it is unlikely that the results these models yield will be the same.

Furthermore, as the key institutions specify elite cooperation, they cannot offer a satisfactory explanation for or prediction of the emergence of elite cooperation. The main consociational institution is the formation of a grand coalition. This means that (6) explains or predicts the why and when of (3) elite cooperation by reference to the formation of a grand coalition. However, the formation of a grand coalition seems to imply elite cooperation. This does therefore not constitute a strong explanation or prediction.

123 Peace agreements could contain additional conditions to encourage or enforce elite cooperation. Such conditions, however, would not precede the implementation of consociation, but accompany it. The presumed relationship would be similar to that between consociational institutions and cooperative elite behavior. Is there a causal relationship between such additional conditions and the motivations and behavioral attitudes of political elites? Further research into this would be highly recommended.

The reasons for elite cooperation may initially not appear to be important as long as elite cooperation can create democratic stability. However, the reasons for elite cooperation form an important part of the modeled mechanism. Modeling a different mechanism, it must be taken into account that this mechanism can have different results. Even if consociational institutions make political elites inclined to cooperate, this cooperation is unlikely to lead to the democratic stability envisioned by consociationalists. Elite cooperation by institutional necessity represents a different mechanism than elite cooperation as observed and modeled in Lijphart's consociational theory.

Contemporary consociational practices also provide little support for assuming a causal relation between consociational institutions and cooperative elite behavior. A very urgent and immediate example is the number of caretaker governments in consociational societies. Lebanon, Bosnia, and Northern Ireland have been all governed by temporary governments awaiting the formation of coalitions for at least several months over the past years.¹²⁴ In spite of the consociational institutions installed in each country, there is little to indicate that this will incite elite cooperation. Unless political elites cooperate for the right reasons—that is, the reasons featuring in the assumptions that underpin the consociational model—consociational institutions are unlikely to lead to democratic stability.

4.2.3 Elite Cooperation in Bosnia

What behavioral characteristics are attributed to political elites in Bosnia? And what culminates from elite cooperation brought about by these motivations and behavioral attitudes? In Bosnia the relations between political elites pre-consociation were characterized by severe conflict rather than cooperation. The situation during the negotiations in Dayton is also better described as adversarial rather than cooperative.¹²⁵ Yet, a consociational model was implemented. The motivations and behavior of political elites and the consequences thereof came to the fore in the interviews, particularly in the context of the problems arising from the consociational system in Bosnia.

Political elites, many respondents express, are mainly motivated by self-interest. Their commitment

124 Lebanon has been without an effective government from May 2014 until October 2016 and again from October 2019 until January 2020. See for example Thanassis Cambanis (31 October 2016) "Michel Aoun Rises to Lebanese Presidency. Ending Power Vacuum", *The New York Times*, available online at

<https://www.nytimes.com/2016/11/01/world/middleeast/michel-aoun-lebanon-president.html> [last accessed 28 May 2020] and Farah Najjar (22 January 2020) "Lebanon Announces Formation of New Government", *Al Jazeera*, available online at <https://www.aljazeera.com/news/2020/01/lebanon-announces-formation-government-200121200947113.html> [last accessed 28 May 2020].

Northern Ireland has had a caretaker government from January 2017 until January 2020. See for example Henry McDonald & Lisa O'Carroll (10 January 2020) "Northern Ireland Assembly to Sit on Saturday after Three Years", *The Guardian*, online available at <https://www.theguardian.com/politics/2020/jan/10/pressure-mounts-northern-irish-parties-restore-power-sharing-sinn-fein-dup> [last accessed 28 May 2020].

Bosnia and Herzegovina had a caretaker government from October 2018 until December 2019. See for example Maja Zuvela (23 December 2019), "Bosnian Lawmakers Approve New Government after 14-month Deadlock", *Reuters*, online available at <https://www.reuters.com/article/us-bosnia-government/bosnian-lawmakers-approve-new-government-after-14-month-deadlock-idUSKBN1YR1JE> [last accessed 28 May 2020].

125 This is described by Warren Christopher (1998) and Richard Holbrooke (1998), both of whom participated in the peace negotiations in Dayton, Ohio in November 1995.

to system maintenance can better be understood as a commitment to maintaining their attained power and wealth (Interview 8, 223). On the one hand, the institutions facilitate cooperation between elites. Cooperation rather than adversity characterizes their behavior, at least behind closed doors. As one respondent remarks, this is how the three-member presidency of Bosnia works:

But these three people, they sit together. And they drink together and they eat together. And then they say now we go on tv and I will spit on you and you spit on me. And this is what we see. But all these years they are traveling together, they are working together. Have you ever heard that they had a fight in an airplane? Because they work perfectly for each other. (Interview 3, 165)

On the other hand, as this respondent notes, the public behavior between political elites is characterized by adversity (see also Interview 3, 165). Implementing a consociational model in a society where political elites are motivated by self-interest rather than fear of the effect that democratic instability may have for their constituencies, may not lead to political stability in the long run. Rather, it may create incentives for political elites to behave adversely, at least in public. The effect is that existing inter-group tensions are only aggravated further. Politicians gain their support from their ethnicity-based constituencies. Invoking nationalist narratives and thereby emphasizing and reinforcing group differences is what keeps them in power. This, together with cooperation with other political elites, is what allows them to maintain their wealth.¹²⁶

The situation resulting from this may be far from what elite cooperation is assumed to create according to the consociational model. Stagnation of all facets of public life is a much-recounted effect of the lack of elite cooperation in a consociational democracy. Since the implementation of the Dayton Peace Agreement,

nothing has practically changed. Except that every change that has happened was practically imposed by the High Representative. For example, Brčko entity, that was the only amendment to the constitution and it was imposed.¹²⁷ The only maybe good thing that has happened in the past decade or two, has been the reform of the military forces. That was one of the things. When you think, for example, in 2006 when there were serious talks about constitutional reform and there were packages presented for constitutional reform, nothing got passed. Because there was no political will. (Interview 8, 215).

126 How political elites maintain power by ethnicity-based politics on the one hand and cooperation with other political elites on the other hand is also exemplified by a story about election fraud. Claiming that he witnessed election fraud, one respondent states that the members of political elites assigned to monitoring elections “agree between them: all those who don’t come to vote, they will divide them into you will get twenty percent, you will get five percent. You wouldn’t believe how they steal elections.” (Interview 1, 146)

127 In the peace agreement it was determined that the position of Brčko District in relation to the two entities would be the subject of an arbitration process. The respondent refers to the fact that the arbitration process was eventually decided by the Office of the High Representative and not by an agreement between the politicians in Bosnia.

The Bosnian economy has not developed significantly since the 1990s. Unemployment rates have been structurally very high.¹²⁸ In 2018 the unemployment rate was 18,4% for the population at large, while for the age group between 15-24 it even rose to 38,8%. A high number especially of young Bosnians leave the country to seek employment elsewhere.

Politically, the country has been a potential candidate for EU membership since 2003. Little progress has been made since then. The failure of the Bosnian government to implement the ECtHR decision in *Sejdić and Finci v. Bosnia and Herzegovina* is not only exemplary of the lack of change and progress, but also an important factor contributing to the lack of progress in EU accession negotiations.¹²⁹ Within Bosnia, many people note, the same people have been in power since the 1990s:

The issue is again that we don't have any new faces in the political scene. We have had the same faces for the last twenty years, even though we did have an increase of new parties, young parties, more progressive parties. It has all been the same. They quickly become a part of the system and then you cannot differentiate the left from the right. (Interview 8, 213).

Among the factors contributing to these various forms of stagnation are the motivation and behavioral attitudes of political elites. The political elites stirring up group rivalry during the war in the 1990s, are the same political elites that sat at the negotiating table in Dayton. They now govern the country. In the 1990s these political elites did not shy away from violent conflict or democratic instability, nor were they committed to the maintenance of a government for Bosnia. This situation does not seem to have changed in the intervening decades. Political elites are thought to mainly protect their own interests. Instead of cooperating in order to enhance the livelihoods of their constituencies, they block decision-making in order to further their own interests (Interview 3, 164).

When you strike up a conversation in Bosnia, almost every person will mention the doors that political connections open for you. Especially jobs, a much-desired commodity in an economy characterized by high unemployment rates, are thought to be distributed among the faithful supporters of political elites. Every party "employs their own people", within these political parties, but also in public enterprises supported by these parties (Interview 8, 215). A young employee of a youth organization in Brčko illustrated the frustrating connection between politics and opportunities with the following anecdote:

Some guy came for an interview for job. They asked him "what is your political party?" He answered, "what political party?" He was confused. And they said: "what job?" So you cannot get a job [without membership of a political party, ed.]. (Interview 5, 184)

These are examples of the ways in which political elites can make use of consociational institutions to

¹²⁸ See for example European Commission (2019) *Economic Reform Programme of Bosnia and Herzegovina (2019-2021)*, Commission Staff Working Document, Vol. 53. Brussels, online available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/bosnia_and_herzegovina_2019-2021_erp.pdf [last accessed 29 July 2020]

¹²⁹ See for example European Commission (2019) *Analytical Report Accompanying the Document Communication from the Commission to the European Parliament and the Council Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union*, Commission Staff Working Document, Brussels

further their own interests instead of trying to avoid conflict through cooperation.¹³⁰ They illustrate the problems that may arise when elite cooperation does exist and is regulated and consolidated by consociational institutions, yet political elites are not motivated by the fear that democratic instability may affect their constituencies.

4.3 Justification

The normative use of the consociational model initially relied on the desirability of democratic stability. This claim is partly supported by empirical evidence. More recently, the normative use of consociational theory relies on its compatibility with liberal values (McGarry and O'Leary 2007; O'Leary 2005). The compatibility with liberal values is invoked to justify the application of the model. This claim cannot be validated solely with reference to empirical evidence. It implies a distinctly normative claim about the desirability of liberal values and about the relationship between the consociational model and these values. Additional justification of the consociational model is therefore required.

To be rightly considered a liberal model, the consociational model must uphold liberal values. First, this pertains to the purpose of the model. The aim of the model must be the realization of liberal values. The first sections of this chapter (4.1 & 4.2) and Chapter 5 (5.3) examine whether the consociational model can be expected to realize liberal values when it is applied to deeply divided societies. Most liberal critics of consociational theory have targeted this dimension of consociational democracy. Second, this concerns the justification of the consociational model. When a model is used to explain, the model needs to be validated with empirical evidence. When a model is used to formulate prescriptions for the realization of liberal democratic values, additional justification of the model is required. Looking at the justification of the consociational model, this section suggests that because of the elite-focus of consociational democracy, insufficient attention is paid to the freedom and equality of individuals. The elite-focus limits the scope of justification of the consociational model too much to be considered a liberal model.

This section examines whether and how the consociational focus on political elites limits the scope of the justification of the consociational model. Contrasting the consociational model as an ideal type with Rawlsian political liberalism, I suggest that the justification of liberal democratic normative principles typically rest on the idea of public agreement. It is called into question whether such public agreement can be and is expected for the consociational model. This section first discusses the audience of Rawlsian liberal democracy (4.3.1). The second section focuses on the consociational model (4.3.2).

130 The relationship between corruption, (un)employment, and poverty is complex. Additionally, connections have been identified between, for example, access to education, the type of employment, and regions in Bosnia. See for example The World Bank (May 2015) *Poverty and Inequality in Bosnia and Herzegovina 2007-2011*, online available at <http://documents1.worldbank.org/curated/en/228531467999134102/pdf/97643-REVISED-P132666-P152786-Box393190B-BiH-Poverty-and-Inequality-in-BiH.pdf> [last accessed 6 August 2020]. At the same time, the effect of the complex political system, elite behavior, and corruption ought not to be discounted. Other reports state, for example, that “[t]he complex legal and regulatory frameworks create opportunities for corruption.” See European Commission (2019) *Economic Reform Programme of Bosnia and Herzegovina (2019-2021)*, 11.

4.3.1 Justification of Liberal Democracy

The elite focus of consociational democracy has fueled the critique that consociational democracy is inherently undemocratic.¹³¹ Taylor (2006, 221) argues that secrecy surrounded the negotiations leading to the Good Friday Agreement, instead of a “wide ranging deliberation in the public sphere.” Paul Dixon (2005, 363) concurs and argues that consociations empower political elites instead of voters. He considers the focus on the elite level and the exclusion of popular participation not only a possible, but a necessary characteristic of consociationalism. So formulated, these critiques pertain to the practical application of the consociational model. In this section, the focus is on the effect that the elite-focus has on its theoretical justification. In the context of the consociational model, who constitutes the audience expected to be in agreement with the consociational model and the principles it proposes? Is the audience of the consociational model, and thereby its justification, more limited than that of other democratic models? A brief comparison of the Rawlsian liberal democratic model with the consociational model may help answering this question.

In *Political Liberalism* Rawls develops a highly idealized model for liberal democratic pluralism. Many other models have been formulated since. Yet, Rawls’s model remains highly influential in contemporary political philosophy. The main question, that in model terms can be called the target system, resembles the question posed by Lijphart. Rawls asks:

how is it possible for there to exist over time a just and stable society of free and equal citizens, who remain profoundly divided by reasonable religious, philosophical, and moral doctrines? (Rawls 1993, 36)

The similarity between the target systems is striking. But important differences exist as well. Where Lijphart assumes deep divisions and little contact between members of different groups, Rawls assumes “reasonable pluralism”.¹³² Reasonable pluralism entails the idea that people may hold different worldviews, but that they at the same time know and accept that different comprehensive doctrines exist (Rawls 1993, 55, 61). Recognizing that a plurality of comprehensive doctrines exist, people understand that there are limitations to which general principles can be justified to all.¹⁹ Rawls argues that in a society characterized by reasonable pluralism, stable democracy can be established when three conditions are met:

First, the basic structure of a society is regulated by a political conception of justice; second, this political conception of justice is the focus of an overlapping consensus of reasonable comprehensive doctrines; and third, public discussion, when constitutional essentials and questions of basic justice are at stake, is conducted in terms of the political conception of justice. (Rawls 1993, 44)

131 McGarry and O’Leary (2009a, 77–78) distinguish between three types of critiques in this category. There are concerns about democratic accountability, limited voter freedom, and secrecy in decision making confined to the elite level. It is the latter that is of interest in the context of the model audience.

132 This distinction may imply yet another distinction. While consociationalists focus on differences and disagreements between groups, Rawls assumes these divisions exist primarily between individuals. Chapter 5 will further examine the assumed relationships between individuals and groups in consociational theory underpinning this distinction.

In terms of the audience considered in the justification of the model, the third point is the most interesting. The model is justified through hypothetical public agreement. A conception of justice is justified from the perspective of political liberalism, when all people can in principle be expected to agree with it.¹³³ This implies that this idea of justice is not imposed upon reasonable and rational citizens (Rawls 1993, 140–44). This public agreement is hypothetical to the extent that it does not require an actual-world consultation of the public. Rather, it constitutes a theoretical exercise.

The idea of public agreement, however, is not uncontested. It has been argued, for example, that we cannot expect the liberal notion of public agreement to include religious and non-religious citizen alike (e.g. Eberle 2002; Wolterstorff 1997, 2007). Does this imply that the limited scope of justification of the consociational model cannot be critiqued from the equally limited scope of liberal models? Firstly, as the primary focus of this study is the compatibility between consociational and liberal models for democracy, I do not assess the inclusiveness of liberal democratic models. Rather, I critically examine the consociational assertion that their model is compatible with liberal democracy and therefore desirable. Secondly, even if the notion of public agreement is not inclusive, it is lacking completely in the context of the consociational model. Consociationalists recognize that political elites and the population of divided societies have a stake in democratic government. The model's audience, however, is only defined to be political elites. Whether the population of the target society can be equally expected to accept consociational principles remains undiscussed. As such, we can minimally conclude that the liberal democratic model is more inclusive as it intends to seek justification for all affected citizens.

4.3.2 Justification of Consociational Democracy

Thus reformulated, the critique that the consociational elite-focus is undemocratic extends beyond the claim that consociational politics is characterized by secrecy and trade-offs between political elites. Rather than taking issue with the lack of popular approval and participation, the critique highlights that the theoretical justification of the consociational model that precedes its application is at stake. The critique is not that actual people do not support consociation. This may be a critique, but it is an empirical one. In practice, people may have various reasons to vote for consociational institutions (if they are even given the chance to do so). Can citizens be reasonably expected to agree with the principles drawn from the consociational model? Consociational models do not sufficiently answer this question, warranting the critique that consociational models are insufficiently democratic.

The origins of the consociational model may explain the limited audience constructed for its justification. Lijphart initially coined the term consociational democracy to explain democratic stability in societies where no overlapping memberships between social groups exist (see 1.1.1). The reason that democracy in these societies is expected to be unstable, is because there is no common ground between members of different social groups. Rephrasing this, in severely divided societies the differences between groups are so large, that not any form of government can be reasonably

133 In other terms, the conception of justice is the focus of an overlapping consensus.

expected to be the subject of agreement between all groups. In these circumstances, political elites can come to an agreement. Thus, finding a form of government that can be reasonably expected to be agreed upon by political elites is what can be maximally achieved in severely divided societies. Is this as close to liberal democracy as we can get given the circumstances?

In contemporary consociational theory, advocates similarly argue that citizens are unlikely to support government arrangements that do not explicitly support the interests of their respective groups. Citizens are more likely to support leaders that promote group interests (McGarry, O'Leary, and Simeon 2008, 74). Hence, it is assumed, they are not likely to support systems that are not based on these interests. Thinking that liberal integrationist policies might work in these circumstances, consociationalists argue, is to downplay the importance of divisions and exaggerating the possibility of creating a common ground (McGarry and O'Leary 2007, 675). In other words, taking seriously the severity of deep societal divisions implies taking seriously the possibility that no public agreement can be expected over any unified government system. The consociational solution is two-fold. On the one hand, disagreement between groups at the societal level may persist as the absence of a unifying ground for public agreement is accepted. On the other hand, the agreement is found at the political level, where elites can agree on a system that they deem beneficial for their respective groups.

An example of elite-level compromise in the face of severe societal divisions can be found in consociational practice. I do not wish to argue that these consociational practices are a direct result from the theoretically constructed argument. The relationship between models for democracy and democratic practice is not that straight-forward. Consociational practice, however, does offer an example of how the expected public agreement (or lack thereof) in theory can correlate with public agreement in practice.

Consociational rules and institutions are typically drawn up at negotiation tables. This holds for most contemporary cases, as consociationalism is part of peace packages in post-conflict societies. At the negotiating table in Dayton, Ohio, where the Bosnian peace agreement was worked out, five delegations, from Serbia, Croatia, Bosnia, the US, and the EU, were present. Each delegation was led by a prominent political leader or diplomat.¹³⁴ The participation of the Bosnian, Croatian and Serbian parties to the conflict was not a given. Once the US had decided to pursue a more assertive strategy in Bosnia, one of their first objectives was to ensure that these three parties recognized each other as negotiation partners. This meant especially getting Milošević to recognize Bosnia and the Bosnian leadership (I. Daalder 2000, 109).¹³⁵ Senior US official Anthony Lake outlined a strategy for the negotiations that comprised a strategy of “sticks and carrots” to motivate the political leaders

134 Slobodan Milošević, Franjo Tuđman, and Alija Izetbegović led respectively the Serbian, Croatian, and Bosnian delegations. Richard Holbrooke was the lead-negotiator and headed the US delegation, while Carl Bildt represented the European countries in an EU delegation.

135 Milošević was chosen to represent the Bosnian Serbs, as the United States refused to deal with the Bosnian Serbs (Holbrooke 1998, 5). In previous negotiations both the EU and the US had dealt directly the Bosnian Serbs. In 1995, however, both Ratko Mladić and Radovan Karadžić had been indicted by the International Criminal Court for the Former Yugoslavia. Soon after the US took over the lead of the negotiations, Holbrooke had let Milosevic know that he “must speak for Pale [reference to the Bosnian Serb leadership, who had their headquarters in Pale, ed.]. We won't deal with them ever again” (Holbrooke 1998, 5). Milošević arranged a mandate from the Bosnian Serb leadership in Pale (Daalder 2000, 128). Representing the Bosnian Serb leadership at this point cannot incontestably be equated with representing the Bosnian Serb people.

of Bosnia (Holbrooke 1998). These sticks and carrots had to motivate the leaders to seek a peaceful solution to the conflict. This stands in stark contrast with the cooperative attitude of political elites that Lijphart finds in his earlier studies.

The constitution that resulted from strenuous diplomatic effort is not understandable for the general population. Although differences exist between regions in Bosnia, as a research associate working for a civil society organization promoting understanding of human rights and democracy explained, there appears to be very little understanding of democracy and human rights among citizens (Interview 8, 212). The legal language and the perceived complexity of the constitution lead people to feel no connection to the democratic system through which they are governed at all. Although the lack of familiarity with the constitutional and legal structures of the state is likely not to be specific to consociational democracies, the emphasis on elite level politics that comes at cost of popular participation and deliberation does appear to exacerbate the lack of understanding of such structures (Interview 8, 216). Furthermore, the complexity of the Bosnian political system that is difficult to grasp is directly related to the consociational nature of the state's structures (see 3.1.2).

Can this critique be circumvented by organizing a referendum, allowing the population to be heard before consociations are implemented? For practical reasons, this may often be impossible in (post-) conflict societies, but in Northern Ireland a referendum was held about the Good Friday Agreement in 1998. A majority of the population voted in favor of the consociational agreement. Such solutions, however, do not appropriately address the critique formulated in the previous section, as the critique does not pertain to consociational practices, but to the justification of the model.

The conception of society that consociationalists draw on is much grimmer than the conception liberals employ. Where liberals maintain that a common ground can be found even in plural societies, consociationalists argue that realistically this is simply not the case. Drawing a line between (the behavior of) political elites and the segmentation of society allows consociationalists to maintain that the latter is the source of instability, while the former is presented as a possible solution.¹³⁶ This approach, however, seems to underrate the role that political elites play in creating, maintaining, and strengthening segmentation. Political elites may not find consociation acceptable because it is the most just form of governing severely divided societies, but because it serves their personal interests. In the previous section (4.3.4) and in the next chapter (5.2.2) the way in which political elites (mis)use their control over social groups is discussed. This chapter argued that when political elites cooperate for the wrong reasons, this may lead to political and economic stagnation. Political elites may actually deliberately strengthen societal segmentation, because it helps them to further their own interests. This may make political elites an inappropriate target audience for the justification of a model for democracy in divided societies. Consequently, the justification of the consociational model is insufficient from a liberal democratic perspective.

136 In severely divided societies, consociationalists for example argue that there is little potential for countering instability caused by segmentation at the level of civil society: "it is unrealistic, in such settings, to place much faith in the ability of civil society organizations to counter elite ethnocentrism because civil society organizations are likely to be ethnic in their composition and ethnocentric in their appeal—"bonding" rather than "bridging" in character." (McGarry, O'Leary, and Simeon 2008, 74)

4.4 Conclusion

A reconstruction of the consociational model for democracy formed the focal point of the analysis in this chapter. It aided an evaluation of the relationship between explanatory and normative models and of the function of assumptions about political elites in both models.

The consociational model captures how democratic stability can be consolidated and maintained in divided societies through elite cooperation. The consociational model that is applied to create democratic stability in deeply divided societies is derived from the model explaining democratic stability in deeply divided societies. But, when the model is applied and used to formulate prescriptions, the model is changed. Initially, the model stated that elite cooperation occurred when and because “(5) political elites are aware of the pitfalls of democratic instability”. However, when the model is applied to contemporary post-conflict societies (5) typically appears to be replaced by “(6) consociational institutions make political elites inclined to cooperate”.

The empirical studies used to build explanatory consociational theory do not support the latter assumption (6). What *explained* when and why elite cooperation creates democratic stability is a set of motivations and behavioral attitudes attributed to political elites. This assumption does not support the idea that key institutions can *explain* nor *create* the same mechanism. (5) and (6) can also not be considered to be complementary, as the key institutions do not create awareness of the pitfalls of democratic instability. Even if they do make political elites inclined to cooperate, this cooperation is unlikely to lead to the democratic stability envisioned by consociationalists. Elite cooperation by institutional necessity represents a different mechanism than elite cooperation as observed and modeled in Lijphart’s original model for consociational democracy.

For consociational models to be in line with the expectations raised by early cases of consociational theory, one of two possible adjustments would be advisable. Firstly, consociational theory could be more modest in its recommendations and focus those on changing the motivations and behavioral attitudes of political elites. Secondly, more empirical studies focusing on the motivations and behavioral attitudes of political elites could provide insights on the relationship between these motivations and attitudes and consociational institutions. A better understanding of this relationship could lead to better policy design, hopefully avoiding the pitfalls of consociational democracy observed in Bosnia.

Furthermore, for the model to be considered more robustly democratic, a more explicit definition of the audience and a more explicit discussion of the justification of the model are necessary. Consociational practices show a disparity between the problems experienced by political elites and the problems experienced by the population in their everyday lives. A more thorough consideration of the latter will make it theoretically more likely that the model and its assumptions can be expected to be the subject of agreement for all affected citizens. A more inclusive notion of justification may have further benefits. It leaves open the possibility for justifications of democracy in deeply divided societies that are sensitive to local perspectives practices, to the extent that these are the perspectives and practices of all members of society rather than a select sub-group (E. K. Wilson 2010). It is not unimaginable that such justification for some form of consociational democracy could be formulated, as there may indeed be compelling reasons to expect that the citizens of

deeply divided societies would be inclined to agree with the premises of the consociational model. However, for consociational democracy to be considered a liberal (non-ideal) model for democracy, the justification of the model ought to be brought in line with the form that liberal justification of democracy takes.

Taking seriously the limitations posed by the circumstances of post-conflict societies, addressing these critiques might appear unmanageable. However, firstly, more explicit and transparent discussion of the assumptions of the model and their function will make it easier to assess the model and its appropriateness for particular circumstances. Secondly, these issues could also be taken up by focusing more on the dynamic character of the consociational model. There may be evidence to suggest that consociational institutions do have a positive effect on elite behavior.

Rupert Taylor notes that

[i]t has come to have significant resonance and impact beyond the academy – in a fair number of cases, consociationalism has positively impacted the preferences and pragmatic behavior of political elites in both constitution making and governance. (Taylor 2009b, 5)

Making and including appropriate assumptions about the performative effect of consociational institutions is one way in which the problems with the applicability assumption could be circumvented. The potential dynamic character of consociational democracy will be discussed in the next chapter.

5

Analysis II: Pluralism, Groups and Group Membership

5. Analysis II: Pluralism, Groups and Group Membership

Consociationalism focuses its attention on divided societies. The application of the consociational model requires political elites representing the relevant social groups to share power in a cross-community power-sharing executive (McGarry, O’Leary, and Simeon 2008, 58). What are “relevant social groups”? Critics of consociationalism argue that consociationalists presuppose a deeply problematic essentialist understanding of groups. This understanding is incompatible with a liberal focus on the freedom and equality of individuals. Consociationalists respond by arguing that both individuals and groups are free to determine their own identities, also in consociations. Why should this response not satisfy liberal critics?

In this chapter I explore why consociational theory appears to fall prey to liberal charges of essentialism. The first section recalls the main liberal critiques of the consociational group focus (5.1). What claims about group identities and group membership are consociationalists actually committed to? In the second section, I draw a distinction between three different levels of thinking about group identities: a normative, a descriptive, and an ontological level (5.2). I suggest that while the liberal critique pertains to the ontological level, consociationalists only make claims concerning the descriptive and the normative levels. Their position, I argue, does not entail an ontological commitment to essentialism.

The third section explores whether and how consociational models can be viewed as liberal non-ideal models (5.3). I suggest that the consociational model is insufficiently transitional. Assumptions about societal divisions describe impediments to the realization of liberal values. Yet consociational elite cooperation does not address these injustices. This is illustrated by a brief discussion of the (more) transitional alternatives proposed by liberal critics of consociational democracy.

5.1 Essentialism

Liberal critics argue that the consociational understanding of groups as salient, stable, and long-lasting relies on essentialist premises (R. Wilson 2009). Group identities are reduced to some essential characteristics. Focusing on the representation of groups implies assuming that groups are clearly identifiable units. The essential characteristics of groups are thought to be objectively identifiable and are attributed to all members of the group. This presupposes a certain level of homogeneity within the group. Essentialism curtails the freedom of the individual (Taylor 2006, 2009b; O’Flynn 2003). What the politically relevant aspects of the identity of an individual are, is determined by their membership of a group. This does not do justice to the complexity of individual identities, as for example emphasized in the literature on intersectionality. The identity of an individual comprises many different aspects. These are rarely if ever neatly mirrored by what

are considered to be the essential identifying characteristics of a group. By ignoring the complex identities of individuals in favor of focusing on clearly identifiable groups, consociationalism infringes upon the freedom of the individual.

Essentialism is an ontological approach to groups. It concerns the nature of social groups. It puts emphasis on the historical and cultural foundations of groups and ascribes a somewhat objective character to them (Phillips 2010; Pierik 2004). Liberals argue that consociationalism rests on an essentialist understanding of groups, because it ascribes durable and stable characteristics to groups. Essentialism is often contrasted with constructivism, which ascribes no such objectivity to the characteristics of groups. Instead, it emphasizes that the meaning of these characteristics is developed within the group as a social construct. A constructivist view of groups approaches groups as fluid and malleable (e.g. Modood 1998, 397–380). As the interaction within and perspectives on the group change, the meaning of the group and its characteristics may change accordingly. Ascribing a more permanent meaning to a group and its features, an essentialist perspective does not account for such shifts and changes.¹³⁷

Consociationalists oppose the idea that academic approaches to consociational power-sharing entail an essentialist understanding of group identities. They maintain that “[a]cademic supporters of power-sharing are not, contrary to their critics, “primordialists” who believe that national, ethnic, religious, and linguistic groups have existed since time immemorial” (O’Leary 2013, 18). Firstly, they distinguish between essentialism and the idea that group identities are durable. While consociationalists observe that the latter is often the case in divided societies, they do not subscribe to the former. Secondly, they argue that their approach is compatible with the self-determination of individuals and groups. Consociational democracy presupposes the existence of groups, but not the existence of particular groups. It also does not pre-determine to which groups individuals belong. Thereby, consociationalists recognize the durability of group identities without subscribing to essentialism. Consociational democracy, proponents contend, is thus compatible with the liberal focus on individual freedom.

Neither the explicit distancing from essentialism nor the commitment to self-determination satisfies liberal critics. Why do liberals remain unconvinced? Liberal critics hold that consociationalism does not offer an alternative to essentialism (R. Wilson 2009). If consociationalists are not essentialists, then what constitutes a durable identity? Without an alternative it remains unclear whether the distinction between essentialism and durability really is more than a semantic one (Finlay 2011).

Consociationalists indeed rarely discuss the nature of group identities, but the consociational literature does offer some starting points. The next section discusses whether and how consociational assumptions concerning the durability of group identities imply an essentialist approach to these identities. It explores what conception of group identities underpins consociationalists’ self-proclaimed realism. The focus is on the different levels in our thinking about group identities. I

137 While an essentialist understanding of groups, culture, or ethnicity has been largely abandoned in scholarly circles, the constructivist conception that replaced it has also been contested. Although a constructivist approach is often considered important from a normative perspective, it is not always clear how differences between groups—in terms of culture, ethnicity, etcetera—can be conceptualized if not drawing partially on essentializing premises. See for example Bader (2001), Brubaker (2004), Modood (1998), Phillips (2010), or Pierik (2004) for different perspectives on this debate.

suggest that consociational descriptions of group identities may operate on a different level than liberal critiques of essentialism. This possibly allows consociationalism to escape the essentialism charge.

5.2 Consociational Assumptions about Pluralism, Groups and Group Membership

As mentioned above, consociationalists insist that the consociational accommodation of groups does not necessitate an essentialist approach to social groups. Yet, liberals remain unconvinced. To untangle the impasse consociationalists and liberals have reached in this debate about the status of groups in consociational theory, I distinguish between three different levels of thinking about social groups. (i) The descriptive level focuses on how groups form and exist in practice. What sort of criteria do individuals in actual-world societies use to determine their group affiliations? (ii) The ontological level is concerned with the nature of social groups. What sort of entities are groups? What kind of properties do they have? (iii) The normative level concerns the identification of groups that qualify for certain group rights. Is a shared interest enough of a basis to grant a group rights?

Distinguishing between these three levels of analysis allows me to explain this particular impasse in the debate about consociational democracy. Following the three levels of analysis, the debate can be captured as follows. (i) Consociationalism rests on descriptions of societies characterized by the presence of durable and stable social groups. (ii) Liberals maintain that this presupposes an ontological commitment to essentialism. (iii) Consociationalists argue that groups qualifying for group rights in a consociation ought to be self-identified. I suggest that consociational descriptive assumptions do not presuppose an ontological commitment to essentialism. Nevertheless, the consociational response to this critique focuses on the normative level rather than the ontological level and thereby misses the mark.

The first section discusses consociational descriptive assumptions about groups (5.2.1). The second section reflects on the notions of pre- and self-determination (5.2.2). The relationship between descriptive and normative assumptions can be viewed in the light of the normative turn in consociational theory. The two-fold assessment of assumptions about groups is in line with the reconstruction of the consociational model in Chapter 4. Descriptive assumptions about groups feature in the original model. They play a role in capturing the mechanism that leads to democratic (in)stability. Normative assumptions about groups become important when the model is applied and groups qualifying for group rights need to be identified.

5.2.1 Describing Stable and Durable Groups

Consociational assumptions about groups and group membership go back to the origins of consociational theory. They are manifested in assumptions about political culture. Building on Almond's typology of democratic systems, the consociational model assumes a relationship between political culture and democratic stability (see 4.1.1).¹³⁸ Political culture refers to the composition of a society (Almond 1956; Lijphart 1968b). Within the typology developed by Almond and augmented Lijphart, it can be either homogeneous, unfragmented, and unified or heterogeneous, fragmented, and plural. The absence or presence of overlapping memberships constitutes the difference between homogeneous and heterogeneous societies. In homogeneous societies individuals have overlapping group memberships. They affiliate with more than one group and these groups cross-cut each other. In heterogeneous societies no such overlapping memberships exist. These societies are characterized by the presence of at least two social groups. Individuals belong to either one of these groups. No additional groups or structures exist that crosscut these groups. Individuals do not come into contact with members of other groups.

Consociational assumptions about group identities must be understood against this background. They concern assumptions about heterogeneous societies without overlapping group memberships. Consociational theory builds on this by adding observations from case studies. Three features characterize social groups in the heterogeneous societies that consociationalists are concerned with: (i) groups have a strong organizational dimension; (ii) groups form around shared interests; (iii) depending on the interest, groups are stable and durable. These three features underpin the consociational model, as they explain why a heterogeneous political culture leads to democratic instability (see also 4.1.1).

First, the emphasis on the organizational dimension of groups is manifested throughout consociational theory. *The Politics of Accommodation* introduced consociational democracy based on a case study of the Netherlands. Lijphart begins his book with a few words about the “extraordinary degree of social cleavage” that characterizes the Netherlands:

Deep religious and class divisions separate distinct, isolated, and self-contained population groups. Social communication across class and religious boundaries is minimal. Each group has its own ideology and its own political organizations. (Lijphart 1968a, 1)

This characterization of pluralism concurs with the overlapping membership proposition. The lack of contact between groups is captured as groups are characterized as “isolated” and “self-contained”. Furthermore, there is an emphasis on the organizational aspect of groups with groups having their own political organizations. A similar description of social groups can be found in *Democracy in Plural Societies*, where the main emphasis is on societies where organizational and ideological boundaries between groups coincide (Lijphart 1977, 3–4). Contemporary consociationalists also accentuate the organizational dimension of groups. It allows consociationalists to determine whether a given society is indeed a heterogeneous society:

¹³⁸ The consociational model builds on this by introducing elite cooperation as a variable. It thereby also captures a mechanism that leads to democratic stability in heterogeneous societies. This is discussed in Chapter 4.

One can test for the existence of pluri-national states, at least in democracies, by examining which parties people vote for, and what types of civic associations they participate in, and for how long these patterns have existed. (McGarry and O'Leary 2009a, 26)

The focus on the organizational dimension coincides with the empirical case study approach of consociationalism.

Secondly, groups are characterized by a shared interest. It is considered the main characteristic that groups organize around. Lijphart (1977, 3–4) does not qualify this dimension of groups, and refers to it as being of a “religious, ideological, linguistic, cultural, racial, or ethnic nature.” Drawing on their studies of Northern Ireland, McGarry and O'Leary argue that the specific nature of the divisions is more important than Lijphart suggests. They focus their attention on the nationalist dimension of the conflict in Northern Ireland. Nationalist societal divisions, they argue, must be distinguished from other kinds of societal divisions, because national groups have specific kinds of interests:

In these cases, the issues at stake are not simply about sharing power, or even primarily about sharing power. Questions of autonomy, sovereignty, irredentism, symbols, explicit recognition as national communities and institutional links across state frontiers are also crucial. To increase their relevance in a range of conflict zones, consociational theory and practice have to address these aspects of self-determination disputes. (McGarry and O'Leary 2006a, 58)

Different kinds of groups have different kinds of interests. For example, only national groups have an interest in self-determination.

Thirdly, the nature of the self-interest and the extent of the organization of the group determine the durability of the group. National identities in pluri-national states,

are politically salient, i.e. the dominant political party or parties, as well as the major popular civic associations, are nationalist in character, and support the classic nationalist goals of self-determination. (McGarry and O'Leary 2009a, 26)

These national identities “are durable”, meaning that they “are not likely to assimilate, fuse or dissolve into one common identity at any foreseeable point” (McGarry and O'Leary 2009a, 26). When the group interest is not likely to dissipate and organizational structures are set for the promotion of this interest, the group is likely to be stable and long-lasting.

These three assumptions about groups underpin the modeled relationship between fragmented political culture and democratic instability. However, these assumptions do not concern the nature of social groups. Instead, they constitute descriptions of heterogeneous societies. Assumptions about the durability and stability of groups and about the absence of overlapping memberships specify when and why divisions between groups lead to democratic instability. It does not imply that the presence of social groups necessarily leads to democratic stability. However, when groups in some actual-world target system exhibit the three characteristics described by consociationalists, then this is likely to produce democratic instability.

Note, furthermore, that to explain democratic instability, the consociational model does not incorporate assumptions about the way in which group membership is determined. Nor does it need to. This also indicates the absence of a (strong) ontological commitment in consociational theory.

Presuming that groups can be identified by essential characteristics, essentialism entails that also individuals can be assigned to certain groups based on these characteristics. The consociational model does not presuppose such claims.

Yet, as Lijphart acknowledges, his earlier work can easily be associated with essentialism.¹³⁹ In a contribution to the *American Political Science Association News Letter* Lijphart (2001) asks whether and how the replacement of essentialist with constructivist understandings of group identities in political theory has impacted consociational theory. Motivating his apparent shift from an essentialist to a constructivist understanding of groups, Lijphart states:

The Lebanese case raised the intellectual problem of how to explain the collapse of a power-sharing system that had worked reasonably well for more than thirty years. In South Africa the intellectual and practical problem was to design an optimal power-sharing system in a country in which ethnicity and race were highly controversial issues. (Lijphart 2001, 11)

What Lijphart adjusts in the consociational model are not ontological commitments. Rather, based on empirical input, assumptions describing heterogeneous societies are fine-tuned. Assumptions featuring in the model depicting actual-world divided societies are adjusted as new empirical data is added. First, Lijphart's answer reveals that seemingly ontological assumptions in the consociational model are instead descriptive assumptions depicting group formation in actual-world societies. Second, I suggest that even if his ontological commitments have changed, this does not affect the modeled mechanism. These commitments are not necessary to explain the relationship between political culture and democratic stability in democratic societies, at least to the extent that the consociational model captures this relationship.

Rather than describing his commitment to essentialism or constructivism, Lijphart describes how in some societies group identities appear to be more statically defined than in others. Consociationalists describe societies in which individuals ascribe identities to themselves and each other based on certain essential characteristics. This is what makes groups stable and long-lasting. However, this does not make consociationalists essentialists. In analogy: if I were to describe the sexist attitudes that characterize the behavior of people in actual-world societies, this would not mean I would subscribe to any ontological commitments about inequality between men and women. Likewise, that consociationalists describe processes of identification akin to essentialism, does not mean that they are committed to an essentialist understanding of the ontology of groups. The next section will illustrate how group identities are ascribed in deeply divided societies drawing on the interviews from the case study (5.3).

¹³⁹ Lijphart attributes this for example to the fact that in *Democracy in Plural Societies* (1977) he references Clifford Geertz' *Old Societies and New States* several times. This work is typically associated with an essentialist view on group identities.

5.2.2 Identifying Groups through Pre- and Self-determination

With the normative turn, the consociational model is applied to severely segmented societies. When it is used to explain democratic stability, it suffices to describe the characteristics of societal divisions that lead to democratic (in)stability. When describing elite cooperation, the features of social groups that elites represent are described. With the application of the model, it needs an additional mechanism to *identify* the groups that are granted certain rights under consociational institutions. Pre- and self-determination are introduced for this purpose. The introduction of pre- and self-determination does not change the consociational model itself. The model still captures the mechanism whereby elite cooperation leads to democratic stability. Pre- and self-determination are ways to determine which political elites should do so. Pre- and self-determination are not innate parts of the model or “intrinsic to consociational design” (McGarry and O’Leary 2009a, 72).

The concepts of self- and pre-determination as used by consociationalists largely correspond to the concepts inscription and ascription that can be found in the philosophical literature on social ontologies. There, inscription and ascription are used to refer to the processes through which groups are formed (Hindriks 2017; Pierik 2004). When social groups are defined from the outside, identities are assigned through a process of ascription. Groups and group members are categorized by others. When groups are formed through internal categorization, when group members self-categorize, this process is referred to as inscription. In the philosophical literature the terms are used to refer to the ontology of groups. In contrast, consociationalists employ them to refer to political processes. Consociational electoral processes can use either inscriptive or ascriptive mechanisms to identify social groups (O’Leary 2005, 15–16). When ascriptive processes are used, it is pre-determined which groups will share power. Individuals are assigned to a group and can “vote within their own segment for their own ethnic parties” (O’Leary 2005, 15–16). Electoral processes associated with inscription allow individuals to vote for any party representing any social group.

The application of the consociational model is accompanied with the claim that it is a liberal model. The process to identify groups thus needs to be compatible with liberal values. It constitutes the justification for why *these* groups should share power. Corporate consociations pre-determine which groups will share power within the democratic system. Identities are assigned to groups and individuals are categorized as belonging to certain groups through ascriptive processes. Additional justification referring to the characteristics of the chosen groups needs to be provided.

In liberal consociations groups are formed through processes of inscription. The self-determination of groups characterizes liberal consociational democracies (Lijphart 1995; McGarry and O’Leary 2007, 2009a) (see also 1.1.2). Liberal consociations are contrasted with corporate consociations:

A corporate or predetermined consociation accommodates groups according to ascriptive criteria, such as ethnicity or religion, on the assumption that group identities are fixed and that groups are both internally homogeneous and externally bounded. This thinking indeed privileges such identities at the expense of those group identities that are not accommodated, and/or at the expense of intra-group or transgroup identities. Politicians associated with these unprivileged categories find it more difficult to thrive. A liberal or self-determined consociation, by contrast, rewards whatever salient political identities emerge in democratic elections, whether these are based on ethnic or religious groups, or on subgroup or transgroup identities. (McGarry and O'Leary 2007, 675)¹⁴⁰

Self-determination “allows these groups to manifest themselves instead of deciding in advance on the identity of the groups” (Lijphart 1995, 277). Granting rights to self-determined social groups can be justified by referring to liberal values. These groups are given rights, because individuals have expressed an interest in belonging to these groups. Group rights are justified by reference to the rights of the individuals that constitute the group.

The role that self-determination plays in consociational theory is thus distinctly normative. It justifies group rights by referring to liberal values. Yet, self-determination cannot counter the essentialism-critique, because it pertains to a different level of analysis. Consociationalists fail to convince liberal critics of their non-essentialist commitments, because they respond to a critique about their ontological commitments by referring to their normative commitments. Consociationalists insufficiently discuss their ontological commitments to draw any conclusive inferences about these. Yet, it can be minimally concluded that consociational theory does not necessarily include an essentialist understanding of groups.

However, neither the lack of an essentialist commitment, nor the used justification of group rights automatically implies that the consociational model for democracy is compatible with liberal values. The next section examines the compatibility of the assumptions discussed in this section. Can we assume that groups are stable and durable and at the same time that individuals are free to self-determine their group membership?

5.3 Are Consociational Models Liberal Non-ideal Models?

Consociational assumptions describing the durability of groups strongly diverge from liberal assumptions about groups. Given the contrast between liberal and consociational assumptions about groups, can the consociational model be considered a liberal non-ideal model for democracy?

Non-ideal models, I have suggested in Chapter 2, are associated with two dynamic aspects. (i) The normative principles proposed based on non-ideal models aim to change the unjust circumstances that currently characterize a society and (ii) the model ought to be susceptible to the changes it proposes (see 2.4.1). The assumptions about society initially characterizing the model will change

140 This quotation should not be understood to associate ethnic or religious identities with ascription. McGarry and O'Leary do not connect ascription and inscription to specific kinds of identities, but relate them to respectively pre-determine corporate and self-determined liberal consociations.

as the normative principles address injustices. There are two main ways of constructing non-ideal models. Non-ideal models can be arrived at by abstracting away from some specificities of the target system or they can be arrived at by relaxing the assumptions featuring in ideal model (see 2.4.2). These are not mutually exclusive and can be combined within one non-ideal model.

For the consociational model to be considered a *liberal* non-ideal model, the application of the consociational model must bring about changes in the target system that eventually bring it closer to a liberal ideal model. I suggest that the consociational model does not meet this condition. Firstly, I will contrast liberal and consociational assumptions about pluralism (5.3.1). Again, I will take Rawls's *Political Liberalism* as an ideal-type reference point for the consociational model. I suggest that liberal assumptions about group identities do not only serve to describe societies, but are employed to circumscribe the characteristics of a just society. Therefore, a liberal non-ideal model should aim to correct injustices towards this ideal. The second section will illustrate this with examples from the case study (5.3.2). I will suggest that in deeply divided societies, the exercising of the individual's right to self-determination is impeded by consolidated practices whereby identities are ascribed to individuals. Even though you are free to declare yourself a Serb, Bosniak, Croat, or anything else, what will be as important is the identity attributed to you by others, based on, *inter alia*, your name, your family, or your religion. Furthermore, the fact that the available ethnic categories are defined in the Bosnian constitution prevents other aspects of identity from gaining importance. The Bosnian consociation cannot change, nor can it accommodate changes at the societal level.

5.3.1 Simple Pluralism and Liberal Values

In *Political Liberalism*, Rawls focuses his attention on societies characterized by “a pluralism of comprehensive religious, philosophical, and moral doctrines” (Rawls 1993, xvi). None of these doctrines “is affirmed by citizens generally” (Rawls 1993, xvi). Furthermore, we should not “expect that in the foreseeable future one of them, or some other reasonable doctrine, will ever be affirmed by all, or nearly all, citizens” (Rawls 1993, xvi). Rawls assumes that the pluralism characterizing societies is reasonable pluralism. Reasonable pluralism is characterized by a multiplicity of reasonable comprehensive doctrines, which are affirmed by reasonable people (Rawls 1993, 36).¹⁴¹ Pluralism is reasonable when people let their attitudes and behavior be guided by a recognition of the plurality of comprehensive doctrines. This leads them to propose terms for cooperation that they expect to be affirmed by others as well (Rawls 1993, 51, 66). Persons are reasonable because they have “the capacity for a sense of justice”, which not only expresses the capacity to act according to a public conception of justice, but also expresses “the willingness, if not desire, to act in relation

¹⁴¹ Rawls further specifies their definition by stating that a reasonable doctrine is “an exercise of theoretical reason” as well as “an exercise of practical reason” that “normally belongs to, or draws upon, a tradition of thought or doctrine” (Rawls 1993, 59). These criteria are rather strict and therefore “there would appear to be any doctrines affirmed by reasonable citizens (in the ethical sense) that do not meet these rather exacting theoretical standards” (Nussbaum 2015, 24). For our current purposes we will leave aside this problematic issue and accept Nussbaum's suggestion that “the deeper spirit of Rawls's project” lies closer to his earlier description of reasonable doctrines as any doctrine that also endorses a liberal political conception of justice.

to others on terms that they also can publicly endorse” (Rawls 1993, 19).¹⁴² When people adhering to diverging comprehensive doctrines are unreasonable, they refuse to consider general principles. Rawls refers to this as pluralism as such, or simple pluralism.

Combining these assumptions about society with the normative commitment to individual liberty and equality, liberal models propose normative principles that guide the basic structure of society. The basic structure should be the focus of an overlapping consensus. In an overlapping consensus “the reasonable doctrines endorse the political conception [of justice, ed.], each from its own point of view” (Rawls 1993, 134). An overlapping consensus does justice both to the fact of pluralism and the liberty and equality of individuals. Liberal democratic models capture the mechanism that regulates fair and democratic social cooperation in plural societies. That it is the subject of an overlapping consensus is importantly characteristic of this mechanism.

Consociationalists engage with the issue of simple pluralism. Drawing on the overlapping membership proposition consociationalism assumes that persons base their political behavior on the presence or absence of shared memberships and shared goals. When these are absent, social groups remain divided by “mutually exclusive aspiration” (McGarry and O’Leary 1993, 8). Consociationalists argue that these assumptions are more realistic than those employed by liberal integrationists (e.g. O’Leary 2005, 8).

However, seemingly unrealistic assumptions are not problematic *per se* (see Chapter 2). Apparently unrealistic assumptions do not need to pertain in the target system. Instead, they must be appropriate given the context they are used in and the purposes for which they are employed. Liberal assumptions about pluralism do not aim to realistically represent actual-world plural societies. The purpose of *Political Liberalism*, is to formulate a conception of democratic justice that does not conflict with pluralism, but can be affirmed by all citizens regardless of their worldview (Rawls 1993, 3–4). The assumptions about pluralism employed in *Political Liberalism* aim to isolate the mechanism that regulates social cooperation in a just society. They circumscribe the characteristics of a just and plural society, that ought to be characterized by reasonable pluralism. Assumptions about pluralism thus abstract away from those characteristics of actual-world circumstances that ought to have no relevant impact on social cooperation in a fully just and plural society.

142 It is the reasonable then, that allows rational agents pursuing diverging if not conflicting conception of the good to engage in social cooperation. “Persons are reasonable in one basic aspect when, among equals say, they are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so. Those norms they view as reasonable for everyone to accept and therefore as justifiable to them; and they are ready to discuss the fair terms that others propose. The reasonable is an element of the idea of society as a system of fair cooperation and that its fair terms be reasonable for all to accept is part of the idea of reciprocity.” (Rawls 1993, 49–50).

Merely rational person would be able to advance their own ends, but would lack the ‘moral sensibility’ that allows them to consider what fair terms of cooperation would not only be acceptable to them, but also to others given the different comprehensive doctrines they affirm (Rawls 1993, 51). The notions of mutual respect, reciprocity and reasonableness are thus important features of a Rawlsian liberal notion of the person as both capable and willing to engage in social cooperation.

As a liberal non-ideal model, the consociational model can propose normative principles that bring us closer to the liberal democratic model. Consociational assumptions can be considered concretizations or de-idealizations of the liberal model. Liberal assumptions are brought closer to actual-world circumstances to develop a model that is appropriate for these circumstances. Consociationalists do not have to assume the fact of reasonable pluralism, yet the aim of the model must be reasonable pluralism. Reasonable pluralism, for Rawls, is not a necessary condition for a justly organized society, but “the long term outcome of a society’s culture in the context of these free institutions” (Rawls 1993, xl). To be a liberal non-ideal model, the consociational model must aim to minimize the limitations that simple pluralism poses on the realization of liberal values. Does the consociational model address simple pluralism with reasonable pluralism as its long-term outcome?

Rawls discusses societies characterized by simple pluralism, where the formation of an overlapping consensus is not possible. In these cases a balance of forces in a *modus vivendi* is an appropriate alternative to an overlapping consensus:

We simply suppose that historical circumstances have so turned out that for the time being at least, the balance of forces keeps all sides supporting the current arrangements, which happen to be just to each of them. (Rawls 1993, xl–xli)

The *modus vivendi* is founded on group- or self-interest. It is thereby distinct from a deeper running agreement about a just basis of social cooperation between groups that have different ideas about the life they want to pursue. The *modus vivendi* constitutes an acquiescence in liberal principles as a constitution rather than support from the perspective of each comprehensive doctrine. From a reluctant acceptance of liberal principles, the *modus vivendi* may subsequently develop into a constitutional consensus:

At the first stage of constitutional consensus the liberal principles of justice, initially accepted as a *modus vivendi* and adopted into a constitution, tend to shift citizens’ comprehensive doctrines so that they at least accept the principles of a liberal constitution. These principles guarantee certain basic political rights and liberties and establish democratic procedures for moderating the political rivalry, and for determining issues of social policy. To this extent citizens’ comprehensive views are reasonable if they were not so before: simple pluralism moves toward reasonable pluralism and constitutional consensus is achieved. (Rawls 1993, 163–64)

Rawlsian liberal theory, in this sense, comprises ideas for ideal and non-ideal models. One of the aims of the non-ideal model must be to address the disparities between the assumptions about society in the ideal model and the characteristics of the actual-world society. An actual world society must eventually become a more and more well-ordered society. A liberal non-ideal model must allow for this transition. It can be applied in societies where neither comprehensive doctrines nor individuals are reasonable and its principles aim to mitigate these circumstances.

Relying on a more concrete depiction of societies characterized by simple pluralism, the consociational model may constitute a specific form of *modus vivendi*. However, the consociational model does not propose any principles to address the essentialist processes of identification that characterize severely divided societies, even though these processes conflict with the basic assumptions of liberal democracy. The primary focus of the model is on elite cooperation. The promotion of group- and self-interest are the leading motivations for political elites to cooperate

(see Chapter 4). There is little that suggests that consociational models will allow society to move along a continuum towards more liberal models. The consociational model does not view simple pluralism as an impediment to the realization of justice. Rather, it aims to realize liberal values without directly addressing the limitations posed by simple pluralism. While this may not be problematic *per se*, it is problematic for a liberal non-ideal model.¹⁴³

In Rawls's political liberalism, dynamism is not merely required for a *modus vivendi* to develop into an overlapping consensus. Rather, the political conception of justice itself must be susceptible to reflection and, when appropriate, adjustment. To be or to become the focus of an overlapping consensus, a political conception of justice must take into account moral judgements of all levels of generality (Rawls 1993, 45).¹⁴⁴ No level of generality or abstraction, Rawls suggests, is more important than another. For example, personal religious convictions, the religious convictions of others, and alternative political conceptions of justice all ought to be considered. However, these convictions gradually change over time. They should therefore not be considered as static or permanent, but rather as "provisional fixed points that it seems any reasonable conception must account for" (Rawls 1993, 8). As these provisional fixed points change over time, so does the political conception of justice. A political conception of justice can only be the focus of an overlapping consensus if it is subject to a continuous process of reflection on the principles of fair cooperation and the judgments that lead us to support these principles. In other words, what fair social cooperation entails is the focus of agreement between citizens with different outlooks. As these outlooks change over time, so does the agreement on fair social cooperation. Fair social cooperation ought to be the subject of reflection and our understanding of it should be able change as our outlooks change.

Consociational democracy, as initially observed by Lijphart in the Netherlands, may be considered the outcome of careful consideration of and reflection on alternative democratic arrangements as well as the convictions guiding the behavior of members of different social groups. In the first half of the 20th century, the political accommodation of religious and ideological difference, whereby social groups were granted a significant degree of autonomy, could count on support from the perspectives of the members of the different social groups constituting Dutch society. Gradually, as the societal segmentation ("pillarization") became less severe, consociational democracy—the specific form found for the accommodation of difference—no longer formed the optimal form of fair social cooperation and it dispersed (e.g. Lijphart 1989).¹⁴⁵ Arguably, the Dutch consociational

143 Throughout this study I have taken seriously (and evaluated) the consociational contention that it is a liberal model. There may be other options available that are fair or just, albeit not liberal. The consociational democracy can be considered as such, yet this is beyond the scope of this study.

144 This paragraph comprises a very concise description of the method that Rawls refers to as "reflective equilibrium" (Rawls 1993, 8n8). A reflective equilibrium can be considered as the end-point of the reflective process described here. Rawls distinguishes between narrow and wide reflective equilibrium. The reflection on a political conception of justice described here may be wide reflective equilibrium, which is defined as follows: "[w]ide reflective equilibrium (in the case of one citizen) is the equilibrium reached when that citizen has carefully considered alternative conceptions of justice and the force of the various arguments for them" (Rawls 1993, 384n16). Although the Rawlsian notion of reflection equilibrium is much discussed, a comprehensive overview of this debate is beyond the scope of this study.

145 This is a very simplified interpretation of the transitions Dutch politics underwent since the late 1960s. A special issue of *West European Politics* (1989, 12:1) offers a broader variety of analyses, contradicting and complementing Lijphart's (1989) interpretation. For my purposes here it suffices to note that the Dutch consociation was susceptible to change when the societal conditions initially prompting its development changed.

democracy was sufficiently susceptible to societal changes. However, when the consociational model is applied to severely divided post-conflict societies, it seems to undergo two related changes that render it less susceptible to change and adaptation.¹⁴⁶ The nature of societal differences appears to be different, as post-conflict societies to which the consociational model is applied are often divided along ethnic or nationalist lines (McGarry and O'Leary 2006a, 54–55) (see also 1.2). The interests, demands, and convictions of such groups may differ from those of group formed around religion or political ideology. Therefore, the de-pillarization that occurred in the Netherlands may be less likely to occur in societies where groups form around different interests. Accommodating ethnic or nationalist differences in a consociation may lead to the entrenchment of these groups that impedes rather than facilitates reflection on and re-evaluation of consociational democracy as the fairest form of social cooperation.

Furthermore, with the application of consociational democracy, the consociational model takes a different form. In the Netherlands, consociational practices were the result of agreement between the different parties, but they were not formally fixated in law, while in post-conflict societies, consociational principles are often consolidated in law or in the constitution. This makes them less malleable and adaptable, even if the convictions that initially led parties to support consociational principles change. Consociational constitutions reflect what could be agreed upon at fixed point in time. Yet, because this agreement is fixated, it cannot be amended over time to reflect changing circumstances. Formulated differently, while consociational democracy may strike the appropriate balance between the realization of liberal values and the limitations posed on the realization of these values by post-conflict circumstances in the immediate aftermath of war, over time this particular balance may cease to be appropriate. As such, the consociational model may not be inappropriate *per se*, yet fixating consociational principles in the constitution may be. The next section will discuss how the constitutional consolidation of consociational principles contributes to the lack of change and progress in Bosnia (5.3.2).

Consociational practice reveals that assuming simple pluralism does pose limitations on the realization of liberal values. First, liberal self-determination, expressing the freedom and equality of individuals, cannot be fully realized in a society characterized by simple pluralism. When a society is characterized by essentialist processes of identification, this impedes the realization of individual freedoms. Political processes might allow for the self-determination of individuals, but social processes significantly limit their freedom. Second, the consociational emphasis on the representation of groups does not allow for a more multi-faceted understanding of individual identities. This limits the options available to individuals and impedes social transformation. The next section illustrates this by drawing on the case study. The partial relaxation of liberal assumptions—meaning that, normative assumptions are left intact while descriptive assumptions are significantly relaxed—leads to a non-ideal model that is insufficiently liberal. Furthermore the consolidation of group representation in the constitution causes the model to be insufficiently dynamic.

¹⁴⁶ The distinction between the explanatory, normative, and applied uses of the consociational model has been made in Chapter 4. There, I suggest that one model may be used for different purposes. However, if the model or its assumptions undergo changes other than in use, these changes do require (empirical) support. In Chapter 4, I suggested that when applied to post-conflict societies assumptions about the behavior of political elites change significantly, while no empirical support for this shift is provided (see 4.1 & 4.2).

5.3.2 Identification and Transition in Bosnia and Herzegovina

Case studies of deeply divided societies may lead to descriptions of these societies that appear to be of an essentialist nature. Individuals in these societies, regardless of their commitments to individual rights and freedoms, easily fall prey to essentialist rhetoric. In theory, this causes a disparity between normative and descriptive commitments that renders the consociational model insufficiently liberal. The model ought to propose principles that strive to limit the negative effects of severe societal divisions on social cooperation in the long run, rather than accepting the presence of essentialist practices of identification. In practice, the right to self-determination is not fully realized, even though the consociational model relies on a normative commitment to self-determination. Group identities—Bosnian, Serb, or Croat—are typically ascribed to individuals, which makes it difficult for individuals to declare affiliation with other groups or to focus on other aspects of their identity. Furthermore, the political consolidation of ethnic identities in the constitution leaves little space for initiatives focusing on other facets of identity at the political level, thereby impeding change. While the consociational model may have been appropriate in the immediate aftermath of the war, as many respondents concede, it is unable to accommodate societal changes and thereby impedes progress (Interview 4, 178; Interview 5, 186).

First, essentialist practices of identification prevent individuals from exercising the right to self-determination. In the study in Bosnia, I found that identities are often ascribed to individuals based on characteristics that they have little or no control over. Thus, if the consociational model does not also address these practices, the individual's right to self-determination can hardly be realized in an actual-world severely divided society, such as Bosnia. Consolidated practices of identification in deeply divided societies make it difficult to freely self-identify. The criteria circumscribing social groups are widely known. They are not only used to self-categorize, but also to categorize others. When asked how group membership is determined, one respondent answers:

I don't know. You are born with it. People generally know who they belong to. From their parents, from their family, from their background. Because automatically they will teach you: you have this religion, you have national holidays, things like that. So if you are born in a family of Bosniaks, then you celebrate Bajram, Ramadan, and you go to mosque. And so it is natural for you that you are Bosniak. I don't know. You will assume you are like that. (Interview 7, 204)

The idea that you are born into a particular social group coheres with the consociational assumption that social groups are stable and durable. Yet, it conflicts with the idea that individuals are free to determine their own group affiliations. Assigning group identity based on your assumed religion, the holidays that you celebrate, or the family that you are born into appears to comprise a process of ascription. Self-identification, however, relies on process of inscription. Such processes of ascription conflict with the freedom to self-categorize. Explaining the right to self-categorization, one respondent says:

But technically – I know this because I went to this unemployment office – you have to say to who you belong. Or you can leave it blank, but then you don't have any opportunity to participate in any programs or employment or things like that. (Interview 7, 204)

While individuals, for several purposes, are obliged to declare their group affiliation, they are free to declare it as they see fit. Given the clearly circumscribed group identities in Bosnia, I asked my respondent, “do people actually do that?” The response was affirmative. You can indeed declare yourself as you wish. However, “people will not believe you, because in this country your name is really connected with your nationality” (Interview 7, 204).

Furthermore, self-categorization or self-identification is restricted by the limited number of categories available. While individuals are free to determine their own identities and group affiliations, any identification will be reduced to one of the four categories represented in the Bosnian constitution.

But if you want to declare yourself as a citizen, not as an ethnicity, you will be put in a category that is called Others. You will not be differentiated from, let's say, people from Slovenia, that are a national minority here, and you as a citizen. So you will all be put in one specific group that is the Others. (Interview 8, 211)

These four categories severely limit the possibilities for identification that are open to individuals. This is further exacerbated by the fact that a broad spectrum of identity markers is implied by the categories.¹⁴⁷ Although the categories appear to refer to ethnicity, they also imply a certain religious identity and even specific political commitments (Interview 1, 141). As various aspects identity are connected in each of the four categories, they entail a severe reduction of the possibilities that are open to individuals. The assumed connection between ethnic and religious identity, for example, does not correspond with the experiences of each individual. There are many people who identify as Bosniak, Serb, or Croat, but who also identify as “atheists, Protestants, Yehova's Witnesses, agnostics, you name it” (Interview 1, 141). These various combinations, revealing the multi-faceted nature of identities, are overlooked in Bosnia's consociational system.

Second, the constitutional anchoring of the representation of groups impedes other identities from gaining traction in a political context. The group focus of consociational democracy further consolidates the existing identity categories that limit the individual's freedom to self-categorize. The political focus on the representation of ethnic groups prevents groups based on other identity markers from gaining traction. For example, in hiring practices ethnic identity is often considered more important than education or skills:

If I am employing you, only because you have a good recommendation letter, a good education, good skills, why not? But if there is a job announcement within our government, then they say this position is for Bosniaks, because they already

147 Resorting to the use of different identity markers can be a political tool to circumvent direct references to ethnicity. As one respondent states, this is done in relation to the census in 2013. “For example, I will go back to the census. People in the first phases, when the whole census process, the concept, was being developed and the questionnaires were being developed, the questions on nationalism, religion and language were closed type [of questions, ed.]. So a group of NGOs, a huge initiative, emerged in Sarajevo and the effort resulted in opening the questions and have semi-open questions where people could declare something else excepts for Bosniak, Croat, and Serb, and Other. However, the questions on nationalism and religion were non-mandatory. But, the question on language was mandatory. And the language question was actually a proxy to determining the ethnic identity of the individual. For example, you could say you speak Bosnian, Croat or Serb language. And it would definitely put you into a certain group. And as I said, religion is very connected to ethnic identity here. So you would have Bosniaks, who would be predominantly Muslims, and Serbs would be orthodox, and Croats would be Catholic. That is one of the ways. And then geographically, for example in Republika Srpska, you would have in certain areas a majority of Serb population. So it is practically just religion and language, what differentiates the groups.” (Interview 8, 214)

have ten Serbs and, I don't know, eight Croats, and only nine Bosniaks. So even if you are more educated than me, then I get the job, because of my ethnicity. And I didn't do anything to earn that. So I think that is problematic. (Interview 1, 146)

Hiring practices based on ethnicity are perceived to be problematic, because they assign more importance to ethnicity than to other aspects relating to one's (professional) identity. Moreover, ethnicity is not something which expresses anything about the behavior, practices, or abilities of an individual. Ethnicity is assigned to you, regardless of your efforts. Rather than being seen through the lens of some characteristic of your identity you did not choose, a respondent states, what you really want is "[j]ust being appreciated for your skills and your knowledge and your education" (Interview 5, 188). Asked what would have to happen for a positive change in Bosnia, another respondent similarly says, "that we would finally start valuing people based on their competencies, achievements, the way they are with each other and not based on how they were born, where they were born" (Interview 1, 148).

When it comes to political representation, efforts to break away from ethnic groups as the only groups relevant for political representation are futile under these conditions. For example, one respondent says, the gender-quota imposed within the Bosnian political system do not actually lead to the representation of women's interests. The respondent, involved in the organization of workshops on gender equality for women politicians, was astonished to find that the women in politics were primarily "puppets" for nationalist political parties promoting nationalist agenda's:

And to be honest, I went to a couple of those workshops, I was driving those people, and those women didn't even know what politics is. They didn't know how to answer what is gender equality law. And that was mind blowing for me. There is a quota in the electoral law: 40 percent of the lesser represented gender has to be in the electoral list. So basically 40 percent of women have to be. And then they put women who have no idea what politics is, just to be their puppets. (Interview 2, 154)

Even when individuals with clearly intersectional characteristics to their individual identities—being a woman and a Bosniak, Serb or Croat—are represented in Bosnian politics, only one of these aspects gains attention, namely the ethnic aspect of the identity. This affects the individual's experience of representation as well. While the rights of their ethnic group may be protected, rights relating to other aspects of their identity are neglected. Asked after this tension between the rights of Bosniaks, Serbs and Croats and the rights of other groups, one respondent answered: "And I am like, yeah, I am a Croat and I am a lesbian, so I understand where you are coming from, but I have a bunch of other issues" (Interview 2, 158). However, these "other issues" are not as prominently represented on the political agenda in Bosnia as the issues that are thought to relate to ethnicity.

Popular voting behavior appears to reflect the focus on ethnic identity as the identity relevant for political representation. The population continues to vote for representatives of their own ethnic groups not because of their political skills, but because they perceived these "[to be their] own" (Interview 2, 159). However, this does not imply that the population indeed wants only representatives of their own respective ethnic groups. Rather, the political system appears to dictate to them that ethnic interests diverge an ought to be protected within the political system. This can be attributed to the corporate characteristics of the Bosnian consociation. Seats in various political bodies—such as the presidency and the house of peoples—are assigned to Bosniaks, Serbs, Croats

(and, sometimes, Others). As opposed to the Northern Irish consociation, where power is shared between parties, the Bosnian consociation rests on ethnic quota for representation (Aitken 2010). However, the lack of dynamism cannot be solely attributed to the pre-determination of relevant social groups. Like in liberal consociations, individuals are free to vote for any candidate on the electoral role, irrespective of their ethnicity. However, when the ethnicity of the electorate differs from the ethnicity of the elected official, this is perceived to be problematic. This is exemplified by this anecdote concerning a member of the presidency:

A few years ago there was a Croat member of the presidency. And then it happened during the elections, that I know that my whole family voted for him. And then they said that he was elected by Muslims and that the Croats don't accept him as the Croat member of the presidency. So I don't know if people were offered to vote for somebody who does not belong to their community, what they would look for in that person. (Interview 3, 166)

It appears that it is considered by definition impossible that one person represents two ethnic groups. Ethnicity remains the primary concern in selecting political representatives, even when, taking all things into consideration, this person seem to be the most suitable candidate. Recalling a workshop in the period running up the elections in 2005, a respondents states:

We had one young man, he was a student at that time. The chairman of the Assembly was Bosniak and this chairman of the Assembly was really capable, qualified, and open-minded person. And the young man said, it was just before elections, "I am asking myself why I will not vote for you, although you fulfill all my needs as a human, my human rights needs. But I will not vote for you, because I immediately exclude the possibility to be abused by you, according to my ethnic belonging." (Interview 4, 177)

Individual identities are multi-faceted. Depending on the interests of the individual, they might consider different aspects of their identity relevant in relation to their rights and their political representation. The Bosnian consociation, however, is unable to reflect such considerations.

Furthermore, although parties are not obliged to follow ethnic lines, they typically do.¹⁴⁸ Political parties in Bosnia appear to manifest themselves around political ideology rather than ethnicity and there is not one party respectively representing each ethnic group (Merdzanovic 2017, 29). Among the parties currently in the house of representatives are, for example, the Party for Democratic Action (Stranka Demokratske Akcije), the Union for a Better Future of BiH (Savez za Bolju Budućnost BiH), and the Social Democratic Party of BiH (Socijaldemokratska Partija Bosne i Hercegovine).¹⁴⁹ Although their names may suggest otherwise, each of these parties is closely associated with and draws on the support of one ethnic group. The representatives of a party typically all associate with the same ethnic group. Even where the consociational structures in Bosnia are not corporate, group representation entails a limitation of the available categories of identification and representation that in turn limits the freedom to self-determine and impedes change. Even where liberal rights to self-determination beyond ethnic categories are reflected in

¹⁴⁸ Votes determine which parties will be represented in which proportions in the different branches of government. The constitutionally required ethnic composition of a given government bodies determines which party-members can subsequently take seats within this government body.

¹⁴⁹ See for example <https://www.parlament.ba/representative/List?page=3> [last accessed 30 July 2020].

Bosnian consociational institutions, these freedoms are rarely experienced or exercised. Therefore, it appears unlikely that the insufficiently liberal and dynamic character of the Bosnian consociation can be solely attributed to its corporate characteristics.

Contrasts other than those between Bosniaks, Serbs, and Croats are also overlooked because of the focus on ethnicity. Various respondents, for example, recount the difference between the rural and the urban population in Bosnia. The rural population is thought to be less familiar with their rights (Interview 8, 212). Nationalist political parties are thought to rely mainly on electorates from rural areas (Interview 3, 163). Partly, because they feel a strong personal connection to their political leaders, who are often well-known in smaller communities (Interview 6, 198). Partly, because they do not have the same access to information and resources as people from urban areas. However, as problems are framed in terms of ethnicity, the underdevelopment of rural areas, for example in terms of infrastructure, is not addressed (Interview 7, 205).

Bosnian consociational institutions are unable to accommodate the individual's freedom to choose which aspects they deem relevant in a political context. Any aspects of identity other than ethnicity fly under the radar of the consociational system. Consociational group representation cannot account for these other identities. Moreover, the focus on the representation of ethnic identity reinforces the belief that this aspect of identity is the only relevant aspect of identity. Even when given the chance to vote differently, for example, individuals experience voting on basis of ethnicity to be the only expression of their preferences that will lead their interests to be represented and protected.

The latter point is closely connected to the consociational focus on political elites. Through manipulation and nationalist rhetoric, political elites only further strengthen societal segmentation (see 4.2). Political elites create an atmosphere and discourse around group identity (Interview 8, 212). They keep telling people these identities are important, thereby creating hurdles for individuals wanting to explore different or additional group affiliations. This is exemplified by this anecdote testifying to the extent of the manipulation as well as its effectiveness:

The other day there was one Serbian politician and he said: 'Serbs suffered in the First World War, the Second World War, and the Third World War'. What?! So you already know that you are suffering in a war that has not happened yet? But he is giving this .. 'we suffered in three world wars'. But I could swear that people did not notice this. They say 'we suffered in all three'. You can see how easy you can manipulate people. [...] And when I said that to my husband, who is a bit nationalist, I said: 'did you hear this'? And he said 'yes, but you know some people say there are already theories that the Third World War has started'. And I said 'even if it has, he already knows he has suffered'. So these are, you know, I don't know what to tell you. I mean, I would love to ask people 'there was a war and so many people were killed and we gained from this what?' But there are some reasons that are beyond me. (Interview 3, 171)

Also in Northern Ireland "[p]olitical elites play an important role in mobilizing nationalist movements" (McGarry and O'Leary 1995b, 849). Political elites can exercise such control when they can employ sentiments, histories, and social constructs that have existed for a longer time. This is particularly important, because consociational democracy is often applied to countries with a recent history of violent conflict.

The representation of the three ethnic groups in Bosnia may have been appropriate in the immediate aftermath of the war. Indeed, as many respondents recount, the Dayton peace agreements “stopped the war” and immediately after the war “there were some improvements” (Interview 4, 178). However, while it may have been fitting to refer to Bosnia as country of Bosniaks, Serbs, Croats, and Others in 1995, this categorization is unable to reflect (changes in) individuals’ identification and interests in contemporary Bosnia. Yet, because the categorization was laid down in the constitution of Bosnia, changing it seems like a near impossible endeavor:

So the Dayton Agreement was good on paper, and good to stop the war, but it should have evolved. And one of the things, for example, that [organization] continues to mention, is that it is not smart to expect of this system to evolve by itself. There has to be effort, there has to be ideas. The system itself will not go through this evolutionary line of fixing itself. Because we have seen in the last 20 years that that doesn’t work. (Interview 8, 216)

This is also reflected by the fact that judgement in *Sejdić and Finci v. Bosnia and Herzegovina* has yet to be implemented, even though the ECtHR delivered its ruling in 2009.¹⁵⁰ The implementation of the decision proves difficult, *inter alia*, because it requires changing the Bosnian constitution.¹⁵¹

Although the representation of social groups ought not to be considered problematic *per se*, defining group representation and circumscribing group identities within the constitution leaves insufficient room for change. It is the constitutional character of the representation of ethnic groups in Bosnia that impedes change at the political as well as the societal level. The constitutional definition of social groups is static, as is the constitution itself, even though any legal documents ought to be “subject of revision” (Interview 7, 207). It does not allow for continuity over time, nor is it able to reflect the changes that may come about at the societal level. Rather, it appears to reign in societal change. While the consociational model may be appropriate for a deeply divided society such as Bosnia, it could and perhaps should have been used differently. “It should have evolved into something else, or it should have been replaced with something else, better” (Interview 8, 215).

The problems with the consociational groups focus in Bosnia do not discredit the consociational model *per se*. It discredits the *use* of the consociational model. While it may be used to reflect a certain balance at a certain point in time, it should account for the fact that this balance is susceptible to change. The consociational model ought not only to accommodate a specific balance at a specific point in time, but also the evolving of this balance over time. The constitutional consolidation of group identities is not appropriate for this purpose.

¹⁵⁰ Department for the Execution of Judgements of the European Court of Human Rights (2020) *Bosnia and Herzegovina Country Fact Sheet*

¹⁵¹ See also European Commission (2019) Analytical Report Accompanying the Document Communication from the Commission to the European Parliament and the Council Commission Opinion on Bosnia and Herzegovina’s application for membership of the European Union, Commission Staff Working Document, Brussels, online available at https://ec.europa.eu/neighbourhood-enlargement/news_corner/key-documents_en?f%5B0%5D=field_file_country%3A75&f%5B1%5D=field_file_date%3A2019 [last accessed 29 July 2020]

5.3.3 Liberal Critics and Transitional Alternatives

Critics of consociational democracy also argue that the consociational model does not foster social transformation. The focus on elite cooperation insufficiently succeeds at addressing the societal divisions that impede the realization of liberal values. This section illustrates how liberal critics of consociational democracy rely on different assumptions about groups. They propose alternatives that aim to transform rather than accept societal divisions.

Drawing on a case study of Northern Ireland, Rupert Taylor proposes a transformation approach as an alternative to consociational democracy. Aiming for transformation, the long-term goal of this approach is eradicating structural injustices. Taylor states that the complexity of group identities must be understood in all its dimensions in order to be able to develop institutions that address what from a liberal viewpoint are problematic inequalities. In model terms, a non-ideal liberal model for democracy must address actual-world impediments to move the actual world closer to the ideal liberal model world.

Robin Wilson proposes an approach that is similarly dynamic. It takes into account the complexity and severity of societal divisions and aims to work towards a more liberal and well-ordered society. He proposes government arrangements that will foster transformation:

A better approach in divided societies is thus to pursue incremental progress in reducing ethnic divisions, starting from a realizable coalition embracing the more moderate “communal contenders” as against more militant “ethno-nationalists”. (R. Wilson 2009, 231)

Contrary to McGarry and O’Leary, Wilson advocates cross-communal, but not all-party coalitions. Leaving more extreme parties outside of the coalition will furthermore make government by agreement rather than “an automatic formula” more likely.

Wilson and Taylor both claim that there is much more complexity to group- and individual identities in Northern Ireland than consociationalists can account for. While McGarry and O’Leary generally refer to the two communities as religio-nationalist communities, Wilson cites research by Bloomer and Weinrich (2003) that shows that group identities have a much more elusive character.

Their research on 145 young people found that only 46 percent were in-group identifiers, and indeed 20 percent of Protestants and 10 percent of Catholics were cross-identifiers. The study also found that while respondents viewed members of “other” religious communities reasonably positively, they were negatively disposed towards the unionist/nationalist political group from that side – unsurprisingly, given the ethno-nationalist nature of the associated ideologies. (R. Wilson 2009, 223–24)

This undercuts common consociational reference to Catholic nationalists and Protestant unionists. Different types of identifiers – religious, ideological, nationalist, ethnic – do not overlap as neatly as assumed. Consociationalists do appear to essentialize identities when without much qualification different identifiers are grouped together. It is not in line with the more subtle varieties of identification that Wilson alludes to.

Taylor takes a different approach to the complexity that characterizes sectarianism in Northern Ireland:

All the dimensions of inequality pertaining to unemployment, income, and wealth cannot be analytically detached from sectarianism, and cannot be viewed in isolation from one another. They are all part of a broader matrix of systemic sectarianism – being interconnected, mutually reinforcing, and cumulative; and of course extending beyond the level of material reality, to be integrally related to the allocative workings in one way or another of all major public and private institutions. (Taylor 2009c, 318)

Focusing only on nationalist or religious dimension of group identities, he asserts, is avoiding the actual complexity of the sectarian divisions. These have been shaped and strengthened over time. And their tenacity is in no small part due to the interconnectedness of different dimensions. Structural economic inequality, for example, has played an important role in cementing the divisions.

Donald Horowitz has argued that consociationalists do not sufficiently show why political elites would choose cooperation, and that it is hence unclear that power-sharing institutions lead to the desired results (Horowitz, 2002, p. 20). Especially given grave divisions it is not plausible that elites are “likely to be more tolerant of other ethnic groups or less inclined to pursue advantage for their own group” (Horowitz, 2002, p. 21). There are usually high costs involved for political elites that engage in cross-community cooperation in societies that are severely segmented. What may follow from consociational arrangements, he argues, is a political stalemate, “the inability to get things done”, because without compromise consociational systems cause stagnation (Horowitz, 2014, p. 12).

Horowitz’s critique is associated with centripetalism. Centripetalism is also an accommodationist approach to managing difference, but it favors different institutional and electoral arrangements. It derives its name from the fact that its institutions aim at pulling different parties or groups to a political center of compromising rather than antagonistic policies. Centripetal institutions aim at encouraging cooperative behavior not only between but also within political parties (Reilly 2011). Where consociational democracy takes deep division at the political level as a given, centripetal structures provide incentives for cooperation already in the pre-election phase (Horowitz 1985, 2002). Focusing on outcomes, proportional representation rewards nationalist campaigning during elections, as cooperation is only afterwards expected to take place between parties. Centripetal alternatives focus on procedures instead of outcomes. It proposes electoral mechanisms that require politicians to seek support from members outside of their own group (Reilly 2011; Horowitz 2002).

The models the liberal critics of consociational democracy propose aim to address these injustices and transform society. This does not mean that every non-ideal model should work towards the transformation of group identities. This only applies when liberal values and a liberal ideal model are the standard by which we measure the non-ideal model. In Chapter 2, I argued that dynamism is a necessary characteristic of a non-ideal model, because this allows non-ideal models and societies characterized by injustice to move along a continuum toward more ideal models and more just circumstances. This view does not imply a commitment to specific values or a specific ideal model. The consociational model could be dynamic without striving to transform society and make blocks

less important. If this were the case, however, it could be an appropriate non-ideal model for divided societies, yet not a liberal model.

5.4 Conclusion

The consociational focus on groups does not bind consociationalists to essentialism concerning the nature of social groups. Yet, assumptions about groups do appropriately describe the essentialist tendencies that characterize process of identification in severely divided societies. Combining these descriptive assumptions with normative liberal mechanisms for identification such as self-determination, however, does not lead to a liberal model for democracy. On the one hand, the focus on groups and the accommodation of essentialist practices of identification conflict with the realization of individual rights and freedoms, such as the individual's right to determine their own identity and group affiliation. The consociational model does not address this disparity between liberal values and the practices in deeply divided societies. That the consociational model does not address the characteristics of severely divided societies that impede the realization of these values, makes it less likely that the rights and freedoms of the individual will be realized in the foreseeable future. Specific applications of the consociational model limit possibilities to transition towards liberal democracy even further. When consociational principles are constitutionally consolidated, the renders the democratic system unsusceptible to change. Even when at the societal level preferences shift, this cannot be reflected at the political level because of the static character of consociational constitutions.

To be a liberal non-ideal model, the consociational model needs to relate to a liberal ideal model through a continuum of liberal models. This continuum comprises a range of liberal models for democratically dealing with pluralism in societies characterized by different degrees of pluralism. Two main changes to the consociational model might bring it more in line with liberal ideal models for democracy. Firstly, the model can employ different assumptions about pluralism and groups. This might change the mechanism subsequently modeled. It might allow for more popular participation in consociational democracies. However, this is unlikely to work for all societies that the consociational model is applied to, as the assumptions may appropriately resemble these societies. Secondly, the consociational model should include additional principles to facilitate the transition from actual-world circumstances to liberal model-world circumstances. This may be the most challenging suggestion. Yet, the rich body of empirical studies of consociational democracies provides ample opportunity to theoretically experiment with variations on consociational institutions. Minimally, this should entail that consociational group representation ought not to be constitutionally fixated. Furthermore, it may, for example, require institutions that do not only encourage cooperation between political elites, but also between groups at the societal level.

CONCLUSION

Consociational democracy has been widely used to create democracy and peace in post-conflict societies. However, the approach and the theory behind it have been met with sustained criticism. The consociational

constitution that was introduced in Bosnia and Herzegovina in 1995 as part of the Dayton Peace Agreement, was ruled to be discriminatory by the European Court of Human Rights in 2009. While the constitution divides power between political elites representing the three main groups in Bosnia—Bosniaks, Bosnian Serbs, and Bosnian Croats—citizens not belonging to one of these groups cannot equally access political positions. Moreover, political elites have not been able to reach a consensus regarding the implementation of the decision of the ECtHR. The consociational structures in Bosnia remain today as they were implemented in 1995.

This study set out to examine whether and how consociational democracy can be compatible with liberal democratic values. In its current form, I suggest, it is not. The circumstances in post-conflict societies put limitations on the realizations of liberal democratic values. Yet, consociational democracy insufficiently addresses these limitations. To be a *liberal* non-ideal model for democracy, consociational democracy must aim to curtail the negative effects of post-conflict societal structures on the realization of liberal values. The consociational model rather appears to consolidate these structures. Both the focus on political elites and the focus on groups contribute to this.

The methodological framework developed in this study, the Continuum Approach, allows me to integrate conceptual philosophical analysis with empirical research in the analysis of consociational democracy. On the one hand, the consociational model is evaluated in the light of a Rawlsian ideal model of liberal democracy. Treating the liberal model as a blueprint of a just and democratic society, I evaluate whether consociational democracy is a transitional device in relation to this ideal model. On the other hand, empirical research, consisting most importantly of interviews, allows me to assess the assumptions underpinning the consociational model. Consociationalists claim that their more realistic depiction of divided societies allows them to develop a more appropriate model for democracy. Combining these conceptual and empirical research methods, I shed new light on the disagreements between consociationalists and their liberal critics. With some suggestions to target the problems I identify, I set the first steps towards improving the consociational model.

First, the structural representation of social groups within the political system reiterates the importance of these groups in societies where it is already difficult to transcend group boundaries. Even when individuals do not ascribe any particular importance to these groups, they experience the existence of these groups as stable and long-lasting. Consociational assumptions about groups and group identities only reflect half of this. They describe the durability of these groups, but the conclusion that these groups are therefore important does not necessarily obtain in practice. Other factors can contribute to the persistent existence of particular groups. In post-conflict societies, this may be the war-time narratives that are repeated time-and-time again by political elites. As group formation cannot be considered the direct result of individual preference, group representation may limit the freedom of individuals to surpass group boundaries.

Second, the focus on the recognition of groups detracts from the importance of redistribution in post-conflict societies. However, socio-economic differences aggravate the societal division caused by war. In the aftermath of conflict during which the hardships of a group are continually

blamed on another group, continued hardship can result in continued narratives of difference and culpability. Furthermore, investing in reconciliation is not prioritized when an individual is concerned about their basic means of living. This study found that in Bosnia ethnic differences and socio-economic differences often do not coincide. According to my respondents, the gravest socio-economic differences are between political elites and their electorate, whereby wealth appears to concentrate at the elite level.

The concentration of power and wealth at the level of political elites is a third important problem this study brought to the fore. In post-conflict societies characterized by a shortage of resources, access to these resources becomes the main motivation for political elites to gain power. Political elites are then not motivated by the desire to avoid conflict, but rather by self-enrichment. When the actual motivations of political elites differ significantly from those assumed by consociationalists, the results the model yields diverge from the results predicted on basis of earlier case studies. Political elites may be more interested in maintaining a status quo that they profit from, than in aiding the transition of society towards liberal democracy.

In post-conflict societies the combined focus on groups and political elites causes the consociational model to be insufficiently transitional. What is needed for these societies to start on the path of transition towards liberal democracy? Liberal democracy as a just system of social cooperation does not focus solely on the political system, but rather assumes other aspects of society to be just as well. To foster a transition towards liberal democratic justice, the consociational model thus also ought to address a wider range of injustices.

On the one hand, the model should incorporate structures to limit the manipulation and corruption that characterizes the level of political elites. Creating positive motivations for political elites may prove difficult, but consociational democracy ought to minimally intercept negative incentives leading to corruption and the obstruction of reconciliation. Economic policies ensuring a more equal distribution of resources can counter the current concurrence of political power and wealth. It may furthermore lessen the severity of societal divisions if resources and opportunities are available irrespective of group membership. Lastly, in post-conflict societies where group representation is necessary to ensure peace, it might be advisable to increase the share of political power granted to the group that in Bosnia is defined as “Others”. Without bringing out of balance the power dynamics between Bosniaks, Bosnian Serbs and Bosnian Croats, this may offer individuals not (or not anymore) identifying with one of the constituent peoples to participate in politics as well.

On the other hand, the model ought to ensure that popular participation is not limited to civil society. Although ample civil society organizations in Bosnia strive for reconciliation, it remains difficult for such initiatives to compete with the power emanating from political structures. Therefore, to counter the further entrenchment of groups, initiatives aiming for intergroup contact should be incorporated within these structures. This could also be manifested in more popular participation, more transparency about elite cooperation, and greater accountability of public officials. Importantly, to be sufficiently sensitive to the changes individuals and society may undergo over the course of several years or decades, the representation of specific groups ought not to be constitutionally consolidated. The constitutional entrenchment of group representation constitutes a significant contribution to the stagnation of the transition from a post-conflict consociational democracy to a liberal democratic society.

The relevance of the methodological framework developed for the analysis of the consociational model extends beyond the debate about consociational democracy. Viewing the ideal/non-ideal distinction in political philosophy as a distinction between theories employing ideal and non-ideal models allows me to account for the role of and relationship between more and less realistic theories in political philosophy. Drawing on the philosophical literature on scientific models, the Continuum Approach shows how more realistic models can be derived from highly unrealistic models by relaxing their assumptions. Conversely, a more ideal model can be constructed by introducing idealizations and abstractions. Identifying a model describing a mechanism or a regularity within a philosophical theory, allows for the identification of specific assumptions. These assumptions can be evaluated and if necessary adjusted in relation to a specific case. The extent to which idealization is appropriate for these assumptions, depends on the purpose of the model in which it features.

Ideal models can play a positive role in political philosophy. As a model to work towards an ideal model can aid the development and evaluation of non-ideal models. Comparing the assumptions of ideal models with actual-world target systems can reveal the injustices in the target system. Knowing what the conditions for justice are, helps determining how to change actual-world circumstances. A non-ideal model approximates actual-world circumstances. It can be combined with an ideal model blueprint in order to develop a view as to how a society might be improved and become more just. Rather than one universally recognized model of a just society, a broad variety of ideal models exists. Acknowledging this, can contribute to transparency about the ideal model that is used as a blueprint in the development and evaluation of non-ideal models.

Incorporating empirical data allows for a concretization of the assumptions of a model that eventually supports its application in actual-world circumstances. A better conceptualization of the relationship between normative theories in political philosophy and social factors, may lead to fruitful collaborations across the sciences. Empirical input can aid the evaluation of the representation of society that is used in normative theorizing. This pertains to the identification of circumstances that impede the realization of justice, but also to the prioritization of problems and injustices. Empirical research can foster the de-idealization of assumptions in abstract normative theorizing. This eventually grants it a direct connection to policy practices and gives insights into the appropriateness of the model. Even the most idealized models may eventually be translated into more concrete recommendations through step-by-step analysis and adjustments of the assumptions featuring in the model.

The interviews central to the empirical contribution of this study enabled not only the evaluation of assumptions about the characteristics of divided societies, but also provided an opportunity to test the normative intuitions that play a role in normative theorizing. Incorporating empirical research in non-ideal models can importantly contribute to building bridges between actual-world practices and philosophical concepts. This allows for the development of normative theories sensitive to actual-world practices that, eventually, will be better able to improve actual-world injustices.

REFERENCES

- Abazović, Dino. 2014. "Reconciliation, Ethnopolitics and Religion in Bosnia-Herzegovina." In *Post-Yugoslavia. New Cultural and Political Perspectives*, edited by Dino Abazović and Mitja Velikonja, 35–56. Basingstoke: Palgrave Macmillan.
- Aitken, Rob. 2007. "Cementing Divisions?" *Policy Studies* 28 (3): 247–67.
- . 2010. "Consociational Peace Processes and Ethnicity: The Implications of the Dayton and Good Friday Agreements for Ethnic Identities and Politics in Bosnia-Herzegovina and Northern Ireland." In *The Challenges of Ethno-Nationalism*, edited by Adrian Guelke, 232–53. Basingstoke & New York: Palgrave Macmillan.
- Almond, Gabriel. 1956. "Comparative Political Systems." *The Journal of Politics*.
- Almond, Gabriel, and G. Bingham Powell. 1966. *Comparative Politics: A Developmental Approach*. Boston: Little, Brown.
- Anderson, Elizabeth. 2010. *The Imperative of Integration*. Princeton: Princeton University Press.
- Andeweg, Rudy B. 2000. "Consociational Democracy." *Annu* 3: 509–36.
- Asad, Talal. 2003. *Formations of the Secular. Christianity, Islam, Modernity*. Stanford, California: Stanford University Press.
- Bader, Veit. 2001. "Culture and Identity. Contesting Constructivism." *Ethnicities* 1 (2): 251–85.
- Barry, Brian. 2001. *Culture and Equality. An Egalitarian Critique of Multiculturalism*. Cambridge: Polity Press.
- Belloni, Roberto. 2001. "Civil Society and Peacebuilding in Bosnia and Herzegovina." *Journal of Peace Research* 38 (2): 163–80.
- Berghe, Pierre L. Van den. 1981. "Protection of Ethnic Minorities: A Critical Appraisal." In *Protection of Ethnic Minorities. Comparative Perspectives*, edited by Robert G. Wirsing, 343–55. New York: Pergamon Press.
- Bieber, Florian. 2000. "Bosnia-Herzegovina and Lebanon: Historical Lessons of Two Multireligious States." *Third World Quarterly* 21 (2): 269–81.
- . 2005. "Power Sharing After Yugoslavia: Functionality and Dysfunctionality of Power-Sharing Institutions in Post-War Bosnia, Macedonia, and Kosovo." In *From Power Sharing to Democracy: Post-Conflict Institutions in Ethnically Divided Societies*, edited by Sid Noel, 85–103. Montreal & Kingston: McGill-Queen's University Press.
- . 2006. "After Dayton, Dayton? The Evolution of an Unpopular Peace" 5 (October 2013): 37–41.
- Bildt, Carl. 1998. *Peace Journey. The Struggle for Peace in Bosnia*. London: Weidenfeld and Nicolson.
- Bleich, Erik, and Robert Pekkanen. 2013. "How to Report Interview Data." *Interview Research in Political Science*, 84–105.
- Bloomer, Fiona, and Peter Weinrich. 2004. "Cross-Community Relations Projects and Interdependent

- Identities." In *Researching the Troubles: Social Science Perspectives on the Northern Ireland Conflict*, edited by O. Hargie and D. Dickson, 507–23. Edinburgh: Mainstream.
- Bogaards, Matthijs. 2000. "The Uneasy Relationship between Empirical and Normative Types in Consociational Theory." *Journal of Theoretical Politics* 12 (4): 395–423.
- Bogaards, Matthijs, Arend Lijphart, and Ludger Helms. 2019. "The Importance of Consociationalism for Twenty-First Century Politics and Political Science." *Swiss Political Science Review* 25 (4): 341–56.
- Bose, Sumantra. 2002. *Bosnia after Dayton: Nationalist Partition and International Intervention*. London: Hurst.
- . 2005. "The Bosnian State a Decade After Dayton." *International Peacekeeping* 12 (3): 322–35.
- Bougarel, Xavier. 1996. "Bosnia and Herzegovina - State and Communitarianism." In *Yugoslavia and After. A Study in Fragmentation, Despair and Rebirth*, 87–115. New York: Addison Wesley Longman Publishing.
- Boutros-Ghali, Boutros. 1996. *An Agenda for Democratization*. New York: United Nations.
- Brass, Paul R. 1991. *Ethnicity and Nationalism. Theory and Comparison*. London: SAGE Publications Ltd.
- Bringa, Tone. 1995. *Being Muslim the Bosnian Way. Identity and Community in a Central Bosnian Village*. Princeton: Princeton University Press.
- Brubaker, Rogers. 2004. "Ethnicity without Groups." *Ethnicity, Nationalism, and Minority Rights*, 50–77.
- Bryman, Alan. 2016. "Sampling in Qualitative Research." In *Social Research Methods*, 5th ed., 407–21. Oxford: Oxford University Press.
- Caspersen, Nina F. 2004. "Good Fences Make Good Neighbours? A Comparison of Conflict-Regulation Strategies in Postwar Bosnia." *Journal of Peace Research* 41 (5): 569–88.
- Chandler, David. 2000. *Bosnia: Faking Democracy after Dayton*. London: Pluto Press.
- . 2001. "Bosnia: The Democracy Paradox." *Current History* 100 (644): 115–19.
- . 2006a. "Introduction: Peace Without Politics?" In *Peace Without Politics? Ten Years of State-Building in Bosnia*, edited by David Chandler, 1–15. London & New York: Routledge.
- , ed. 2006b. *Peace Without Politics? Ten Years of State-Building in Bosnia*. London & New York: Routledge.
- Cohen, G. A. 2003. "Facts and Principles." *Philosophy & Public Affairs* 31 (3): 211–45.
- D'Agostino, Fred, Gerald F. Gaus, and John Thrasher. 2019. "Contemporary Approaches to the Social Contract." *Stanford Encyclopedia of Philosophy*.
- Daalder, Hans. 1974. "The Consociational Democracy Theme." *World Politics* 26 (4): 604–21.
- Daalder, Ivo. 2000. *Getting to Dayton. The Making of America's Bosnia Policy*. Washington D.C.: The Brookings Institution.
- Dixon, Paul. 2002. "Political Skills or Lying and Manipulation ? The Choreography of the Northern Ireland Peace Process." *Political Studies* 50: 725–41.

- . 2005. "Why the Good Friday Agreement in Northern Ireland Is Not Consociational." *Political Quarterly* 76 (3): 357–67.
- Eberle, Christopher J. 2002. *Religious Conviction in Liberal Politics*. Cambridge: Cambridge University Press.
- Estlund, David. 2014. "Utopophobia." *Philosophy & Public Affairs* 42 (2): 113–43.
- Farrelly, Colin. 2007. "Justice in Ideal Theory: A Refutation." *Political Studies* 55 (4): 844–64.
- Finlay, Andrew. 2011. *Governing Ethnic Conflict. Consociation, Identity and the Price of Peace*. London & New York: Routledge.
- Friedman, Francine. 2004. *Bosnia and Herzegovina. A Polity on the Brink. Postcommunist States and Nations*. London & New York: Routledge.
- Frigg, Roman, and Stephan Hartmann. 2018. "Models in Science." *Stanford Encyclopedia of Philosophy*.
- Gauthier, David. 1986. *Morals by Agreement*. Oxford: Oxford University Press.
- Graham, Brian, and Catherine Nash. 2006. "A Shared Future: Territoriality, Pluralism and Public Policy in Northern Ireland." *Political Geography* 25 (3): 253–78.
- Guelke, Adrian. 2009. "Consociation and the Wider Peace Process." In *Consociational Theory. McGarry and O'Leary and the Northern Ireland Conflict*, edited by Rupert Taylor, 99–109. Abingdon and New York: Routledge.
- Halpern, Sue M. 1986. "The Disorderly Universe of Consociational Democracy." *West European Politics* 9 (2): 181–97.
- Hamlin &, Alan, and Zofia Stemplowska. 2012. "Theory, Ideal Theory and the Theory of Ideals." *Political Studies Review* 10: 48–62
- Haslanger, Sally Anne. 2012. *Resisting Reality: Social Construction and Social Critique*. Oxford: Oxford University Press.
- Hayden, Robert. 1998. "Bosnia: The Contradictions of Democracy without Consent." *East European Constitutional Review* 7 (2): 47–51.
- . 2000. *Blueprints for a House Divided. The Constitutional Logic of the Yugoslav Conflicts*. Ann Arbor, Michigan: The University of Michigan Press.
- Hindriks, Frank. 2006. "Tractability Assumptions and the Musgrave – Mäki Typology" 13 (4): 401–23.
- . 2013. "Explanation , Understanding , and Unrealistic Models." *Studies in History and Philosophy of Science* 44 (3): 523–31.
- . 2017. "Group Freedom: A Social Mechanism Account." *Philosophy of the Social Sciences* 47 (6): 410–39.
- Hoare, Mark Attila. 2007. *The History of Bosnia from the Middle Ages to the Present Day*. London & Berkeley, California: Saqi Books.
- Hoddie, Matthew. 2014. "Managing Conflict after Civil War." *Finnish Institute of International Affairs Analysis* 2, no. August.

- Hodžić, Edin, and Boriša Mraović. 2015. "Political Representation of Minorities in Bosnia and Herzegovina: How Reserved Seats Affect Minority Representatives' Influence on Decision-Making and Perceived Substantive Representation." *Ethnopolitics* 14 (4): 418–34.
- Hodžić, Edin, and Nenad Stojanović. 2011. *New/Old Constitutional Engineering? Challenges and Implications of the European Court of Human Rights Decision in the Case of Sejdić and Finci v. BiH*. Sarajevo: Analitika - Center for Social Research.
- Holbrooke, Richard. 1998. *To End a War*. New York: Random House.
- Horowitz, Donald L. 1985. *Ethnic Groups in Conflict*. Berkeley: University of California Press.
- . 2001. "The Northern Ireland Agreement: Clear Consociational, and Risky." In *Northern Ireland and the Divided: The Northern Ireland Conflict and the Good Friday Agreement in the Comparative Perspective*, edited by John McGarry, 89–105. Oxford: Oxford University Press.
- . 2002. "Constitutional Design: Proposals versus Processes." In *The Architecture of Democracy. Constitutional Design, Conflict Management, and Democracy*, edited by Andrew Reynolds, 15–36. Oxford: Oxford University Press.
- . 2014. "Ethnic Power Sharing: Three Big Problems." *Journal of Democracy* 25 (2): 5–20.
- Huntington, Samuel P. 1982. "Reform and Stability in South Africa." *International Security* 6 (4): 3–25.
- Huyse, Luc. 1970. *Passiviteit, Pacificatie En Verzuiling in de Belgische Politiek: Een Sociologische Studie*. Antwerpen: Standaard Wetenschappelijke Uitgeverij.
- Jedan, Christoph. 2010. "Beyond the Secular? Public Reason and the Search for a Concept of Postsecular Legitimacy." In *Exploring the Postsecular: The Religious, the Political and the Urban*, edited by Arie L. Molendijk, Justin Beaumont, and Christoph Jedan, 311–27. Leiden and Boston: Brill.
- Jung, Courtney, and Ian Shapiro. 1995. "South Africa's Negotiated Transition: Democracy, Opposition, and the New Constitutional Order." *Politics and Society* 23 (3): 269–308.
- Jusić, Mirna, and Nenad Stojanović. 2015. "Minority Rights and Realpolitik: Justice-Based vs. Pragmatic Arguments for Reserving Seats for National Minorities." *Ethnopolitics* 14 (4): 404–17.
- Kymlicka, Will. 2001. *Politics in the Vernacular. Nationalism, Multiculturalism, and Citizenship*. Oxford & New York: Oxford University Press.
- Lehmbruch, Gerhard. 1967. *Proporzdemokratie. Politisches System Und Politische Kultur in Der Schweiz Und in Österreich*. Tübingen: Mohr Siebeck.
- . 1975. "Consociational Democracy in the International System." *European Journal of Political Research* 3: 377–91.
- Lemarchand, René. 2007. "Consociationalism and Power Sharing in Africa: Rwanda, Burundi, and the Democratic Republic of the Congo." *African Affairs* 106 (422): 1–20.
- Lewis, William Arthur. 1965. *Politics in West Africa*. New York: Oxford University Press.
- Lijphart, Arend. 1968a. *The Politics of Accommodation: Pluralism and Democracy in the Netherlands*. Berkeley & Los Angeles: University of California Press.

- . 1968b. "Typologies of Democratic Systems." *Comparative Political Studies* 1 (1): 3–44.
- . 1969. "Consociational Democracy." *World Politics* 21 (2): 207–25.
- . 1971. "Cultural Diversity and Theories of Political Integration." *Canadian Journal of Political Science* 4 (1): 1–14.
- . 1975. "Review Article: The Northern Ireland Problem; Cases, Theories, and Solutions." *British Journal of Political Science* 5 (1): 83–106.
- . 1977. *Democracy in Plural Societies: A Comparative Explanation*. New Haven & London: Yale University Press.
- . 1984. *Democracies - Patterns of Majoritarian and Consensus Government in Twenty-One Countries*. New Haven & London: Yale University Press.
- . 1985. *Power-Sharing in South Africa*. Berkeley: University of California Press.
- . 1989. "From the Politics of Accommodation to Adversarial Politics in the Netherlands: A Reassessment." *West European Politics* 12 (1): 139–53.
- . 1990. "The Power-Sharing Approach." In *Conflict and Peacemaking in Multiethnic Societies*, edited by Joseph V. Montville, 491–510. Washington D.C.: Rowman & Littlefield Publishers.
- . 1993. "Power-Sharing, Ethnic Agnosticism, and Political Pragmatism." *Transformation* 21: 94–99.
- . 1995. "Self-Determination versus Pre-Determination of Ethnic Minorities in Power-Sharing Systems." In *The Rights of Minority Cultures*, edited by Will Kymlicka, 275–87. Oxford: Oxf.
- . 1996. "The Framework Document on Northern Ireland and the Theory of Power-Sharing." *Government and Opposition* 31 (3): 267–74.
- . 1998. "Consensus and Consensus Democracy: Cultural, Structural, Functional, and Rational-Choice Explanations." *Scandinavian Political Studies* 21 (2): 99–108.
- . 2000. "Definitions, Evidence, and Policy. A Response to Matthijs Bogaards' Critique." *Journal of Theoretical Politics* 51 (12): 425–31.
- . 2001. "Constructivism and Consociational Theory." *Newsletter of the Organized Section in Comparative Politics of the American Political Science Association* 12 (1): 1–32.
- . 2002. "The Evolution of Consociational Theory and Consociational Practices, 1965-2000." *Acta Politica* 37: 11–22.
- . 2012. *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*. 2nd ed. New Haven & London: Yale University Press.
- Lund, Michael. 2003. "What Kind of Peace Is Being Built? Taking Stock of Post-Conflict Peacebuilding and Charting Future Directions." *Prepared on the Occasion of the Tenth Anniversary of Agenda for Peace for the International Development Research Centre (IDRC) Ottawa, Canada*.
- Lustick, Ian S. 1997. "Lijphart, Lakatos, and Consociationalism." *World Politics* 50 (1): 88–117.

- Lynch, Julia F. 2013. "Aligning Sampling Strategies with Analytic Goals." In *Interview Research in Political Science*, edited by Layna Mosley, 31–44. Ithaca & London: Cornell University Press.
- Mäki, Uskali. 1992. "On the Method of Isolation in Economics." *Poznan Studies in the Philosophy of Sciences and the Humanities* 26: 19–54.
- . 2001. "The Way the World Works (Www): Towards an Ontology of Theory Choice." In *The Economic World View: Studies in the Ontology of Economics*, edited by Uskali Mäki, 369–89. Cambridge: Cambridge University Press.
- . 2005. "Models Are Experiments, Experiments Are Models." *Journal of Economic Methodology* 12 (2): 303–15.
- . 2009. "MISSing the World. Models as Isolations and Credible Surrogate Systems." *Erkenntnis* 70 (1): 29–43.
- . 2011. "Models and the Locus of Their Truth." *Synthese* 180 (1): 47–63.
- . 2013. "The Truth of False Idealizations in Modeling." In *Models Simulations and Representations*, edited by Paul Humphreys and Cyrille Imbert, 216–33. Abingdon and New York: Routledge.
- . 2020. "Puzzled by Idealizations and Understanding Their Functions." *Philosophy of the Social Sciences* 50 (3): 215–37.
- Manning, Carrie. 2004. "Elections and Political Change in Post-War Bosnia and Herzegovina." *Democratization* 11 (2): 60–86.
- McCrudden, Christopher, and Brendan O'Leary. 2013a. "Consociations and Consociationalism." In *Courts and Consociations: Human Rights versus Power-Sharing*, 1–19. Oxford: Oxford University Press.
- . 2013b. *Courts and Consociations: Human Rights and Power Sharing*. Oxford: Oxford University Press.
- McEvoy, Joanne. 2015. *Power-Sharing Executives: Governing in Bosnia, Macedonia, and Northern Ireland*. Philadelphia: University of Pennsylvania Press.
- McGarry, John, and Brendan O'Leary. 1993. *The Politics of Antagonism. Understanding Northern Ireland*. London: The Athlone Press Ltd.
- . 1995a. *Explaining Northern Ireland. Broken Images*. Oxford: Blackwell Publishing Ltd.
- . 1995b. "Five Fallacies: Northern Ireland and the Liabilities of Liberalism." *Ethnic and Racial Studies* 18 (4): 837–61.
- . 2006a. "Consociational Theory, Northern Ireland's Conflict, and Its Agreement. Part 1: What Consociationalists Can Learn from Northern Ireland." *Government and Opposition* 41 (1): 43–63.
- . 2006b. "Consociational Theory, Northern Ireland's Conflict, and Its Agreement 2. What Critics of Consociation Can Learn from Northern Ireland." *Government and Opposition* 41 (2): 249–77.
- . 2007. "Iraq's Constitution of 2005: Liberal Consociation as Political Prescription." *International Journal of Constitutional Law* 5 (4): 670–98.

- . 2009a. "Power Shared after the Death of Thousands." In *Consociational Theory. McGarry and O'Leary and the Northern Ireland Conflict*, edited by Rupert, 15–84. Abingdon and New York: Routledge.
- . 2009b. "Under Friendly and Less Friendly Fire." In *Consociational Theory. McGarry and O'Leary and the Northern Ireland Conflict*, edited by Rupert Taylor, 333–88. Abingdon and New York: Routledge.
- McGarry, John, Brendan O'Leary, and Richard Simeon. 2008. "Integration or Accommodation? The Enduring Debate in Conflict Regulation." In *Constitutional Design for Divided Societies: Integration or Accommodation?*, edited by Sujit Choudhry, 41–88. Oxford: Oxford University Press.
- Merdzanovic, Adis. 2015. *Democracy by Decree: Prospects and Limits of Imposed Consociational Democracy in Bosnia and Herzegovina*. Hannover: Ibidem-Verlag.
- . 2017. "'Imposed Consociationalism': External Intervention and Power Sharing in Bosnia and Herzegovina." *Peacebuilding* 5 (1): 22–35.
- Mills, Charles W. 2005. "'Ideal Theory' as Ideology." *Hypatia* 20 (3): 165–84.
- . 2017. *Black Rights / White Wrongs. The Critique of Radical Liberalism*. Oxford & New York: Oxford University Press.
- . 2019. "White Time. The Chronic Injustice of Ideal Theory." *Du Bois Review* 11 (1): 27–42.
- Modigliani, Franco, and Merton H. Miller. 1958. "The Cost of Capital, Corporation Finance and the Theory of Investment." *The American Economic Review* 48 (3): 261–97.
- Modood, Tariq. 1998. "Anti-Essentialism, Multiculturalism and the 'Recognition' of Religious Groups." *Journal of Political Philosophy* 6 (4): 378–99.
- Musgrave, Alan. 1981. "'Unreal Assumptions' in Economic Theory: The F-Twist Untwisted." *Kyklos* 34: 377–87.
- Nagle, John, and Mary-Alice C Clancy. 2010. *Shared Society or Benign Apartheid? Understanding Peace-Building in Divided Societies*. Basingstoke & New York: Palgrave Macmillan.
- Nordlinger, Eric A. 1976. *Conflict Regulation in Divided Societies*. Cambridge, Massachusetts: Harvard University Center for International Affairs.
- O'Flynn, Ian. 2003. "The Problem of Recognising Individual and National Identities: A Liberal Critique of the Belfast Agreement." *Critical Review of International Social and Political Philosophy* 6 (3): 129–53.
- . 2005. "Democratic Values and Power Sharing." In *Power Sharing. New Challenges for Divided Societies*, edited by Ian O'Flynn, David Russell, and Donald L. Horowitz, 15–29. London: Pluto Press.
- . 2010. "Democratic Theory and Practice in Deeply Divided Societies." *Representation* 46 (3): 281–93.
- O'Leary, Brendan. 2005. "Debating Consociational Politics: Normative and Explanatory Arguments." In *From Power Sharing to Democracy: Post-Conflict Institutions in Ethnically Divided Societies*, edited by Sid Noel, 3–44. Montreal & Kingston: McGill-Queen's University Press.
- . 2013. "Power Sharing in Deeply Divided Places." In *Power Sharing in Deeply Divided Places*, edited by Joanne McEvoy and Brendan O'Leary, 1–64. Philadelphia: University of Pennsylvania Press.

- . 2019. *A Treatise on Northern Ireland, Volume III: Consociation and Confederation*. Oxford: Oxford University Press.
- Okin, Susan Moller. 1989. *Justice, Gender, and the Family*. New York: Basic Books.
- Parekh, Bhikhu. 1992. "The Cultural Particularity of Liberal Democracy." *Political Studies* 40 (1): 160–75.
- Paris, Roland. 2004. *At War's End. Building Peace after Civil Conflict*. Cambridge: Cambridge University Press.
- Phillips, Anne. 2010. "What's Wrong with Essentialism?" *Distinktion* 11 (1): 47–60.
- Pierik, Roland. 2004. "Conceptualizing Cultural Groups and Cultural Difference. The Social Mechanism Approach." *Ethnicities* 4 (4): 523–44.
- Pinson, Mark, ed. 1993. *The Muslims of Bosnia-Herzegovina. Their Historic Development from the Middle Ages to the Dissolution of Yugoslavia*. Cambridge, Massachusetts: Harvard University Press.
- Rawls, John. 1971. *A Theory of Justice*. Cambridge, Massachusetts and London: Harvard University Press.
- . 1993. *Political Liberalism*. 2005th ed. New York: Columbia University Press.
- . 1999. *The Law of Peoples*. Cambridge, Massachusetts and London: Harvard University Press.
- Reilly, Benjamin. 2011. "Institutional Designs for Diverse Democracies: Consociationalism, Centripetalism and Communalism Compared." *European Political Science* 11: 259–70.
- Richmond, Oliver P. 2004. "UN Peace Operations and the Dilemmas of the Peacebuilding Consensus." *International Peacekeeping* 11 (1): 83–101.
- Robeyns, Ingrid. 2008. "Ideal Theory in Theory and Practice." *Social Theory & Practice* 34 (3): 341–62.
- Rogowski, Ronald. 1974. *Rational Legitimacy. A Theory of Political Support*. Princeton: Princeton University Press.
- Rothchild, Donald, and Philip G. Roeder. 2005. "Dilemmas of State-Building in Divided Societies." In *Sustainable Peace. Power and Democracy after Civil Wars*, edited by Philip G. Roeder and Donald Rothchild, 1–16. Ithaca: Cornell University Press.
- Saldaña, Johnny. 2009. *The Coding Manual for Qualitative Researchers*. London: SAGE Publications Ltd.
- Sarajlić, Eldar. 2012. "Conceptualising Citizenship Regime(s) in Post-Dayton Bosnia and Herzegovina." *Citizenship Studies* 16 (3–4): 367–381.
- Schelling, T.C. 1971. "Dynamic Models of Segregation." *Journal of Mathematical Sociology* 1: 143–86.
- Schendelen, M.P.C.M Van. 1984. "The Views of Arend Lijphart and Collected Criticism." *Acta Politica* 84 (1): 19–55.
- Sen, Amartya. 2006. "What Do We Want from a Theory of Justice?" *Journal of Philosophy* 103 (5): 215–38.
- Simmons, John. 2010. "Ideal and Nonideal Theory." *Philosophy and Public Affairs* 38 (1): 5–36.
- Steiner, Jurg. 1974. *Amicable Agreement Versus Majority Rule: Conflict Resolution in Switzerland*. Chapel Hill: The University of North Carolina Press.

- Steiner, Jürg. 2009. "In Search of the Consociational 'Spirit of Accommodation.'" In *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*, edited by Rupert Taylor, 196–205. London & New York: Routledge.
- Stojanović, Nenad. 2018. "Political Marginalization of 'Others' in Consociational Regimes." *Zeitschrift Fur Vergleichende Politikwissenschaft* 12 (2): 341–64.
- Sugden, Robert. 2009. "Credible Worlds , Capacities and Mechanisms." *Erkenntnis* 70 (1): 3–27.
- Susanne Frieze. 2014. *Qualitative Data Analysis with Atlas.Ti*. 2nd ed. Los Angeles and London: SAGE Publications Ltd.
- Taylor, Rupert. 2001. "Northern Ireland: Consociation or Social Transformation?" In *Northern Ireland and the Divided: The Northern Ireland Conflict and the Good Friday Agreement in the Comparative Perspective*, edited by John McGarry, 37–48. Oxford University Press.
- . 2006. "The Belfast Agreement and the Politics of Consociationalism: A Critique." *Political Quarterly* 77 (2): 217–26.
- . , ed. 2009a. *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*. Abingdon and New York: Routledge.
- . 2009b. "Introduction. The Promise of Consociational Theory." In *Consociational Theory. McGarry and O'Leary and the Northern Ireland Conflict*, edited by Rupert Taylor, 1–12.
- . 2009c. "The Injustice of a Consociational Solution to the Northern Ireland Problem." In *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*, edited by Rupert Taylor, 309–30. Abingdon and New York: Routledge.
- Valentini, Laura. 2012. "Ideal vs. Non-Ideal Theory: A Conceptual Map." *Philosophy Compass* 7 (9): 654–64.
- Velikonja, Mitja. 2003. *Religious Separation and Political Intolerance in Bosnia-Herzegovina*. College Station: Texas A&M University Press.
- Verba, Sidney. 1965. "Organizational Membership and Democratic Consensus." *The Journal of Politics* 27 (3): 467–97.
- Waldron, Jeremy. 1999. *Law and Disagreement*. Oxford: Clarendon Press.
- Warren Christopher. 1998. *In the Stream of History. Shaping Foreign Policy for a New Era*. Stanford, California: Stanford University Press.
- Weisberg, Michael. 2007. "Who Is a Modeler?" *British Society for the Philosophy of Science* 58: 207–33.
- Weller, Marc, and Stefan Wolff. 2006. "Bosnia and Herzegovina Ten Years after Dayton: Lessons for Internationalized State Building." *Ethnopolitics* 5 (1): 1–13.
- Wilford, Rick, and Robin Wilson. 2006. *The Trouble with Northern Ireland : The Belfast Agreement and Democratic Governance*. Dublin: New Island Press.
- Wilson, Erin K. 2010. "Beyond Dualism: Expanded Understandings of Religion and Global Justice." *International Studies Quarterly* 56 (3): 733–54.

- Wilson, Robin. 2009. "From Consociationalism to Interculturalism." In *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*, edited by Rupert Taylor, 221–36. Abingdon and New York: Routledge.
- Wolff, Jonathan. 2010. "Fairness, Respects and the Egalitarian 'Ethos' Revisited." *The Journal of Ethics* 14 (3/4): 335–50.
- Wolterstorff, Nicholas. 1997. "Why We Should Reject What Liberalism Tells Us About Speaking and Acting in Public for Religious Reasons." In *Religion and Contemporary Liberalism*, edited by Paul J. Weithman, 162–81. Notre Dame: University of Notre Dame Press.
- . 2007. "The Paradoxical Role of Coercion in the Theory of Political Liberalism." *Journal of Law, Philosophy and Culture* 1 (1): 135–58.
- Woodward, Susan L. 1999. "Bosnia and Herzegovina: How Not to End Civil War." In *Civil Wars, Insecurity, and Intervention*, edited by Barbara F. Walter and Jack Snyder, 73–145. New York: Columbia University Press.

PUBLIC AND LEGAL DOCUMENTS

- Central Election Commission of Bosnia and Herzegovina (7 May 2020) *Decision on Calling and Administering 2020 Local Elections*, online available at http://www.izbori.ba/Lokalni_izbori_2020/Default.aspx?CategoryID=1019&Lang=6 [last accessed 26 August 2020]
- Constitution of Bosnia and Herzegovina, online available at <http://www.ohr.int/laws-of-bih/constitutions-2/> [last accesses 14 June 2020]
- Constitution of the Federation of Bosnia and Herzegovina, online available at <http://www.ohr.int/laws-of-bih/constitutions-2/> [last accesses 14 June 2020]
- Constitution of the Republika Srpska, online available at <http://www.ohr.int/laws-of-bih/constitutions-2/> [last accesses 14 June 2020]
- Council of Europe Commissioner of Human Right Mr Thomas Hammarberg (20 February 2008) *Report by the Commissioner of Human Rights on his Visit to Bosnia and Herzegovina*, online available at <https://rm.coe.int/16806db72f> [last accessed 21 July 2020]
- Dissenting Opinion of Judge Bonello, *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR 2009-VI
- Department for the Execution of Judgements of the European Court of Human Rights (2020) *Bosnia and Herzegovina Country Fact Sheet*, online available at <https://rm.coe.int/1680709741> [last accessed 29 July 2020]
- European Commission (2015) *Bosnia and Herzegovina 2015 Report*, accompanying the document *Communication from the European Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions*, Brussels, online available at https://ec.europa.eu/neighbourhood-enlargement/news_corner/key-documents_en?f%5B0%5D=field_file_country%3A75&f%5B1%5D=field_file_date%3A2015 [last accessed 29 July 2020]
- European Commission (2019) *Economic Reform Programme of Bosnia and Herzegovina (2019-2021)*, Commission Staff Working Document, Brussels, online available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/bosnia_and_herzegovina_2019-2021_erp.pdf [last accessed 29 July 2020]
- European Commission (2019) *Analytical Report Accompanying the Document Communication from the Commission to the European Parliament and the Council Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union*, Commission Staff Working Document, Brussels, online available at https://ec.europa.eu/neighbourhood-enlargement/news_corner/key-documents_en?f%5B0%5D=field_file_country%3A75&f%5B1%5D=field_file_date%3A2019 [last accessed 29 July 2020]
- General Framework Agreement for Peace in Bosnia and Herzegovina (21 November 1995), online available at <https://peacemaker.un.org/bosniadaytonagreement95> [last accessed 19.04.2020]

- Internal Displacement Monitoring Centre (19 November 2014) *Bosnia and Herzegovina, Political Agenda's still Prolonging Displacement*, online available at https://www.internal-displacement.org/publications?search_api_fulltext=&field_country%5B%5D=95&field_region%5B%5D=71 [last accessed 21 July 2020]
- International Crisis Group. 1999. "Breaking the Mould: Electoral Reform in Bosnia and Herzegovina." Sarajevo
- Minority Rights Group International (4 July 2008). Reply to the Government Observations (On behalf of the 'second applicant' Mr. Finci), *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR 2009-VI
- Northern Ireland Peace Agreement (10 April 1998), online available at <https://peacemaker.un.org/uk-ireland-good-friday98> [last accessed 14 June 2020]
- Open Society Justine Initiative (15 June 2008). Third Party Submission, *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR 2009-VI
- Partly Concurring and Partly Dissenting Opinion of Judge Mijović, joined by Judge Hajiyeu, *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR 2009-VI
- Pilav v. Bosnia and Herzegovina*, no. 41939/07, ECHtR 2016
- Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR 2009-VI
- The AIRE Centre (15 June 2008). Advice on Individual Rights in Europe, Third Party Submission, *Sejdić and Finci v. Bosnia and Herzegovina*, nos. 27996/06 and 34836/06, ECtHR 2009-VI
- Zornić v. Bosnia and Herzegovina*, no. 3681/06, ECHtR 2014

APPENDIX A:

Interviews

First arriving in Bosnia for this study for a short visit in May 2017, it was not hard to find Bosnians who were willing to talk to me about the political system in their country. After a brief message in the Facebook group “Sarajevo Young Expats”, I could set up several coffee meetings with young Bosnians. That many of

the members of the Facebook group for expats were actually Bosnians living in Sarajevo, was only the first of many (apparent) contradictions that I would encounter in the coming months. Many Bosnians told me that they do not care about politics and that they do not follow political news, only to embark on long and detailed descriptions of the many things that are wrong with the political system in their country. And although almost nobody that I encountered declared they cared about their own group affiliation or that of others, almost everybody believed that “they” did care about group identities. Later that year, when I held semi-structured interviews with Bosnians working for civil society organizations, I was confronted with another contradiction. Although, like many of the Bosnians I had talked to until then, my respondents also described the prospects for Bosnia as very bleak, each of them continues to work for the positive change that they did not expect to come. Although I refer to these examples as “contradictions”, that does not mean that do not make sense. They are more accurately conceived of as illustrations of the complexities of the lived experiences of people in a deeply divided society. Perhaps it is somewhat similar to the modest complexity of my experiences in Bosnia as a vegetarian who eats meat when extremely generous Bosnians show me their hospitality by offering me delicious food.

The transcripts of the interviews included in this appendix illustrate such complexities to the extent that they came to the fore in the semi-structured interviews. The transcripts allow the reader to gain some insight into the context of the interview data and quotations used in this study. However, the transcripts form only part of this context. Interaction with the respondents prior to and following the recorded interview, various other conversations, and my own experiences have shaped the interpretation of the data as presented in Chapters 3, 4, and 5. Drawing on this background information, I have slightly edited the transcripts, primarily to make sure the confidential treatment of the information provided by the respondents.

This appendix includes an overview of the eight recorded semi-structured interviews conducted for this study. The overview includes the position and organization of the respondent and some key words describing the focus area of the organization that the respondents works for; a brief summary of the respondent, their work, and their position; and a transcript of the interview.

The in-text references to the interviews in this study—using “Interview 1-8” as well as a page number for direct quotations— are references to this appendix..

Interview 1

Respondent

Co-founder of a local non-governmental peacebuilding organization

Key Words

Peacebuilding; reconciliation; human rights; interreligious dialogue

Summary

The respondent is the co-founder of a local nongovernmental organization. He is a well-known figure in civil society throughout Bosnia. The NGO focuses on various aspects of peacebuilding. They primarily work with children and youths. On the one hand by organizing activities for this target group, such as summer camps. On the other hand by addressing educators, such as school teachers, with their projects and activities. Furthermore, the organization focuses more broadly on reconciliation within the communities. In all their activities their aim is to bring together members of the different religious communities.

Transcript

My research is a little more broadly about group identities and group rights. We have been talking about religious identity. Can you say a little bit more about the importance of ethnic identity in Bosnia? Maybe about its relationship to religious identity?

Well, according to the constitution, ethnic identities are the identities of people in Bosnia. Especially because this is a country that belongs to Serbs, Croats and Bosniaks. And all the political structures, governmental structures, everything is structured in a way that has equal representation of Serbs, Croats and Bosniaks. Some of the time they talk about Others, but most of the time the Others are totally excluded. From the peacebuilding point of view of course that is problematic, because it is against the human rights. And it also creates people with privileges.

At the same time another problem is that our constitution connects ethnic identities to religious identities. So if you are a Serb, it is understood that you are an Orthodox Christian. If you are a Croat, you are a Catholic Christian. And if you are Bosniak, that means you are Muslim. This is absolutely not true. There are so many Bosniaks, Croats and Serbs who are neither of these three, who are atheists, Protestants, Yehova's Witnesses, agnostics, you name it. But this is very simplified and it is part of the law in Bosnia. It is unjust and it contributes to the injustice that is happening in our society. So it is very problematic.

If religion is not necessarily characteristic of ethnic identity, what are the important differences between ethnic identities?

I would say that, from what I know in our country, ethnic identity is one totally separate thing, and it should be a separate thing, from the religious identity. Another problem is that not all the ethnicities feel that there is an identity that would be unifying, such as Bosnians and Herzegovinians. Very often, ethnic identities are also a tool for manipulation of people. So not only that they are Serbs or Croats or Bosniaks, but that if they belong to these three, immediately you know what is their political aspiration, what is their way of thinking, what is relevant, what is not relevant for them, what they would like to have in society or not. And also our government is pretty much misusing this.

What are then important differences between a Bosniak and a Croat and a Serb?

That is a good question. I don't see that there are important differences between our three peoples in Bosnia. It is really the same mentality, the same culture. One thing is that if you look at how religious communities are established, the Orthodox Church is Serb Orthodox, the Catholic Church is understood Croat Catholic Church and the Islamic community is understood Bosniak Islamic community. This is, again, is not true. The majority of people, yes, belong to these, but there are many who also don't. I would say that would be the main difference between religious groups in Bosnia, how they practice their faith. But when it comes to ordinary life, what we eat, what we drink, the way we relate with each other, the way we live, it is pretty much the same. You can't really distinguish. Even the language that we speak, even though we call it four different names, it is still the same language.

Do you think that there is an importance to ethnicity beyond the constitution?

What do you mean?

Is it important to individuals, for example?

For some, yes, very much. And especially in places where that identity is in jeopardy or where that identity doesn't have equal rights with other citizens. That is then where this identity becomes really important.

What do you mean "where it's in jeopardy" or "where it doesn't have equal rights"?

For example, Bosniaks in Republika Srpska or Serb returnees to the Federation. If they don't have equal representation in government or if they don't have equal rights such as schools, a way to practice their faiths, equal access to jobs, job opportunities, equal access to economic empowerment, then it becomes a problem. And again, it is a consequence of the political structures that are not implemented, a constitution which in this case says that Serbs, Croats and Bosniaks are equal, wherever they live in Bosnia. No matter what part.

You already mentioned that Bosnia belongs to Serbs, Croats and Bosniaks. Do you think there is a difference in the type of group the constituent peoples are and that other groups are, so the groups that are here categorized as Others?

[Expresses puzzlement]

Is it a special type of group? Why do they have a special status in the constitution?

Minority groups, let's say Roma, Jewish, Ukrainian, Romanian, Russians, Slovenes, they don't have equal rights as these three, what I call, "heavenly people". Because our constitution gave them "heavenly rights" in relationship to the others.

Do you also think they have heavenly characteristics then?

No, I don't think so. We are nothing better or worse than any other group. It is just that we are given these rights by Holbrooke and the team who negotiated the Dayton Peace Accords, but I don't think that Serbs, Croats and Bosniaks have any heavenly quality more than anyone else on earth.

Do you think more generally that identity is important to citizenship?

Citizenship of Bosnia or in general?

Bosnia, for example. But maybe more general as well?

Important how? I mean, everybody is a citizen of Bosnia, so whoever is born or whose family is here for 150, 200 years, nobody is denied citizenship. Not at least that I am aware of. But at the same time all Serbs, Croats and Bosniaks are citizens of Bosnia. Sometimes people also have other citizenships, and for me that

is also okay, if people want to have other citizenship too. I mean, I am kind of a world-citizen. I wish we didn't have any borders or passports or anything. But if you do, then that's your choice and I don't see this as an obstacle or problem. The problem is when people don't understand the needs of other ethnic groups and just promote their own agenda. So especially in Bosnia we need to be aware that there are people around us who have different political views, religious views, economical possibilities. And then we need to be aware of this diversity in order to make decisions. How do we build our community, how do we continue with our community? It all needs to be taken into account.

Many people say that there is no equality in Bosnian citizenship, because you have the Constituent Peoples and the Others. Do you think that a common identity, a Bosnian identity, is necessary to have equal citizenship?

It might be my dream, or not, that everybody would identify as Bosnian. I think geographically, we know that we are Bosnian and Herzegovinians, but at the same time I don't think that that would necessarily give equal opportunity to people. I think we have to change our mentality and we need to change our way of thinking in order to make sure that everybody has equal rights. In Bosnia, change in a sense that I first of all think about the others that are different than me. That I, as a citizen of this country, will work so that they have equal access as I do. And also that others will worry about my access more than about themselves. And I think that if we would have that mentality, it would be much easier. I don't think that, if we would impose now that everybody in Bosnia is just citizen of Bosnia or Bosnian-Herzegovinians, I don't think that it would solve any problems. But we really need to change the mentality so that people would be willing to work to make sure that others have the same rights as he or she has.

Can I interpret your answer in saying that you think it is not just the system, but mostly the people that need to change?

It is both. Of course. Because our mentality allows this system to exist the way it is. That is one thing.

And "our mentality", is that the mentality of all Bosnian people?

Of all Bosnians, all people who are born and raised in this country. So the system is totally corrupted. But if people are aware enough, if they are willing to fight for it enough, then we would change the system very quickly.

You already said a little but about this, but do you think these different groups actually have different interests? So do Croats, Serbs and Bosniaks have different interests?

The interest of all people who live in Bosnia is to have a good life, to have good income, to have good jobs, to have good opportunities. I would say that our political elites have their own interests. I won't go into details what kind of interests, I think it is kind of ... like any other kind of political elites in the war. Except that our elites, they can do it, because obviously we are not doing anything to stop them. But if it comes to ordinary people, I think they just want to have good lives.

That is on the individual level?

That's the individual. But political elites are the ones who create the political atmosphere. And if you look at the development of the political situation from 2004 onwards, you can see that there is a huge shift within the Republika Srpska's narrative. The Federation parts remained the same. If you now go and talk to Bosniaks, for example, we don't care about the Federation. For us, when we talk about Bosnia, we only talk about Bosnia and Herzegovina as a whole, the Federation we only use when we talk about the system. There is the federal law, but for us Federation doesn't mean anything. Versus for Republika Srpska people, Republika Srpska is a guarantee for their safety. And they have been told that. And this has been repeated so often that now many of them believe that.

Is that maybe the result of the fact that the Serbian population thinks it is a minority within Bosnia Herzegovina as a whole? So they feel they need to be protected?

I don't know if I would agree with that, because there were Serbs who voted for independent Bosnia, there were Serbs who fought in the Bosnian army, and there were Serbs who were totally in opposition to Milošević- and Karadžić-policy. Now you don't hear about this, you don't see this so much, but there are still a lot of Serbs who are not pro-idea of living in the same territory of what is the political mainstream of Republika Srpska.

And if it is the other way around? If there is a Muslim or Bosniak minority living in the Republika Srpska? Do you think they need special protection? Do they need special rights?

I think we just need to implement the Dayton Peace Accord fully. And once it is implemented fully, we can go a step forward. For example, the article within the Dayton Peace Accord about free return, that was never implemented totally. Or also the article about property. There are still people who never were able to, until today, to get their property back. And the entire state is being involved, and the Ombudsman, our Ombudsman people. And there are people who are still, how do you say, there are still legal cases where they cannot do that.

But you need to know that we never really faced with what happened in 1992 to 1995. We still have about more than 30.000 killers walking in the streets of Bosnia and Herzegovina. We have thousands of war criminals, who were guardians in concentration camps, rapists, and killers, who are in political positions and in other social positions all over Bosnia and Herzegovina. And I think that it is not only Bosniaks who return to the Republika Srpska, but I think that everybody needs protection from them. Because this is not justice. And if you are living in an unjust system, where you know that your neighbor was killing or raping, and he is free now, living, even if he belongs to the same ethnic group, even though he was doing it on your behalf, the same thing. There is still a lot of gaps. So I think we need to have structural solutions for these kind of problems. I am not demanding that every killer will be put in prison. We don't have a place for 30.000 killers to be put in prison. But the state needs to create programs for the victims where they will have a space for healing, which we never had really on a state level. We have the court that does processes. When they come to present their work they said, "oh we prosecuted Serbs, Croats and Bosniaks." When they do presentations, I am not saying that they are not doing a good job, they are, but when they come to communities to present, this is their attitude. We will show you that we work against Serbs, Croats, and Bosniaks. And I think it is a wrong approach, especially a wrong approach for healing in communities. Especially if you take into account all the UN reports during the war and after the war. And what happened during the war and how it happened and in the UN protected zones and everything. Also the international community needs to take responsibility. Not only the Dutch government, but also the UN structures. That never really happened. And I think that is also influencing this. Because our politicians that they can do whatever they want and get away with it.

If you look at how many people were killed, how many villages were raped, how many human lives were destroyed, even when people survived, and how many people were actually prosecuted for that, I can't even think of future possible war. When people will know, "okay, if I kill 10.000, I can get seven years, I am ready to take that for my own people." I am not sure how much the Tribunal in the Hague really served for the purpose of reconciliation, which was, at the beginning, one of the goals. And I think that they failed in that segment totally. But we will see. Now with every sentence that was published in the Hague, it was just another gap that was created in Bosnian society. I don't know how they would have done it differently. But it was their job to really promote reconciliation and not to create gaps. So they failed totally.

And you think because there is no reconciliation or justice, you cannot have a democratic system either?

Absolutely, I strongly believe in that. That is of course one of the factors. If people would see that there is justice, then I don't think that politicians would dare to be so corrupted. And here we are not talking about

corruption that the President of Bosnia signed a contract that brought him millions. I am talking about corruption from the lowest level, when you bribe with 5km [Bosnian Marks], to the level when you bribe with 1 million km. But corruption, it really is everywhere. And it is destroying our society. And of course, we should be starting a reconciliation process. I mean, if you go to an ordinary person who is educated, who is working, and you say, "what do you do about reconciliation with the others?" After 22 years they would say, "what reconciliation? Why would we do that? No." And for me this is not normal.

And what do they mean when they don't want it? They don't want reconciliation or they don't think it is necessary?

Both. Why would we reconcile? We don't live together anymore, even though we live in the same country. I have a neighbor who is a different ethnic group, but he is nice. Like, I would not mind having him. But "them", that picture of "them", is totally still present. And we spend already so many billion dollars on bringing people together. So for me the question is really, what is wrong? Have we not done it in a way that was really changing? Or is it impossible to do reconciliation work in Bosnia, which I don't want to believe. But something was missing, you know, and I am still not sure what.

How do you think this relates to stating in the constitution that it is the land of Bosniaks and Serbs and Croats?

I have a big problem with that. In World War II, in that context, it was important to say it. So that nobody was saying "oh, I am the big face here." But we really wanted to create an atmosphere that everybody was included.

So it was actually a mechanism for pluralism?

Yes, at that time, because Serbia was for Serbs, Croatia was for Croats, Slovenia was for Slovenes, even though we lived in brotherhood and unity, but they were the majority versus minority. In Bosnia it wasn't. But now, Croatia is still a state of Croats. Serbia is still a state of Serbs, with minorities, and minority rights. But in Bosnia, I would love it to be a state of its citizens. And that we would all have equal access. And I am not saying it would be an easy process, especially including Roma people, Jewish, other minorities. There is a lot of racism, especially against Roma people. We are, I would say, nothing worse or better than any other European country, because Roma people were never really accepted. And the same was with Jews, but it was kind of different. I would say in that sense we are true Europeans, because Europe was never tolerant towards something that wasn't white and that wasn't Christian, if you look at the history. But we are Europeans, so I am saying this on our account. We think of what a wonderful society we have and that we are not racist. And then we have the first Chinese family that comes to our town. Oh my god, you wouldn't believe it. And for us it was shocking that people would say like, "they eat all the pigeons, they eat snakes, they eat rats, they do this, they eat their dead ones." And we were like, "where do you get this, the internet?" No, they mainly heard it from their family members who live in the Western world. You know, "they cannot pronounce 'r'." And we were like, "really? Did you hear them?" "No no, but in English in the movies, there is always this joke, like they don't say right, they say light." And I am like, "oh my god". But before the Chinese came here, we thought we are not racist. After the Chinese, I mean, all the stereotypes and prejudice, it all came out. So I would say we are nothing worse or better than anyone else, but this also shows that we have to really work hard in order to fight this and to have people learn about it. You know, they think that Chinese people came from Mars, they don't know what life is there. And then, you know, we tell them. When we went to Germany, people were showing us how to use the television, or how to use vacuum cleaner. When we were refugees in Slovenia, they brought us a television and they were showing us how to use the remote control. And I was like, "I had three televisions in my house, we know how to use them." But of course, the same is now with us when it comes to Chinese. We don't think that they know anything and that's how we also behave towards them.

But for me it would be much, much better if our constitution would be just talking about citizens. And I think that would also melt this nationalistic rhetoric. If I am employing you, only because you have a good recommendation letter, a good education, good skills, why not? But if there is a job announcement within our government, then they say this position is for Bosniaks, because they already have ten Serbs and, I don't know, eight Croats, and only nine Bosniaks. So even if you are more educated than me, then I get the job, because of my ethnicity. And I didn't do anything to earn that. So I think that is problematic.

Do you think if it were the case that the constitution would only recognize citizens, individuals would feel safe enough? Would they feel protected?

Well if you would create mechanisms within the state that would protect individuals, then yes. I think so. And if you are... I mean, I don't know what kind of rights we would... I can't even think like how would that be. I mean, we are so much into this Serb-Croat-Bosniak-shit, that we don't even think out of that kind of box. But for me, personally, this would be a country for citizens, where your hard work would be recognized. Where your knowledge, where your skills, where you work for the community would be recognized as something that is good. Why wouldn't I feel safe or protected?

For me, the puzzle is a little bit that I talked to people working on community-based projects, for example, and they say, when you tackle a problem in a community that affects the whole community, ethnicity doesn't matter. If you talk about the fact that the roads are bad, people want to solve this problem together. But when you look at the election results, apparently ethnicity does matter. So that is kind of the...

[Confirms the observations]

But that is also because they steal elections.

They steal elections?

Absolutely.

You don't think people actually vote that way?

No. They do, in some way. But like everywhere else in Europe for example, the right wing would get some votes. But because they are in power, and they can steal, and they are stealing. Like, I have seen it with my own eyes.

So you think that the problems as you see it on basis of the election results are actually bigger than they are in reality?

I think so. I mean, they steal.

So then better monitoring of the elections would already be a solution?

Ah, yes, but monitoring by those who are not corrupted. We have monitoring, where political parties delegate their members to monitor. And when they come to the electoral base, they agree between them: all those who don't come to vote, they will divide into you will get twenty percent, you will get five percent. You wouldn't believe how they steal elections.

Have you seen this?

I have seen this. You wouldn't believe how they steal elections. And feel free to state it in your research. I wouldn't mind saying this on public tv. I would speak freely. I was in one electoral place where, in my village, I was volunteering. Nobody paid me to be there, but I went to the electoral commission and I said,

"I want to be there." I wanted to make sure that how our people vote, that that is the result. And I was there and this guy, an old neighbor, he came. And this guy, he couldn't do it by himself, and he said, "okay I can help you." And I was observing from distance. And the guy told him what political party to circle, and circled another political party. I could tell, because this political party was on the top, and the political party that he circled was on the bottom. So that was the way that I could tell he was stealing. And I came there and I said, "I demand to see it." And I saw it and I told this man, "he circled this political party." And the man was, you know, so angry. And he talked to the president of the commission. And I told him, "you have five minutes to kick out this guy from here, otherwise I will report to the OSCE."

And I think that the biggest problem was that it was OSCE that was monitoring. Because most of were coming from the outside with the assumption that it was like following the election somewhere in, I don't know, Germany. You can't. These guys are trained to steal elections. And the way they do it is so sophisticated that it's amazing. Amazing. And I know that every election until now, they are stealing. I don't know how much, but a lot.

"They" are the political parties then?

Parties who have power here, of course.

How does this relate to their nationalist rhetoric?

Oh, when they win, exactly like you said, they say, "you see, people voted for us, so they want to have this status quo in the country and people want to separate from Bosnia and join Serbia." You know, and all the referendum thing that happened in Republika Srpska? You know how many Serbs really give a damn shit about who is sitting in the court? But this is the way, this is the democracy that we have to deal with.

And then we don't have money to train people to monitor elections. And also, if I would have an organization, I would need to know every person who is monitoring in person to know that this person would not be able to be bribed. Because I have also seen other independent observers. When they came, they brought me a kilo of roasted lamb. And I said, "no, I don't want, I'm sorry, I mean, thank you, I am not hungry." "But you haven't been eating all day." And if they brought me a piece of bread, maybe I would accept. But they brought me lamb, you know. And this means, you can buy me with a kilo of lamb. No sweetie, not even a million. But that was the last election that I monitored also, because I spoke to the OSCE person, and that was the moment that I realized, oh my god...

And that were the most recent elections?

No, this was '98. The first election after the war.

And I told the person from OSCE, "this is not right, they are stealing." And the person asked "well, do you have any photographs, can you prove anything?" And I am like, "this is not court. I am telling you this is what I am observing." "Yeah, but we really need to have proof." And I am like, "why don't you install some cameras?" It is better to invest money in cameras, install them, and then you have everything on tape, then to bring people from, I don't know, Kazakhstan or Germany or Holland or from anywhere to monitor elections for three days and then they go home. I mean, it is a really good salary, I understand this, this is good motivation. And at the same time, they are not helping. And because there is OSCE monitoring, then the international community feels, well, it is regular. It is not regular.

Again, I am too bitchy about international community, but I think they are not really doing a good job. I think that they have to change their attitude. I mean, if you look at the recent developments, it is, just before Trump, how many battles did US and Russia have over the Bosnian Bank. Or Germany. I understand that we are very small, very weak, like we don't have a voice. And at the same time, we still have dignity. You know, you can't do this, but they can. Let's say, the Russian ambassador, he comes to tell us do this, or this can be done, this cannot be done. At the same time they are jeopardizing human rights on every level you can imagine. And you are coming to teach me what lesson? The same is with Trump or any other USA

administration. I mean, how many human rights are you jeopardizing in your own country? I am not even talking about Afghanistan or Iraq, but in your own country. And you come here to teach me how to be democratic. What the f***? Wait, don't write down what the f***.

But really, it is totally messed up. We are working for the last fifteen years on reconciliation. Sometimes sixteen hours a day, sometimes twenty hours a day. And then, you don't see, these are not results you can really see, unless you work on individual transformation and then they tell you: "thank you so much, you saved my life." But when you look at a societal level, it is like, what are we doing? And we know that there are so many NGOs who are dealing with this. And we share experiences with them. And we see that there is movement. And when you look at Bosnia 2002 and now, of course, there is so much improvement. But still, like my life, I don't want to be 65 and look at what we have done and think the same that I think today. I think I would die very unhappy. But we will see.

What would have to happen?

Change! That we would finally start valuing people based on their competencies, achievements, the way that they are with each other and not based on how they were born, where they were born.

That is a change in the mentality of the people?

Of course, that is what I am talking about.

How do you think that this translation can happen from what you are doing at the individual level?

The answer is to change the mentality. On the individual level we are changing that mentality. We have people who come to our programs and they talk... They are Muslims, let's say, and they are talking about any Christian church, and they keep saying "their church, their church." And we tell them: it is "our church". Our historical heritage is every church in Bosnia, every mosque in Bosnia, every historical building. I don't care who built it. Whether it was Austro-Hungarians or Jews or Ottoman Empire, this is our historical heritage. For people it is not. If it is a mosque and they are Christian, that is not our historical heritage, that is why we can destroy it. This is when it becomes really dangerous. When I don't feel that these houses belong to my country, of course I am going to destroy them. So that is how we are changing that mentality.

This is at an individual level or maybe a community level. How do you translate this to a societal level?

Hopefully, we will create enough individuals who will then, on the decision-making on the whatever, start talking about it. And also start talking about it more openly. Because even those who don't follow the mainstream that is happening now, they are afraid to say so. Because that means they might be fired from job or they cannot get a job. I don't know, the society will slash them, they will be outlaws. I understand that it takes time. France and Germany reconciled, what, ten, fifteen years ago. There is still a lot of hate on the individual level. There are people who lost their beloved ones during World War II and they hate Germans, you know. But if you have institutions, like German society, the way they dealt with history and with the World War II burden that was on their shoulders, I think they can really set up a great example for all of us. Because in World War II, if you asked me, there is not European nation that stayed with clean hands. People were victims, but also killers at the same time, all of us. There is not one country, some countries participated more, some less. But what we are mainly doing, when we are saying "oh World War II, Germans", and we think this all. I don't know if any other country, at least Yugoslavia never did, that actually talks about how much actually we contributed to destruction of Jews, the destruction of Roma people, the destruction of Serbs in Bosnia, the destruction of Bosniaks, the destruction of Croats destruction of other minorities. What happened with the German minority in Yugoslavia after World War II? Nobody talks about that. Ten thousands of Germans were expelled or killed, in Yugoslavia after World War II, when the war was over. So it was not war crime anymore, but it was something else. Do we talk about it? No. Is it in our historical books? No.

So how do we talk about history? Do we only talk about our victims? But not really about when we were the victimizers? This is not justice. This is also the justice that I am talking about. At least we need to be aware of what we have done. At least in the recent history that we can track.

I met a German woman from Banja Luka, whose family came from Banja Luka to Germany. She came as a refugee. She is in her sixties now. She told me about how much she loves Banja Luka. I asked her why she would love Banja Luka. She said "that is where my family is from." "So why did you leave?" And then she told me and I was shocked. I had never heard of this and I consider myself as someone who should know this, especially when it comes history, because I love history, I study all the time history, and I had never heard of this. And of course, I understand why it is not present, why it wasn't present, but if we want to have equal representation it should be present. For the German minority that we now have in Bosnia, very few, this is their wound that they are very much aware of and we don't even know about it. It is not spoken of in media, in schools, it is not anywhere. So how can they feel protected or safe?

I think if we would have one status of citizens, and then have the whole practice of facing our history or facing our past, we really come to the conclusion that we were all victims and victimizers at the same time. I am not trying to say we were equal in the last war, because the last war was the agenda of Serbia, of Milošević-Serbia, not of all Serbs in Serbia, but it was the agenda of Milošević. So it is obvious how Yugoslavia fell apart. We really need to look at it. If you look at Bosnia or the way the Bosnian society is dealing with the past now, you have the mainstream who is saying we all were killing and we all were victims. And then you have the state who doesn't acknowledge this and will pretend like nothing happened and everything is fine. We don't really, in the school system, we don't talk about what happened. So you know, where does this lead to? I don't think it is leading anywhere but another war. Am I being too depressing?

It is the political parties that promote this ethnic rhetoric or this nationalist rhetoric?

Of course.

Are there also civil society organizations, like your own organization, that do that?

That promote? Yes, unfortunately.

Also ones that you have to deal with here in the canton?

We don't really work with them. They are nationalistic NGOs, such as Ravnogorski Chetnik Pokret. Have you heard of them? This is like Nazis. They are not present in Federation, but they are present in Republika Srpska. You can do research, I think it would be very interesting for you. So they are an NGO, which is a joke for us, but they are an NGO. And they promote Chetnik heritage. The worst killers were Chetniks during the war, World War II and the past war. So this is the heritage that they are promoting. And they are NGO. And when we applied for the same funds, they also got funds for their programs. There was another one, but I haven't heard of them recently. It is called Fighting for Staying. And these are NGOs who work against refugees returning to the previous pre-war homes. But I don't know if they are still. Also their rhetoric was totally fascistic: "we cannot live together and we have to make a new life here." But I haven't heard about them in a long time, so I don't know if they exist still.

You do not have to deal with it here, in this canton, in your work?

No, this is still Federation. When we worked in Prijedor, we never really worked with anyone of them. Even when we have public calls, we attract people who really want to work for peace. We had maybe twice real nationalists, which was beautiful. Because, like in Jesus's stories, the biggest transformation happens with people who are really on the other side. That was a really wonderful opportunity for all of us to learn. We had people who came and said, "Ratko Mladić is my hero." And we didn't say "why?!", we said, "can you help us understand why?" And then they responded basically by saying "he was protecting people, he never killed anyone." Then we showed them facts and factual numbers. And then there was interaction with victims, who were victims of Ratko Mladić. They explained how it actually affected their lives. It was a big,

big help. So that people finally started understanding: how can you be my national hero, if you are to be blamed for death of one person who was innocent. Then everything you did good for me, makes me feel embarrassed that I have somebody like you in my own people.

How did that end?

With this concrete example? Well, they transformed. They transformed and they said that they were able to see.

And why did they come to your project?

This was a training for trainers who wanted to be involved in non-violent communication. So to be a trainer of non-violent communication doesn't mean that you can't be a nationalist. So when they came, they also realized... We don't tell them that we are there for their personal transformation, but that is really our kind of hidden agenda.

Maybe this is a slightly provocative question, but if you only have these people once or twice in your trainings, how do you know you are not preaching to the choir?

Oh, because most of them who come, I don't want to say all of them, most of them who come think that way. But they wouldn't say it out loud. So when they come to the first day, we welcome them and we use very strong language, we say: "we welcome you, young fascists of Bosnia, we are grateful that you came here to learn different ways of being and living." At first, they are offended, "why are you calling us fascists?" And we say, "because the entire education system, media, your family, your friends, and the entire society, everybody wants you to be fascist, so if you are not fascist, and we will see in these five days, we will give you a golden medal." And mainly the second day, they come to the conclusion: "oh my god, we are real fascists." And then we start from there, you know, because you can't change somebody, if somebody is denying. So we really have the first two days, we create it so that we can open their eyes, they can understand.

So the main difference is that some people come there knowing that they are nationalist and are open about it while other still...?

Yes. We had one girl, who loves Muslims, who loves Croats. She has nothing against anyone. She wants all Bosnians to be the same. And then we started talking about Chetniks and she said that her father is president of the Ravnogorski movement in her hometown. And we were like, "are you f***ing kidding us?" She is like, "no no, he is." And we were like, "how do you feel about that?" And she said, "it is just like a folk-group, the come together, they sing together." And we were like, "sweetie," this is the moment that we shared our opinion, "you can't look upon this movement with sympathy, it is like saying of the Wahabi movement or any other radical movement that they just want to live in peace, but they really exclude everybody else around them." She said, "I am going to talk to my father, I really don't know much about this movement, but I will talk to my father when I come home." But the way she spoke about it, she was even proud that her dad was president of this folk-dancing or folk-singing. And we were like, "oh lord."

Interview 2

Respondent

Coordinator for a local feminist foundation

Key Words

Women's rights; human rights

Summary

The respondent works as a coordinator for a local foundation in Sarajevo. The foundation is a feminist organization that focuses on promoting the rights of women in Bosnia. They organize events for women to create awareness of women's rights. They also engage in lobby activities, for example the battle gender bias in education or in politics.

Transcript

Briefly, or not so briefly. [Organization] is a feminist organization for Bosnia and Herzegovina. We are kind of a national organization. Our office is in Sarajevo. We don't have any other offices, we are based here. [Organization] is the only feminist organization in the sense that we have it in our statute and we are not a women's organization, but we are a feminist organization. That is very important for us to differentiate, because people in Bosnia and Herzegovina and generally in the Balkans, they run away from the word feminist. It is here a very ugly word, a word that is not respected, it means all the worst things ever. So we are trying to redefine it and make it something positive. So basically our first identity is that we are a feminist organization and everything else comes second. So we have been existing since 2004, legally registered in 2005. We have nine members, nine working members, our director plus eight of us who are staff. And we have a bunch of volunteers, women and men who come and want to volunteer for our organization. We have two major platforms. One is women's rights and one is LGBTBI rights, more focused on the rights of LBT women. So on this one part, we work with a lot of young women. Our base is education. So we try to create this new movement of feminists and activists, young women who come from smaller areas who want to raise the topic of feminism and activism in their small local communities. So we try to educate them how to do that and give them the tools how to do that to raise the movement also from their local communities and not only from Sarajevo. So we try to decentralize the topic completely.

Also we work a lot of peace activism. That is very important for us as feminists, that is anti-militarism and peace activism. One of our members is one of the members for the steering board of the network for peacebuilding. I don't know if you've heard about that? It is a really big network in Bosnia-Herzegovina. For us it is really important to be a part of the peace story.

Also we work a lot on the topic of violence against women. For us it is really important to be part of the sixteen days of activism campaign. Every year we talk about violence against women publically. And that is, I would say, what we are most known for. We have these three actions; we try to take over the street at least three or four times a year. The 8th of March, we don't celebrate, but we mark it. So we have a march for the 8th of March every year to kind of point out what is wrong with this country and women's rights and LGBTBI rights and other minorities. We also always have a street action on the 25th of November and the 10th of December. For us these are the three dates that we always try to do actions. We don't succeed all the time, but we try to be in the public space to make people see how important those dates are. And a lot of media come. Media coverage is really important for us. A lot of media actually support us in this sense. They always invite us when we have our activities to talk about them. Of course they could always be more

active and more progressive, but they are still learning, we are still teaching them. When I say “we” I mean the whole civil society. So basically, they are getting there. We are, I would say, pretty much happy with the support we are getting from the media, from the main stream media especially.

Regarding the LGTBI platform, that is a pretty big platform actually for us. We have been working in the past two years on this really big project that was funded by the state department in Washington. And it was about LGTBI rights and the EU integration process. Because Bosnia is currently in the process of EU integration. And we have been trying to see where LGTBI rights are in that context. How the European Commission can help us realize LGTBI rights in Bosnia and Herzegovina. What [organization] did the past two years is, I would say, pretty important. We decided that, because education is kind of our background. What I forgot to mention is that we are one of the rare organizations in Bosnia and Herzegovina that have the permission to work in schools. We have workshops on gender-based violence and abusive relationships in high schools in Sarajevo. Not all of them, but five or six or seven of them. We had the permission of the Ministry of Education. That was a very complicated process and we are very proud of that. And every year we are scared for that permission.

You have to apply for it again every year?

Yes.

You only do that in the Canton of Sarajevo?

Yes, we only do that in the Canton of Sarajevo, because as you know, the political system is very complicated and we cannot do it everywhere. I mean, we could, but we would have to travel there. And we can't, so we only do it in Sarajevo. Actually, not even in remote other areas, in Vogošća or Ilidža, we only do it in this part, the center of Sarajevo. Because for us that is the only way we can do it for now.

And what we did, actually, this year and last year, is that we analyzed textbooks from elementary and high schools in the context of LGTBI rights and women's rights, the representation of women. And we have three researches now that are excellently representing how minorities are represented in textbooks in high schools and elementary schools. So we have been lobbying and advocating for the change of those contents. In the high schools we managed to make the ministry call the publishing houses, because they are the only ones who can change it. So they called the publishing houses and now we are in the process of seeing where it is going to go, if they are going to change the content. They agreed to change it. The only problem is when they are going to reprint the textbooks. In elementary schools it is going to be a little more complicated, but the Federal Ministry of Education, not all of them, but a part of their team, they really are for this. They are really supportive of us.

Can you give a concrete example of what they are going to change in the textbooks?

When we did the research we did this annex to the research. Literally, for example, the book for gynecology uses the word hermaphrodite for intersex people. And it has these really disgusting ways of explaining what a hermaphrodite is and who those people are. For example, in the book of psychology it says that LGTBI people have a mental disorder. It is just a lot of really bad content. For example, in the book for religion, that being homosexual is a sin, they put homosexuals in the same basket as pedophiles and necrophiles.

And they teach this in high schools?

Yes, they teach this in high schools and elementary schools. So that was a very, very big issue for us.

And they are even going to change the religious studies books?

That is the problem. The ministry is not responsible for religious studies books. The religious communities are responsible for those books. So our next step, maybe next year, would be to meet with the religious communities and to pray to God for them to be okay with us to meet us half-way and see what we can do. Be-

cause when we did that annex to the research we put down everything that needs to be changed. Literally, we wrote to them what those sentences should look like. And for the ones that we did for religious studies we took out those sentences and put something more neutral. So it is not like we change everything. We just put something more neutral. Maybe they would meet us half-way. So we are going to see what happens, but we are very interested in changing that. And actually now we are forming a coalition for changing texts in high school and elementary school text books. A couple of other NGOs from Sarajevo agreed to join us in that initiative. And it is going to be easier to lobby with the ministries from an initiative. So that is something we are doing currently and that is something that I am doing that has been a really long and hard process.

Also what we do is to try and empower and educate young LBT women. For us that is very important, because the LGTBI community in general is not in a very good position. And we try to educate them. Some of them are very shy, very scared. We try to educate them to kind of get them out of those shells they are in. Because they come from very small communities, so we try to kind of get them out and bring them maybe to Sarajevo and go to their communities. What we are doing for a project now is that we are going to those small communities. Sometimes five persons show up, sometimes one person shows up. I was in Brčko fifteen days ago, one person showed up. And I was talking to him and he told me, "you have no idea how the community here is, it doesn't exist." They know each other and everybody knows everything, but on the other hand, they never meet, they never discuss, they are not activists. I am a lesbian, and I don't understand how you can be an LGTBI person and not be an activist in that sense. Now of course, you don't have to be on tv, but not doing something in your small community, to gather, to talk about it... It is your space too, you are born and raised there. So for me it is very hard to comprehend at this point that only one person comes. And Brčko is not a small community. Brčko has its own political territory.

Don't they also perceive themselves as quite liberal and progressive compared to the rest of Bosnia?

That is what I am saying. For example, their pay checks are much bigger than here in Federation. Living conditions are much better. And then I couldn't understand what was happening.

So that was really important for us through these projects to go to these small communities and see who is going to show up. Some workshops were amazing and others were... I couldn't understand that we live in 2017 and for example in Brčko the situation of LGTBI persons is the same as in Sarajevo in 2004. It is this huge discrepancy between Sarajevo and all the other places, including Banja Luka, including Tuzla, including everything. And we don't want that. We want to decentralize that. We want other women's feminist LGTBI organization throughout the Balkans, throughout Bosnia and Herzegovina. For us that is very important.

Do you work together with organizations in those other cities?

Yes, of course. Currently, I am very proud to say, we have a couple of other LGTBI initiatives in other cities: in Tuzla, in Mostar, and in Banja Luka. And [other organization] they work with us, they are upstairs, they are the biggest LGTBI organization, women's organization in BH. One of the biggest. They were a lot of support for all the others. Together with us, we really wanted them... They were all people that came to our workshops. And now they have their own initiatives, their own formal groups. And for us that is very important. So yes, we also cooperate with them. And when someone invites us to something, we always send that invitation to them too. Because it is very important to include them.

So the LGTBI movement in that activist way for now is pretty good. Because when I compare it to Serbia and Montenegro for example, who have this really big factions in the movement where people don't get along and they work against each other, because of money, because of personal issues, here it is not like that. Because we don't have the luxury to be against each other. So for now, we are cooperating a lot with [other organization]. We are very close to them, I would say, like a sister organization. We understood that if we don't work together we are not going to make it. So for us it is very important to cooperate with all of our civil society friends. Some of them they don't like us, some of them do like us. But in the end we also try to figure out the best solution for issues.

We also work with female politicians. For us that was a very big part of our program a couple of years ago, where we educated young and older generation of politicians on how to make their campaign and how to empower themselves. We did this campaign that was called 101 reasons why vote for women. A lot of public figures talked about why people should vote for women. So that was a really great campaign and a really successful one.

Can I ask a question about how you work with politicians. How do you interact with their party politics as well?

That is a big problem as well. We haven't been doing that for maybe two or three years now. Our director, she is an older generation, she goes and gives lectures not in front of [organization] but in front of herself. So basically when we did that, we would send an email to the party and say this would be a seminar for women, for empowerment of women in politics.

And would women of different parties come to the same seminar?

That is what I wanted to say. Basically we would pick a city and in that city we know what the two or three major parties are. Empowering women in politics is something that Bosnia has been talking about. So it is not something like if I brought the topic of LGBTBI rights into the party, that would be a problem. But now with women in parliament, they are okay with that. So basically we would say this is a seminar for women. They would come from all different parties. And we would always try to talk with them generally. So what it means to be a woman in politics, not a woman in rightist or leftist politics. Then they would be very closed, because probably they don't want to say something that would be good for somebody of another party to hear. To those workshops we always brought very strong personalities to be facilitators, so they would move away from what political parties they are from and they would work with then on what is politics, what is a political party, what is gender equality law. And to be honest, I went to a couple of those workshops, I was driving those people, and those women didn't even know what politics is. They didn't know how to answer what is gender equality law. And that was mind blowing for me. There is a quota in the electoral law: 40 percent of the lesser represented gender has to be in the electoral list. So basically 40 percent of women have to be. And then they put women who have no idea what politics is, just to be their puppets. And then when you bring those women to those workshops, they have no idea why they are there. We asked them: what is your campaign, what do you want to change in your local community? No idea. I have more idea of what I would like to change in their local community! So that was kind of mind blowing for us and we just understood on a deeper level how much manipulation is happening with those women that are in politics, especially in the local communities.

Manipulation?

Yes, because the leaders of the parties are male and they get to decide on the politics of the party. So basically what they say goes. And those women are there just to fill up the quota, because these parties couldn't go to elections without filling up the quota. So for example, our women parliamentarians are great, because they are empowered women, they were working with us for a long time with all of us, privately and in a business manner. So basically they are very empowered women who know what they want, speak their mind. They are very cool and supportive of us and they help us a lot. But on the other hand we could have a much bigger force if those women from smaller communities would also speak their minds. And that is very tricky. When can they speak their minds? Can they speak their minds? Are they going to stay in the party if they speak their minds?

The issues that you are trying to raise awareness about, like gender equality, in politics, is it something that is not a priority or does it actually conflict with the party agendas or?

No. The law strictly says that there has to be 40 percent of women on the list. So we are just trying to make those women that are already there empowered to be in politics, to be politicians. And now we tried, [other organization] was the initiator of that initiatives, the 50 percent quota. It didn't work out. But they tried and it was good. It was really good to see the reactions of the people. But generally now, we are just trying to empower the force that we have already. So basically that is it. That is how we work with politicians. And the thing that we are mostly famous for is our annual women's rights, arts and activism festival. That is the best thing ever and I am so sorry that you were not here.

When is it?

September. Always the second weekend of September. And that is the best thing every, I love it.

It has been going on for twelve years. It is this festival that lasts for four days. It is a strictly feminist festival that brings in female artists from the Balkans, and from the region and from the world. We have panels and discussions and workshops and exhibitions and parties and everything. And those four days are open exclusively for women's issues, whatever the fuck they are. So every year we sit down and we make this plan, this program, and we try to bring in new topics. For example, one year we had a workshop with a woman who did cars, so she taught the participants how to fix a car. She was a woman who is an auto mechanic. Every year we try to bring topics that are not discussed that much or topics that are kind of new in feminism and try to feel where all these women are. Women who come are women from the region. We always try to reimburse travel and accommodation for women who cannot afford to come. For us that is very important. And every year we have around 70 or 80 artists/speakers/whatever and around 200 or 300 visitors and participants. So for us it is this really major thing. Media cover Pitch Wise so much every year in all media. Because it is an open space for four days of feminism in Sarajevo. And for us it is the major event. We are so happy, we do it on a volunteer basis. Nobody of us is paid for the festival. We work our asses off, because it takes so much preparation. First of all to get the money to support thirteen years of the same festival in the eyes of the donors. Then to bring all those women, all those artists. We had artists from Egypt, from Lebanon, from the United States, from Canada, from Germany. Every year we try to find a couple of really famous names, like Mona Eltahawy, she is a really famous Arab feminist. Last year she was here. Eve Ensler was with us two years ago. So there were a couple of really famous names here. The Gorilla girls. They are this really famous art duo from New York who are really radical feminist who have been existing for the past fifty or sixty years. They are really old ladies, and they are amazing. They have these masks of gorillas and they are talking about how women are discriminated in art. They had this really amazing presentation during Pitch Wise. So every year we try to bring new names, we try to bring new topics. And we try to bring new women to be with us here and celebrate feminism. And I think that is a really important thing for us.

And we are the coordinators of the women's network in Bosnia and Herzegovina. It has around 50 members, member organizations and individuals. And we have been coordinating the network for the past forever. For us, the women's network is very important, because for example if something happens in the eyes of the public, the women's network are the ones to react. It is a much bigger voice when you react in front of a network than in front of just one organization. So for us it is very important. The women's network is kind of a channel to portray our messages to the public. So for us it is very important. Actually they have a meeting now of the network here in Sarajevo. So I would say I pretty much covered everything.

Going away a little bit from this topic. You talk about feminism and gender issues and these are quite different from the identity issues that are usually on the agenda here in Bosnia, because it is often all about ethnicity and nationality. Can you say a little bit about that? How do you deal with it? Or do you not deal with it?

For us it is very important, because the women's identity comes first. For example in our workshops, when we have a public call, we pick women just by the place they live in and if they haven't been to a workshop before. Bosnian, Serbian and Croatian names are very specific, so you can always kind of know what kind of nationality the person is. But we don't give a shit. This space is open for everyone. For people who are atheists, for people who are ultra-religious. A couple of times we had women who wear a burqa. They were at our workshops and for us that was perfectly fine. Because we discussed with them, for example, abortion. What do they think about abortion? What does Islam think about abortion? What does Islam think about women? I think people in general really misinterpret Islam as a religion. And for us it was a learning experience. What is the position of women in Islam? Are women forced to wear that or do they really want to wear burqa? Burqa is the whole face, hijab is, I think, the half face. I am sorry, I am not very good with religion, generally.

Also a couple of times we had Christians, Catholic women, who were very strict about their beliefs. And for us it is very important. That is diversity. And we accept everything. But, what we teach them is that if everyone else accepts you in the group of twenty people, you have to accept that lesbian right there, you have to accept that Roma woman right there, you have to accept that women with the hijab. The same as they accept you. And it is interesting to see how those energies develop. For example, a couple of times there were a couple of lesbians in the seminar. And afterwards they get into a relationship with one of those really extreme women who are really, really radical. So for us it is so interesting how people relax when they have this safe space. For example, a couple of times, and I would say that is our biggest achievement, where women out themselves for the first time in our workshop. When you bring a woman from really small places 200 kilometers from Sarajevo here and she has three days to hang out with these women she has never met in her life. And you provide that safe space that is so safe that she can say "I am a lesbian" for the first time in her life. That is something that we do and that is something that this whole organization believes in. And that is why we exist.

What characterizes what you call a safe space as opposed to the public space?

Of course. For us it is important that the location is known only by the participants, especially if it is and LBT workshop, then only the participants know what location. And the location usually is downstairs where we have a meeting hall, so we do it there, or we do it in a hotel. But we always try to be very confidential about the persons who are coming, their names. We try to be very confidential about the place that the workshop is taking place at. And when we come, we put for example drinks and food somewhere. And you can get up and eat whenever you want, you can go to the toilet whenever you want, you can take a rest whenever you want. We always put pillows on the floor. We take away tables and we sit in a circle, because a circle is kind of non-hierarchical. And we act very loose; we lay down on the floor; when we talk we always try to be very assertive; no power relations; we try to be as little powerful as possible. Sometimes that is very hard, because you are in a position of power, because we are employed, because we are out and proud feminists and lesbians—not all of us of course—we are opinionated women who have a place where they can speak their mind. And that puts us in a position of power. So basically we try to get rid of that power for that and to try and give them the space where they can share. And also we always have group rules. And one of the most important of those rules is that what is said in that space cannot leave that space. Of course people are different and people talk. We are only humans. And we try to not interrupt each other and every single experience is equally important. Those rules are crucial for those groups. Basically we have managed to create a really safe space. For example at night, if they want to hang out there, they want to watch a movie. It is a very open space where everybody is welcomed, whatever they have to say. Of course towards each other, towards themselves and that is it. Everything else is open to them. And I think that makes them feel safe.

Do you work with the concept of identity at all in these settings?

It depends which kind of workshop it is. If you work with an LGBTI group, then yes. For us it is really important to talk about all the identities, not only LGTBI, but also gender identities, but also national identities, but also religious identities. Like, how does one incorporate their religious identity with their LGTBI identity. For example, when we have a lot of Roma participants, for us it is really important for them to feel included. Because we had a couple of times Roma women who were illiterate, they couldn't write. So for us that was a very big part of their identity. When we talk about people with a disability, all of our seminars are really accessible, we always think about that. There is a bunch of questions we always have to ask ourselves and think about when we organize stuff like that.

How do these identities relate to each other? Is that only at an individual or also at group level?

Both. In an individual, but also in groups, because so many national identities always come. We always have a mixed group. There has never been a group with only Muslims. We don't do that, we don't like that. We are anti-nationalists. There have been comments and there have been bickers between them, but we try and make them aware of those bickers, where those bickers come from and how can they be resolved. So there is this conflict resolution process also. So you cannot even imagine how many identities are intertwined at our events.

And at a larger scale, for example when you are doing more political work, how do you feel that the fact that you focus on a different kind of identity related to the fact that politics is very much based on these nationalist, ethnic identities?

We try to be very subversive. We were very radical. And then at one point we understood that we cannot work against them, we have to work with them. Because working against them just bring a contra-effect.

Working against them, you mean?

Working against the government, always spitting on the government. It is not going to get us anywhere. So now we are trying to work with them. For example, last year our anti-discrimination law did not have SOGI in there, sexual orientation and gender identity as a basis for discrimination. So last year it got included. It took a lot of years. [Other organization] was one of the main initiators of that together with us and other NGOs. It was this long and heavy job of talking and being humiliated and feeling very bad and working with social workers and people from different commissions in the parliament. But then at the end of the day we managed to get SOGI in the anti-discrimination law. So we understand that it is very nationalist white male oriented. But on the other hand, that is what we have got. And we have to work with that.

Nationalism and feminism, do you think that they always clash or are they actually compatible?

They clash when you think of those two terms completely separate. What feminism is and what nationalism is. But on the other hand, all people who consider themselves feminists, they are part of this nation. And they are equal citizens as all of these nationalists. So if we do not work with them and try to meet them half way, we cannot win this. So sometimes we just have to find other ways. Not forget about our ideas, but maybe find other ways to get to that. Maybe it is not like this, but it is like this. But it is a better way and maybe it is an easier way, so that is what we do. We always have to think about who is going to be there, what questions they can have if we have public discussions or something. But we are always ready for that, because wherever we go, to public discussions, for example, that are organized by the government, we are always those women that are very loud and say shit. But we are always trying to be that loud and be respectful and say, "okay, that is good, but where are women here, here, and here?" The language of the laws, why isn't it gender sensitive? Because Bosnian has both genders, or three actually. We try to make these initiatives and make people ask themselves those. We put an idea, we put a bug and then we take that bug and put it again. It is very hard. We almost feel sometimes like it is impossible.

In the political system here, when it comes to group rights, the focus is a lot on the rights of national groups. Do you feel that this makes it more difficult to focus on the rights of different groups?

Of course. Because every time you approach them and say about lesbians, they are like, “yeah, but Bosniaks and Serbs and Croats have this and they don’t have that.” And I am like, yeah, I am a Croat and I am a lesbian, so I understand where you are coming from, but I have a bunch of other issues. The primary concern is always the constituent nations and then everybody else to come second. But that is our main rhetoric and we are not going to be able to get rid of it, the three nations.

You don’t think so?

No, I am not sure that that is ever going to be possible actually here, without completely separating the three parts of the country. I don’t think that we can live in this triangle, Bosnia looks like a triangle, and not care about our national – I mean, I don’t care about nationalism, but them not caring about their nationalism. If we pick only one president and he is a Croat, he cannot be just one person. It doesn’t matter if he is the best president in this world. He is a Croat and then Bosniaks and Sers are going to feel endangered, because a Croat is leading our country. And every little fucking mistake, is going to be a mistake because he is a Croat.

And why is it like that?

Because of the war. Because people have been thought to think like that. Especially older generations. After the war, their families were killed, their homes were destroyed and they just feel this burden of war that twenty years afterwards they are still carrying. For example, one of my friends’ grandad, he repaired his house and he bought this material from one guy. He needed some more and then this guy was too expensive and then he said to my friend, who is his grandson: “I was buying this material from this Serb, because I wanted to respect him, but now you see, this Muslim is much cheaper.” And my friend is like, “why are you talking like that? It doesn’t matter.” It is just really hard to get the rhetoric of the divisions out of people’s minds.

How do you feel that focusing on feminism as opposed to nationalism influences the way that people think about national identity?

To be honest, our goal isn’t to change people’s vision of national identities. Because I don’t think that that is possible. Our goal is to reach not only gender equality, but all over equality for minorities that have been suffering for a really long time, because this shit has always been primary. So basically for us, of course when we go to those workshop we also talk to those women about those national identities. Because they are very nationalistic sometimes. We kind of try to reconcile them at that point. But that is just one work, and we are talking about this crazy number of people who think like that. So we try for our activities to make them see that nationalism doesn’t bring anything good and that national identities are just one part of all the other identities. You are also a mum and a teacher and a Bosniak and... who cares. That is how we try to face nationalism. For everything else we just try to see our goals and go towards our goal and not...

Do you think it helps? Even though you cannot reach all people here.

Of course it helps, most definitely. One of the bigger organizations in Bosnia, they did this really huge reconciliation project. It is called Pro Future. It is really good. I think it is going to be helpful for you if you are into national identities. With this reconciliation project they gave money. For example there is a village that is half-Serb and half-Muslim. They give money, for example when a bridge is not existent and they need a bridge. They give money and they make them work together to build that bridge. And that really brings results.

Me as an individual, not in front of [organization], I was working for them for their Facebook. And you see how they connect through that. They see that that bridge is important and that their national identity is not

important. Your knowledge of building is important, your ways of how to do it is important, what you are going to eat is important. But if you are a Muslim or a Croat or a Serb at that point is not important. People are very close minded and it is very hard for them. But if they have a neutral goals, that is when they open up. I would say this was a very successful project.

Does this also change something at the political level eventually?

Yes. How? When people stop voting for their own and start voting for people who really are worth their vote. So when you stop voting for a Croat just because he is a Croat and for a Serb just because he is a Serb and start voting for a Croat because he is a fucking good politician that is going to change our country and bring it to the European Union. Then you vote for him. When that happens, the political situation is going to change.

Can that happen within the current system?

No. To be honest, the current leading political party is a Muslim one, especially in Sarajevo. We don't have water from 11pm until 6am. Dogs that are sheltered currently are being killed, because the prime minister doesn't give a shit about them. Our city is horrible, for example the infrastructure of the roads is horrible. The unemployment rate is ridiculously high. Don't even get me started on violence against women and domestic violence. Since the war until now, there have maybe been three or four years that they haven't been the leading party. So I don't understand what needs to happen for you to understand that this leading party, regardless that they are Muslim and you are Muslim, doesn't bring you anything good. Bosnia has not been progressing at all, because of these idiots. Because why do you keep voting for them? Because they are your own. And you are scared that you are going to be fucked over by a Croat, because he is a Croat. You see how people think, because those are the consequences of war. Because they were fucked over by their neighbor Croats during the war. So why would that change now? So it is a very deep-rooted trauma. And I don't think there is going to be a simple solution to that.

And in reality do you also think that it would happen that if they would elect a Croatian party here that Muslims would suffer?

Of course not. But that is not the point of choosing a Croatian or a Serbian. That is the point of choosing a person. And we are not at the level of persons, but at the level of identities. At the levels of peoples and not of good politicians. And now what this leftist stream is trying to do - they are not leftists, but okay - is that they are trying to build a coalition of all these smaller parties that are leftist or not extreme rightist. They are trying to form a coalition now and see if all of them can gather enough votes to be the leading party now. I am very happy to see how that goes. And I am not sure that it is going to go very well, actually, to be honest.

But that is the closest thing you have to changing the current system?

Kind of. Let's see what is going to happen. I think there is elections next year?

Yes, it is already pre-election year.

Let's see. At least it is better than in America now. We are going to see what happens .

Everywhere in Europe and in America as well.

Yes, the rightists are kind of coming back and it is progressing very fast. Did you see what happened in Poland the other day? With the fascism? I was in Warsaw maybe ten days before that and I gave money to this anti-fascistic organization. We had a party and they were collecting money. I was so happy that I gave them that money when I saw that group of fascists doing what they were doing I was so happy that I at least supported something.

So that is pretty much it. Do you have any other questions?

Maybe to wrap up. What do you think of the power-sharing system here from the perspective of the work you are doing here?

In what way? Can you elaborate on the power-sharing?

That politically power is shared between the three nationalities.

For me as a person who is not religious, from the position of a woman, from the position of a lesbian, I have no access to any of that. Maybe I sometimes have access when I am in a group that goes to the parliament, that goes to the ministry to talk about what we want to do. But in that context, I have no power whatsoever. My dad is nobody powerful. My mum is nobody powerful. I have no relatives in the ministries, in the government. So for me, as a person who was born and raised in Sarajevo for 27 years, being a lesbian and a woman and a feminist, I have no access to that power whatsoever.

It is very three-way. Everything happens like that. Others are a category on their own, not relevant at all, like Roma, Jewish people, Buddhists, whoever. If you are not a Croat, Muslim or a Serb, here you are not existent. The Sejdić-Finci case is a clear thing. Through that you see everything. Roma and Jewish people are two of the major minorities.

You mentioned religion now. Can you say a little bit about the role of religion in all this?

Religion is the key. Religion is the number one thing in this country, because national identities are formed by religion. So if you are a Muslim, you are a Bosniak, if you are a Catholic you are a Croat, if you are Orthodox, you are a Serb. There is no other thing. Just religion defines all these people. That is it. It is so simple. Something that doesn't exist, that you don't have any material proof of is fucking up our state. The most important thing is what your name is and what is your national and religious background. Everything else is completely not important. The cause for everything is religion.

I have a last question, it is two-fold, I guess. Realistically and ideally, how do you see the situation develop?

Ideally, I see that this coalition of the leftist parties is going to form and we are all going to vote for them. And they are finally going to get this fucking country out of this abyss that it has been in for the past forever. I hope that they are going to see how important leftist ideas are, how important it is to have equality in the society. And I hope that if they take the mandate, even though this leading party now is going to be still present, I hope they are going to be more vocal about what they want to do and how they want to change this country and get it through the EU integration process. I mean, I have my personal issues with the EU. But generally I think for Bosnia, I am not sure it is going to be really good to enter into the European Union. We have been a country in transition for the past twenty years. We don't have the economy to be a part of the European Union. I do not understand how that will benefit us. But if that is where we want to go, I like it better than this now.

And realistically, that could happen. But even if that happens, it is going to be really hard to change the past fifteen years of failure. From kind of completely destroying this country to rebuilding and reclaiming it. We are going to see what happens. But I would say that the three nations and the religious dogma leading them is not going to be done or evaporate any time soon.

Interview 3

Respondent

“Faith in Development”-Lead for an international nongovernmental organization

Key Words

Children/youth; faith-based; interreligious dialogue; minority rights

Summary

The respondent works as the “faith in development lead” for an international nongovernmental organization in Sarajevo. This faith-based organization works to advance the position of disenfranchised children across the world. The activities they organize in Bosnia also focus on children and include *inter alia* sports events and summer camps. The focus in these activities is to bring children from different faith groups together. Many projects target specifically children from minority groups in Bosnia, like the Roma.

Transcript

Could you maybe start by saying a little bit about what you are doing at [organization]?

Okay. So I am leading one team in [organization] which is called faith and development. It is a very tiny team, but we work with other teams without our organization. And within this team I am in charge of different sorts of things. Working with our staff, something which is called ‘Spiritual Formation of Staff’ in order to equip them to be able to work for a Christian organization. I work with so-called faith representatives of the traditional religious groups in our country. Like with priests and imams and religion teachers on something that we call ‘Internal and Spiritual Nurture of Children’ or Children and Youth Ministry. And there is this third part of our work where we work on interfaith dialogue between different groups. So this would be our three major.

Could you say about interfaith dialogue? What that is?

You know already that we have four traditional religious groups, which are Roman Catholic, Serbian Orthodox, Muslim, and Jewish community. However in the Jewish community there are no children or youth, there are very few. So when we have the possibility to engage with them we do, but basically the youth is so few here, they are all grown up. So we basically don’t work with them. But with Christian and Muslim communities we have different kind of activities, between two Christian groups or we have between all three of them. Basically we create space for dialogue between these three groups. It is either that we just create space for them to meet through other activities and then we don’t call it interfaith dialogue, we just engage them in some humanitarian activities or sports activities or something else. And then they are forced to enter the dialogue without calling it that. Or we have specific interfaith activities that we create for them to participate in. This first type of activities we do with younger kids. But with grown-up we are also training them in leadership and peer education and non-violence.

What does space for dialogue look like? Why is it different?

The main problem that we have here is that these kids, apart from the big cities – like Tuzla, not even in Banja Luka, but Sarajevo, Tuzla, Mostar and so on – kids are usually living in areas where there are only one ethnic group or only one religion living. So they don’t come in contact with other groups. And for them, just bringing them together is a huge step. To take them out of their native places or communities. So if we just take them out of where they live and bring them together with other kids you have already accomplished

something. It is important. If you tell youth you are bringing them in order to engage in interfaith dialogue, they are reluctant to do so.

Even young people?

Even young people. But when you bring them over something else and you don't call it interfaith dialogue, you let them explore. And they ... I mean, I know that it probably sounds crazy to you, but we have 14 or 15 year olds kids that have never come across Muslims or Christians. And after two days they conclude, oh, look, they are just the same as we are." And then they do the job themselves, there is no need for interventions. And then we send them back to their communities and later on we develop, we build on that what they have discovered here.

But the huge problem in this country is that we have this whole generation of people that would be maybe between thirty and forty that we children during the war. And nobody was ever dealing with their trauma. And now they are parents to a whole new generation of kids who were not born during the war. But they transferred their trauma onto their children, without, you know, they are just feeding them with these fears. And it is very difficult when we take kids out of these communities, and we send them back and again there parent they say, "oh, you know what, whatever they say there it is not reality, the reality is that if they would have opportunity they would kill you, they would do this." So it is, you know, it is very hard work too.

Can you say a little bit about the relationship between nationalism and religion?

Well, I think most of the people here, they, first of all, make no difference between ethnicity and religious affiliation. So if you are Serb, you have to be Orthodox, if you are Croat you have to be Catholic, and if you are Muslim you have to call yourself Bosniak. So they, I think most of all, population, they don't see any, they don't draw any lines between the two. And if you think of yourself, you probably saw already that we have a very huge number of people who report themselves as religious people. Although they practice, they are not believing. But they call themselves Muslims and Christians and so on. And there is this believe that is also fed through media that if you want to be good Christian or good Muslim you have to be somehow a nationalist. And in a negative way, you know. We are not promoting that we want to live together or we are not promoting what we have in common.

Usually when we work with youth, we bring faith leaders, and with their parents as well, we bring faith leaders and we insist on what we have in common. But this is not something that you can see in media, like sharing positive stories. This is not something that you will find in some books or in their schoolbooks.

Who is promoting this message?

I would say political parties, in the first place. Or all these people who make profit out of us being separated along ethnic lines, so religious lines.

What is the reason that you focus on religion in creating dialogue?

First of all because we are a faith-based organization and it is something that is inspiring us to act in whatever we do. This is just one part of what we are doing and not all our activities are. They are all faith-inspired, but they are not faith-based. Through my lenses, I am not sure if now everybody here would see it that way. But we saw it in the field that religious groups are very influential. This is one of, how to say, this is one of commercial reasons why we do that. But then on the other hand we say a huge potential in them and everything that faith is offering in healing processes. So this would be a more humane reasons. But all religious leaders and at all levels are very influential. And their voice is heard in politics. And their voice is heard in local communities.

And then there is another reason that unlike any other actor in our social life, churches and mosques and their leaders and people working for them are present even in the smallest villages in BiH. So we have a very good network of, you know, every faith leader in his own or her own community can give you a perfect

breakout of how many children without parents you have, how many children with special needs. We can get good information and we can send good information out. So they promise sustainability, because they will survive [organization] and they will survive all governments. So they have this office memory, because they have always been in their communities and they will remain there after we are gone. So we see them as a very good generator of changes, if they are directed in the right direction.

How is the cooperation with these religious leaders?

Maybe I am not the right person to tell you this, but I think the cooperation with them is really great. I mean, there are many factors there. For our organization, we entered here like twenty years ago. But honestly, back then we did not, or there was no need, we were more engaged in humanitarian work. So we were not thinking about these practical aspects that now we need to have partnerships and we can build on that and so on. And partially we were not equipped with faith partners back then and we did not need to. So we just started intensively working with them let's say maybe some ten years ago. But only a few years ago we started structured partnerships with them.

We have only traditional religions here. Like our protestant community is really tiny, they are maybe 1000 people all together in BiH. So they have a very strong hierarchical structure. So in order to do something you have to speak to the national level. And we were not doing that before. We started from local levels and worked from parishes. But now we started cooperation with national level and things are much better, because once they say something has to be done, nobody will refuse them. But still, like in Muslim community you have one head for entire country, and in Catholic community you also have one, but for Serbian Orthodox church their head is sitting in Belgrade and then they have every eparchy. There are five of them here. Every eparchy has its own bishop. And it is a little bit more difficult to reach them. We have one old part of our country in Banja Luka where, although [organization] is present there, we don't cooperate with the church. Just because the bishop is not interested.

So there are these everyday things that are maybe sometimes creating obstacles. But in general they are very much open to cooperation. And they have their own body called Interreligious Council, I don't know if you have heard of them, where all these heads of churches are sitting. They are already used to cooperate between themselves. And they are slowly opening their doors, because they see that they have to follow all these trends and open up to their communities and be more than just liturgical service for people. So we are kind of helping them to catch up with the needs of modern society. And while Catholic church is really, how to say, progressive, they are already working on their own with children and with youth, Orthodox church is moving very slowly, but they are ready to cooperate. And Muslim community has also recently started engaging in social aspects of the life of their communities. So we have great cooperation with them as well.

You already mentioned a little bit about the trauma that is attached to group identities for the people that grew up during the war for example. And their children are also very reluctantly even – did you say that? – to cooperate in interfaith dialogue if you would ask them directly. Can you say a little more about this relationship between an individual and their group identity?

Well, that is very complex. First of all, I have to say that I am prone to speak about things that are not working well here. That doesn't mean that the whole situation is so bad. Of course we have positive practices. I just had one meeting in Muslim community and we were saying that if there are some positive practices, or some happenings, or even people living together, you will never see it on media. Because they are trying, and they are very successful in hiding these practices from our population in general. But our interventions are also because of this majority of bad practices, so this is why I am speaking about them.

It is very, and again it is very much in semi-urban or rural areas, that it is very difficult who don't have problem. We have been living here together since we can remember. And it is nothing new for us. And it is not like we need some intervention from outside to learn us how to live. But we need some incentives to get back together. But when war interrupted, it started a whole new generation of children who have no memories of living together. So they have to be taught how to. They never had contact. Like myself, until

war started I already had this experience of living together, which was interrupted, and then I continued. But these kids, their parents were separated and then they were born in these so called ethnically clean [areas], you probably heard this idiotic notion. And now they have to be taught from scratch how to live together with others and there is nobody to teach them. So these parents that have this memory, they don't want to share it with their kids. And they tell them, "you see, we were living together and look what they have done to us."

But then if you have one or two people in small communities who are not thinking the same as others, they better try to hide it. It is very difficult, you know, to say, "okay, this is my experience and I want to share it with my kids and whatever our small community is saying is not right, war happened and we lost our family member, but we want to go back where we were." So it is very strong influence of groups on individuals. We don't have many people that would go out and say loudly "you know what, I have no problem with my child marrying another ethnic group or religion, I have no problem socializing with them." Though we are many, but we are not as loud. Because it is not popular to say that. The same as it is not popular that I, as someone who belongs to one group, say that "you know what, we were doing some really bad things." So the whole narrative here is still very sick, I'd say. We cannot mature. We did not come to the point, like Germany after the Second World War, like Rwanda, where people can say "yes, they were doing some bad thing to us, but we also have our own responsibility." So if I, as someone who belongs to Serbian ethnic group, if I'd say, even in my own family, if I would say "yes, they were doing this to us, but look what we were doing," it would be very unpopular.

How does this relate to the political system?

[Laughs] The political system is feeding this. They are the ones who, you will never hear from politicians "we should come together" or "we apologize, yes, we did this and we regret it and we are trying to work to make things better." I think the way they speak now in media is much worse than ten years ago. So it is like we are in a state of Cold War. They are not encouraging people to come together. You know this part... have you been to Eastern Sarajevo?

Not this time, but before, yes.

They are not encouraging people to come to work here or to go to work there or to come to, I don't know, to hospital, to school. People do this on their own, of course, but they are not encouraged to do that.

Why?

Because they are keeping our memories alive. We have this... let me see if I can translate it to English. There is this motto of all sides: "Let it not be forgotten." It is very, it is the most popular. It gives me goose bumps. Of course if you have your family members killed, that you cannot forget. So you don't need anybody to remind you of that. It is common sense that I cannot forget. But if they tell you every day "let this not be forgotten" and if every day you can see on tv that some mass grave was dug out and some bones were transferred, from all sides, but every day this is the news, they keep it alive. So they are just heating up peoples fear. That if you engage with the others, something might happen to you again. Or if you have your kids going to school there and you live here, they will tell you why are you sending your kids to school there.

And why do they do that?

Because our politicians, they work for their own interests. They are all still the ones that were in those parties that started the war. And they know that when this hate speech thing stops, they will have nothing to get the voters to vote for them. So they have to keep it alive. Because they cannot prevent youth from leaving the country, they cannot provide places for them to work, they cannot provide better education. There is nothing they can do but to keep these. They are presenting themselves as protectors of our national interests. This is their main title. They are protecting their national interests. And people, when you speak with people, they perceive them as figures that protect their national interests. And if they are not there, you will lose your identity.

What do you think are these national interests?

What do I think? I don't know. I don't have them. I have no feelings whatsoever towards my ethnicity. I mean me personally. So I have no interests to be protected by them.

Do you think group generally have interests that can be protected by politicians?

I think groups are living in fear that their interests will be attacked. Or not protected if these are not in power.

I am just trying to imagine what these interests could be. What kind of interests can be different for Muslims than they are for Serbs or Croats?

They are telling people daily and very explicitly, it is not something that you read between the lines, they are telling people, "we are the ones who guarantee you this space that we won during the war; that the border will not change; that you are safe there; so your territory is safe; we guarantee you that you can speak your language." And they now came up with three languages. Now they ask in school parents, "what language do you want you kids to speak?"

People are very easy to manipulate. If you tell me something three times, four times, I will say it like I came up with it. So if you tell me three times that it is important for my daughter to speak this very language, I will start thinking, yes, you see, this is my identity. If we don't speak this language, what will become of us? The mob is also working miraculously. If I tell my daughter, and I tell her, "you go back to school and tell them my mum does not care what language you will put in my schoolbook, call it as you like," kids will work against her. Because this is something that they bring from their home. They are very strongly raised about this.

So this is how they work. And you know now in Sarajevo we don't have water, so it is like the Middle Ages, it is crazy. But as long as our president is protecting our interests, we don't care, we can be thirsty. If our kids don't have a social security number, it is okay, because we can call ourselves Bosniaks or Serbs. So it doesn't matter if my child will die of I don't know what. They are so much bombing people with this that people have no time to think. And then every four years they are electing the same people. So it is kind of a paradox. How come for four years you are complaining that you don't have a job or that you don't have you health insurance or that you cannot feed your family but your interests are protected, but when the times comes to vote, you vote for nationalist party again, who brought you into this situation. I don't know if anybody ever bothered to explain. my only conclusion is that we must be extremely stupid as a nation. It is repeating for twenty-plus years. Can you imagine in your home place if you don't have water for years? Probably people would go out and do something about is. So how we see it is that there are people that lost hope. During the war and after the war their expectations were so – what is the opposite of raised? So they are now saying that as long as it is not war, everything else is okay. So there is a huge loss of hope for people that things can be better.

Do you think there are any benefits to the group rights in the power-sharing system?

I don't think so.

Not at all?

I don't think so. But again, if you would have some survey now, I would be in this 0.0000-something percentage of people who don't. I think most of the people would tell you it is good. I should think now that Dodik is protecting my interests, which is stupid. They have – I have no idea who is in our presidency. It is Izetbegovic, Čović and Ivanić. So Ivanić is protecting my interests. It is completely idiotic, because I don't see it in my real life. I cannot touch this what he is protecting, so I don't really believe it. I think they are protecting their own interests. Because we know some people are working around them, but we know it is very difficult to share with wider population. But these three people, they sit together. And they drink together

and they eat together. And then they say now we go on tv and I will spit on you and you spit on me. And this is what we see. But all these years they are traveling together, they are working together. Have you ever heard that they had a fight in an airplane? Because they work perfectly for each other. And then they shuffle. Sometimes it is Croat and Serbs against Bosniaks, sometimes Croats and Bosniaks against Serbs. They are all the time changing and you can never catch what is going on. So they keep people feeling insecure.

And if they would abolish the power-sharing system now, what do you think would happen?

I am not sure if we are mature, if we are ready as a society for that. I cannot imagine what would happen. I don't know. A few years ago there was a Croat member of the presidency. And then it happened during the elections, that I know that my whole family voted for him. And then they said that he was elected by Muslims and that the Croats don't accept him as the Croat member of the presidency. So I don't know if people were offered to vote for somebody who does not belong to their community, what they would look for in that person. Honestly, I don't see that we have that sort of politicians who would be able to represent the entire Bosnian nation.

You don't think a person like that exists?

No.

And a party? Could there be a party..?

There are some parties that are showing that they are not nationalist parties. And there were some socialist parties, but later on... they started as healthy socialist parties, but then later on they perverted into something else.

How do you think stimulating interfaith dialogue can help?

I think it helps, but these are very slow processes. Because recently, three religious heads, or four - because Jewish they were never showing up in the conflict, like there were Jewish people fighting in the Bosnian or Serbian army, but they were never showing up as a group or they were not taking part. So recently, these religious leaders started visiting these places where mass graves are and honoring the victims. So when people see it happening, the message is strong, but these are very slow steps. So they do it once and then they will keep it quiet for a while. They are very shy. I don't think that we will come to the point where somebody will be brave enough to say, "listen, what we did in Srebrenica was really horrific."

But that is something that you think has to happen?

It has to happen. Because as long as we pretend... They are saying what you did is genocide. Muslims are saying "what you did is genocide." It is a really huge qualification. It gives me goose bumps. But then the other side is going [whistles], "who did it? They are not thinking about us." And we know this when we work with kids. How can you reconcile when you are pretending you didn't do anything? That is the first step. That we say, okay, we did it. You did something, but here is what we did. And now we can have dialogue. So after 20 years we did not come to that point. And we know, people engaged in peacebuilding know, that without admitting that you did something, you cannot work on that problem. We are very far from that. I don't know if you can find that anywhere. I don't remember that anybody said ever, "yes we did horrible things." We are still speaking about, like children, "oh, but what you did to me."

But one good thing where I see strength in faith communities is that from religious perspectives, and that is in all Abrahamic religions, is that if you believe in afterlife and when you go wherever we are going, nobody is asking you what somebody else did to you. You will not be pardoned because somebody else provoked you. You will only answer for your sins. So this is one place where we can see that faith communities can push it. So we are responsible for our own acts. And the other side is responsible for their own acts. And we don't have to wait for them to apologize first.

And you think that is something that religion can really offer in the process of reconciliation?

Yes. And we see this happening and we have one small community here, close to Sarajevo, like one hour driving. It is a Muslim community and they are bordering with an Orthodox community. And they have horrible, horrible atrocities done to each other during the war. In this very place, during the war, there were more damages on the Bosniak part, and more people killed and so on. And then this imam from this place said, "listen, our kids are living so close to each other, they don't know each other. So if something would happen in the future it would be easier for them to start killing each other. I think it is better if we bring them together, so they realize that they are neighbors and they have common interests and so on." And then his own community told him: "why are you going there? Look what they did to us! They should come and apologize." And he said, "I don't care, because I don't want to wait for them to apologize." And it was very surprising from Serb side when they offered their hands and said, "listen, we would like our kids to come together."

And how did the Serb side respond?

Okay. We started... because they all agreed easily, it was very easy for us to agree there. We could engage in something that we usually don't do that fast, but they said: "okay, why don't you bring your kids to us for Easter and then for next, like Ramadan, we will bring kids to you so they can learn about each other." And children loved it! And it was revolutionary, because this community, this Serbian community, they haven't seen imam or Muslim in their place for twenty years. They don't know how he looks. So these are things that are sending very strong messages. That we say, "okay, yes we did it." But we are still saying that we didn't or that we were provoked. You probably heard that in Rwanda, I think, that these people they said, "okay, you will be forgiven if you come up in front of this village and admit what you did there." So it was a healing process and we did not come to that point yet. You cannot have reconciliation without this healing process.

And I think it is a good thing, because during the war religious leaders in many places were supporting these atrocities. So now they change the way they are speaking. There were some surveys done in our country and the majority of people said that they still look up to religious leaders. So they have the ears of the people. Although sometimes they are also putting their interests together with those of politics. It happens every now and then.

I have a few questions left that are a bit more general about the political system. We already talked about group rights in the power-sharing system. When you think back about '95, how do you view that in that context? When they made the Dayton Peace Accords.

When they made the Dayton Peace Agreement. First to tell you, honestly, I am not very much into politics. I am not following politics. And I am not watching tv. I mean, just a little bit because I need to know what is going on, but I try to keep it to a minimum, because I don't want them to change my mind and my opinions.

But the Dayton Agreement was the least worst option that we could have done back then. So it was a critical minimum of what we needed to do for war to stop. I don't know about politicians, but now we see it was not well thought-through. They said, "this is good enough, war will stop, and then we will see." But in my opinion it was very racist, it was very inhuman. Because they took a piece of paper and they drew border like they are playing with lego. And then after Dayton Agreement there were huge movements of people. So whoever did not move during the war had to move there. And I know, because I lived in one area that was Serbian territory. And on the day that Dayton Agreement was signed it was not Serbian territory and people started moving overnight. So it was a very bad deal that politicians now stick to, because they see their own interests there again. So it is not in the best interest of people here.

My last question then, is two-fold. Realistically, how do you see things develop in Bosnia. And ideally, how would you like things to develop in Bosnia.

I think the situation is getting worse

It is getting worse? In what sense?

In the sense that now young people have decided to solve their problem in a way that they will leave the country. So whoever is not thinking the same as the system, will leave the country. We have very few young politicians or young intellectuals who would stay and fight for a brighter future. So if they are educated or they are smart enough or they have enough money, or whatever opportunity they have, they would leave. This number is growing. And if your best are leaving the country, how can the situation be better here? So you have A-people are leaving, and C- and D-people are here and they will take power again. So I don't see what could happen here that could change that situation. I really don't know. After the war I came back, I was living abroad. And I came back, because I wanted to give a second chance to my country. And I came back and I do not regret it. But these are more of my personal circumstances in which my family was strong enough to support me, so I have a decent life here. And then for a little while I was thinking that I would like my daughter to stay here and to spend her life here, but now I am afraid it would be very selfish of me to ask of her to sacrifice herself for the country which is offering nothing. So I think the situation is getting worse.

If you see the same faces in politics for twenty years... I mean, if he was not smart enough twenty or ten years ago, why would he now make some huge change in his mindset and say, "I was stealing for twenty years, but from tomorrow I will work on this for you people." I don't know if you now, probably not. But Bakir Izetbegović, this son of Alija Izetbegović who was president since his father died. He lost his constitutional right to run for president again. So next year his wife will run for elections. Come on! I mean, are we living in a kingdom or something? So it is crazy. So the realistic situation is horrible, I think.

And ideally, well, historically we prospered the most when we were occupied by somebody. We were prospering during the Austro-Hungarian times, and I don't know if we were prospering during Ottoman times, but we were functioning. And there was a kingdom before. So we are not people ready to have democracy. So I don't know what would be a good option here. That we would become not a kind of protectorate like we were under OHR. It did not work well, because they were coming and going. In my opinion, but I don't know if we should count on that, I think that we should really touch the bottom and then something big should happen for people to wake up.

And what would be the bottom?

I don't know. Maybe they would leave us without water 24/7. What would be good enough for somebody to say, "come on"? If we join the EU, people are joking here. People have a good sense of humor here, that is a good thing about us. People say: probably by the time we join EU, the EU will fall apart. So maybe that would help, but I don't think so. I don't know how to change this.

There are some places in our country where they write, it cannot be translated, but it says: "it is so important for me that I am a Serb, even if I would eat grass." I don't expect some grandma of 80 writing this on the wall, so it must be some young person writing this. So with such a mindset, that I would even eat grass but be proud to call myself whatever, it is very difficult to change the perception of young people of what is important. We have many youths who are reporting that what they were doing at our workshops was a life-changer for them. These are tiny groups of people compared to all those that these activities do not reach. Because we don't have media, we don't have a way to make some huge...

But still you continue to do it...?

But we continue to do it. Because we believe that some significant changes take time. It is difficult. It is different when you deliver humanitarian aid. When you feed one person, you can say I fed one person. But when you are trying to make some significant changes... they say that the Suez Canal was built for a hundred years, for five, six, seven generations. But they knew where they were heading.

Thank you very much. That was really interesting. What was really interesting to me is that I haven't been talking to many people from faith-based organization, but I was in Sanski Most and that was actually the only other interview where they emphasized reconciliation in the sense that "we have to say that we were not just victims, we were victimizers."

I am not surprised, because we work together a lot.

Yes. It is interesting, because I had not yet made the connection with the Abrahamic religions actually. It is interesting that you mentioned that.

Well you see, this is not something they would teach us in schools.

Hopefully eventually?

Who knows? But you see, what they are doing, it sometimes looks like a small step, but for me they are two people that when I am thinking of leaving this country, I say no, because there are the two of them there. And then there are two of them there. And then you make yourself like a small bubble and you say, okay, they are worth me staying here. So they are small dots of hope here and there.

Everybody I talk to is fairly pessimistic, like you said as well. And that is also because of what we discuss. We discuss the problems and not so much the good things.

The good thing is that I have some friends that are doing similar jobs. And some of them are really, really pessimistic to the extent that they say, "I don't want to invest in it you know." Although I say I am pessimistic, I am not pessimistic in a way that there is nothing we can do. There is. My consolation is that all good things come to life because only one person thought of them. And if this one person said, "well, I am not a million people," they would not have happened. So efforts of a few individuals can grow. If I do good to ten people around me, then it is like a stone in the water. So there are things happening. There is enough people here that they can do a little something to make things better.

It is a situation that doesn't give you much hope. But at the same time, the fact that people continue working under those circumstances is hopeful.

There is this guy in Belgrade and he is a great historian. And we were preparing something to do with youth. And he was working. You know how our kids depending on to what school they go they have a national group of subjects. So in the same school, kids would have the same English, mathematics, literature, or maybe not even that. But they have their own language, they have their own geography. Because geography of Croats is not the same as geography of Serbs. They have their own history. So they are learning their own history. So this guy, who is really an excellent historian, he told me that it is very strange how people are saying "this is a very bad time in history and then there was this time when things were excellent." And he says history, at least known history, is of very small amplitude. Except for, say, two world wars. But this time is not the worst ever, nor is it the best ever. And then we live here and now and we make small interventions. And it depends on how you put your priorities. Would I be happier if I moved to the Netherlands with my family? I don't think so. Because my seat is this. This is the air that I need. If I want to replace it with more money or a better job, what do you trade for? They say that those who left have something. But why do you feel nostalgic? Because you [indicating the interviewer] can marry a Bosnian and come to move here, but you will never be Bosnian, right? You can even have a passport. And I will never know what a man feels like when he is watching football. So you can never know what it means to mean when I see a haystack. And I can never know what it means to you when you see a windmill. So what are your priorities? I don't like many things here. But those two or three things are bigger than those million things that I do not like.

Isn't that then also what is important to people when they say my national interests need to be protected in politics?

I don't know. I don't know what is important to them. If you tell me I am a Serb, I cannot be something else. But why it is important to them to be that? Why they are proud to be or why they want to be or why they insist on that national identity, I do not know.

Maybe for the same reason that I can never be Bosnian.

I don't know. But you are what you are. I don't see any reason why I should be proud of being Serb. It is nothing that I did. You can be proud maybe when you have your PhD. Will you be proud? Probably. And you will be proud when you have three or four kids and they are decent people. Because this is something you did. But if you were born something, how can you be proud or not proud of it? This is just a fact. And I don't need anybody to protect that fact. Because whatever somebody does, they cannot take it away. They cannot add to me being what I am.

Does that change when being who you are is accompanied by doing certain practices? Like for example when it comes to religion. You can say, "I am a Christian. I was born that way, I believe that. Nobody can change that." But what people can change is your freedom to go to church, to practice your religion. And then it becomes something that can be protected or not.

But we had that freedom before. And they were saying that we were living in a dark time and that now we will have war and that we will be free. But nothing was wrong before the war. They were saying that during communist times people could not go to churches and mosques. This is not true. I mean, you could go to some place where people would say you could not go. But these are individual cases. But people could go. And still they told us we had to fight for something. Did we get that after the war? We did not. What do we have? Usually you fight for something. So for what did we fight? I have no idea.

Independence from Yugoslavia, for example?

Yes, but for me I don't care how you call this country.

It also would be fine if it would still be part of... ?

It would be fine. For me it would be fine if now Germany occupied us and we would be called Germany. As long as they are not killing us. If you want to call it Germany, I don't care. And I don't care if you tell me that I have to call myself something else. But I don't know if everybody is like that. How you call me cannot strip me of my identity, right?

Maybe you need to have a strong feeling of your identity to say that?

I don't know. But if we split now and you meet someone, you can say, "I had a conversation with someone, she is a stupid woman or she is a smart woman." This does not change my identity. You cannot make me stupid or smart. I am who I am. So if people would be thinking and using their own head, it would not be so easy to manipulate them. I don't want to send the message that it is not important what your religion is or what your nationality is. You have here three generations, for example. My grandfather was born in the Kingdom of Serbs, Croats and Slovenians. And then my father he was born in National something, but different from myself. And then you have me, I was born in Socialist Federal Republic of Yugoslavia. And then you have my daughter, she was born in Bosnia. So who are we? We did not change. Nobody decided to change. We were different because somebody, something bigger than us was changed. So the four of us were born in four different countries. And probably by the time my daughter has kids, some fifth different country. So if you just think that these things are changing and that you cannot influence that, why would you kill somebody for that? But people are not thinking this way. Because the mob, they are blowing the horn and they [makes yelling sound]. It is very difficult to stop it. It is already in our genetics.

The other day there was one Serbian politician and he said: "Serbs suffered in the First World War, the Second World War, and the Third World War." What?! So you already know that you are suffering in a war that has not happened yet? But he is giving this .. "we suffered in three world wars." But I could swear that people did not notice this. They say, "we suffered in all three." You can see how easy you can manipulate people.

That is a horrible example actually.

Yes, I loved it. And when I said that to my husband, who is a bit nationalist, I said did you hear this? And he said, "yes, but you know some people say there are already theories that the Third World War has started." And I said, "even if it has, he already knows he has suffered." So these are, you know, I don't know what to tell you. I mean, I would love to ask people "there was a war and so many people were killed and we gained from this what?" But there are some reasons that are beyond me. Like what Catalonia wants. Is it Catalonia? Why do they want to be a country? They must have some reasons, but I cannot understand them. Like when Sarajevo was split between Serbs and my house was in Serbian territory. And now Dayton agreement came [drawing out 'map']. Here are Serbs and here are Muslims. And then Dayton agreement came and now here is the border. And now my house is on Muslim side. So what should I do? The nine people around my house, they burnt their houses and they went to the Serbian side. But my thinking is that I love my house. I don't care on whose land it is standing, as long as nobody is forcing me out. And nobody was forcing me out.

I have also spoken to people that were like your neighbors and they feel like they were forced.

That is not true, you think?

These are different perceptions. Some people were escaping because they were afraid of some atrocities that they have done. That somebody can retaliate. My family knew what they were doing and they were thinking why would somebody now come and... These are individual decisions, for somebody maybe it was not safe to stay. But we decided to wait and see.

But that is the problem, right? That they are individual issues, but the politicians make it sound like they are not individual issues, but they are issues of all the people, all the Serbs or all the Croats?

When you here President Dodik speaking you will hear many times that he is saying that there are no Serbs in Sarajevo. So what is he doing for me? For him I am a zero. He said there are not Serbs in Sarajevo. Is he protecting my interests? He is not. So this is manipulation. People are easy to manipulate. Even in your own country you have this blonde idiot, what is his name? He is manipulating people!

But you have it all over Europe?

You have it everywhere. They are spreading fear of Muslims among Christians, while if any normal Christian would be honest he would realize that throughout history so many people were killed by white Christians, that Muslims could not make that up in the next thousand years. But nobody is speaking about that, about crusades, about World Wars. They say, "oh these are dangerous Muslims." And you have no time to think. You think, "oh let me kill him, before he kills me." We had one very big hero in our history who killed Franz Ferdinand. He was a big hero for us. And now they are saying he is a terrorist. So the same person in fifty years, who was first a hero is now a terrorist. Who was terrorist fifty years ago, he is now a hero. So for me, I cannot watch tv to have my opinion. Let me see what Oprah has to tell me what I will read. Or they have to tell me who is a hero today. So children in school should be told to use the brain that God gave them. And to discern. So how to do this, we don't know yet.

To let them talk to people who are different from them?

So exposing people to a different something whatever, it can be whatever. I have read somewhere and I noticed that I also try to experiment with my daughter that kids up to a certain age in interaction with people they don't notice racial differences. So if you have a black boyfriend and I will ask my daughter she will say,

“there was one girl and one boy.” And how do they look? She would say, “she is blonde and he has black hair.” But she would never mention the skin color. There is one girl in her school, in her kindergarten and she was Chinese. And she said, “mum, Minja said something or did something.” And I said “who is Minja? I don’t know.” And she was explaining and explaining and explaining, but she did not mention that she was Chinese. She told me fifteen different things, but none of them were related to her race. So kids, all these things are packed on them as they grow up. Like when my daughter was very young she was very attracted to Buddhism. But then we told her she was Christian. Who knows how she would develop is we are not sticking these tickets on her. Although she is going to Catholic school. So we are sticking these identities on her. And she needs to learn which ones are important to her. Is it important to me now in a conversation, “oh I am speaking Serbian.” As long as I am literate, it doesn’t matter. The language that I was taught in school, Serbo-Croatian, it doesn’t exist anymore. So am I now mute? Because the language does not exist anymore. There are crazy things.

Interview 4

Respondent

General manager for a nongovernmental organization

Key Words

Democracy; conflict resolution; conflict prevention; interethnic dialogue

Summary

The respondent works for a non-governmental organization that is part of a larger network with primarily offices in the Western Balkan. The main aim of the organization is conflict resolution and prevention and the promotion of democratic practices. The main method lies in creating dialogue, especially between citizens from different social groups.

Transcript

You work with a large variety of target groups. I was wondering, how do you identify these target groups and how do you approach them?

You will find it also in this publication about the history of public engagement and methodology that we have developed. Actually, and this is in Sarajevo, we developed a dialogue approach. That means that we reinvented ourselves a few times. When we started our work we have been focused on larger groups, like NGO practitioners, university professors, teachers, high school teachers, elementary school teachers, local politicians. At that time we worked together with our colleagues from [organization] in Banja Luka and [organization] in Mostar, with whom we provided neutral space for the dialogue for the people from these three communities, three cities. And at that time it was necessary, because it was just a few years after the war and the communication was not that much developed. But, from 2005, we decided to change a bit our approach. Because all our work is based on serious research and assessment. So at that time we realized that there is more need for this kind of work outside of Sarajevo than in Sarajevo. And in 2005, I did round table discussions in all big cities in Eastern Bosnia. In order to identify a place where we could focus with our work from 2006. And we decided to get focus on Srebrenica and Bratunac. You probably know why Srebrenica. And Bratunac is a neighboring municipality and they are very much connected, these two communities.

So, our approach is multi-lateral and holistic. When it comes to the holistic approach, that means that we have two program lines that secure this holistic approach to be applied. How? One program line is focused on local politicians and local authorities, rather than just politicians, because there are also representatives of authorities who are not politicians. But politicians as well, with municipal servants, it was our target group, and councilors. So people who are respectable in their own community, like the director of health centers, professors. Another program line is education. I have to say that a lot of people are mixing up, when it comes to education, when I present that as education. We don't have anything in common with educational process. We don't have a clue about education, the quality of education. We are experts on inter-ethnic dialogue. So our target groups within this program line are students, parents, and teachers, including school administrations. This is a real holistic approach and we are very much focused on quality, not on quantity. So that means that at the very beginning we worked on establishing core groups of the people. We don't jump from one area to another area, because to us it is not important how many, but it

is important what we are going to deliver. I mean, empower, skills of the people, and help them to work together, to recognize their own interest in order to overcome inter-ethnic gaps.

So as a result, again, I don't like to talk about results, those are more like implications, more like inputs, achievements that we have gained together with people from the field. We don't teach anybody, we don't impose anything. We work together, we provide neutral, safe space for the people to be able to talk honestly, we provide dialogue. I mean, our main tool is dialogue. Why dialogue? Because in dialogue nobody imposes nothing to the others. And people don't change their initial identities, but they are creating an identity that brings them together to establish a functional society.

So as I said, as a result, we have a four coordination boards. Three actually. One is in Srebrenica and Bratunac, then in Zvornik, in Eastern Bosnia at the border with Serbia, and Jajce in central Bosnia. Because to Jajce and Zvornik we multiplied actually our approach to these two communities in 2009. And people who are involved in the coordination board are people from those local communities who want to make changes and who got actively involved in the implementation of the activities. In design and implementation. We never impose to the people what to do. We work together with them. Our role is that we are catalyzers. We provide space and we work together. Because I don't know, although I am from Bosnia and Herzegovina, but I cannot advise to the people in Bratunac or Srebrenica what they have to do, should do. Because they are those who know exactly what they need. They need us as a catalyzer to help them to work together. So those people designed and implemented activities that contributed to wider well-being of the population in those communities.

And one of the greatest achievements is Jajce. Have you heard about Jajce and about student protests?

Yes, I did.

We worked with them since 2009. We worked with the school administration, with students, and parents. Then we decided to organize the conference in May this year, together with a German [NGO]. We organized a two-day event, so called "Living Together". And the third day there was a conference: "Jajce, one more successful story or...?" These two days, thanks to SHL, we brought a hundred student from all over the country to Jajce. They didn't know what was actually going on in Jajce, so they exchanged information together with their peers from Jajce. They designed all steps that they will make towards the Ministry of Education to keep the school together, students together. And they did it. They did it. We haven't been so sure that we would change anything by the conference, by that event. But we obviously contributed to great change, to secure joint space.

When it comes to the multilateral. Students are gathered within an informal body, so called [organization] Forum of Youth Peacebuilders. So in each school we have a [organization] classroom, in each school that we work with, where students are doing together a really wide scale of activities, like reading poetry, playing guitar, making food, doing ecological activities, cleaning of the school yard, river banks, visiting old people, measuring blood pressure, measuring sugar in blood, and all these activities. So for us it is the most important to have people to do things together, not what they are doing together. Because when it comes to these "self-sustaining projects", I really cannot stand this kind of question in project applications, because once that you stop doing peacebuilding, then war is starting. So peacebuilding is a process and we are initiating and starting processes. We don't do projects, our work is not about projects. It is about the process, and reconciliation is a long-term process.

Multilateral. When it comes to the multi-lateral, I have to say we have also advantage by being part of the huge [organization] network. Because we have centers all over countries of ex-Yugoslavia, except Slovenia. And unfortunately some centers have been closed also due to the lack of financial resources.

Also recently, since 2015?

Yes. In Kosovo, for example, we don't have a center anymore. And this is so one point of multilateralism. So that means that we also had this Norwegian part, colleagues from Lillehammer, from Norway, and then also centers. Then we work as [organization] with the ministries of education. So we are very much close to the high level institutions, but they are not our main target group. For each activity, for each so called project, I have a meeting with the Ministry of Education. I inform them what we are going to do, and we always ask for the permission.

Is it difficult to get that permission?

I have to say not for us. Because they know us.

Because you have been working here for a long time?

Yes. And they are aware that we don't have any hidden political agenda. So I think this is the biggest concern, when it comes to the high level politicians.

And when you go and ask for permission, do you also encounter people who do not agree with you policies?

I have to say that I never had these kind of challenges. The first thing that I do is that I write a letter to the Ministry of Education and I send them all required documents. And then I fix an appointment. For example, with Ministry of Education of Republika Srpska I have meeting at least once a year. And there have been four ministers since we are working there, and we never had a problem. And always I have a meeting with minister. With the Central Bosnia canton, it is the area where we work also, I send a request, I send a letter with all required documents and then I have a meeting. Yeah, I mean, this is what we really... And we work with local, as I said, with mayors. That is also, I have to say, a huge achievement. Once, when we lost our funding, the mayor of Bratunac and Srebrenica financially supported us. For one year they were paying our administrative costs. After a year we said, "thank you, we cannot ask you for more money, because we don't have money for activities." So this center has been closed down, but I hope that we will provide financial means to continue our work.

At the moment our main donor is German Embassy to Bosnia-Herzegovina. They financially supported the conference and also, since the first of September, they are supporting our project "Jajce, one more Successful Story: New Generation." Because it is really great that the Ministry put out the decision to build a new school for Bosniak students, but we don't know if it is permanent or if it is just buying time. And especially because next year is pre-election year. Actually it is already pre-election year. So maybe they will come up with the same decision again.

To change the topic a little bit: could you describe what for you, in your work, are the main characteristics of the three ethnic groups? What are the differences between the groups?

I wouldn't come up with differences, because we used to live here for ages, for centuries, but they are now severely divide along ethnic lines. And I have to say that they are manipulated by the politicians. So that is why it is important to work with people from the grassroots level, because all of them have the same common interest: to improve the quality of life. And then by doing that and creating space for a dialogue, it is possible. Dialogue is a magic tool to make it and to create trans-ethnic space.

When you look, for example, at election results, it does seem like ethnicity is important to people. Can you describe when you think ethnicity becomes important to people? And how? And to who?

I have to say that here ethnicity is a prior identity for people. I didn't do any research on that, so it is my opinion, it is not scientifically based. But I will give you one example. Years ago we brought a few students from Bosnia-Herzegovina to Norway. They had an identity workshop together with students from Norway

and it was about identity. Students from Bosnia and Herzegovina put on the first place ethnic and religious identity. Students from Norway, they put sport preferences, colors, places that they would like to travel to.

With my colleague we did two – I cannot call it research, but it was a case study that came up after this really, really superficial research. Actually we had workshops in ten schools all over Bosnia and Herzegovina from Srebrenica to Kladanj, in multi-ethnic divided communities, and homogeneous communities as well. And all students said that they don't have problems with ethnic identity. To them it is not important, in the sense of having interaction. They are eager to have interethnic communication and cooperation. They said that they have problems with their parents and teachers, because they have gone through the war. And this generation has been born after the war. They are sorry for their parents, that they have gone through the hell, but they want to continue normal life and they want to focus on quality of education. Not on ethnic division of the education. But this is something new that we discovered. And it is what makes me a little bit more optimistic. Because you have a new generation that knows exactly what they want. And to improve quality of life to them, it seems that to them ethnicity is not that important. But for their parents and the middle-age generation it is the key for everything. But unfortunately middle-age generations are leading this country. And political parties, they use these interethnic gaps and interethnic misunderstanding to keep their own positions and to keep status quo.

I have also sometimes heard kind of an opposite narrative. Some people say what you say now, that there is a lot of promise in this future generation and once they get older we will forget about the importance of these ethnic differences.

If they stay here.

If they stay here. That is very important. But I have also heard the other side: these people haven't been through the war, they haven't experienced the horrors of the war and so they won't be able to avoid it, because they don't remember how bad it was.

I cannot say a lot about that, because I did not do any kind of research. But what I have to say is that these people just have to have an opportunity to work together. And there is also this economical aspect that is very important, because you know how many people left Bosnia and Herzegovina in the last few years. Jajce is a small community, 20.000 of inhabitants. In the last few years 2000 left. So I mean, if it will be continued like that, then in ten years we will have a state of old people living here.

And when you talk about these groups, do you think that there are any differences between the constituent peoples, as they are written down in the constitution, and the others, apart from the differences assigned to them in the constitution?

First of all, the constitution is as such and the constitution helped stop the war. And only three ethnic groups are recognized. And this constitution will be misused as long as it will be in place. You have now just a recent decision of the minister of education of the Canton of Sarajevo to add languages. It leads us to even deeper division. But when it comes to the constitution only the international community can change it, because they created the constitution of Bosnia and Herzegovina, and when they want to just... I am a medical doctor, so I always like to compare that with when you are doing an operation. The international community behaves as surgeons when they are doing an operation. Because when we as surgeons, when we are doing surgery, when something goes wrong with vitals of the patient, we pull out and we don't want to de-sterilize our hands. [Moves her arms up indicating how surgeons step back.] And then you have an anesthesiologist who comes to recover patient. The international community, always when it comes to something wrong, they say, "we are just facilitator of the process." But only they can make changes. Because by Dayton Peace Agreement all possible changes have been blocked. And of course that all Others feel like less. I am Other. I am former-Yugoslavian. So my kids as well. So we do not have the same rights as these three constituent peoples, ethnic groups, have.

Do you think that there is an important role for group rights in certain situations?

Group rights, how do you mean?

The rights that the constituent peoples have, for example the right to representation in the house of peoples and the presidency.

But it contributes to it. It is like a cycle. Because then we get back to the ethnicity. Ethnicity is key for everything. So you have these group rights that have to be respected, but then you don't have quality. You have to hire one Bosnian, one Croat, one Serb, but it is not about qualification and knowledge. And that is why this country is cycling all the time, without any improvements.

Because you don't have the right people for the right reasons?

Yes, because we don't choose people with expertise to do things. You have to fulfil these ethnic quota. And you have to have Bosniak, Croat, or maybe two Bosniaks, two Croats, two Serbs. Or three from one ethnic group, just experts in something. But you cannot just give them an opportunity, but you have to fulfil ethnic quota. And then, of course, political background in the most important.

Do you think that if in a certain community there is a minority of one of the groups and you didn't have this power-sharing system, would this be a problem?

Absolutely. Because everything is about minorities and majorities. For example, we from Sarajevo like to say, "Sarajevo is multi, multi, multi." Sarajevo is not multi, multi, multi. Sarajevo is a mono-ethnic society with a huge minority, with all kinds of abuses of minority rights. Everywhere it is the same, in Banja Luka, in Western Herzegovina, in Western Mostar, it is about majorities and minorities. Minorities are always minorities with all possibilities to ... a very good ground for the abuse of human rights of minorities.

Is this also true for the three ethnic groups? Do they also need this protection through the group rights that they have in the constitution? For example, if the presidency in Bosnia now would not have one member of each of the constituent peoples, but there would be two Bosniaks and a Croat, and there would not be a Serb in the presidency, would this be a threat to the Serbian people here?

Would they face discrimination in their lives?

Sure. I will come up with one anecdote as well. It was 2005, twelve years ago, when I did these round table discussions. We had one young man, he was a student at that time. The chairman of the Assembly was Bosniak and this chairman of the Assembly was really capable, qualified, and open-minded person. And the young man said, it was just before elections, "I am asking myself why I will not vote for you, although you fulfill all my needs as a human, my human rights needs. But I will not vote for you, because I immediately exclude the possibility to be abused by you, according to my ethnic belonging." So it is sad that people, a priori, they take it that they will be abused because of something. They will rather vote for someone from their ethnic group, just to exclude that possibility. And of course, that people, any ethnic group would feel in a way neglected if they don't have their own representative, regardless whether this person is capable, qualified.

And when you look at the grassroots level that you work on, do you think this actually would be a challenge also in the daily lives of people?

I don't think if you work with these people like we do. Because also, years ago, they established a coalition, a political party. In order to clarify some important issue that contributes to the functional society. Some existential problems that are not ethnically based. So if you work, if you give a chance to the people to get together, to discuss, to ask questions. Believe me, there are still a lot of people that have prejudices about others, because they didn't have an opportunity to speak openly, even twenty-two years after the war.

Before I was commenting, but now I am criticizing peacebuilding policy here in Bosnia-Herzegovina. Because they support quantity. As much events without thinking what this event, in what way they will contribute in a long term respect to the reconciliation.

And what does that look like?

It looks like to organize one hundred round tables all over Bosnia and Herzegovina. It looks like we have sixty mayors that signed some paper. What does it mean? Etcetera, etcetera. They don't do processes, they do projects. To them the most important is to satisfy donor with numbers.

You already mentioned Dayton in relation to the current system. What do you think about the Agreement when they developed it and implemented it here in 1995?

I don't know. I was twenty-four when the war started here. So by the end of the war I was almost twenty-eight, actually I was twenty-eight. And I was just happy to have the war stopped. But I have to say, it was okay. Immediately after the war, there were some improvements. And I have to say the situation is worse now than 1996 or 1999, when it comes to the peacebuilding, when it comes to the inter-ethnic relations.

And that is because the way peacebuilding is done.?

All together. This and also... The international community never had a strategy towards Bosnia and Herzegovina. Without support of the international community we wouldn't be able to make any changes. I don't want to say we don't need them. We need them. But with clear strategy, because I have the impression that they are looting. They don't listen to people from the ground. And civil society in Bosnia and Herzegovina is dying, because of the wrong politics, donors' politics.

And ideally what should happen to the political system in your opinion?

The Dayton Peace Agreement, I mean the constitution, it has to change, first of all. All citizens of Bosnia and Herzegovina... This should be secular country. A country of citizens. State. But Dayton Peace Agreement doesn't secure that, everything is about ethnicity. So this is one of things. And also, another, is to continue this kind of processes that we are doing. And others, there are also other organizations, we are not unique. But all these organizations are small. Because NGOs in Bosnia and Herzegovina are extended hands of donors, to implement their foreign policy. Which is not wrong, but just apply it to the needs of the people.

And realistically, what do you think will happen?

I don't know. I have to say that I am quite pessimistic. I am a mother of two. My daughter is seventeen years old and my son is fourteen years old. And I am seriously talking to them and advising them to leave the country as soon as they can. And I am working on that. Because I don't want them to become fifty years old and to think what is good or not, would they have a proper job or not, like I do. I am fifty years old, I am a medical doctor, I gained bachelor as well at the economy/management department. I gained MA in applied conflict transformation. And my colleague who is also having two bachelor diploma's, and we are just trying to keep this organization working, without proper financial means. So I mean, values, they are not placed in the right place in this country, and I really want my kids to avoid that.

But at the same time you are working to change it?

I think this is something I have to do, because seventeen years I have spent to make a change and I believe that it is possible. That is why my colleague and myself, for two years, we financed this organization by our own financial means. Luckily, the Germans are very much concerned with peacebuilding here, and I think that they are number one now, in Bosnia and Herzegovina, who are really focused on reconciliation and peacebuilding in real terms, in real sense. I would also like Norwegians to get back. And why I am responsible for that, because I have been paid by Norwegian tax-payers for fifteen years to do it. Now by Germans, to do it. So I am responsible to these people who paid me and to citizens of Bosnia and Herzegovina. Because I know that it is possible.

Interview 5

Respondents

Three coordinators for a local youth center

1 = Volunteer Coordinator;

2 = Local Volunteer Coordinator;

3 = European Volunteer Service Coordinator

Key Words

Children/youth; peacebuilding; interethnic dialogue

Summary

The respondent works for a non-governmental organization that is part of a larger network with primarily offices in the Western Balkan. The main aim of the organization is conflict resolution and prevention and the promotion of democratic practices. The main method lies in creating dialogue, especially between citizens from different social groups.

Transcript

Can you start by telling me a little bit about the groups you work with, how you identify these groups and how you approach them.

1: Okay. So [organization] is based at the youth center in Brčko district, from Monday to Friday. We have the whole week activities. We usually start working with children, very young children, four to seven years old, and we do with them non-formal education. And through this work we do peacebuilding as well. Because, unfortunately, you know the war was here. But these kids are too young to understand all of these issues. But actually, the tolerance and peacebuilding that we do is with their parents, actually. When they bring them to the youth center, they meet each other, they get to know each other. And for me it is the best when I see the two mums, different ethnicities and nationalities, go and have a coffee together. So you know that you are doing a good work. These workshops have the educational character and it is for free. A child can join this kind of group on a daily basis.

Then we have on a daily basis from 14.00-15.30 the group of 8+. So they are a bit bigger to understand maybe the differences, still, between the people. But we also try to give them like a safe, neutral space at the youth center. Because, as you know Brčko is the only unit in the country that has this unique system of people living together, which is working really well right now. But still, when kids are in school, they still get divided during the mother-tongue classes. So kids need to go to Bosnian, Serbian, and Croatian. And they have these subjects at school like religion. So they still get divided through this. And we at the youth center, we always put them together for everything. And we try to make these kids not to think all the time about the identity or about their nationality, but just about learning and education and stuff like that. And it is also for free, so any child can come. We usually do this advertising in public schools, in primary school, high schools.

And then we come to the 16+ group. Young people, very aware of their identity and the difference and everything. But they still are free to come to language courses we offer for free and different activities, presentations. We also offer volunteering service. Starting at the local community from time to time if they have free time. And [organization] is also part of the EVS [European Volunteer Service] system. We are a sending and hosting organization and also coordinating. So we receive international volunteers during

the year, but we also send young, local people there. [Respondent 2] did his one month Netherlands, and he was in Germany for a year. So until, I think, four to five years ago people from Bosnia couldn't travel because of the visa-issues. So now we finally don't have this problem anymore, but it is finances and not being employed, and you don't have money. So you cannot learn about the world. So through EVS and us, we can send people to other countries in Europe to get this life experience and to try to see other stuff.

So our main work here in the local community is to strengthen through the work the local community and young people and kids and children. But also to work intense on the peacebuilding, tolerance issues. Because it is still an issue in our country.

When you approach the children to come and join the workshops, is it easy to...?

1: It is easy for the small ones, because actually their parents decide to bring them here.

And all parents decide that equally?

1: Yes mostly, because parents are mostly happy that there is a safe place for the kids on a daily basis to spend two hours, because kids need to socialize and learn stuff. What is a bit more difficult is the teenager group. It starts from 8, 9 and then a bit further, because you have to make stuff interesting for them. But not being like a school, like a typical school, but to learn something through creative ways. And especially for the 16+, it is really hard. You can offer them so much things. You can say: you can travel, and go to seminars, and meet other people from Bosnia. But it is very hard. Because I think, like in the whole world, the young people usually try to be cool. And they show you not to be interested. And then from the council of students and pupils, there is always six to seven ambitious people that come to every presentation and workshop. But from my experience it is really hard. It is not that hard, but even when they come, then it is harder to keep them coming. Because then they leave at some point. So what is your opinion on this topic. It is not just me who wants to talk all the time.

2: I am a daily coordinator at [organization]. I work with children as my colleague mentioned. I currently have two groups of kids, but this is from 4 to 7 year-olds. But I notice they are too small to see differences between them. But as she told the mothers or the parents of the participants are coming and they are socializing and it doesn't really matter from which background. We are doing tolerance building, teambuilding, workshops. Yesterday we had an anti-fascism day. For the smallest ones we did a puppet-theater. Me and my colleague from Germany wrote a small puppet-theater play to explain in the most simple way to the kids why anti-fascism matters. Then we had bigger kids that are 8+. They had the same theater and they actually enjoyed it. We were glad. And they actually managed to see, to identify fascism and the roles that we had in the play, which was really nice. And for the 16+ we have participants, but they are too cool sometimes. I was such a teenager as well, I was similar maybe.

You both mentioned that at some point children start noticing differences. What are the differences?

1: It is mostly cultural background, like celebrating different holidays. As you know in Bosnia, or actually in Brčko, we have two Christmases, one is Catholic and the other is Orthodox. And then you have two Easters. And even New Year, we have an Orthodox New Year, and a Catholic, and an Islamic as well is coming up. And kids notice these things. Like, "oh, I had Christmas now, but there is a new Christmas next week." And also by name, kids starts to recognize who belongs with which nationality. But the thing is that kids are, not naïve, but they are just children. And there is not space for these kinds of thoughts. But then all the bad things of course come from home. And then they start to think, "oh aha, okay, so you belong to this group and I belong to this group." And the whole work is consisting out of how to neutralize these kind of things and get into and equal line, I would say.

How does it matter to kids that they know that they belong to different groups?

1: I think actually it doesn't matter that much. It doesn't matter. But as I said, so many bad things come from home. But then we hear things from children talking during the workshop. Sometimes it is positive, then it is negative. But for kids, they don't see such a big difference as maybe teenagers, like 16, 17. And their parents, they really know where is the line. Although people do work together and they live together here, of course. But at some point it just goes on each side.

How are these difference important for these parents, the teenagers?

1: I think these days it is very important. This kind of identity is really important too. And the country is really small, so it is really hard to fix all these things so that everyone is equal at every level. If you know what I mean. Because the three main nationalities are Bosniak and Serb and Croat. So each side wants to have equal number of, let's say, representatives at the parliaments, in the school, equal number of teachers, equal number of employees at the public institutions. And it is really hard, because we have a big issue with unemployment. So then it goes through corruption and political parties.

2: It goes deeper and deeper.

Why is it so important to have this representation at the political level?

1: That is something, I don't know. If you want to say something, you can just pop in?

2: For children or for older people?

For older people.

3: I think it is very important to be together and to not care which are your nationalities. Especially, when I started to work as EVS coordinator it was kind of difficult to find volunteers who want to take part in some project in the other countries and come back. Because we are conservative here. We just spend a lot of time at home. They learn through social and media. Some things are not true. It is better if you go outside and see all things, all nationalities. They should see that everyone are the same. All people are people.

1: Yes, that is the main message. But why is it important to have enough, an equal number exactly, we have to explain. It is about getting one side of which you know, "okay, this side is for my people, or this side is for this people." It is really hard to explain this anyway. But I think it is mostly about the power. Power with finances, political power. The party is on top of the country, they kind of rule everything, the education, the health system. Yes, mostly it is power and money. As in any European country right now, unfortunately.

Do you think this is important to all people equally?

1: To all people? I don't know, I think it is. They kind of started this situation as well, with their voting almost 25 years ago. I think it is. Well, now I might be talking too much about these kind of differences, but when Tito died, in '84, '85, I can't remember really, this feeling for the identity was really big. People started to think differently about each other. Marriages were falling apart, families and friendships, connections and stuff like this. I think that even at that time it kind of started to be important to really know who you are. But I don't know why, because, again, I am always thinking how small the country is and that we should be united, like [Respondent 3] said, and equal. And of course we work together and our team is really mixed. I never think of [Respondent 3] as someone different than I am, you know. So I don't know, it is difficult.

You mentioned tolerance before. Can you explain what you mean by tolerance exactly?

2: Our organization is based on that, basically, topic. We are really working towards, like [Respondent 1] said, everything is mixed. Our thing is international: we have Germans, Turks, Poles and Dutch.

1: It changes always.

2: It changes always. Every so many weeks we have new people coming. So basically we are tolerating everybody. And we are learning kids to be tolerant. Like next Thursday is Tolerance Day and we are going to have that topic brought from the smallest to the biggest participants.

1: And it is maybe important to say that we don't tolerate because we have to, but because we want to. So we want to spread this feeling of tolerance, you know. So it doesn't matter if you're like, you know, Roma people or a Roma person, just to show you that we are equal and that the person can take part in any activity, volunteering as well. So we don't want to make people think, okay, this is just for these kinds or that kinds. To have this equal feeling.

So it is about inclusivity?

1: Exactly. Inclusion. I totally forgot about this word, thank you.

In the work that you are doing, do you have anything to do with the political system here?

1: I have to say, luckily no. Because we are an NGO and we are, like the name says, not part of the government. So actually we should be neutral as well in this field as much as possible. And our employers should not be members of any political party. Which, I don't know if [Respondent 3] belongs to one or not, it doesn't matter, that is his choice. But of course we have to operate with the government and you should cooperate with a local political party in a way to make the local community stronger and better. But it is hard because almost all of the political parties here are very focused on the nationalities and, again, power and finances. And they take young people from the street and tell them: if you put, I don't know, one hundred or two hundred poster for us today you get five euros or something. And that is exploiting young people, you know. So I am personally against this a lot and I fight against it wherever I can see it.

An NGO should cooperate if there would be a healthy political party. Or a healthy political level of helping community. But unfortunately there is a lot of corruption and bribe and connections, if you know what I mean. So it is really hard to have a clear thought and vision of, okay, who are the good guys and who are the bad guys. So what we usually do is that we swim alone, most of the time. And then try and put pieces together the best way.

From the perspective of the work you are doing, how do you feel about the power-sharing system here? In Brčko, but also in Bosnia as a whole.

[Deep sighs!]

1: I don't have good experiences with it, because I think our system is very rotten. But on the whole state level, I think, it is not just in Brčko. The whole power system is just, again, through connections and nepotism as well. So for example you can have a brilliant PhD student, very experienced and very smart, but still you can't get a job anywhere, because you don't have connections and maybe just 0.1 percent gets a job with a good school education. Honestly, I am a German teacher and I graduated like ten years ago, but I never worked in a school, because I just can't get into the school system, because I have no connections. And I am fine with it now. Finally I realized for myself that I don't want to work in a school, because the school system is rotten as well. But that is my experience and I am usually very negative. I am kind of a pessimistic person, but I hope it will be better.

2: I see our political system in Bosnia like an onion. If you go deeper, you want to cry more. [Laughs]

So I have high school for veterinarian technician and I have never worked in a veterinarian station in Brčko or Bosnia. The last veterinarian station where I worked was in Germany on a horse farm. And actually my father has a personal vet station where I work after the work at [organization]. So basically I have been working now. I finished like four years ago and I have been working here for four year, I don't go to study. I have been working here, or I have been working at the vet station, or I have been working as a musician. And I don't have a single day of experience in my work. So it is like an onion. It makes me want to cry sometimes.

Where exactly is the problem, do you think? Is it with the politicians, or with the parties, or with the citizens, or with the system?

2: They are all connected.

3: I think people are a problem here, because they vote for political parties. Because if you want a job here, you should be a participant in some political parties. It is a problem. Maybe we should organize some political parties which will not get a job for people just because of their connections. Better if they give some job because you are a professional, if you know that to work. It is one kind of big problem here. Not just for Brčko, it is in general for Bosnia a problem. I saw last week in town. Some guy came for an interview for job. They asked him "what is your political party?" He answered, "what political party?" He was confused. And they said, "what job?" So you cannot get job.

2: I have a story where I participated in some environment. Another Dutch student was making a movie about young people in Bosnia. His name is Wijnand. Until the first of October he has his promotion in Utrecht. So I took part in that movie: what do young people do here actually? He did a movie, he basically went to all the major cities and he finished with this city. And me and my friend were part of it. And you can see there is a lot of different people. Young people who are youth workers like me and my colleague, but who are motivate to try and help somehow this country. Because every little things helps if you see that nevertheless the government will suppress us, who cares about that. I am apolitical. I am a little bit anarchist as well. But I do things. I try to accomplish something in this society. But in the movie I saw one girl that hated this country. Maybe I can give you the contact after.

Yes, that would be nice.

2: It is really nice. It was his PhD, I think. I was surprised how good it was. Because he managed to find all these interesting people. One girl hated this thing and went to Germany. And then there was me and some other guys who tried to do something and tried to make a difference for everybody. It is a good movie. I can give you the email and stuff. But you are Dutch.

Thank you, that would be good. Do you think there are differences between Brčko and the rest of Bosnia?

2: The thing is, I didn't travel to most of Bosnia. I always travel to Europe. That's the thing. I don't know. Brčko is special. Let's say my generation is 1994. And I have mixed friends. And I don't know who they are or from which background they are. They are people, they are a person as me, so I don't really care. And I think for the most of the people it does not so much matter. Or it is maybe the people that I go out with or, I don't know, I didn't meet that much. I go out with metal heads and we are a metal heads group and rockers. We also have other friends, but with my most common group, we have that common base. And we are really open-minded people and I don't care if he is a Serb, Croat or Bosniak, or gypsy. I don't give a fuck at all. I'll go out with them nevertheless.

3: I think Brčko is different than the other parts of Bosnia, because here we don't care about nationalism. In all the other parts, in Republika Srpska or the Federation, they think about nationalism. When I went, for example, to one part in Republika Srpska, they asked me: "do you work with Muslim people, do you have a

fight with Croatian nationalities?" So they still think about that. Here we don't care about it. We go to school together, we work together, we have parties, New Year, everything together. Last, for example, Orthodox New Year, all nationalities came. They have respect for that they had party.

Why is that possible here and not in the rest of Bosnia?

3: *I think because they are conservative like this. They don't travel here. Maybe if they go in some Federation part and they visit them from the Republika Srpska, they will change it. Maybe the first time it was strange here in Brčko to be together, but now it is normal.*

1: *I think it is also that it was a must made by the Dayton Agreement. So they said Brčko is going to be unique in this part and people need to live together. That was actually like a testing model for the country. So Brčko kind of stayed mixed from the beginning after the wartime. And the Federation was consisting mostly of the Bosniaks and the Republika Srpska of Serbs. So there wasn't a chance to mix people anyway. And I think Brčko was mixed by then and people got used to living together like they did before the war. So it wasn't a new thing. It was really new and fresh after the war, but they kind of had this feeling. So maybe that is why it is possible here and not in other places.*

And my friends from the Federation, after the war, they just couldn't believe that I have friends who are Serbs. And they asked me, "how is this possible?" And I was like, "why not?" Because I live there and I work with these people and they are my friends. And people in the Federation and Republika Srpska are not used to these things. They just started like four, five years ago. And it is a really hard and intense work. And the thing is, but again, I am very subjective, people forget finally about everything and they just live and deal with daily issues, like unemployment. And then you have these elections, every four years, and then suddenly there are posters everywhere of people promising you to have a better future. And now for the third time, it is just a lie, it is not happening. And then they make people think again about everything over and over. And I think it is just this circle that never ends. But again, I am a very pessimistic person, although I am still fighting against it. But when you see stuff happening on a daily basis, it is unbelievable sometimes that people don't see that they should just open more and stop thinking about nationalities and war and politics.

What has to happen to change that?

1: *To change? I think we need better economics anyway. We need new political leaders in the country. We need more young people being involved in local authorities anyway. And I think if everyone has a job, the person is happy. But we have this very bad economic situation and so many young people are leaving now. It didn't affect me until two months ago, when my very good friends left to Norway. Because they said, "we can't live here, there is no job" They have a little child. And I think more than 150.000 young people have left Bosnia. So what needs to be changed is that we have to change everything and then start from scratch and really try to put more young people, educated people, into this system with decisions and politics and everything. It is my opinion. And it is really hard, because the old ones, they don't want to go away. They want to stay in their function, because it is good paid as well, you know. I don't know if you want to add?*

3: *We just need young people to be president and to be in parliament.*

1: *Young people should get more active in politics. But they do try, but then it is really hard, because these political parties they just make you to become like they are at some point. And then you are just like a puppet.*

You already mentioned the Dayton Agreement. When you view it in the context when it was implemented, in 1995, how do you see that?

1: I think at that point everyone was really happy that the war was over. But now I think it is not well done. It has not solved the problem, because it just divided the country. They just thought, okay, you have this part and this part and you have that part. And I am not happy about the Dayton Agreement at all, because at some point you will have different parts of the country trying to join some other countries, like Serbia or maybe Croatia or something else. And families that live in one country are going to be divided. In general I am not happy about the Dayton Agreement, but I wouldn't know how to do it better, because I am not a politician.

2: I don't know about Dayton. I was one year old in 1995, but I didn't really research Dayton a lot. I know it divided us. I know that we have a three parts country. And that is basically it. Not a happy end. But I don't know much about Dayton actually.

3: I was five years old. I lived in Sarajevo. I came here after the war. Because of Dayton and they said we need to move that part. So we came here.

1: Because your family is Serb, you needed to leave Sarajevo? Because it belonged...?

3: My house is in Federation part. They said that because of Dayton we need to move somewhere, some part which is Republika Sprska.

1: And this is why Dayton is not good, because they made people leave their houses to go somewhere else, because this part needed to be clean Bosniak maybe. I didn't know that at all.

3: And it was very confusing. My parents said, okay, we need to go somewhere. We will see what.

1: [laughs] A beautiful place, a happy place.

And has it worked differently for Brčko than it has worked for the country as a whole?

1: I don't know to be honest. Because at that time I was in Germany as a refugee with my family. So for us it was actually good that we could take our house back. Because when my father left the town, he was kept here for three months. And then he finally got this document. With this document he could leave safely the town. He needed to sign a paper that said that whatever he leaves, it doesn't belong to him anymore. So with the Dayton Agreement for Brčko, for us, for my family, it was like a green light to go back and to take your house and stuff. But we couldn't go back immediately, because Brčko was at that point not the town that we had left in 1992. Our neighbors were gone, friends were gone. At some point it was okay that you can go home, but on the other side it was totally wrong because it was not the place you had left. I think I remember, I was at that time maybe 16 or 17, and all people that we knew were so happy about this, because the war stopped and people could go home. Then years after, people realized this was the best decision to be done. I think that it was the only option that the political presidents at that point could have done.

2: My grandfather told me once a story. During the whole war, he stayed at our house. My father and my mother moved out to a nearby village. And he did as well sign a paper that it doesn't belong to him, but luckily he was a professor here and he was left alone only because of that. Because my house was the first house of the center of the city, it was a good tactical position. And the only thing that saved our house was my grandfather's connections. It is the only reason that I have that house now.

And if they were to abolish the power-sharing system completely now, what do you think would happen?

2: Civil war. I think it would be chaos here. With all the power loss and stuff and fear. Maybe not fully war, but...

1: Conflict.

3: Many conflicts.

1: Maybe some conflicts would be.

2: Conflict. I am not sure what would be, what would happen.

1: There is this one saying, I can't even remember who said the sentence, like: Bosnia is not in the war now, but we have this kind of silent period of war. Something like that. So you don't have this fighting and stuff, but there is this passive feeling of conflict or war happening every day. But I wouldn't know what would happen if this could be... I don't know. But conflict definitely. Because we are almost every day on the edge of some conflict somewhere. It is either not getting the wage for the job you have been doing for maybe one year and there is people not getting paid for this; they don't have health insurance; you can't study because it is very expensive; you can't get a job because of the bribes. I just think that people are stuffed with these kind of things. So it just needs a little drop of something to make an explosion.

But is there a difference between these conflicts that people experience on an individual level, for example when you can't find a job, and the conflict at a group level, when you oppose these Serbs, Croats and Bosniaks?

1: I think there is happening, you can hear, or read from time to time in newspapers, or see on tv, there is a man who wants to put gas on him, make a fire, because he didn't get wages. Or they want to move him out of the house because of something. I think it was two or three years ago we had these big demonstrations, actually the biggest ones after the war. People fighting for their rights. Finally everybody got out on the streets. It was really good to feel this. But then at some point these demonstrations went into the wrong direction, so it was just violent and very aggressive. And they burnt this really important file in Tuzla, a public building, a municipality building, with really a lot of documents. And at the end it came out that it was a group of very young people just having fun. So at some point people want to fight for their rights, for the things they have to have. And at some point it was very violent.

But when the protest started it was all the people together?

1: Yes, everyone, yes. There is one good example for this as well. When we had these floods, in 2014, at that time it wasn't important who was a Bosniak, Serb or Croat. Everyone was together in every situation. People were helping each other. Until the leaders of political parties came to a certain area, to certain towns, and said: "why do you Serbs help Bosniaks?" It happened in Dobojo, you know. People are just like little sheep sometimes. You do yourself and then you start to deal with your own instinct, being a human being. And then there is one guy who is from a national party who tells you that you are not allowed to do this anymore because these people are Muslims.

I am almost through my questions, so maybe just to wrap up. Oh, I had one more follow-up for what you just said. Do you think that nationalism actually matters to individuals or only to politicians?

1: Yes it matters. People try to hold it under control, but it does matter. I think that everyone, like 90 percent of people, is proud of their national holidays, and having any holidays, and their family name. So I think it is important, yes.

2: I agree. They are proud sometimes of that.

1: Which is, I suppose, normal, why not? But the thing is, again, we are a very small country. And then when you have these extremes then it is very bad going out. Of course in Germany or the Netherlands, you have Catholic people living together with Protestant and maybe Evangelists. But the country keeps them together, even when the Catholics are saying we are better than you guys. But this country is very extreme and it has the backgrounds and the roots maybe 400 years ago, starting with Turks. And then it went on and on, and then Austro-Hungarian, and then king Tito, he had it under control some time. And then it was just again popping out. I think this is really extreme for so small country. And it has always been, because it has everything mixed, everything.

My last question. It has actually two parts. Could you say a little bit about how thing would developed in the next 10 or 20 years, ideally, how you would like them to, and realistically, how you think they will develop?

1: Ideally would be if we would solve the problem with not being employed. And if there would be no corruption anymore. And if everyone would get the possibility according to your skills and knowledge. Ideally would be that young people don't leave this country anymore, they stop and they continue working and living here. And ideally would be that people would finally not think about the past, but work into the future.

Realistically, what I see now and what I am afraid of is that more and more people will leave. Not just young, but families will leave this country. I think the system will be more and more rotten, in corruption. And the school system, the educational system now is failing, it is really failing. There is no control, people who make decisions are not skilled for this. I am not positive. Although I am working in an NGO where we fight on a daily basis against all of these things and I really try to be optimistic, and I am probably in a way because otherwise I wouldn't live here. But it is really hard, it is really, really hard to survive. Just being appreciated for your skills and your knowledge and your education. I think if people would start from there it would be perfect.

2: Ideally, I would like to improve the educational system. And less corruption of course. Maybe to not have so much political parties that are oriented in one niche. You know, something nice happening here, something unifying us.

But sadly, I don't know for how long I will be able to maintain myself in this country, to survive. I would not like to leave, this country is my home, of course, my heart. But if it is failing to provide me the basics to live here. Like, my minimum wage now is 150 euros per month and that is though. If I didn't live with my father and if I didn't have extra work that I found as a musician or if I didn't work with animals, I don't think I would be able to survive here. For now I would like to study, but I do not have economic power for it. So it is hard. I am not saying I don't like the country, I like the country. I like everybody here. But I would like to feel better here. To improve somehow the other, to help people. It is my country, I love everybody in it. If it makes me go away, I will be sad, but I have to live.

3: For me, I would like to improve the multi-ethnic system here. We should improve it. Because if we compare, for example, Brčko with Belgrade, then they are so multi-cultural. They have a lot of nationalities. If they want to get a job, they don't care about your background, what is your political party. They just ask you what is your motivation to work that job. It is important, I think, here. If we improve that, I think Brčko and Bosnia would be a much better country.

And do you think it will improve in the coming years?

3: I hope. We have a lot of ideas plans. We will see what will be happened. Maybe just it is dependent, still, because of political parties. If they agree with it, we will improve. But if they don't agree, we need to find some other way.

That was actually all the questions from my part. Thank you very much. Do you think I am missing something or do you want to add anything?

2: No, it was very nice to speak about with you.

3: But it is a really big topic. I am sure we missed maybe some things. I think people are smarter if they travel. If you stay at home and just read from internet some things, you cannot have your own perceptions of life. That is what most of the young people don't have here. They are being left probably in the region with their visions like this. But as we do it at this organization you have to do it to open up for everybody. Somethings you cannot learn at school or from you parents. Somethings you should learn on your own. Just go somewhere and learn with yourself, instead of waiting for your parents to help you. Here it is a problem. A lot of youth people which are 30 years old they still cannot do nothing alone without parents.

They should ask parents, “can I do this , can I do this, can I go outside with the other nationalities?” If the parents say no, you can’t go. But I think we need to have a personal opinion.

2: *It comes from the house. Most of the parents, they lived in that regime. They saw horrible things in the war. They probably have mistrust of other parts, who knows. But I don’t think that should be reflected on the young people. But it will be, it comes from the house. There are some really nationalistic people. There are people here unfortunately. But we are daily in a fight to suppress it. A little change can happen, it is good.*

Interview 6

Respondent

Project manager for an international nongovernmental organization

Key Words

Children/youth; faith-based; interreligious dialogue; minority rights

Summary

The respondent works as a project manager for an international nongovernmental organization in Zenica. This faith-based organization works to advance the position of disenfranchised children across the world. The activities they organize in Bosnia also focus on children and include inter alia sports events and summer camps. The focus in these activities is to bring children from different faith groups together. Many projects target specifically children from minority groups in Bosnia, like the Roma.

Transcript

I know already a little bit about you and the work you are doing, but I was wondering if you could tell me a little bit about this.

Okay. I have been working with [organization], which is an international nongovernmental organization. It is here since some 21, 22 years and I have been working with it for 15 years. So I can say that I am a little bit familiar at least with that part of the development in Bosnia and Herzegovina, because most of my time I was working with [organization] Bosnia and Herzegovina and the past few years I am with the regional team which covers the Middle East and Eastern Europe, 12 countries including a massive Syria response.

So your tasks have also changed significantly then?

Yes. Well, not so much the tasks. I have some horizontal movement, vertical movement, because you know how it works in the humanitarian sector. It is always uncertainty of the job. You have a contract for two, maximum three years, and then you renew the contract based on the funding availability and so on. So yes, it is not that it was a straight forward career, but now I have a bigger portfolio, international exposure, and that is the difference. In [organization] in Bosnia I had some management positions, but I felt it was the time to change a little bit, because it was in Bosnia more of the same.

The same kind of work you were doing?

Yes, more or less, because we have long term development programs and it is pretty much standardized what we should do. Yes, we ask communities for input, but the methodologies and everything else is standardized across the world. So that is our long-term programming, but there is also grant acquisition and management where I am now in and it is more diverse and more dynamic. So that was my selection.

As a citizen of Bosnia and Herzegovina I can say that I am not happy with the situation in my country. I think it has much more potential than it is used and it should have been much better twenty-something years after the war.

Especially in your work when you were doing your projects in Bosnia, did you have any interactions with the government? With the local government, the national government?

Yes, of course, because development work cannot be done without the government. There is no sustainability when the government is not involved. If the government does not take ownership of our projects, of the results of our projects, and takes it up to a higher level, or just keep the momentum, and maintain it. So that is the partnership with the government that is the essential part of sustainability of our programming.

Do you have an example of that?

There are many examples. We collaborate very well. Now when I say “we”, I will be talking of my time in Bosnia and Herzegovina. I am still with them and I know what they are doing, so I can say “we” because I am still emotionally connected. So the organization functions. There is headquarters in Sarajevo, which maintains a relationship with the government of the Federation. And in the Banja Luka office, they collaborate with the government of the Republika Srpska. And there is a little bit of communication with the state government. That especially happened after the flooding in 2014, because that is security and that is under the state government. But the major counterparts are the Federation government and the government of the Republic of Srpska, especially the Ministries for Social Work, and the Ministries of Education, because it is our strategic intent to work with children until they reach 18, and a little bit with the youth to prepare them for economic opportunities. And that is why these ministries in the two entities are target ministries. And the ministry, I don’t know if it is a ministry or an agency or whatever, for disaster risk reduction. Now we have significant programming after the flooding, because everything was quite okay until these huge floods. So a huge setback occurred after the floods. So now we collaborate with that ministry also in order to prepare the local communities to develop or to renew their preparedness plan to analyze what happened, what was the gap, and what they can do. And through funds of the European Union we help them to improve this civil service in the municipalities. So that is the national level. And also the same goes for the Cantons in the Federation, where with the local ministries each are in the development program. And when I say that, that is long-term programming. [Our organization, ed.] is present in local communities for up to fifteen years. In the same community, with the same programming. So there is a long-term approach. And connections are very good, and relationships are very good with the Cantonal Ministries and also with local authorities with municipalities. So I can say that the relationship is quite strong.

But from the other side, but maybe that will be the next question, from the other side we also work with the citizens, especially with young people, with children, to learn how to communicate with the government, to learn their rights, to learn how they can claim their rights, to learn what are the spaces for interaction with the government, to learn what is social accountability, and to hold the government accountable for the commitments that they have done with a few very nice methodologies that can be applied. We have an evidence-based approach how it works. But the approach is more or less collaborative, so we do not work with citizens to... we would like them to talk to the government to see what is the space for collaboration and not to make any revolutions or riots or something like that.

And how does that influence the relationship of [organization] to the government?

Well, at the local level, with the local government it is more or less that the government welcomes that initiative, because they are also obliged by the law to involve citizens in the decision-making. So some of them, most of them - I mean most of them or how many of them I don’t know I have no evidence - but in the local communities in municipalities, people are honest people who really like to do their jobs well, who would like to engage citizens, and who would like to hear their voices. And their job is easier when they hear the voices from the communities. And then they prevent future negative developments, if they listen to the voice of the community. There is a good example. For example, in neighboring Kakanj municipality a few years ago we wanted to introduce participatory budgeting process. And the local government in Kakanj was delighted, really, with the idea. And they really openly welcomed the idea. However, for some internal reasons we did not manage to finalize everything as we did. But since we are speaking about the government it was really nice because they told us they would like to see citizens involved in the process of budgeting in the municipi-

pality. But in the other municipality, in Visoko, it was a little bit harder with the same idea. So it basically depends on the person who is at the leadership position, unfortunately.

And is that about individuals or does it have to do with certain parties that are easier for you to interact with?

Well, actually, it was the same party. The same party, two different individuals. And, I mean, you don't need to say names and places, but what we actually found out at the end of that process is that the most important enabling factor is if the individual does not support you. And that is not good for our programming. And that is something that we really need to figure out how to tackle that problem. Because, same approach, same coordinator, everything was the same, but the response was pretty different.

The same happened. We also tried to support the municipality to develop an action plan for Roma minority. A municipal action plan, there is a national action plan, but nothing happened after the national action plan was developed. So we tried to support the development of local action plans. That is what we have now been doing with the child protection action plans also at the local level. So we had a working group of concerned citizens. They were working, Roma people, people who were local experts, but also people that were just interested in the problem. And they worked together and they submitted the local action plan for Roma minority in the same two municipalities. And the first one it worked, it was approved by the local assembly, by the municipal assembly. And now the same group of citizens have something to monitor, to hold government accountable for. In the neighboring municipality of Visoko eventually they endorsed that decoratively but nothing happened. And in this first municipality they actually invested a bit in the improvement of conditions for the Roma minority. So that unfortunately is the most important factor. It is the people that are in power, the kind of people they are. The system itself is fragmented, it is highly bureaucratic, it is complicated. But, regardless of that it does offer citizens possibility to be engaged and to claim their rights to monitor what government is doing and so on. However, it is not always the case.

You mentioned already that you mostly focus your work on youth and children. But you also for example mentioned the Roma minority. Does [organization] have specific target groups? Is it difficult to reach certain groups of people? How does that work?

Our target group is most vulnerable children and we have certain criteria on how to select and to find out who are they. There are, I think, four criteria that we look at. So it is that children who live after the disaster, when disaster hits, or in areas where there is a slow onset disaster. Especially, for example, Roma minorities sometimes live under a garbage dump or something and that is also a disaster that can affect their health in the future. So the other criteria if they are exposed to abusive relationships or something like that. If they live in extreme poverty. And, ah, I cannot remember the fourth one at the moment, but never mind. It is important that I tell you that we have criteria and that according to that, these criteria, in the areas where we work, we select children with whom we'd like to work, who are our primary target. However, we usually work through schools. All children are welcome in our programming, but we particularly focus on the most vulnerable children in accordance with these criteria.

[Organization] is a little bit specific, because we have this sponsorship programming. So people from the far east they are kind of godfathers to children here in Bosnia. They are directly connected because they communicate. However the funds go to one pool and then community projects are funded from that pool. So they don't send money directly to a child, because it is a very small amount per sponsor and it would not make any significant contribution to a family. But together in one project pool then we can renovate schools or we can do whatever. It is more or less participatory process of developing these small projects. School development, committees usually work on that. Citizen groups, local partners, local NGOs. That is one funding stream, there are also other funding streams, like EU funds and EU projects. But this is something that keeps us present here for such a long time. It is quite flexible and it provides us with the opportunity to stay a very long time.

Flexible because you can use the money for the projects that you want to?

For the projects that we agree with the community. There is a technical program, like an umbrella. So we know we would like to work in education and in child protection and in livelihood and resilience. These are three technical project in Bosnia. But how we are going to work exactly in each community that is done in collaboration and with participation of the people who will be affected with the project.

The way that [organization] defines target groups is quite different from the way in which groups are defined in Bosnian politics. Can you say a little bit about that? Is there a tension or is it not problematic at all?

In Bosnian politics what I see is that political parties are only interested in constituencies before the elections and even the government projects are planned in accordance to that. If you have a big constituency in one village which has no road or any other infrastructure facility, then sometimes local funds will be transferred to that a few months before the elections. I don't have now some evidence based example or something like that, but whoever you ask in Bosnia and Herzegovina will probably say the same. The government is interested in us before the elections when they are elected and once they are elected they just continue what they are used to do. And sometimes that's the criteria. Or the criteria is I come from this constituency and I will push the money towards that. And a lot of tension then between politicians and budget developers where money will go.

What characterizes the constituencies?

Well, I don't know exactly. There are different political parties that have different target groups. So nationalistic parties they mostly rely on rural people. To be honest I don't really see any left-wing or whatever. I mean, it is not only in Bosnia, its everywhere in Europe. I don't see any. There is a so called social democratic party that enters coalitions with the right, the ultra-right wing Croat party, so. I used to vote for them, when I had the illusion that they would still... it was a long time ago. And the moment when they entered into the coalition with the Croat... you know the Ustashe? So that is the... never mind. It is HSP party. You can google and see. But they are really right wing.

I think most of the parties in Bosnia are based still on nationality or ethnicity?

Well, I would say almost all of them. Even these that would call themselves social democrats serve and are trying to compete with the SDA in Federation for the same constituency, which is Bosniak population.

And when you interact with these politicians, that have these constituencies that are based on nationalism?

Privately, I do not interact so much with politicians. I prefer artists and... However, [our organization, ed.] is the organization who is not political. So we do not prevent our employees to be members of political parties in their private life, but we have to be impartial in the field, so we don't ask and we don't... I mean it is important to know because of dynamics in the community. You should know what is going on, but we are not allowed to prefer anyone because of the political party affiliation.

And is that possible to do that in practice?

Well, sometimes it is, sometimes it is not. In many communities we have very experienced facilitators. People who have been working for a very long time. who know the community very well. If you go to the field with some of our facilitators, if you go to the village, you will see, she or he knows everyone. Everyone knows them. So when the time passes you know what is going on in the community, who is who, and then it is easier for you to balance.

In the beginning, I can give you an example of my work, some ten, or I don't know how many more years ago. So we went to the community politically neutral. Totally. We didn't ask who is who. We had a community leader, an official one, and ask him to help us select the beneficiaries for a certain project. He did a list and we checked the eligibility criteria, everyone was eligible, everything was fine. We finished the distribution of some equipment and so on. And after that we received the feedback from the community: you supported only members of this political party. And it was really funny, because both of us we were, we have Christian names, and the political party is heavily Muslim party. So that was luck for us. If it was different, it could have been problematic because we really did not pay attention to this. Only when it is a really, really sensitive area then we take care that we send Christians into Christian villages and Muslims into Muslim villages. If it is sensitive or if it is after the conflict. And now we don't do that anymore. And more or less now people are nicely accepted in the communities. But at that time we were lucky that we were let's say so called Christians and that this was a Muslim party so we could not have been accused, you know, because that party would not receive who was not Bosniak.

So also at a local level it matters which individuals belong to which groups?

Very much, unfortunately. Because the power relations even in the local level are like that. For example in that village, part of the village was one Bosniak party and the other part was second, other Bosniak party. And it was later, when we kept coming back it was equalized with other projects. And we managed to tackle that situation, the mistake that we unconsciously made. And it was okay. But you can see in local communities these tensions, even within the same ethnic group. So if they belong to different political parties sometimes, and it depends which party rules, then these people would get more connections, more social capital, possibility to get employment. So more or less it is all about resources and employment how people are trying to.

How do you think it is determined how these groups emerge? How is the membership of these groups established?

I can just guess, this is not scientific. I suppose it depends on these most powerful members of the most powerful political parties, their background, where they come from. If they come from the area, or the village, they will of course have more people in their network from that area, so that's how it starts. But also there are some traditional areas of interest in Bosnia. So everyone knows, for example, that Zenica is going to vote for SDA, that Tuzla is still a little bit red-ish. So it is expected. And of course, the longer this rule continues, the town or the community becomes more and more affiliated to that ruling party. Because the power accumulates, and the more it accumulates the more opportunities are given to those who are members or how do you say, friends, of that party. So basically I think the power sits with the political parties. Not with the institutions. With the parties.

When you read about the power-sharing system here, the reason for implementing it is often said to be that these groups need special protection. So the interests of each group need to be guaranteed, to be protected, within the political system. Can you reflect on that?

Which groups?

The groups that are granted power within the power-sharing system, so that means Croats and Serbs and Bosniaks.

That is very hard question. I mean, I would prefer to see Bosnia as a normal democratic country where ethnicity is not that much important. I mean, I am coming from the mixed marriage. My father is Serb, my mother is Croat, I am married to a Muslim, to a Bosniak, so really don't care who is who. However, everything in this country just forces you to declare yourself. Who are you? Who do you belong to? If you are not within one group, you are not protected. So the least protected people are those who do not belong anywhere.

I am aware that the reality is the situation that it has to be taken into account, because it is not resolved. But somehow, I don't, you know, I can't remember the theoretical explanation about that, but sometimes you have the new reality and you know that frog when you put it in the boiling water it will jump out, when it is slowly warmed up you can cook it. Somehow I think we are almost now cooked frogs here in Bosnia. Now we think that that is it, and that it cannot be changed and I am not happy with that. And I cannot make peace with this kind of situation. And the renewal all the time of these war stories. For god's sake it has been 25 years now. There are young people who don't remember and why should they remember? But it is so much internalized in the education system, everywhere. So it is the new normal for the new generation and they grow up without knowing who the others are. That is really sad.

Do you think the work [organization] is doing here also interacts with that, does it respond to that? Can it make a change there?

Well, yes, but it is a drop in the ocean, you know, unfortunately. And we do a lot and of course we connect children of different ethnic groups and that is what we do intentionally. Kids are innocent, you know. You don't need to invest a lot of time in teaching them the right things. I mean that people are, should be treated the same. However, when they go home, the environment, the school, the family, the community, the religious community, these influences are much more stronger. The context is much stronger. Because we have been present for such a long time, I remember some small kids that we registered to our program ten, fifteen years ago and now they are students at the universities. And they are now leaders of the new kind of thinking in their communities. But that is very few, and that process is very slow. And the context is much stronger.

I can give you an example. We had summer camps seven years ago, I don't remember exactly, maybe it was 2010 or something like that. We had kids from all ethnic groups, including Roma minority, and they spend seven days in the mountains with facilitators, with trainers. More or less it was artistic workshops. They managed with the help of a director and actress to develop a play, a performance, that they performed in Sarajevo, in Pale, in Zenica, in Tuzla. They had a tour of that street performance. It was really, really great and fantastic and everything was really great for them. And of course teenagers would fall in love to each other and so on, so it was a nice experience to them. And every evening after these workshops and some free time, we had guests speakers. And I invited Fra Mile Babić, who is a teacher, professor, at the Franciscan theological faculty in Sarajevo, to talk to children about religion and so on. And he came and he talked to kids about how God is love and they should love each other, love your neighbor. He talked about love. And of course children understood that that love they feel for each other that is okay, that it does not matter who is who. That is what he told them, we are all God's children and so on. And they were so delighted. The next day the teachers, who were the chaperones, they requested an urgent meeting with us, the organizers of the summer camp. They were so unhappy with what children have heard from the monk. They said it took us the whole night to get them back to the old situation. So they told the children that yes, they are okay, they should respect the other ethnic group, but don't mix, don't mingle. That was terrifying to me. So it is easy to work with children. Children are really open to new experiences and they are like tabula rasa. You can nicely work with them, but the context does not allow it.

Why do you think it is like that for the teachers or the chaperones?

Oh, well, maybe it is not them personally. It is not them personally, because they were there and we told them, you are responsible for the kids when they are not in the workshops. Otherwise you are free to do whatever you like. We were in the hotel, they had a swimming pool, they had bicycles and so on. They could have done anything. So they enjoyed their time during the summer camp, because they were free. And they were all together all the time. Even the teachers who were from different ethnic groups did not see any problems. Of course, always, in Bosnia when people talk there is some taboo areas that, you know, you don't touch. Otherwise if you open Pandora's box, it can become terrible. So they were, let's say, politically correct with each other and they had a very nice time. And maybe, as I say, it is not them personally, but they were afraid to come back to their community with children talking about, let's say, forbidden things.

Because we intentionally selected the most rigid communities and selected the children from these communities to try and work on peacebuilding, reconciliation, in that kind of easy, creative way. So we did not insist on anything, but they are smart kids, they see that nobody has horns, that nobody has tails. That kids from other ethnicities are just the same kids as they are.

I just wanted to go back to an issue we touched upon before, the issue of group rights. What do you think the most important group rights are, if there are any?

In terms of group rights, personally, I would only recognize rights of the minorities. It is very dangerous if the majority claims that it is endangered or that their rights are violated and so on. If they are ruling the stuff, then how come that their rights can be violated? I am not a very big fan of group rights or community rights that could precede the human right of the individual. So for me, first it should come the human right of the individual and then, if these group rights do not interfere with the individual rights, then fine. But for example if the religious community tried to impose community rights to women in the community, and that can happen from time to time, that is not okay. For example, in the holy book, if it is said that punish or penalize women violently that is above in the hierarchy of the right of community rights or religious rights. So I don't agree with that.

So then the individual rights should always be more important?

That is my perspective. It is not the political situation in Bosnia and Herzegovina unfortunately. And I understand that it may be the fear of ethnic political constituencies that if you have one person one vote, that the majority would create the political space. And I suppose that these rights should be in some way protected. But that is something that worked quite okay before the war. I don't know why it is such a big fuss. Because Bosnia and Herzegovina was, in its constitution as a republic in former Yugoslavia it was said that in the country of Croats, Serbs and Muslims that they can claim ownership. But it was also, say, "and, and, and," and "nor, nor, nor". It is yours and yours and yours, but it is not yours and yours, I don't know how to explain it. But it was specifically said like that. It is a country of Croats, Serbs and Muslim, but also neither group can actually claim it as their own.

So that is actually strongly opposed to the current idea of constituent peoples?

Yes. But in the system, in this past Republic of Bosnia and Herzegovina, it was very carefully constructed. The system was set that in the management of the system you cannot have the person with the same ethnic background for four years, you have to change.

Also before the war, you mean?

Yes there was a system of how it was managed and everyone knew that. And they would rotate. Just as they do now, but, I don't know, it was not such a huge fuss about it.

I have two more questions about what you said before. The first is that you said that group rights should only belong to the minorities. Why is that?

You don't need to take me too seriously. I see the current situation, I see how disenfranchised they are, how the system does not recognize them, how powerless they are.

Does that count for all the national minorities?

I'd say Roma minorities, other minorities are more or less integrated. I haven't heard of any discrimination against Czechs or Germans or whoever comes from these, or who come from some developed groups or some sovereign countries. But Roma they are really disenfranchised. Name a problem and they have it. I used to work with Roma communities and I am really sensitive, and they are really discriminated. They are exposed to any kind of discrimination even racism, even if I don't think they are a race, but people would

act in a racist way towards them. So I think they should be protected, in a way, involved in the decision making. At least the decisions that affect their lives.

The second thing I was wondering about is that you said that before there was also this system of rotating. Also given the current context, I wonder how you determine who has which ethnicity?

People would say so, declare themselves. Of course there is always space for a little manipulation, but how would you otherwise say who is who. So you give people opportunity to say, "yes I am." It used to be Serbs, Croats, Muslims, plus certain others. All kinds of minorities, including these like me. And with that category of Others there was space for manipulation. Sometimes, someone from the majority group, if, you know, people are trying to do the best for themselves, either financially or in terms of influence or power and they will do certain things to gain that interest or whatever it is, people would say that "yes I am Roma" or whatever just to be in the position to get that. It was one party, one party rule, so that kind of competition, internal competition, was ongoing. We did not have political pluralism at that time.

I would like to wrap up with a little more general questions about power-sharing. We have already touched upon it. When you go back to 1995, do you think the power-sharing system has delivered anything for Bosnia?

I don't think that Bosnia is now better than it was before 1995, or 1992. I don't think it is better, I think it is worse. Comparing, well, it is not a very good situation in the whole world. Bosnia not being an exception. However, if former communists were more smart before and had allowed gradually political pluralism, maybe it would not be a war. Even if it is not only us who generated the war. It was also who knows what kind of interests. Geopolitical interests and everything else. But yes, we jumped on it. Whoever wanted us to start fighting, we jumped very enthusiastically into that. So we cannot just blame some international community or the Americans, or the Russians, or whoever. At least fifty percent is coming from us. And after that I don't see anything but a deterioration of the relationships, of the system, of the resources. So it is not good.

And the huge apathy among people, especially the young people, they just want to go somewhere else. They don't see that the future, they don't have hope. They don't want to fight here for a better future. And I think that a big mistake was made by the international community. I know that Dayton Peace Agreement was intended to stop the war and then we are going to work on the constitutional reform that never happened. But I think it was a mistake to give the same people opportunity who ruined everything to start building a new state after the war.

And do you think that a better system could have been designed at the time?

Yes, I think so. I am not a lawyer, I don't know how. But it is just as a citizen I see that it is not good, it does not give the same opportunities to everyone. A lot of grey, a huge grey zone is of the power of political parties. The major things are not happening in public, in institutions where it should, but somewhere in this grey power-zone. And that's not good. Instead of fighting against them, people are somehow squeezing themselves to enter that zone, either by being a member or a supporter of the political party or in any other ways. So that's not good. We are very adapted to that new situation.

And that is what changed since before 1992?

Well, the mentality of the people will be always more or less the same under the circumstances. But the circumstances change and they encourage that kind of behavior, which is some kind of behavior of, I don't know, 19th century. People are always the same. But if the leaders are smart to create a system that will better work for everyone and that will create better opportunities for everyone, then people would adjust. And if the leaders are selfish and just want to create good opportunities for themselves, then of course people would find strategies to cope with that to take the best for them what is available.

Do you think that the problem is that each group has power or that the political leaders have power? Or maybe it is a combination of both?

Political leaders and parties. I don't think groups, especially ethnic group, are powerful at all as groups. Especially we see the different coalitions, so everyone would create coalitions with everyone. So there is not consistency. You cannot see that there is strategy, we want this or we want that. The message that is conveyed to us all the time is that the biggest group is the most powerful, but I think it depends on the leader. It was always that there was a biggest group in Bosnia and Herzegovina, even before we were never being 30/30/30. There was always someone that was bigger in numbers. But I think that is the false agenda. When I hear that I always think of 19th century, even before the emergence of national states. And that should be in the past really. And we are so small. And it is so pathetic, really.

And what if they would stop, like completely get rid of the power-sharing system now, what do you think would happen?

That is a tough question. I don't know. Anything could happen.

And what do you think the future will look like from the current system?

I don't know, I hope that... the problem is that this kind of education system does not lead anywhere. So the future from my perspective looks like this. The resources that are left at the moment would be, how do you say, I am trying to find some expression from the animal world, you know everyone would grab as much as they can. And when all resources are finished, then maybe some young generation will emerge to stay. Because we cannot all leave the country, someone will stay. But the capacity of the people, the knowledge, resources, it is getting worse and worse. And when we hit the bottom, there is no way down anymore. That is just a hope.

You think the reality will be that Bosnia will have to hit rock bottom, before it can...?

Yeah, it will hit it. For sure. Because I don't see the vision, I don't see the strategy. I don't see nothing but fighting for resources for the small group of people. And the gap is getting bigger and bigger, and the frustrations will probably get bigger and bigger.

And is there anything that can, in your opinion, change this process that you see going on?

It is really hard. The citizens themselves should do something. Even I, when I go to elections every time, when we open that poll, there is no... The political space is so corrupted. Decent people don't want to involve in politics. Until they decide to say "stop" and "now we want to take over". Maybe then. But again maybe I am just thinking about... even urban environment is not very aware of what is actually going on. In the rural areas people are so connected to their local leaders. They feel and they know and they would swear. And they know that they are bad, but they think at least we know that they are ours. So better them, we know them, than somebody else. I don't know. I am not the right person to answer that question. But if decent people would start dealing with politics, people who are experts, but we have less and less experts.

Do you think that can happen in the current system or would the system itself have to change?

Well, it has to start with the current system, because who is going to change the system? So it has to start, but it should be, you know, a momentum. But it is really hard, because you cannot gather people from two entities around the same idea. There were some attempts several times, but that remained very, very small. And people would not vote for those people who are open and who would listen to people from other ethnic groups, so. I don't know, but it has to happen sometime in the future. I don't know when.

The other possibility would be that this power that the international community still has is used. But again, it would be imposed from somewhere else and it would not be a genuine movement. So I really hope for a genuine movement within Bosnia. Otherwise, unless someone intervenes, I do not see how the system can

be changed, because the power holders, they enjoy it. For them, it is good. And for all us others, it is bad. But people, there is a very specific mentality of the people. They think it can be worse, so it is better we shut up.

Better the evil we know than the evil we don't know?

Yes! And let's try to take for ourselves what we can take. It doesn't matter how little it is, but take that little. So yeah, I am happy that I can work with an international organization, so I can be a little bit aside of all these developments. I don't have to think about strategies of finding a job through these grey channels and so on. Because it is really, really hard for people to get employed in some normal way of application process, transparent and so on. And this grey zone is becoming bigger and bigger. And more influential.

Those were the questions from my part. Thank you very much. Is there anything you still want to add, you think I left out, or think I should look at.

Well, no. I hope I helped at least a little bit. I would just like to know when you are going to finish this and if we will be able to see the results.

Interview 7

Respondent

Representative of a nongovernmental youth organization

Key Words

Youth/children; interethnic contact; peacebuilding

Summary

The respondent works for a nongovernmental youth organization. The organization trains and educated youth workers. It organizes a broad variety of activities and clubs for young people in Brčko District. The organization has twenty-six youth clubs/offices, many of which are in the more rural areas of Brčko District.

Transcript

Could you start by telling me a little about how you identify the different groups you work with and how you approach these groups?

Yes. We are active here since 1998 as an institute for social development. Then in 2004 we got the new law here in Bosnia, in Brčko, and then since 2004 we are active as a center for youth development, because we use youth as a primary focus of our work. Basically it was peacebuilding work in the beginning, in 1998, 1999, 2000. In the beginning of [organization] it was actually a peace initiative. It was aimed to train you people about youth work and how to work with groups of young people in order to create some bridges between people. At that time, Brčko municipality was divided in three municipalities. One was where the majority were Croats, and one part were Bosniaks/Muslims, and third was Serbs. So we were building bridges between young people using youth work as a tool. For example you start a music group in this Muslim part and music group in Serbian part and then these two music groups together go and record an album or create a festival or things like that. Or you start a dance group there, dance group there, a photo group, theater group. That sort of stuff.

So we get support from this Swedish international organization and from the University of Jonkoping, School of Communication from Sweden. And also some professors actually from Sweden, Northern Ireland, England, and also Netherlands, I think even Rotterdam. I am not sure. I can't remember. But they were professors of this youth work and training for trainers education.

So from the beginning we invested a lot in this education of youth workers. And then we started, because we get a huge base of educated young people who want to do something, to provide support to their activities. And then we started – it was like offices like this – and then we opened youth clubs and youth centers in order to give them some place to work. So right now we have like twenty-six youth clubs here in the Brčko district region. Because we recognize that young people in these villages and rural areas and the suburbs of cities don't have the equal opportunity to get to the information about some activities or opportunities to get some trainings, like afterschool activities, things like that. And slowly we started to create these youth clubs. We started with three clubs, and then we get twelve, sixteen, something like that. Until we came, in like three or four years' time, to this number of twenty-six youth clubs. We have fifty-two youth workers, volunteers, activists, who are actually working with two thousand young people on a daily basis. That is

not part of our work, which is youth work and development of youth work in Brčko and this country. On a European level we are active on different levels, on different fields. And that is one program that is since the beginning of [organization], that is our core work, youth work and education about youth work. And then from that we also developed these youth policies and youth clubs legislation to kind of organize this work.

And the focus you had in the beginning, you said, where you bring different ethnic groups together, that continues in the youth clubs?

Yes. In Brčko it is quite simple now to work these multicultural, multi-ethnicity activities. But in that time it was difficult. It was difficult to bring people from one side to another, to get them to know each other or to organize something together. Now we also encourage that, but that is not the main focus of our work. Because in Brčko district there is a community, the municipality of Brčko, where everything is kind of joint: police, government, assembly, health. All institutions are anyhow mixed, schools, and people have a chance to meet each other and to discuss things and get to know each other. To become friends, to fall in love, things like that. It's okay. But in different parts of Bosnia it is still a big issue, this entity border line. It is a kind of invisible line, but it is still there. People don't really like to travel, for example, from Banja Luka to Sarajevo. People don't feel safe from Sarajevo to go Dobož or somewhere else. Which is very strange. And I think there is a lot of things to be done there. There are some programs working in that direction. We are active, but not so much in Brčko, about this peace and reconciliation, because it is more or less functioning here.

So the second thing that we are doing is the promotion of this European program called Erasmus Plus for youth. So we are contact point for Bosnia and we organize trainings for young people who want to get some projects funded by this program or that want to meet some other people, that kind of stuff. Since 2014 we are the contact point for that program here.

And the third and most recent one is: since 2015 we are doing these programs and projects related to radicalism and extremism among young people. Because we noticed that many young people are kind of poisoned with that or they are in danger of joining a radical group, groups of any kind. We recognize this hate speech, and there was a no hate speech campaign. We can clearly see on social media that a lot of this hate speech is coming from young people. And we also have some researchers saying that from Bosnia a lot of young people went to Syria when the war started.

Is this specifically religious extremism?

Not specifically. We started with this no hate speech campaign. And a lot of this Islam radicalism and extremism and we are seeing it like that. But we are actually trying to say that all other people have some radical or violent activism or, how to say this, they can bring that also. It is clear that there is some radical nationalism. There is this supporters group, for example, for football clubs. That kind of stuff. There was some violent behavior. Or this violence against this LHTB population. Things like that. There are many kinds of extreme and violent behavior. So we wanted to create this safe environment for young people to grow up as a normal person, to provide some alternatives. But because it is kind of popular now, this radical Islam, of course we are tackling that as well, but not in tackling only that. We don't like people to be extreme in a way to hurt themselves or to hurt anyone else. But it is okay to be extreme, to be a poet or a dancer. You can do extreme dance, or climbing, or jumping from parachute, it doesn't matter. Things like that are okay. If you are young people it is okay to be radical, extreme. But there are things that you can do not to hurt yourself or to get me or other people in danger. That is something we are trying to do. We are working on prevention and offering some alternatives for young people. For example come to our organization, join some sport club, do some music, travel, meet other people, things like that.

How does this extremism that is apparently on the rise among young people relate to the multi-ethnicity of Brčko district?

It is not that much in cities in Brčko district. Of course we have some campaign that is online, on Facebook and Instagram now. And you can see that anyone who is having some really negative comments or who

is feeling offended, these are people coming from small places. From rural areas from Bosnia, which is mono-ethnic societies.

This is nationalist extremism as well?

It is, it is very much nationalism and it is religious extremism. They are really defending their attitude. For example, they say that we are all paid by Soros or by Americans to have this propaganda. They don't want to accept that we have an issue. That there were three hundred people from Bosnia that went to Syria to fight there. Or we have twenty or seventy, I am not sure, mainly Serb people from here going to Ukraine to fight on the Ukrainian battlefield. Things like that. So they don't see that. If you speak here about that Islam radicalism, if you publish some news about it, they will say that there is Ravnogorski Chetnik Pokret this Chetnik movement from Second World War, they are always having these kind of festivals, these military exercises in Višegrad and Tuzla. So that is the first thing, they can never say that this is true. It is always like, "look we are okay, but these others are the problem." The majority of the population are Muslims actually in this country, so they can't see any discussion. Three days ago we had this conference organized by OSCE and there was this main imam here from Brčko and there were these main priests from Catholic and from Serbian churches. And they also state that that is not religion, that is like ideology. That is like Islamism or any kind of -ism, so we are not supporting that. But still these people who are living in some remote places, they don't know much, you know, about the truth behind these religions. So they feel really offended. I don't know how to explain this, but I can show you the comments they are sending and the messages. They really take it personally, like we are offending just the Muslims in this country.

It is not easy. And because it is not easy, we are trying to do something. And the kind of the approach we are trying to have is that we don't do more harm with our action. We will start a new project with education of youth workers, actually, in Brčko, Bijelina and Tuzla. We will teach them how to recognize it and how to deal with it when people are becoming extremist, because we work with young people. And when you see the changes of behavior and attitude in young people, we will train these youth workers to influence them and to speak with them and to try and to bring them back to this light side and don't let them go to that dark place.

So it is just the beginning. We cannot say we are experts in this field. We are just developing curricula and we will try to do this with these thirty young people and we will see, we will learn. It is this process of learning. We have these lectures, we are participating in trainings. There is no profile, you cannot set ten indicators that need to be achieved in order for young people to become radical or to do some violent actions. So because there is no profile of this, we don't know. We are also learning and we will try to offer this program of education for these youth workers. And then we will see if it is successful, if there is some benefits for the young people to this program, then we can offer it to schools, to social workers, to other people. So we are also testing it right now. Because we don't have the same background as for example the UK that has developed programs for police officers, school, parents. The Netherlands has. We don't have that historical and political background. We never faced it before, so it is new things for us here as well. We don't know, but we are willing to learn and we are doing some actions.

When you talk about these nationalist or ethnic groups, what are the main differences between these groups? How do people differentiate between these groups, for example in their nationalist narratives?

You are here for how long? You can't really notice that any group is different from another. More or less, we are all the same here. But in these narratives they will always remember history and historical things. For example, Serbian national group they will always say it is like they are Turks, so the Muslims are from Turkish Empire. So it is going deeply to history like that. These Turks did things, like four or five hundred years ago, and of course we deserve some revenge. Muslims talk about the history in this recent war. Croats will speak about some other history. So it has a lot to do with history, I think, here. And they will always find some justification for their actions in something that happened before, historically. Or if it is now this

global issue, like we heard recently this Croatian president Grabar-Kitarović, she said there is like ten thousand Mujahedeen in Bosnia and that this is very threatening for our national security and for our national safety, because in Bosnia there are ten thousand jihadists. They will use these global trends. You know, it is always Croats, Serbs and Bosniaks. So they will use either this history or these trends of what is now happening in the world. Serbs will say, for example, that they are here to protect the Western civilization from the East, from the Muslims. We are standing on the frontline of the civilization. Things like that, very crazy. Basically, behind that all is this personal interest or political interest.

When do these histories and narratives becomes important to people?

During the election time, that is when there is much publicity about this. And the political leaders will express it and they will try to bring their voting body, to homogenize it, and then they will call themselves from history or a fight against the common enemy. So mainly during the election time, which is like every two years, so most of the time, actually. All the time.

Is it then mostly important to politicians or also to other citizens?

People watch too much television here. That is my personal observation, but still. My mother, whatever she will see on tv, she will believe it. And she never had internet and she never traveled around to meet people. So whatever she sees on tv, that's it. That is how her opinion is created. Of course there is also her historical background, she remembers things after the Second World War, but right now the majority of population is still watching news and creating their opinion about that, about things in the world, about things in this country, watching tv. And all the tv, most of them, all of them, are basically controlled by some political elites. So that is very...

Is there a difference in the power that these nationalist politicians have in Brčko and the rest of Bosnia?

You have to clarify that, what is the power-sharing?

What I mean by power-sharing is the representation in the different government bodies. So at the national level that would be the presidency or the house of peoples.

So how do you think we don't have it here? Of course we have it. We have the essence of Brčko district that we share everything. According to this 4-4-2 criteria. So forty percent Muslims, forty percent Serbs, twenty percent Croats. Everything: budget, positions, employment, building, streets, infrastructure, everything is according to that.

How does that affect the nationalist rhetoric?

Here it is okay, because they agreed on that principle and it is clear. They just act like that. It is not good for the district as a whole. If you are not part of any of this national structure, if you are a minority or if you don't belong to any of these three main nationalities, then you have a problem. If you are unemployed now, and you go to register yourself to this unemployment bureau, you have to say you are either Bosniak, Serb or Croat. If you say you are nothing, or you are like Chinese or whatever, they will never invite you for any job. Because you don't belong to any nations. Just simple as that. So you have to state who you are, where do you belong.

The whole idea of Brčko district is that each of these three nationalities has equal access. Because of the population they counted, and they know exactly, this 4-4-2 key is okay for everyone. It is functioning like this, which is crazy for everyone else out of the system. If you don't feel like Bosniak, Serb or Croat then you are out of the system, but if you are feeling really as a Bosniak, Serb, or Croat in Brčko district, then you are protected as a polar bear or something.

How do you determine if you feel like a Bosniak or a Serb or a Croat.

I don't know. You are born with it. People generally know who they belong to. From their parents, from their family, from their background. Because automatically they will teach you: you have this religion, you have national holidays, things like that. So you are born in a family of Bosniaks and then you celebrate Bajram, Ramadam, you go to mosque. And so it is natural for you that you are Bosniak. I don't know, you will assume that you are like that. But technically, I know this because I went to this unemployment office, you have to say to who you belong. Or you can leave it blank, but then you don't have any opportunity to participate in any programs or employment or things like that.

Do you think that for that reason people could, for example if you want an opportunity for employment, you can just write down something?

Yes, you can say you are Croat, for example.

Do people actually do that?

Yes, some people do that. You can use that system. You just fill in you are Croat. There is no official statement of the government bodies that they will state who you are. You can go to church or to mosque and state that you are Catholic or Muslim. But there is no official document that says that you are Bosniak or Croat or Serb. You just state that you are feeling as a Serb. So today I am Serb, for example. I am feeling like a Serbian guy, so today I am Serb. You can change it, whatever you want. But people will not believe you, because in this country your name is really connected with your nationality.

But it doesn't matter if they don't believe you?

It doesn't matter. Officially if you say that you are Serb, now on paper, as you apply for the job as a Serb, even if you call yourself Muhammed, they have to accept that you say that you are a Serb. Very strange.

Could or should that be done in another way?

I don't know, I think it is okay. I was first fighting against it, but now I understand that everyone is happy with it, so...

How were you fighting against it?

Promoting these European values and global citizenship. And we all have the equal rights and opportunities and things like that. You don't have to be Bosniak, Serb, or Croat to get some benefits, to be part of the society. You can be, I don't know, Eskimo, or whatever. If you are normal, if you are hardworking, why should you be stopped to access some public institution or some public funds and things like that. But then I understood, okay, people are happy as it is right now. I really believe that in the next maybe twenty years it will be different. But still, right now, it is important for people to say. Because people were fighting in war to have a right to say that they are Muslims. To have a right to say that they are Serbs. To freely go to church, to mosque, to exercise their religion. Because in the previous system, which was communist system, they were kind of stopped to do that. Now I think that they were fighting for it, and now that they get it, enjoy. That's a personal observation.

I was wondering if you could tell me what you think is the function of the group right in facilitating what you just described? So again, what is here 40-40-20, the representation.

It is great here. It really sounds funny, but it is functioning. It is okay for the majority of the population, which is like 95 percent of population belong to any. We have 5 percent of Roma people or other minority or people who don't want to say who they belong to, or because they come from mixed marriages, things like that. But for the great majority of people it is functioning. When you know you have you representatives in the Assembly of Brčko District and you have representatives in the government, and you have a right to appeal to go there and say you are feeling that your rights are not respected... it is functioning.

Why is it important to have people representing your group in the government?

Because that is what it is all about. These ethnic groups are only fighting for their members. They are not going to fight for the rights of other people. They don't care. But they will not interfere, that is the funny part, which is why it is functioning. They are not really going to interfere if you do something here. For example, they are building this monument for Serbs and then for Croats and for the Bosniaks, the armies, in this previous war. If you don't want to destroy our monument, if you want to build your own monument, it is okay. So that is here in Brčko, that is how it is functioning. If you don't touch their properties, their rights, you can do your things. You can organize your days of whatever here, religious, national. Nobody will say, for example, you can't organize something related to ethnicity or religion here.

Why is it different here than in the rest of Bosnia?

We have money. [laughs] We have really a lot of money compared to other parts of Bosnia. There is enough money to share this 4-4-2.

So because you can build three monuments nobody will complain?

Yes. You can organize three football clubs, or sixty cultural associations, six hundred NGOs. Nobody cares, because there is money. If there is like twenty million budget here, then we will have a problem. But we have 220 million per year. For them it is okay. Each of them will get enough money to help their own national group. There is money, so I think the money really helps.

Are there also actors or organizations that are against this 4-4-2 system?

Not really, no.

Everybody agrees with it?

Everybody enjoys how it is. We don't have any human rights organizations. Out of 680 organizations, like NGOs, not a single one is a human rights organization.

Why is that?

Because we have money. [laughs] If you belong to any of these groups, you don't really have to complain. Why should you. Because if you want to organize your own tournament or you have your own holy celebration of something, you get that covered. So why should you complain, basically? If somebody stops you, first year, second year, third year, then you will have a problem. Whatever you propose here will be approved, we have money for that.

You already mentioned you think it might change in 20 years?

In 20 years probably it will.

How will it change?

That is also my theory, that is my thinking. Because these people here, not only in Brčko but everywhere in Bosnia now, we have a majority of population that actually go to vote in election time. I sleep, for example. That day is Sunday, and I don't want to do anything. So you just keep it, you don't go to vote. But people from rural areas, from villages, they will go to vote. And they are really keen to get their representative in any kind of assembly or something, because then they have this connection, these relations, and then they can achieve their own aims. And right now we have the situation in this country that people from rural areas are actually leading this country, in Brčko district and in most of the country. And these people of course want to resolve the situation in their own village. They want to have this road, they want to have this infrastructure things to be done, school, gym, church, mosque, whatever. So they want to have this infrastructure, because they don't have it. And I don't blame them. Before I was kind of angry because of all this building in villages, but then I understood that for the last fifty years, after the Second World War,

these villages were really low. And when you go to the village, you cannot drive a car, because there is this bad road. They don't have water. They don't have any cultural center or association or something. And I kind of understand now that these people are really into politics, because they want politics to resolve this infrastructural thing. And then I have this theory that when they get the same opportunities as you have here in the city, where it is kind of normal for you to have water or electricity or a cultural center or a sport club, things like that, that in 20 years' time, when they get all these basic needs fulfilled, that then they will start to think about culture, struggle, cultural exchange, European Union, travel, trade, languages, things like that. Right now we have the majority of people in this country, 70 percent, actually living in rural areas. And they are really living bad. Because the villages in Austria or Switzerland or any other developed country are not like villages here. They have everything fulfilled. There you go from the city to the village to live there, because it is peace, nature. Here it is not. Here if you go to a village, you suffer.

So that is my theory. That in 20 years' time we will really invest a lot of money to build villages and then these people from villages will be kind of equal part to discuss what is the next step forward for all of us. Because they will not have an argument. Because right now this is a good argument. When you come here, then I propose to build this gym here so I can play volleyball after working time and he says, "but my kids, they don't have school, they have to travel twenty kilometers to go to the first school; we don't have hospital." And there is like four, five thousand people living in that village. "We don't have anything, we don't have a road." And of course the priorities for them right now, you cannot argue with that. But in the next fifteen or twenty years, they will have roads, hospitals, everything I have here in Brčko. And then his argument will not be valid anymore. "We have a better hospital than Brčko, we have better cultural center or gym."

You think that nationalism actually...

... is coming from villages.

...had a feeding ground in economic inequalities?

Yes, it is like that.

This is for Brčko district, and what about Bosnia as a whole?

I think for Bosnia as a whole. But for Brčko definitely. Because you can just see the people who are right now in the assembly, out of thirty one of them how many of them are actually from Brčko, from the city, and how many are from the villages. You can easily calculate it and you will see their background. And they are voted by the villages. I think five or six of them are from Brčko town, which is like 45.000 people, and fifteen, sixteen of them are from villages which they also vote for. So that is strange. Because people from Brčko, they don't vote. Because they don't have program you know. What can you say now? These are the maths. You can easily see how many of the people represented in the assembly are from village and how many people are from Brčko. And I don't know now all the reasons behind it, but that is the fact.

You said you were fighting this before and that you stopped fighting it, because people...

We don't stop fighting. We just don't promote that we work on it. Because even though, we are saying we have open doors for everyone, it doesn't matter if you are Serb, Croat, Muslim, Roma, Jew, it doesn't matter, you can come to [organization]. People can do things together.

And that happens as well?

Yes yes. We are still working on that principle, but we don't push it out, how to say, we don't promote it as a main thing for us. We just do it. We still don't belong to anyone, we are still open, but we are just not promoting it as in the years we used to do it before.

And at the national level. How do you feel about the power-sharing at the national level?

I think it is the same. Brčko district is just this country in a small. It is a bit more complex, but it is also shared among these three nationalities and that's it. And then you have these political parties and then every four years you can have a change or not. But still the politics don't play a major role. It is all about this national rhetoric and national stories. Because the country is constituted like that, that you have to have these three nationalities present in any decision making body. And you have this mechanism that you can stop any decision, because you feel your national rights are in danger.

What do you mean by the country is constituted like that?

We are not a country, Bosnia and Herzegovina is not a country of citizens, we are a country of Bosniaks, Serbs and Croats. Constituted out of two entities. That is how it is written in this constitution. So we are not country of citizens or kingdom of citizens, we are country of Serbs, Bosniaks and Croats.

What do you think about that?

Of course there was this big case in the European Court, *Sejdić-Finci*, that if you are Jew or if you are Roma, you cannot even be voted for president. Even if you live here for 500 years, if you have family here, still, if you do not belong to any of these three nationalities, you cannot be voted as the president in this country. And of course this is not fair. And the Strasbourg Court of Human Rights, they made Bosnia change the constitution. But it is not happening still. It was like ten years ago. So it doesn't matter how you feel, there are facts that Bosnia has signed this charter of human rights and then its constitution is wrong from the beginning.

So you think it should be changed?

[Sighs] Yes. I think it should be country consisting of citizens. Not of the nationalities. So every citizen has the same rights. Because right now it is obvious that we don't have the same rights.

When this constitution was developed in 1995, the actors then involved said it was intended to stop the war. What do you think of the way in was developed then? Is that different from how you view it now in the current context?

That is just politically. That some people think it should be changed, some people are fighting for it to be like it is. But my personal opinion is that it is like every document that humans ever produced that can be changed. It is a living document. The youngest countries, like the United States, they have a constitution, but then they put amendment two, three, four. You should change these documents according to the current situation. Especially if the European Union, for example we want to be a part of European Union, says that you should change it. And you still pretend it is okay. Like this. So of course every document should be a subject of revision.

And if they would revise it now. If they would take out this whole principle of three nationalities. What would happen?

I don't know. I don't think it will be like that. It will never happen, because this mechanism is already there. For example, Serb, according to this constitution there is these two entities and they get Republika Srpska as an entity, and they have all rights in the state authorities to say we are stopping this, we are not voting for this, because we think it is against the Serbs.

And if the international community would say.. okay?

What can they say? Because they wrote this constitution, it was a mistake from the beginning, what can you do now? So they are just acting according to the law. So that's it. I don't think it will change in the next twenty years.

That were all the questions from my part.

Not that complicated actually. [laughs]

No? What did I forget? What is more complicated? Is there anything you would like to add that you think I left out?

No, that is all. It is these three ethnicities and three religions, actually. I think that the role of religion in all of this is very huge. It is always connected, religion and nationality is connected in this country. So if you are Serb you are one hundred percent belonging to this Orthodox church. Even if you are not. Even if you are Bosniak and you want to be Buddhist or whatever, because you are Bosniak because of your family and tradition, but you can feel as Catholic, that is not acceptable in this country. So religion is also having a huge influence on this power-sharing, because it is really connected. Even if we are not this religious country, so to say, we are democratic country. But still behind all of that is a huge influence by these three religions.

Do you mean religion as the practice of people or the communities or the religious leaders?

Leaders, leaders. And practitioners. Because when you go to church or mosque, these people do not just discuss or pray together with you. They will discuss some political things, the current situation, what is going on. Besides the tv, the religion will create your opinion about something. They will serve you, "this is what we feel as a Muslim about that." And that is just strengthening this nationalism. I have never been there, but I do not believe that they go to church or to mosque and then they discuss, "oh these Muslims, Croats or Serbs are nice people. We fancy them. The European Union is a good idea." I don't believe they do say these kind of things. But that should be a different research probably. But that is my feeling, that is what I feel.

I was in Sanski Most last week, where I spoke to the people from [another organization]. They work a lot with religion. They try to do exactly what you say. They try to get these religious leaders to see that it doesn't say anywhere in the Bible or the Quran or whatever sacred text that nationalism is important. Actually, nationalism might even be like blasphemy. And they try to have these religious leaders to acknowledge this, so they can also preach different things, like non-violence.

That will not happen, I think.

I think on a smaller level they are having some success in Sanski Most, for example in the school with religious education.

Maybe. That is what maybe missing here, because how this nationalism is created is through this political leaders and through the tvs and then through the churches and religious organizations. And of course, you as a parent, and your friends as a teenager. I would say it is not that different from any other place in the world. Even you have just politicians talking on tv and then you just go to church or to mosque and then you hang around with your peers only from the same nationality or religion then what kind of individual you can create. So that is what I am telling you from these small villages, from these small places in Bosnia. Because if you are a Bosnian Muslim living in Lukavac, hundred percent of people are also Muslims and Bosniaks like you. And then when you see something on Facebook that says Croats and Serbs are our brothers, you say, "fuck you, don't speak like that from my name, they killed us in Second World War, in last war, remember Srebrenica, Chetniks." Because he has all right to say that, because he feels safe. He never traveled around. He just goes from his house to his job to his mosque, and coffee bar and that's it. He doesn't care about [names other places] Banja Luka. And then, what can you do? He never saw a Serb in his life.

There are many programs currently running that to try to connect these people living in the two entities. Because even during the war it was not completely ethnically cleared, now it is like this. After the war people are selling their properties in the Federation and come to Republika Srpska. People from Republika Srpska come to Federation. So in these twenty years after the war, we have ethnically clear cities and entities more or less.

We have millions of funny stories about this. There was this police officer in Banja Luka. Obviously I broke like five traffic rules. He was very angry and then he saw my driver license and then he asked me – because he is a young police officer he has never stopped anyone who is Muslim and he was working very nervously and then he just gave it back, saying, “go, go, go.” Because he doesn’t know how to behave now. Because it was clear that I had crossed a red traffic light and I could hit a lady with a trolley and a baby. But because I am [name] he now thinks I am a fucking Muslim. What to do now? I could just go to court and complain he just punished me because I am a Muslim. And I could do that, easily. In Banja Luka he treats me differently because I am a Bosnian Muslim. He stopped me just because he knows I am Muslim. Very strange. So he was kind of calculating, and then just said go, go. Didn’t even ask. I am a huge problem for him. It was funny because he was like 22, 23 years old. You could see that he had just started. And I said, okay, I am wrong. Just write me a ticket and that’s it. But he didn’t dare to write me a ticket. But most of the time it is not funny.

Interview 8

Respondent

Research associate for an international research institute

Key Words

Democracy; democratization; human rights

Summary

The respondent is a research associate for an international research institute. The organization focuses on emerging democracies and transnational and international institutions. The organization does policy research and analysis, but also engages in advocacy and public engagement. The main aim is to draw attention to the realization of the liberal democratic commitments of emerging democracies and institutions. The respondent worked on a project on democratization and human rights policy in Bosnia.

Transcript

Okay, so practically I can give you a list of NGOs that you might be interest in talking with here. But as you said, it is all so very interconnected. Because people differentiate from project to project. For example one project might be on, let's say, direct democracy mechanisms, and the other one can be something totally different. But again, it is all so connected. I mean, I can give you a list so you can see who you have been talking to and who not, perhaps.

That would be great. And your own research? You said it is on constitutional reform?

Yes, we have all been working on this effort for years now: Coalition 143. It is a perfect model, let's say, and ideal model, of how Bosnia and Herzegovina should function. To have only the state and municipal levels of government, which would cut out all the excess administration we have now.

Both of the entities and the cantons?

Yes. From a practical level that could save a lot of money from the country. And from an administration point, the state would have all the necessary ministries that would then delegate work to other institutions.

Constitutional reform. I have worked on a project including civil society in constitutional reform efforts in Bosnia. For a year and a half, I was a field coordinator. So I traveled around the country, identifying potential partners and stakeholders, people at NGOs that were interested in exploring the theme of constitutional reform. We have done more than two dozens of small scale projects with NGOs throughout the country, including Republika Srpska and more far to the east parts of the country. However, we couldn't change anything, but we have started a discussion among the NGOs and the citizens of the small communities. The project unfortunately ended, because there was no, let's say, strategic plan on how to move forward, what we wanted to do forward. However, the issue still stands. There has not been any discussion on constitutional reform, unfortunately. And people are not as interested as they were, let's say, three or four years ago.

Why is that?

Because every effort until now has been futile. And if we see the efforts coming from up to the lower levels, let's say to the society and the international community, all these past efforts have not included constitu-

tional reform. Including the reform agenda, that has been going on now for more than a year. It has had six points, the reform agenda, and it has been focused mostly on social and economic, but mostly economic, parts of the reform. It is mainly dealing with public enterprises in Bosnia and Herzegovina. It has not mentioned constitutional reform in any form or way. For example, we have three decisions from the Court of Human Rights in Strasbourg that have not been implemented. The decisions that practically, if they were to be implemented, would have to be constitutional reform. Because there are groups in Bosnia and Herzegovina that are being discriminated against. So you can either be Bosniak, Serb or Croat, but you cannot be a citizen according to our constitution, because the constitution does not recognize the citizen as a category. And also national minorities and other minorities which have been put in one group, that is the Others.

You mean in your perception a citizen of Bosnia doesn't really exist?

Exactly. You can call yourself a citizen, but the category as a formal legal category in the constitution does not exist. And there are no direct democracy mechanisms in the constitution itself. For example, the entities have their own acts and laws regarding referendums and people's initiatives. However, the state constitution does not provide for any initiatives or referenda. So yes, that is one of the lacking parts. And the other parts are, if we look from a practical side, Bosnia doesn't have important ministries on the state level. For example, we don't have a Ministry of Education or a Ministry of Agriculture on the state level, which creates a huge mess just with the coordination with the entity bodies. Because the Ministry of Education in the Federation, we have eleven ministries of education, because every canton has its own ministry. So it is a wide and excessive administration.

You say that citizenship doesn't really exist as a legal category. Did I understand that correctly? How would you define citizenship then?

Citizenship is legally if you are a citizen of this country. But if you want to declare yourself as a citizen, not as an ethnicity, you will be put in a category that is called Others. You will not be differentiated from, let's say, people from Slovenia, that are a national minority here, and you as a citizen. So you will all be put in one specific group that is the Others. Then the Others will be discriminated against, because they cannot run for president and they cannot run for the house of peoples of the parliament of state. So in that way.

So there is no citizenship apart from the ethnicities?

Yes exactly.

And in the promotion of the project that you were doing who were the main counterparts? Who were you talking to in the Republika Srpska and the Eastern parts of Bosnia?

Mostly civil society organizations. And we were trying to find civil society organizations in parts of the country where people have not thought about constitutional reform, where they have not thought about the practical, pragmatic side of it. Because it is all very fire-y. When you talk about constitutional reform, it automatically leads them to think that somebody wants to abolish one entity or that someone wants to strip them of their rights. But we try to have a different, practical approach saying that when we reform the constitution, that would mean that you would have these and these rights and that you would not be discriminated against if you went to a different part of the country or if you went to the hospital. Because we have a huge issue with our health system, where for example people from one canton cannot be treated in another canton if there is no agreement between the health institutions. So those practical things we would try to do.

So we would talk to the NGOs and then they would decide if they want to do a project or not. They would present their idea, and then we would help them with drafting the whole concept of what they want to do, because their project would have to be tailored specifically to that community and that area. Because it is very different. For example if you go to Bihać it is different than the people in Mostar in the things that happen in different municipalities and cities. So they would decide to do the project and then we would discuss

how to promote that in their own communities, because again the language would have to be tailored for the audience in a specific municipality.

Could you describe this difference that you mention?

The differences are maybe just in the reactions to constitutional reform. We would see rural areas maybe more differently than more urban areas, because a lot of people do not understand what that means. We had an issue where we had to explain people - it took time, but it was a good challenge - where we had to explain people that the constitution is like your personal document. It is like your personal ID. It says everything you need to know about yourself as a part of this country. And people are mostly afraid to talk, mostly in rural areas, because they think it is all legal terms and they cannot comprehend it. So one part of the project was exactly explaining to people that it is all their issue, the constitution is their issue, and they should take ownership over it. So that was one of the challenges we navigated. But it was quite interesting and the project was a success in that way that we have accomplished reaching a lot of people in only a year and a half. In talking, in having discussions, in Bihać, in Višegrad, in Srebrenica, in Rudo. For example, Rudo is one of the cities in this country that has completely been forgotten. It is cut off of rest of the country. There are no regular bus lines to Rudo. I mean, there are, but no regular. So talking with people there, one of the important things is that people wanted to be asked about their opinion. And they wanted to say their opinion. That was one of the important things we got with the project. We had a good diagnosis of the whole situation in the country.

You already mentioned this difference between rural and urban areas. Did you also notice a difference in the different ethnic groups that you were dealing with? Did that matter at all?

Overall, actually, no. We have had support from people from different ethnic groups. And different ethnic groups sitting in the same room saying, "hey, this does not work for us, but something else would work for us."

And with "this" you mean the current system?

Yes. For example, we had a project in Doboј. It is in Zenica-Doboј canton, in Republika Srpska. We had focus groups with mostly women talking about constitutional reform. And focusing mostly on social security services, or social insurance, or health issues. Where you would have women of different ethnic groups, sitting together, talking about their experience while being pregnant. How they didn't have the appropriate care. How it differentiated from the place that they went to. So for example, in Republika Srpska and the Federation they had two different treatments. Not from an ethnic side or any kind of that discrimination, but just the difference in the health systems. Because the Federation has a totally different system, while the Republika Srpska is more centralized in that way. So we didn't have any conflicts at our workshops or events, fortunately. It could have gotten heated, and sometimes the discussion did get heated, but again people would come to the same conclusion: that this system is not functional as it is.

Do you think there is a relevance or a significance to these ethnic identities in these discussions?

From my experience, the ethnic identity wasn't something that was a focus of the conversation. That is maybe partly because we have tried to take it out of the discussion and talk about practical things, about things that the community needs or that the municipality needs. It is all for all people. For example, if your roads are not good, it does not matter if you are a Serb or a Bosniak or a Croat. Your roads are not good. So what can we do to work on that. So we had a really good team of people where we tried to put the discussion, the focus of the discussion, on practical things, not the ethnicity. But again, for example, it depends from situation to situation.

In 2013, for example, the whole country was talking only about national identity, because we had the census. The first census since the beginning of the war. So the focus was on national identity in political parties, in NGOs, everywhere, in mosques and churches. That was the year of the national identity, let's say. And then you get all of that, repeatedly, in the pre-election campaigns. So the rhetoric becomes more nationalist

and that is one of the things that drives people here. And that is the fear. The creation of fear of the other that you don't know. Will he attack you? Will he not? What are his interests? What are not? And then people vote as they vote and we have the same situation for the last twenty years.

The issue is again that we don't have any new faces in the political scene. We have had the same faces for the last twenty years, even though we did have an increase of new parties, young parties, more progressive parties. It has all been the same. They quickly become a part of the system and then you cannot differentiate the left from the right.

How do you see this interaction then? Between these nationalist narratives in politics and these more local problems, the problems that everybody shares?

There is a big gap between it, because of the municipalities. The municipalities are arranged in a way that they have their own assembly and their own mayor. But again, mayors can be independent and mayors can be a part of a party. So for example, when you have had the local elections here, you can see which parties gained the most places in which part of the country in which municipalities. And then you can draw a line from the party politics and the municipal politics. It will not be different a lot. But again, when you think about the municipal level it has been disconnected from the state level in a practical sense. Especially in the Federation, since you have the state and then the Federation delegating money and resources and people to the cantons and then from the cantons to the municipal level. So you have a huge gap in between where they are not in sync. For example, the Federation and the municipal level. As I said, the Republika Srpska is more centralized, so there is only the municipal level in the Republika Srpska and the state. However, you can see the national rhetoric in the local elections too. And one of the main issues, with the local level for example, is that a lot of parties and people that represent a party and run for mayor will talk about higher level politics. They will take into consideration, for example, the reform agenda or EU integration, while they will not be talking about fixing the roads, fixing the sewers, or fixing the situation that goes on in the municipality itself. There is not a lot of differences, especially if the mayor comes from a certain party. So you know he is going to follow the party discipline, just not to what extent, that is to be seen in the election.

Do you then think that there is a difference between the relevance of ethnic identity in politics and of ethnic identity to individuals?

When it comes to big decisions, ethnic identity becomes important to individuals too. Because somehow, safety is in numbers. And feeling a feeling of belonging to a certain group of people is what is important here. However, one of the things that happens is that groups fear other groups, have a fear for other groups. And that is where the problem starts. And that is a problem with politics, because our system itself is nationalist and it's extreme. Because you can see and hear the rhetoric on a day to day basis. And then the people, for example if you have referendum talk every three or four months, and if people are against the referendum, then the people that want to participate in the referendum will feel threatened. And these are the political games that go on. For example, you feel that you want to belong to a certain group of people. And then the ethnic identity becomes important. When it comes to religion also. Because ethnic identity here is very connected to religion. So it is one or the other or the third. So if religious things come into question, ethnic identity will again prevail and become the focus.

We have not seen incidents, in any part of the country, where you can say one ethnic groups have gone into fight with the other ethnic groups. Again, where you have public discussion or where you have a debate there might be a person or two, because there is always cases like this, that will be more patriotic or national than the other ones and they will try to start a discussion about that. But again, when you think of it, there has not been much ethnic conflict here. However, one of the things that politics nowadays does, the politicians, is creating a potential for going into extremes. So I mean, nationalist rhetoric does not do good to anyone. And if people feel afraid, there is a possibility of something, I mean, let's hope that it doesn't come to that. We are having our general elections next year and if you track it you will see that it is more about ethnic identity than actual policy in decision making. Because that is the way they get the elections.

How are these groups formed? How are they constituted?

How do you mean?

How do you determine the boundaries of these groups? How do they determine I am part of this group and not of that group?

It is very simple. For example, I will go back to the census. People in the first phases, when the whole census process, the concept, was being developed and the questionnaires were being developed, the questions on nationalism, religion and language were closed type. So a group of NGOs, a huge initiative, emerged in Sarajevo and the effort resulted in opening the questions and have semi-open questions where people could declare something else excepts for Bosniak, Croat, and Serb, and Other. However, the questions on nationalism and religion were non-mandatory. But, the question on language was mandatory. And the language question was actually a proxy to determining the ethnic identity of the individual. For example, you could say you speak Bosnian, Croat or Serb language. And it would definitely put you into a certain group. And as I said, religion is very connected to ethnic identity here. So you would have Bosniaks, who would be predominantly Muslims, and Serbs would be orthodox, and Croats would be Catholic. That is one of the ways. And then geographically, for example in Republika Srpska, you would have in certain areas a majority of Serb population. So it is practically just religion and language, what differentiates the groups. And then you have a group of people that say they are "Bosansi i Hercegovini" or just "Bosansi", that are people that feel that they are citizens of this country and that their religion does not matter. They might be atheists, they might be religious, or they might not be. But they are citizens of this country. And Bosansi i Hercegovini is not recognized by the constitution so they are Others.

Do you think that these groups that are defined in terms of religion and language, also need special protection, special rights?

When you think of the Bosnian context, the three groups are the only ones that by the constitution have rights. We have a problem with the fourth group that has no rights practically. So the thing is that the constituent peoples are constituent peoples and that means that, let's say in that way, that they are superior to other groups in the country. However, we have reports about, let's say, one group being the minority in a certain area and that they say they need protection. For example, a month ago or something like this was in the news. I have not seen it, it has allegedly happened. A group of Bosniak, that is Muslim, high school students or primary school students, were kicked off the bus, because the driver said this is a bus for Croat kids. And that apparently, allegedly, happened in Kiseljak, where there is a majority of the Croat population. And then you might go to the middle part of the country where you have a Bosniak majority and then you would have a group of Croat people saying that they are discriminated against. I mean, the main problem is that basic human rights in this country are not being respected. And that is the stem of the problem. Because we can speak about groups and group rights, but again, when it comes to individual rights, we have an issue with that too.

Do you think this problem can be solved if individual rights would be upheld everywhere? Would you then not have a problem anymore?

I mean, again speaking from a practical perspective that includes health insurance, the same health insurance in all of the country. For example, if I now went to Banja Luka and if I broke a leg, I want to be treated there. Human rights as in whoever wants to run for president can. And if you don't want to be a part of the three constituent peoples, you don't have to be. You can be something else. You can purely be a citizen of this country. I don't think it would solve all the problems, but I think maybe it would open the discussion with people, inside the people, where people could feel that this is their country. Because you have groups of people who don't think or consider this to be their country. Or to consider that this country is doing well for them. Or that it is their homeland. So that is the thing.

But again, if we go to individual rights, we have to go to the political part of the story. There has to be

political will to make changes in the country. Because we can have individual rights, but if we don't have employment opportunities, if young people are leaving this country, because of the system and the faults in the system, then it is very hard to talk about anything they are saying that way. I think that the administration of this country is so excessive and so unnecessary, that a lot of basic issues get lost. So depending on the opportunity and depending on the event, let's say the elections or answering the questions of the European Commission questionnaire, the rhetoric is always the same. And then you have basic problems of normal ordinary citizens not coming to the agenda. And that is the issue.

And these issues are usually individual issues and not issues that pertain to a particular group?

I mean, you can have individual issues, but let's say, municipal issues, community issues. Group issues is specific, but let's just say community issues, where communities don't have enough attention from the country, from the state. And that is a problem. Where cantons mostly deal with managing themselves. And then you have the municipal level that is practically disconnected from the rest of the country. And it doesn't matter if... For example, you have municipalities where all three different groups live together. And again, they still don't have basic things in their community. They don't have chance for employment, they don't have a good pension, they don't have mobility, and the state does not worry about that. In those issues, ethnic identity becomes irrelevant. Because all of the people are in the same situation.

To whom does it become irrelevant?

To the people. Because it doesn't matter if I am a Serb or a Bosniak or a Croat if I have nothing to eat.

And to the politicians?

The politicians are not dealing with this issue. They are not dealing with this issue. But for example if you have a pre-election campaign, you would see politicians and political party leaders say, "okay, this is the party, predominantly Bosniak, that has employed 400 people, only Bosniak, and that is why you don't have any work." That is the rhetoric you will see. And then you will see anger from the other people saying, "okay, why is this party only employing these people? Why are we not employed?" So that is the talk. But again, when you go deeper under it all, it is not the truth. Every party employs its own people. When you look at public enterprises in Bosnia, it has SDP in one public enterprise, and then you will see the whole administration being SDP and then you will go to another public enterprise and then you will see SNSD for example. So as long as the administration parts, the communication levels are very far away from the municipals level to the state. And then when we talk about groups, ethnic identities, we have to go to the lowest level, because that is where the people live. So that is one of the more important things that nobody thinks about when they think about individuals just working and living on the ground.

So that is the situation now. When you think back to 1995, to the Dayton Peace Accords, they did implement this system with a particular reason, to create stability or peace. Do you think it has brought any benefits?

I mean, it has brought benefits. First of all, it stopped the war. But the second thing is that the Dayton Agreement should have served only as a framework. It should have evolved into something else, or it should have been replaced with something else, better. Its only purpose at the time was to stop the war. And there was a time provision. That was to say, okay, after the war has stopped, we can do something else. That was the only benefit at that point of the Dayton Agreement.

However, when we see it now, nothing has practically changed. Except that every change that has happened was practically imposed by the High Representative. For example, Brčko entity, that was the only amendment to the constitution and it was imposed. The only maybe good thing that has happened in the past decade or two, has been the reform of the military forces. That was one of the things. When you think, for example, about 2006 when there were serious talks about constitutional reform and there were packages presented for constitutional reform, nothing got passed. Because there was no political will.

The one thing, the one issue we have in this country, is that all decisions have to be made behind closed doors. Citizens are not included in any discussions. When it comes to simple things as adopting a law, for example, you would have a scheduled public discussion for a certain law that would be published two days before the actual discussion. And people would not see it. And again, people are not... We are still transitioning. People here do not know enough about democratic processes. You have groups of people such as NGOs or civil society organizations that are pretty knowledgeable about these things, And then there were trainings, there still are trainings. But people on the ground, from the lower levels, they actually don't know a lot about democratic processes and what can they ask from their country or what can they do with it. So I mean...

So the Dayton Agreement was good on paper, and good to stop the war, but it should have evolved. And one of the things, for example, that [organization] continues to mention, is that it is not smart to expect of this system to evolve by itself. There has to be effort, there has to be ideas. The system itself will not go through this evolutionary line of fixing itself. Because we have seen in the last 20 years that that doesn't work.

Do you think that the expectation was that it would?

[Confirms]

And who should make these changes?

The expectation was, I would say, well from people, not the politicians. Because the politicians enjoyed it. Because it allows them to behave as they behave. Because there is no accountability. There are no repercussions for what they do and what they don't. Who has to make the change? I think it is a bottom-up and an up-down principle, where there has to be discussion between the citizens and between the politicians. With the help of the international community. Because there is so many tools that the international community could use, and it doesn't use. Again, there is a disparity between the citizens, the international community, and the politicians. One of the things that the international community does not do is face the politicians with the consequence of what they do and what they don't. If you ask them to do something, and they say they will do it, and they don't do it, there are no consequences. It gives them the motivation to move forward and do the same thing over and over. So that is the thing. We need a dual approach to change here, where it includes all spheres of the society, from around here and from the outside.

This is going back a little bit, I am sorry about that. Are there certain groups that are granted different kinds of group rights, for example when you think of the Roma minority here?

Yes. The Roma minority here is, again, in the fourth category that is the Others. And if we go specifically to that group we have Mr. Dervo Sejdić, who has gotten a decision, a positive decision, of the Human Rights Court that says that he is discriminated against in this country because he cannot run for president nor the house of peoples of the state parliament. However, there have been projects that work on inclusion. But again, how that works on the ground is different. Practice is different than theory. And it is very hard without any proper discussion to destroy the prejudice in the people against a certain group of people.

I am glad to see that there is a lot of Roma inclusion projects in the country. I mean, it is all good, but we need to give them their constitutional rights. That is one of the starting points. Because we can have projects and we can try... One of the good things is that for example the educational system is now more inclusive than it was fifteen years ago. But then again, you have two schools under one roof. So there is a huge difference and a gap between one side and the other side. I think we have a long road ahead of us in just rooting out discrimination, the system discrimination. It might not be as much in people, in individuals as it is with the system. And if the system discriminates a certain group of people, it doesn't stop the other group of people to discriminate the same.

Which group of people does the system discriminate?

All people that are not the three main constituent peoples. I mean, if I cannot be a citizens in this country, I am discriminated against.

There is no discrimination against the constituent peoples?

That is a hard question, because that is a question of... Legally, in the administration perspective, I would say no. Just because they have no issues in employment, the three groups, because they have been given rights with the constitution and laws. Employment, health, education, anything, you have it. But again, among the groups and in local communities, there might be discrimination. As I said, if you have a minority of a certain group, they might be discriminated against. How? I do not know. Maybe through the school system. Like I said, you have two schools under one roof, that is discrimination of both groups. It doesn't matter who is the initiator of having such a school. For example, you have probably heard about the language issue in Republika Srpska. Where you have the education institutions and all the other institutions not recognizing Bosnian language, but Bosniak language. That is one way of discriminating against people. Because if someone from that part of the country comes to another part of the country, just from an educational point of view if you want to go to a university here, you would have a difference saying, "okay you have not studied Bosnian language, you have studied Bosniak language." It is one of the issues too. And again, it is all political. Because politicians gather political points by doing so.

And if there were no special rights for the constituent peoples anymore constitutionally, how would it affect these kind of issues?

They are not official rights. They are just rights that have not included other groups of people.

Can you explain that? What do you mean they are not special rights?

I mean they are not... For example, my point of view is, they are just rights given to people. If we take away the constituent peoples, they are given to people that exclude a certain group of people. So there is a norm now, where you have to have a certain number of Croats and Serbs and Bosniaks in the parliament. For example, at the cantonal level, some cantons have included Others in their cantonal assemblies. So that means national minorities. But again, it has to follow the constitution and say 'Others'. It cannot say any other group. It cannot say citizens, it just says Others. If you had a category that is the citizen in the constitution without having these norms of Croats, Serbs and Bosniaks and Others, it might be different. There might be a different competition. But if you want to keep... Again it is very important, because it is a sentiment here, it is a matter of sentiment being a part of a certain ethnic group. One of the things that the model K143 proposes is on the municipal level to have something like nationalist assemblies or ethnic assemblies or whatever you want to call them to make sure that every part of society and every part of the population in that society is represented. That is the main issue. For example, in speaking about rights of representation, Because the country, the people of the country, are not represented in the parliament as they should be, because it all goes to political parties. Again, there is a discussion in some cantons about how many Bosniaks and how many Croats should go in the Federation parliament. Because if the municipality has more Croat population than Bosniak, then why do more Bosniaks go to the assemblies? So if we just made sure that there is a proper representation of this society, I think we would see an improvement. But until then, again, if you see discrimination, if you feel not represented in your state parliament, in your entity parliament, that is again discrimination. Because some other municipality or some other part of the country will be higher up on the list of priorities that your municipality. So yes.

Do you think there are currently any initiatives to address these issues, apart from the project that you were a part of?

Oh yes. That was the constitutional reform, including civil society, And then K143, that is an ongoing thing that we keep promoting and we want to keep promoting. Because we believe that it is one of the ideal ideas for Bosnia. Again, it can be modified, it can be worked on. But, the initiatives like this, no. There was one organization, there is, CGS, in Livno. They have been doing the project with Peace Nexus, I think, two years ago, where they tried to promote equal rights, equal constitutional rights for all people. And again, going to practical things. What each municipality needs, what the population in the municipality needs, and going from that. But nowadays, no. The issue is that even the state does not promote equal rights. That is

one of the main issues. Because if you see, if you are an individual in this country, your country and your administration and your state are not prioritizing equal rights for everyone. You will learn something from that example. And then you will maybe not mention it or it will not be important to you. Because you would say, if it is not important to the state, why would it be important to me? It matters that I have my rights, why do I care for other groups? So that is the logic behind it.

So the focus of the project you are involved in is to create equal rights and to abolish the difference between constituent peoples and others?

That is one of the wanted results of the initiative that I am in. But the main thing is just trying to make the country functional in a way that you won't have such extensive and excessive administration. Where the state would save money going from a 118 ministries that we have, going maybe just to the state and the municipal level. And then it would flourish. I mean the only logical result of it is, if it has enough money, you would have businesses open. Again, one of the things that the model advocates for is equal business opportunities. I can send you the model and [colleague] will probably too. It is a really good study and an economic study of what would happen if we only had the municipal level and the state.

And that is the ideal situation of how it would develop? And realistically, how do you see this happening?

Basically, I indeed believe in the idea. And I think that people here are ready for something like that. The time has come, But again, it is really hard to take out the sentiment, put it elsewhere, and look just at the practical issues. And the other thing is, all of the people in the administration want to keep their jobs. And that is the defense. I am not sure how many people are now employed in the administration, but it is a huge number. And then those people don't want to lose their jobs, so this is the system that perfectly suits them, not the citizens. And that is that.

You said that the people are ready for a change?

I think so, yes. If you only look at Sarajevo, for example, now we have water shortages every day and people are fed up with that, because it has been going on for months. That is one practical thing not being solved, only in this canton. And then you have other things in other cantons. People are not satisfied with their lives, people are not satisfied with their salary. Not satisfied with a lot of things. But again, the challenge is how to accumulate the dissatisfaction and then turn it into something productive. That is one of the things where there needs to be an effort. And again, the people are not seeing any steps forward. From the international community or the government. So it is all solved. We have been in this status quo for years now and nothing has changed. So I mean, the people are ready for a change, they are ready to make their lives better, but there is a lack of direction and there is a lack of the main idea of how to do it and what to do. So yeah, I think we should work on that.

And when you think about the future, say in five or ten years, do you think that any changed will have come?

I mean, no. I don't think so. The last five years have been practically the same. Only if the international community chooses to use some of their tools to put pressure on the politicians to do something differently, there might be change. In any other case, no. I mean, we talk about EU integration, we talk about the reform agenda, but again, people forget that we needed a year to translate the European Commission questionnaire. A year only just for the translation. And that is one of the things that show how fast we move forward. And how fast someone requires us to move forward. So there are no requirements for this political setup, the setup for politicians to do anything differently in that is the issue. And we will see that the reform agenda talks and discussions and process will continue, but again, it has not brought anything substantial. We have seen a lot of changes in public enterprises, for example being privatized. They call it mini-privatization. But we have not seen anything that directly concerns the citizens of this country. So to expect any

change, any substantial change, I don't think so. Unless there is a certain pressure put on the politicians. Because recently I have been in a conference where people asked me what do you think that the influence of the international community in the country now is. It has practically become just expressing concerns about things in this country. There has to be a certain balance between what you require politicians to do and how you treat them if they don't. They need to balance that. Because if they don't, it will just continue the same way it has until now, and that is a big issue.

APPENDIX B:

Interview

1. INTRODUCTION

- a) How do you identify the target groups your organization works with? What is important in identifying the target groups your organization works with? How are the individuals within these groups identified and approached?
- b) Can you tell me a little bit about the relevance of the political power-sharing system in Bosnia and Herzegovina for you work?

2. GROUP IDENTITIES

These questions primarily concern the group identities of the three main social groups in Bosnia and Herzegovina: Bosniaks, Croats, and Serbs.

- a) What are the main characteristics of the three largest ethnic group in Bosnia and Herzegovina? What are the most important differences between the three largest ethnic groups in Bosnia and Herzegovina? What is ethnicity?
- b) To whom are these characteristics or differences important? When are these characteristics of differences important?
- c) Can you describe to me how an individual becomes a member of one of these three groups?
- d) Can you tell me a little bit about the differences between constituent peoples and Others, apart from the different status assigned to these groups in the constitution?

3. GROUP RIGHTS

These questions concern the rights to political representation assigned to the constituent peoples in the power-sharing constitution of Bosnia and Herzegovina.

- a) Can you tell me what you think the importance of these rights in Bosnia is? What do you think are the benefits of these rights? What do you think are the disadvantages of these rights?
- b) To whom do you think these rights are important? When do you think these rights become important?
- c) Are these rights important to prevent one group from being disadvantaged? In what situation can a group be disadvantaged? How does this affect individuals?
- d) Do all the actors you or your organization engage with/interact with share this view on the rights of the constituent peoples in Bosnia and Herzegovina?

4. POWER-SHARING

- a) Taking you back to 1995, when the power-sharing system was introduced, what do you think it has delivered for Bosnia and Herzegovina? Do you think the system worked as it was supposed to/intended to work in 1995? Do you think a better system could have been designed?
- b) What do you think would happen if the power-sharing system were to be abolished right now?
- c) What do you think, ideally, should happen with the political system in Bosnia and Herzegovina? What do you think, realistically, will happen with the political system in Bosnia and Herzegovina?

APPENDIX C:

Information and Informed Consent Form

Informed consent for participation in the research project

‘Group rights and group identity in power-sharing democracies’

I

(name of the participant)

consent to participate in an interview for a study conducted by

Sanne Hupkes

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+3150 36 36161

University of Groningen, Faculty of Philosophy

Oude Boteringestraat 52

9712 GL Groningen, The Netherlands

Study conducted under supervision of

Dr. E.K. Wilson

e.k.wilson@rug.nl

University of Groningen, Faculty of Theology and Religious Studies

Oude Boteringestraat 38

9712 GK Groningen, The Netherlands

I am aware that participation in this study with the title ‘Group Rights and Group Identities in Power-Sharing Democracies’ is entirely voluntary. I may withdraw my participation at any time and have the data obtained through this study returned to me, removed from the database or deleted.

The following points have been explained to me:

1. The purpose of the study is to create a better understanding of the possibilities and challenges of power-sharing democracy.
2. I will be asked to participate in an interview with the researcher.

3. No risks or inconveniences are associated with my participation in this research project.
4. The entire duration of my participation will be approximately 60 minutes.
5. I may choose whether I will be identified or remain anonymous in relation to the information will provide in the interview.
6. The researcher will answer any questions I have about this study, now or at any time while the study is ongoing.
7. I have been provided with the contact details for the researcher.

Date:

Participant's signature:

Date:

Researcher's signature:

For any complaints about this study, please contact the Research Ethical Review Committee (CETO) of the Faculties of Arts, Philosophy, and Theology and Religious Studies of the university of Groningen, e-mail: ceto@rug.nl

Information about the study: 'Group rights and group identity in power-sharing democracies'

Purpose of the research project

The research project is a PhD project in Philosophy and Political Science. The purpose of this project is to investigate the problems as well as the benefits of power-sharing democracy in order to create a better understanding of the possibilities and challenges of power-sharing. The power-sharing system in Bosnia and Herzegovina is the case that is examined in the research project.

Procedure

In order to gain a better understanding of the way power-sharing works, the research project includes interviews with individuals from various organizations in Bosnia and Herzegovina. As one of the participants, you will be asked about your perception of the problems and benefits of power-sharing in Bosnia and Herzegovina.

The researcher will conduct a semi-structured interview in which you will discuss your views on the matters investigated. The duration of the interview is approximately one hour, but this can be adjusted to the availability of the participant.

Possible risk of discomfort

The interviews are not expected to carry any risk or lead to any discomfort for the participants. The matters that will be discussed might be politically sensitive, but will be treated confidentially if so requested and hence will have no political or social consequences.

Voluntary nature of the participation

You are free at any time and for any reason to withdraw from the study, without any adverse effects on the study or in any other way. Even after participation you may still decide that the data collected during the interview may not be included in the study.

Confidentiality

The result of this study will be treated confidentially and, if you wish, anonymously. Your personal information (the organization your work at, your position) will only be connected to the interview data and stored with the interview transcripts with your permission. If you wish for the data to be treated completely anonymously, this information will be omitted. In that case your data will be processed only by means of a participant number.

Your personal details, such as name and address, will be kept separately from the research data and, when applicable, from the participant number.

Further Information

If you have any questions about this study, you can ask them now. If you have any further questions after the interview, you can contact the responsible researcher:

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Or, alternatively, the researcher supervising the PhD project:

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For any complaints about this study, please contact the Research Ethical Review Committee (CETO) of the Faculty of Arts, Philosophy, and Theology and Religious Studies of the University of Groningen, e-mail: ceto@rug.nl

Samenvatting

Democratie in Sterk Verdeelde Samenlevingen: Consociationele Democratie in Bosnië en Herzegovina

De meeste hedendaagse samenlevingen zijn pluralistisch en democratisch. Dat burgers het niet over alles eens zijn, brengt de stabiliteit van de democratie niet *per se* in gevaar. Mensen hebben verschillende theorieën en overtuigingen over hoe ze hun leven willen leiden, terwijl de samenleving tegelijk op regels berust die voor iedereen gelden.

Maar wat als een samenleving dusdanig verdeeld is, dat zelfs over de meest basale regels geen overeenstemming bereikt kan worden? In sommige samenlevingen staan de belangen van verschillende groepen haaks op elkaar. Ze zijn het bijvoorbeeld oneens over de grenzen van de samenleving, over de taal die er gesproken zou moeten worden, of over wie zich een burger van de samenleving mag noemen. In zulke gevallen is democratie als bestuursvorm niet zomaar toe te passen. Dit is bijvoorbeeld een probleem na conflicten, wanneer als onderdeel van een vredesovereenkomst gestreefd wordt naar democratische bestuur. Hoe kan een democratie er dan uitzien?

Dit proefschrift onderzoekt een theorie die voorstelt democratische stabiliteit te kunnen realiseren in zulke sterk verdeelde samenlevingen: het consociationalisme. Het consociationalisme betoogt dat in sterk verdeelde samenlevingen politieke leiders voor democratische stabiliteit kunnen zorgen. Terwijl de samenleving verdeeld blijft, werken elites samen. Zo kan sterke maatschappelijke verdeeldheid samengaan met democratische stabiliteit. Echter, critici van het consociationalisme betogen dat deze vorm van democratie niet in overeenstemming is met de waarden van de liberale democratie. De vrijheid en gelijkheid van individuele burgers die centraal staan binnen liberale democratie, komen in het gedrang in een consociationele democratie waar de aandacht uitgaat naar groepen en politieke elites. Preciezer gesteld, onderzoekt dit proefschrift de compatibiliteit van consociationele democratie en liberaal democratische waarden.

Ik benader het debat tussen voorstanders van het consociationalisme en hun liberale critici als een debat over het realiseren van democratie in respectievelijk niet-ideale en (bij benadering) ideale omstandigheden. Is consociationele de meest liberale vorm van democratie beschikbaar voor sterk verdeelde samenlevingen? Ik beargumenteer dat dat niet het geval is. De focus op politieke elites en groepen belemmert de maatschappelijke verandering die nodig is om sterk verdeelde post-conflict samenlevingen rechtvaardiger te maken. Zelfs als er onder burgers de wens bestaat om toenadering tussen groepen te bewerkstelligen, dan is dit binnen een consociationele democratie veel te beperkt mogelijk. Dit is in het bijzonder schadelijk in post-conflict samenlevingen, waar verschillen die werden ingezet en benadrukt in een gewelddadig conflict, blijven bestaan.

Dit debat tussen voorstanders van het consociationalisme en hun liberale critici kan niet los worden gezien van de praktijk van consociationele democratie. Ten eerste, omdat door de veelvuldige toepassing van consociationele theorie in post-conflict samenlevingen deze theoretische zorgen over rechtvaardigheid mogelijk ook hun weerslag hebben in de praktijk. Ten tweede, omdat meningsverschillen over de eigenschappen van sterk verdeelde samenlevingen niet beslecht kunnen worden zonder daadwerkelijk deze samenlevingen te onderzoeken. In dit proefschrift ontwikkel ik

een benadering om filosofische theorieën over rechtvaardigheid en empirisch onderzoek te kunnen combineren. Met dit raamwerk betoog ik enerzijds dat we theorieën nodig hebben over perfect rechtvaardige samenlevingen. Zulke theorieën fungeren als een blauwdruk bij het corrigeren van onrechtvaardigheden. Anderzijds laat ik zien hoe empirische onderzoek kan helpen om deze theorieën toepasbaar te maken op omstandigheden die verre van ideaal zijn.

Het consociationalisme is een empirische theorie die zich heeft ontwikkeld van een verklarende tot een prescriptieve theorie (Hoofdstuk 1). Arend Lijphart, de grondlegger van het consociationalisme, ontwikkelt de theorie op basis van een studie van stabiele democratie tijdens de verzuiling in Nederland, in de eerste helft van de 20e eeuw. Tijdens de verzuiling is de samenleving zo sterk verdeeld, dat mensen van verschillende groepen niet of nauwelijks met elkaar in aanraking komen. De verschillen tussen de belangen van de groepen zijn zo groot dat de kans op conflict veel groter wordt geacht dan de kans op overeenstemming. In deze situatie besluiten politieke leiders voor democratische stabiliteit te zorgen. Politieke leiders zien in de verdeeldheid van de samenleving een gevaar. Om te voorkomen dat verdeeldheid onttaardt in conflict, kiezen ze ervoor om de politieke macht te delen door middel van coalitievorming.

Aan de studie van de Nederlandse democratie zijn nog veel empirische studies toegevoegd. In eerste instantie van samenlevingen waar consociationele democratie min of meer spontaan ontstond. In tweede instantie van verdeelde samenlevingen waar consociationalisme bewust, vaak door externe actoren, werd toegepast om een eind te maken aan conflict. Vier kenmerken karakteriseren consociationele democratie: (i) de vorming van een coalitie van politieke elites; (ii) proportionele representatie van belangrijke groepen in deze coalitie; (iii) veto-rechten voor groepen voor het blokkeren van beslissingen die te zeer indruisen tegen hun belangen; (iv) een bepaalde mate van autonomie voor elke groep. Deze vier elementen zijn de leidraad in het constitutionele ontwerp voor sterk verdeelde samenlevingen waarop consociationalisme wordt toegepast.

Liberaal critici stellen dat consociationele democratie niet in overeenstemming is met de waarden van de liberale democratie. De focus op politieke leiders doet af het aan het idee dat in een democratie in principe alle burgers mee moeten kunnen beslissen. In een consociationele democratie stemmen burgers weliswaar voor hun politieke leiders, maar die trekken vervolgens in een coalitie hun eigen plan. De focus op groepen is in strijd met een liberale focus op het individu. Individuen kunnen hun stem alleen doen gelden via de leiders van de groep waartoe zij behoren. Wie niet bij één van de groepen wil horen, kan niet op dezelfde manier meedoen in de samenleving als de leden van de groepen. Dit staat de vrijheid en gelijkheid van individuen in de weg.

Om de verschillen en de overeenkomsten tussen liberale en consociationele democratie te analyseren, doe ik twee dingen. Ten eerste ontwikkel ik een raamwerk voor het analyseren van de relatie tussen ideale en niet-ideale modellen: de Continuüm Benadering (Hoofdstuk 2). In de politieke filosofie worden ideale modellen gebruikt om het idee van een volledig rechtvaardige samenleving te vatten. Welke regels gelden er in zo'n samenleving? Hoe ziet die samenleving eruit? Ideale modellen berusten vaak op de aanname van ideale omstandigheden. Ze veronderstellen bijvoorbeeld dat alle mensen zich aan de regels houden. Zulke aannames, en de ideale modellen waarin ze fungeren, lijken vaak onrealistisch. Puttend uit de wetenschapsfilosofie, beargumenteer ik dat onrealistische aannames en modellen een belangrijke en positieve rol spelen, ook in politieke

filosofie. De aannames worden niet gebruikt om de echte wereld te beschrijven, maar om een perfect rechtvaardige wereld te beschrijven. Ideale modellen in de politieke filosofie kunnen gebruikt worden als weergave van een einddoel, om de rechtvaardigheid van bepaalde omstandigheden te evalueren, of om onze normatieve intuïties te testen.

Als we modellen op de echte wereld willen toepassen, hebben we niet-ideale modellen nodig. De werkelijkheid is vaak weerbarstiger dan politiek filosofen aannemen wanneer ze een volledig rechtvaardige samenleving beschrijven. Ik beargumenteer dat een niet-ideaal model aan verschillende eisen moet voldoen. Ten eerste moet een niet-ideaal model ingezet worden om toe te werken naar een ideaal model. Zo moet een *liberaal* niet-ideaal model toewerken naar een liberaal ideaal model. Op basis van het niet-ideale model moet geprobeerd worden de samenleving dusdanig te veranderen, dat die uiteindelijk gaat lijken op de samenleving zoals het liberale model die weergeeft. Wordt een model niet op deze dynamische manier gebruikt, dan zou het onrechtvaardige structuren kunnen bevestigen of tijdelijke verbeteringen teweeg kunnen brengen die op de lange termijn een doodlopende weg blijken. Ten tweede moet een niet-ideaal model voldoende op de echte wereld lijken. Als het niet-ideale model aannames doet die ver van de echte wereld verwijderd zijn, is het model mogelijk niet goed toepasbaar. Een ideaal model kan geassocieerd worden met een veelheid aan niet-ideale modellen die het ideale model, al naar gelang de omstandigheden in de echte wereld, steeds dichter benaderen. Zo ontstaat een continuüm aan modellen.

Ten tweede onderzoek ik welke aannames over sterk verdeelde samenlevingen en over het gedrag van politieke elites passend zijn voor een theorie voor democratie in sterk verdeelde samenlevingen (Hoofdstuk 3). Kloppen de consociationele aannames? Spelen de zorgen van liberale critici ook in de praktijk een rol? Het empirische gedeelte van het proefschrift richt zich op Bosnië en Herzegovina (hierna: Bosnië) waar in 1995 een consociationele democratie is ingevoerd. Dit systeem maakt onderdeel uit van de vredesovereenkomst die een einde maakte aan de oorlog tussen Bosnische Serviërs, Bosnische Kroaten, en Bosniakken. In de meeste democratische instituten, zoals het presidentschap of het parlement, is de macht in Bosnië verdeeld tussen de politieke leiders van deze drie groepen. Hoewel de consociationele vredesovereenkomst de oorlog heeft beëindigd, wordt betwijfeld of het ook op de lange termijn tot een rechtvaardige en democratische samenleving leidt. In een serie van acht interviews heb ik op het consociationele systeem in Bosnië gereflecteerd met medewerkers van maatschappelijke organisaties.

Mijn respondenten benadrukken dat er veel problemen in Bosnië zijn die gekoppeld kunnen worden aan het consociationele systeem. Ten eerste kunnen burgers van Bosnië die zich geen Bosniak, Serviër of Kroaat voelen in bepaalde politieke instituten geen zetel krijgen. Dit is een discriminerende praktijk, zo oordeelde ook het Europese Hof voor Rechten van de Mens. Ten tweede blijkt dat het binnen het systeem loont voor politieke leiders om verschillen tussen groepen te benadrukken in plaats van te overbruggen. Ze worden gesteund en hebben dus macht, omdat burgers denken dat het belangrijk is dat de belangen van hun groep behartigd worden. Door met manipulatie en corruptie deze gedachte levend te houden, behouden politieke leiders hun macht. Tot slot benadrukken de respondenten dat echte vooruitgang richting liberale democratie niet kan plaatsvinden zolang er geen verzoening is. Voor verzoening moet elke groep niet alleen erkennen wat hun is aangedaan, maar ook wat zij andere hebben aangedaan. Ook dit wordt door de houding van politieke leiders belemmerd.

Op basis van de criteria die ik met de Continuüm Benadering heb geformuleerd voor niet-ideale modellen en de gegevens uit de studie van Bosnië analyseer ik het consociationalisme zoals toegepast in post-conflict samenlevingen. Ik stel dat het geen liberaal niet-ideaal model is en suggereer enkele veranderingen die het meer in lijn zouden kunnen brengen met liberale democratie.

De focus op politieke elites is voornamelijk problematisch omdat consociationele aannames over hun gedrag en motivaties niet overeenkomen met de praktijk (Hoofdstuk 4). Het consociationele model neemt aan dat politieke elites gemotiveerd worden door de wens om conflict te vermijden. In de praktijk blijkt dat ze vaak door eigenbelang gemotiveerd worden. In een post-conflict samenleving zoals Bosnië waar (financiële) middelen schaars zijn, is politieke macht een belangrijke bron voor welvaart. Politieke elites werken niet samen om conflict te vermijden, maar om hun macht te consolideren en hun welvaart te vergroten. Omdat de werking van consociationele democratie anders is dan wordt aangenomen, leidt het model tot andere resultaten dan voorspeld. De verschillen tussen groepen worden benadrukt en vergoot door politieke elites, omdat zij hiermee hun macht vergroten. Dit leidt op allerlei terreinen—economisch, sociaal, en politiek—tot stagnatie.

Consociationele democratie kan dit mogelijk op twee manieren ondervangen. Ten eerste zouden aanbevelingen of voorschriften zich kunnen richten op het veranderen van het gedrag en de motivaties van politieke elites. Dit zou een veel bescheidenere aanpak behelzen dat het constitutionele ontwerp dat nu gepaard gaat met de aanbeveling en toepassing van consociationele democratie. Ten tweede, in lijn met de empirische benadering van consociationalisme, zou meer kennis moeten worden opgedaan over de relatie tussen het gedrag en de motivatie van politieke elites en consociationele politieke structuren. Kunnen de structuren bijvoorbeeld zo worden aangepast dat ze niet meer zo makkelijk kunnen worden ingezet om het eigenbelang van elite te promoten?

De focus op groepen is niet inherent problematisch zoals liberale critici beweren (Hoofdstuk 5). Consociationalisten nemen aan dat groepen belangrijk, stabiel, en duurzaam zijn, omdat ze dat in de praktijk in sterk verdeelde samenlevingen vaak zijn. Echter, deze aanname combineert niet goed met liberale waarden van individuele vrijheid en gelijkheid. Consociationalisten nemen enerzijds aan dat in de praktijk min of meer objectieve, extern vastgestelde criteria bepalen bij welke groep iemand hoort. Anderzijds betogen zij dat in een consociationele democratie, omdat die verenigbaar is met liberale waarden, individuen vrij zijn om te kiezen bij welke groep ze horen. Gezien de eerste aanname, heeft de tweede normatieve aanname, die uiting moet geven aan de vrijheid en gelijkheid van het individu, niet veel om het lijf. Om daadwerkelijk in overeenstemming te zijn met liberale waarden moet het consociationele model meer doen om het belang van deze objectieve criteria te verminderen. Dit is in het bijzonder van belang in post-conflict samenlevingen. Daar zijn deze criteria vaak het onderwerp en het resultaat van een gewelddadig conflict en worden ze bovendien door politieke elites ingezet om hun macht te consolideren. Aanvullende maatregelen die bijvoorbeeld het contact tussen burgers met verschillende opvattingen op een positieve manier stimuleren, zijn nodig.

Bovendien is de representatie van groepen in consociationele post-conflict samenlevingen vaak in de grondwet verankerd. Dit maakt het systeem star en ongevoelig voor maatschappelijke veranderingen. Zelfs als de groepsrepresentatie die is vastgelegd in de grondwet niet langer in overeenstemming is met de belangen en overtuigingen van burgers, dan kan de grondwet niet

zomaar veranderd worden. Bijvoorbeeld, in 2009 oordeelde het Europese Hof voor de Rechten van de Mens dat de grondwet van Bosnië veranderd moest worden, omdat deze burgers die zich niet identificeren als Bosniak, Serviër, of Kroaat, discrimineert. Omdat politieke leiders het niet eens kunnen worden over de precieze uitvoering van het oordeel van het Hof, is de Bosnische grondwet tot op de dag van vandaag ongewijzigd gebleven. Het grondwettelijk vastleggen van groepsrepresentatie leidt dus tot een rigiditeit die vooruitgang in de weg staat.

Het consociationalisme is, ondanks haar liberale aspiraties, geen *liberaal* niet-ideaal model. Zowel het groepsdenken als het toekennen van veel macht aan politieke elites consolideren onrechtvaardige structuren, in plaats van ze te overstijgen. De empirische studie van consociationele democratie in Bosnië laat zien dat de situatie in post-conflict samenlevingen anders is dan sommige aannames waarop het consociationalisme gebouwd zijn veronderstellen. Terwijl in theorie politieke leiders verondersteld worden te handelen vanuit de wens om (gewelddadig) conflict te vermijden, blijkt in de praktijk hun eigenbelang vaak leidend te zijn. Daarnaast is er een discrepantie tussen de aanname dat groepsidentiteiten stabiel en duurzaam zijn en de normatieve overtuiging dat individuen vrij zijn hun eigen (groeps-)identiteit vorm te geven. Gezamenlijk leidt dit ertoe dat consociationele democratie geen liberale waarden weet te verwezenlijken, en dat het onvoldoende perspectief op verbetering van de belemmerende factoren in de toekomst biedt.

De Continuüm Benadering die ik heb ontwikkeld voor de analyse van het consociationalisme is ver buiten het debat over consociationele democratie toepasbaar. Voor veel omstandigheden hebben we niet-ideale modellen nodig. De omstandigheden in de werkelijkheid zijn vaak ver verwijderd van de omstandigheden in ideale modellen van rechtvaardige samenlevingen in de politieke filosofie. Voor het ontwikkelen van niet-ideale modellen, hebben we ideale modellen nodig. Deze modellen geven richting aan niet-ideale modellen. Ook empirisch onderzoek is belangrijk voor het opstellen van goede niet-ideale modellen. Door empirisch onderzoek worden modellen voor rechtvaardigheid sensitiever voor de praktijk. De kans dat ze daadwerkelijk meer rechtvaardigheid kunnen realiseren, wordt daarmee vergroot.